

VILLAGE OF WINNEBAGO LIQUOR COMMISSION
FEBRUARY 22, 2018, MEETING MINUTES

The Village of Winnebago Liquor Commission met on February 22, 2018, at 6:00 p.m. at the Village of Winnebago Office. Present were the following: Village Liquor Commission Members Stan Maligranda, Jim O'Rourke, and Kelli Jeffers. Guests present were Village Liquor Commissioner Franklin J. Eubank, Jr., Village Attorney Mary J. Gaziano (arrived late), Mike Weerda, Tom McDonald, Michelle McDonald, Andrea Kohl, Aaron Rorabaugh, and Jaida Lambert.

The meeting was called to order at 6:07 p.m. by Chairman Stan Maligranda.

CONFLICT OF INTEREST STATEMENT. Inquiry was made if anyone on the Commission had any conflict of interest in reference to being an owner of a liquor establishment, or any other interest in a liquor establishment. All replied in the negative.

APPROVAL OF AGENDA. No changes to the Agenda were requested so a motion was made by Jim O'Rourke to approve the Agenda, Kelli Jeffers seconded the motion, the motion carried, and the Agenda was approved.

APPROVAL OF MINUTES. No Minutes were available for approval at this meeting.

PUBLIC COMMENT.

SPEAKER: Mike Weerda

Mr. Weerda spoke about the desire for the availability for liquor licenses to be available throughout the Village rather than just to the annexed areas. He indicated his concern is not a liquor concern, but rather an economic concern. He indicated there would be additional revenue for the Village through liquor licenses, more people would stay in the Village and spend money at Village businesses, and video gaming would also bring in revenue.

Mr. Weerda also opined that the 70/30 food to liquor requirement is too difficult to enforce, and other area businesses outside the Village do not have such strict requirements. He believes the people of Winnebago should be given the opportunity to go to a burger and bar establishment in their own town without having to leave the Village.

LOCAL REFERENDUM PROCEDURE.

Frank Eubank asked Attorney Gaziano to confirm that Village Board itself cannot vote to have a liquor referendum on the ballot, but rather the requirement is for citizen signatures, and to forward the link to the research found.

Attorney Gaziano is also to investigate the effect of an expired 20 year annexation agreement on the ability of an annexed property that had a disconnect clause in its annexation agreement to now disconnect if a liquor referendum to allow liquor in the Village were to fail.

ALCOHOL TO LIQUOR 70/30 REQUIREMENT.

Discussion was had on this topic by the Liquor Commission Members, and the consensus was to recommend to the Village Board that any food to liquor percentage requirement be eliminated. Accordingly a motion was made by Jim O'Rourke to recommend to the Village Board that the food to alcohol percentage requirements in the Village's Liquor ordinance be abolished, the same was seconded by Kelli Jeffers, and the motion unanimously carried.

SCHOOL DEFINITION.

The question arose as to whether the preschool in downtown is actually a school or a daycare. Attorney Gaziano will further investigate the definition of a "school" under the Illinois Liquor Control Act.

NEW BUSINESS.

Frank Eubank indicated he was told by Attorney Patrick Hayes, General Counsel for the Illinois Municipal League, that alcohol at business events is not legal. This comports with the advice previously provided by the Village Attorney. Frank Eubank further indicated that Attorney Hayes stated that when he worked for the City of Rockford as its legal counsel, the City just did not enforce the same.

Next meeting of the Liquor Commission set for Wednesday, March 21, 2018, at 6:00 p.m.

There being no further new business or matters to discuss in Executive Session, Kelli Jeffers made a motion to adjourn, the same was seconded by Jim O'Rourke, and the meeting was adjourned at 7:02 p.m.

UNAPPROVED

Mary J. Gaziano, Village Attorney

(prepared with assistance of notes taken by Frank Eubank before attorney arrival)

Minutes approved by Village Liquor Commission

on _____.