

**MINUTES OF THE SPECIAL MEETING**  
**OF THE LIQUOR CONTROL COMMISSION**  
**VILLAGE OF WHEELING**  
**BOARD ROOM - 2 COMMUNITY BOULEVARD**  
**COOK and LAKE COUNTIES, WHEELING, IL**  
**MONDAY, JANUARY 8, 2018**

**1. Call to Order**

Chairman Horcher called the Meeting to order at 6:30 p.m.

**2. Pledge of Allegiance**

**3. Roll Call - Clerk Simpson called the roll and the following Board members were present:**

Ken Brady, Ray Lang, Mary Papantos, Joe Vito, Dave Vogel, Pat Horcher

Commissioner Mary Krueger informed the Board prior to the meeting that she would be absent.

**4. Approval of Minutes**

Approval of Minutes for the Special Meeting of November 20, 2017

Motion by Dave Vogel, second by Mary Papantos to approve Minutes as presented.

Yes: Pat Horcher, Ray Lang, Mary Papantos, Joe Vito, Dave Vogel

Abstain: Ken Brady

Final Resolution: Motion Approved

Commissioner Brady abstained as he was not present at the November 20, 2017 meeting.

**5. Citizen Concerns and Comments**

Deborah Wilson spoke about signage on Lake Cook Road.

**6. New Business**

**A. Hearing in the Matter of XO Restaurant & Banquet Hall, Inc., 1057 & 1063 Lake Cook Road (Docket 17-02)**

Village Prosecutor Nick Stavros spoke on behalf of the Village.

Business owner Vadym Pobyegayev was present and was sworn in by Village Attorney James Ferolo.

Attorney Stavros submitted proof of felony conviction which was submitted as evidence and asked for revocation of the liquor license and authority for law enforcement to access the property to check for compliance.

Attorney Ferolo asked Mr. Pobyegayev if he wanted to make a statement on his behalf, Mr. Pobyegayev replied "no."

There were no questions from the Commission.

Chairman Horcher asked for a Motion to recess into Executive Session to deliberate as a quasi-adjudicative body.

Motion by Mary Papantos, second by Dave Vogel.

Yes: Pat Horcher, Ken Brady, Ray Lang, Mary Papantos, Joe Vito, Dave Vogel

Final Resolution: Motion Approved, meeting recessed at 6:38 p.m.

**7. Executive Session**

[Reconvene from Executive Session]

Chairman Horcher asked for a Motion to reconvene into open session.

Motion by Ray Lang, second by Ken Brady that the open meeting reconvenes.

Motion carried by Roll Call vote, all Ayes; the regular meeting reconvened at 6:46 p.m.

**8. Action on Executive Session Items**

Village Attorney James Ferolo stated that the Commission deliberated the evidence presented. Based on the evidence presented Attorney Ferolo recommends considering a Motion to revoke the liquor license of XO Restaurant & Banquet Hall, Inc., and included in the order of revocation he asks for language authorizing the Wheeling Police Department to enter the premises to confirm the business is in compliance with this order.

Motion by Mary Papantos, second by Ray Lang.

Yes: Pat Horcher, Ken Brady, Ray Lang, Mary Papantos, Joe Vito, Dave Vogel

Final Resolution: Motion Approved

## **9. Adjournment**

Chairman Horcher asked for a Motion to adjourn.

Motion by Ray Lang, second by Mary Papantos.

Motion carried by Voice Vote, all Ayes, the meeting adjourned at 6:48 p.m.

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Elaine E. Simpson, Village Clerk

Approved this 5th day of February, 2018 by the Chairman and Commissioners.