

**MINUTES OF THE COMMITTEE-OF-THE-WHOLE MEETING OF THE PRESIDENT AND
BOARD OF TRUSTEES OF THE
VILLAGE OF ARLINGTON HEIGHTS
October 18, 2021 at 7:00 PM**

President Hayes called the meeting to order at 7:00 PM.

BOARD MEMBERS PRESENT: President Hayes; Trustees Baldino, Bertucci, Canty, Grasse, Scaletta and Tinaglia

BOARD MEMBERS ABSENT: Trustee La Bedz and Schwingbeck

STAFF MEMBERS PRESENT: Village Manager, Randy Recklaus and Assistant Village Manager, Diana Mikula

OTHERS PRESENT: Shirshir Patel and Hart Passman

A. Consideration of recommending to the Liquor Commissioner the issuance of a Class B Liquor License to Shiya Wine & Spirits, Inc. dba Lyon's Beverage Depot located at 135 S. Arlington Heights Road, upon surrender of the current liquor license issued to this address.

The petitioner, Shirshir Patel, introduced himself and was sworn in by the Mayor.

Assistant Village Manager Diana Mikula gave the staff report. Ms. Mikula stated that this is a new license for change in ownership of the current Cardinal Liquors. The address has not had a liquor violation and Mr. Patel also, has not had a liquor violation. The applicant is Bassett trained.

The police did a background check on Mr. Patel and there were issues noted:

- 1) The Chicago Police Department arrested the applicant on April 16, 2020 for DUI. The applicant entered a guilty plea, completed court ordered classes and is currently serving two years' probation.

Mr. Patel owns two stores in Chicago that hold liquor license and the following issues were noted:

- 2) Chicago Police officers performed a surprised inspection in 2019. The store was found to be in violation of their liquor license by not having an armed security guard as required. The applicant appealed to change the requirement, which was granted.
- 3) In 2018, an employee sold liquor to an underage customer that was working with the Chicago Police Department. The applicant explained the employee was new and it was a busy weekend. The applicant paid \$1,000 fine.
- 4) In 2018, Officers with the Chicago Police Department located a subject selling individual cigarettes in the parking lot of liquor store. Applicant was reported to be in violation of a section of his liquor license requiring him to call the Police to report subjects loitering. The incident was only documented, no fine or punishment.

Ms. Mikula did a walk-through of the establishment on October 14, 2021. The property was very clean and did match the floor plan submitted. Upon a satisfactory interview, Assistant Village Manager Mikula indicated that staff recommends the issuance of a Class B liquor license.

Discussion ensued regarding the violations and it was pointed out that an establishment under Mr. Patel's control did receive a violation by selling to a minor. Mr. Patel was also questioned regarding the DUI. Village Legal Counsel, Hart Passman was asked if a DUI would be an automatic disqualifier. Mr. Passman stated that a DUI would not be an automatic disqualifier. Mr. Patel responded that he does understand why the Board would have concerns. The Mayor stated the Board wanted to ensure that the safety of residents and those that frequent the store and also insure that the applicant would comply with the liquor laws of the Village. Mr. Patel indicated that he understood. Mr. Patel said that he will be running the whole store and at the store daily for at least one shift. He is looking to possibly sell one of his Chicago stores so that he can dedicate more time at the new store.

Additional questions regarding the violations were asked and Mr. Patel stated that the employee that sold to the minor was immediately fired and that he did change his training process. New employees now are trained by spending two weeks working closely with another employee to better learn the processes.

The Mayor inquired if Mr. Patel would be doing tasting at his store, and if so a Class T license would be needed. Mr. Patel stated that he would like to do that. Ms. Mikula asked if Mr. Patel wanted to add a Class T and asked Mr. Passman if that could be added at this time. Since the current owner has both a Class B and T, there would be a T available and Mr. Passman stated that a Class T could be added at this time. Trustee Scaletta asked Mr. Passman if adding the Class T now would be okay as it was not on the Village Board Meeting agenda. Mr. Passman stated, if it was a change in use or there was not a license available that might be different, but for this case, he sees no issues with the Village Board adding a Class T.

Trustee Bertucci moved, seconded by Trustee Scaletta to recommend that the Village Board of Trustees recommend to the Liquor Commissioner the issuance of a Class B and T Liquor License to Shiya Wine & Spirits, Inc. dba Lyon's Beverage Depot at 135 S. Arlington Heights Road, upon surrender of current liquor license issued to that address.

The following voice vote was recorded:

7 Ayes

0 Nays

The motion passed.

B. OTHER BUSINESS – None

C. ADJOURNMENT – Trustee Scaletta moved, seconded by Trustee Baldino to adjourn. The meeting adjourned at 7:25 pm.