

**LIQUOR LICENSING & REVIEW COMMISSION**  
**VILLAGE OF OAK LAWN**  
**VILLAGE HALL AUDITORIUM**  
**9446 RAYMOND AVENUE OAK LAWN IL 60453**  
**Meeting Minutes #2020-2 (09-23-20)**

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**I. ROLL CALL:** Meeting called to order at 5:00 p.m.

Chairperson: Mayor Sandra Bury

Members: Cheryl Daly (*ABS*)      Jack Hopkins (*ABS*)  
Larry Daly                      Chuck Miller  
Tom Dematteo                  Terry O'Reilly  
Jan Goetz (*ABS*)

Staff: Tom Nelligan, Village Attorney  
Deanne Adasiak, Recording Secretary

**II. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Mayor Bury.

**III. APPROVAL OF PRIOR MEETING MINUTES:**

*A motion was made by Member Miller to approve the prior Meeting Minutes of July 22, 2020 #2020-1 and was seconded by Member O'Reilly.*

Roll call: O'Reilly, yes; Miller, yes; Dematteo, yes; Daly, L., yes.

Motion to approve passes: 4-0-0.

**IV. NEW BUSINESS:**

a. Liquor License Request for Louie's Restaurant (Class MV):

*Ms. Nick Perakis, 4642 West 103<sup>rd</sup> Street, Oak Lawn, Illinois.*

Mayor Bury said that she was sorry to hear that Louie's Chop House decided not to reopen after their initial closing with the pandemic. She expressed that she enjoyed many good times at Louie's and that she is happy to know that an area resident saw this as an opportunity to open a restaurant. Mayor Bury introduced Nick Perakis and mentioned that he grew up 2 blocks from the location and is interested in obtaining a liquor license with gaming for the restaurant.

The petitioner said initially he was going to keep the name "Louie's Chop House" but that Louie called him yesterday and asked him to not use the name. The petitioner said he decided to call his new restaurant "Rockefeller's". Mayor Bury asked the petitioner to explain his vision for Rockefeller's. The petitioner responded that he would like the bar area to be somewhat more modern and inviting. He said his target clientele will be young parents with disposable income. The petitioner said he will not change too much in the dining room. The petitioner said he will have a steak and seafood menu and appetizers. He said he will put a twist on some things to make it his own but that he will have similar steak offerings that Louie's had on their menu. The petitioner mentioned that he worked at Louie's on and off for approximately 15 years. He said he was a waiter, bartender, and managed the restaurant when Louie's family were out of town. The petitioner expressed that it has always been his dream to open a restaurant. He mentioned that he has been in the restaurant industry since he was 15 years old.

Member Daly asked the petitioner the target date for opening. The petitioner replied as soon as possible. The petitioner said he is not making too many changes but with the permitting process and such he is not sure of an opening date. Member Daly asked the petitioner if he will

operate using the same footprint. The petitioner responded yes. Member Daly asked the petitioner if he will be adding more televisions. The petitioner responded that he will definitely add more televisions in the bar area and is hoping to add booths in the front of the restaurant near the bar area. He commented that if he does not put booths in the bar area at the start he will do so eventually.

Mayor Bury asked the petitioner with Covid-19 will he be looking for outdoor seating. The petitioner responded no. The petitioner said he feels he can space out the tables pretty easily and keep a decent capacity. The petitioner said he understands that presently the capacity is at 50%.

Mayor Bury asked the petitioner where he plans to put the video gaming terminals. The petitioner responded that he plans to add the terminals at the back left wall in the bar area. The petitioner explained that he initially contemplated using the existing coat room but it seems too small of an area for the machines.

Mayor Bury asked the petitioner if he plans to have a full bar with full service including martins, other cocktails, etc. The petitioner responded yes.

***A motion was made by Member L. Daly to approve the recommendation to BOT for the Liquor License Request for Rockefeller's (formerly Louie's Chop House) at 4642 West 103<sup>rd</sup> Street. The motion was seconded by Member Miller.***

Roll call: L. Daly, yes; Dematteo, yes; Miller, yes; O'Reilly, yes.

Motion to recommend approval to BOT passes: 4-0-0.

b. Mayor's Proposals

None.

V. Reports

a. Current Gaming Revenue

Mayor Bury commented that despite Covid gaming revenue is very steady. Mayor Bury expressed to Deanne that she appreciates the extra information that she provides with the gaming report. Mayor Bury mentioned the push tax Ordinance that the Village implemented. She said that the gaming companies are not submitting the push tax return forms. Mayor Bury said there is another hearing next week and mentioned that the Illinois Gaming Board has also been notified of the non-compliance issues with the terminal operators. Mayor Bury said the push tax has been challenged in the court system but currently there is no action on that challenge.

Member Daly asked if the push tax stays in place whether the fees will be passed on to the business owners. Mayor Bury responded that the push tax is *on* the individual pushing the button. Member Daly responded "yes and no". He said right now the push tax is being paid by the gaming operators. Mayor Bury said the gaming company has to fill out the form and send in the payment; she said she is not sure if the terminal operators are collecting fees from the establishments. Member Daly said when the push tax was first proposed there was big concern among the business owners about the cost. Mayor Bury responded that there is no cost to the business owners. Mayor Bury said the business owner is not submitting the push tax form. Member Daly asked who is paying the tax. Mayor Bury replied presently no one is paying which is why the terminal operators are in violation. Member Daly asked when the tax is paid who is paying for it. Mayor Bury replied that the check will come from the gaming company. Deanne expressed that the push tax does not fall on the establishment. Member Daly said it seems it is a bit muffled. Mayor Bury expressed that there is no confusion on her part. Mayor Bury said the Village expects a monthly push tax report. Mayor Bury said the terminal operators were in a "tizzy" when the Ordinance passed. She said the terminal operators started a misinformation campaign

with the business establishments making the business owners feel that they would be liable. Mayor Bury expressed that it was both inappropriate and unethical. Member Daly said he was not pointing fingers; he explained that he was told that until further notice that the gaming companies decided that the businesses would take on that expense. Mayor Bury replied that is not true. Member Daly asked what is the alternative if the terminal operators do not pay. Mayor Bury replied that she is holding monthly hearings and the alternative includes violation fines, license fines, etc. Member Daly asked if a violation can include losing a license. Mayor Bury said that is correct. She said it is to their advantage to comply with our local ordinances. Mayor Bury said the fees start at \$500 and it can progress going forward. Mayor Bury commented that what she is hearing from Member Daly is the “misinformation” and it upsets her because it is wrong. Member Miller asked if there is a way that the gaming companies can pass the push tax onto the businesses. Mayor Bury responded that she hopes not.

Member Daly asked if the Liquor Commission can make a recommendation to put something in place to “light a fire” under the terminal operators. He said if one company took it upon itself to pay and the other companies have not he asked what can be done. He expressed concern that the business owner will suffer the consequences if the terminal operators do not pay. Mayor Bury said there are progressive disciplines. She said the intent is compliance with the Ordinance and that it is on the terminal operator not the business community.

Member Miller asked if the businesses can change gaming companies. Mayor Bury said she is sure there are contracts in place and she is not sure of the timeline for a business owner to move forward with a change in terminal operators. Mayor Bury said if you have a contract with a company that does not provide a service she feels the business owner would have that right to change operators. Mayor Bury said the contention of the terminal operators is that they said they could not get the information to pay the push tax. She said that their expert witness did express that this data is in fact obtainable. Mayor Bury said that it is estimated that the push tax could bring in annual revenue of up to \$1 million dollars.

Mayor Bury mentioned that this Ordinance has been shared with the Municipal League and she anticipates that other municipalities will adopt a push tax ordinance. Member Miller asked if down the road the Village could increase the push tax to as much as \$0.05 a push. Mayor Bury responded that she expects that it can change over time like anything else but the intention is not to gouge.

Member Dematteo asked if there is opportunity to recoup unpaid fees/tax. Mayor Bury said the Ordinance went into effect January 1<sup>st</sup> and so that is the effective date for collection. Member Dematteo asked if any other municipalities adopted a push tax Ordinance. Deanne replied that Waukegan adopted a push tax ordinance effective July 1<sup>st</sup>.

VI. Public Comments

None.

VII. Adjournment

***A motion to adjourn was made by Member Miller and seconded by Member O’Reilly.***

Voice Vote: All in favor, aye. All opposed, none.

Motion to adjourn passes.

The meeting adjourned at 5:27 p.m.