

**MINUTES OF THE COMMITTEE-OF-THE-WHOLE MEETING OF THE
PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF ARLINGTON HEIGHTS
33 S. ARLINGTON HEIGHTS ROAD - COMMUNITY ROOM
MONDAY, June 17, 2013**

Mayor Tom Hayes called the meeting to order at 7:30 PM.

BOARD MEMBERS PRESENT: Mayor Hayes, Trustees Blackwood, Farwell,
Glasgow, LaBedz, Rosenberg, Scaletta, Sidor,
Tanaglia

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Village Manager Bill Dixon, Assistant to the
Village Manager Diana Mikula, Assistant
Village Attorney Robin Ward, Police
Investigator Bill Kirby

OTHERS PRESENT: Liquor Applicant: Ms. Song H. Han, Ms.
Connie Park, niece and interpreter

**1. CONSIDERATION OF RECOMMENDING TO THE LIQUOR
COMMISSIONER THE ISSUANCE OF A CLASS "A" LIQUOR
LICENSE TO MUSIC BOX CAFÉ, INC., DBA THE MUSIC BOX at
224 E. GOLF ROAD. (INTERNATIONAL PLAZA)**

Mayor Hayes swore in Ms. Song H. Han, 100% owner of Music Box Café, Inc., dba The Music Box and Ms. Connie Park. Ms. Park indicated she is Ms. Han's niece and is acting as her interpreter.

Ms. Mikula presented the staff report on The Music Box liquor application. Song Han is 100% owner of the Music Box Café. She was previously denied a liquor license by the Village when she applied for one under the business name Ding Dong Dang, Inc. in July 2012. A former business partner of Ms. Han's, Ms. Lim, who was the liquor license holder of Ding Dong Dang, had a conviction in December 2011 which disqualified Ms. Lim from being eligible to have a liquor license in Arlington Heights.

The stated reasons for the July 2012 denial at the Committee-of-the-Whole meeting included: certain violations that took place on the premises, incorrect paperwork and lack of notification to the Village on ownership changes, questions about Ms. Han's business affiliations and ownership in various businesses. The Board indicated that the applicant did not provide a satisfactory explanation as to why these inconsistencies occurred.

After the liquor license denial, Ms. Han wrote a letter dated July 24, 2012 to Mayor Mulder explaining her situation and asking for reconsideration of a

liquor license. Mayor Mulder responded by indicating that there would not be reconsideration of a liquor license because of the unanimous recommendation of the Board of Trustees to not issue a liquor license. However, Ms. Han was advised by Mayor Mulder that she could re-apply as a new business, under a new corporation with proper paperwork and accurate forms. The Village Board could consider this new application, but there would not be a guarantee that a liquor license would be issued.

Ms. Mikula further indicated that she has worked with Ms. Han over the course of several months since the denial and Ms. Han has been very persistent in seeking a liquor license. Ms. Han has provided documents showing she is 100% owner of the new corporation Music Box Café, Inc., dba The Music Box. She has also provided various documents showing she is no longer part of the Karaoke Restaurant and Bar (Courtil Music Studio) in Chicago (see Nov. 29, 2012 attorney letter) and supplied various closing documents showing she sold her shares in the business.

The updated information was verified through the City of Chicago, the State of Illinois Liquor Control Commission, and the Secretary of State. Ms. Han also updated her Village business license application in August 2012 to reflect a business and corporate name change to The Music Box. Her lease was also updated to reflect the name change.

Ms. Han has been operating The Music Box restaurant as a BYOB. She indicated that her patrons still attend to participate in Karaoke but she loses business when patrons find out about the lack of liquor service and this situation has created a significant hardship.

In May 2013, the Arlington Heights Police Department conducted background checks on Ms. Song Han. No convictions were disclosed and no criminal derogatory information was found. Ms. Han did disclose on the Additional Liquor Applicant Information form that there were issues with judgments/liens and she was advised to be prepared to explain if asked by the Board.

In response to various questions, Ms. Han indicated she opens in the late afternoon and closes at either midnight or 1am. She used to have at least 6 employees working with her but had to downsize to 4 employees when business went down when people realized she didn't have a liquor license. She is BASSET Certified as are her employees. She has updated her menu and understands she can have a limited menu after 11pm but must always sell food when selling liquor.

Trustee Glasgow asked Ms. Han what had changed in the past year since the Village Board denied her a liquor license because the Village Board felt misled and was not satisfied with the liquor application submittal.

Ms. Park indicated that Ms. Lim was Ms. Han's stepsister and she had no knowledge of her behavior. The whole family was shocked to learn what Ms. Lim had done and Ms. Lim has subsequently been stigmatized in the Korean community. Ms. Han took steps to distance herself from Ms. Lim. Ms. Han fully bought the business and is 100% owner. She created a new corporation, changed the business name, changed the menu and has been operating as a BYOB. It is a family establishment for people to have fun with karaoke.

In response to various questions, Investigator Kirby indicated that in December 2011, the former owner and liquor license holder, Ms. Lim, was convicted of prostitution in a nearby community while holding a Village of Arlington Heights liquor license. He also conducted parts of the investigation for this address and liquor applicant.

Ms. Park indicated that Ms. Han fell into hard times when she didn't get her liquor license. Her house was in foreclosure; she went through a loan modification and was late with some payments.

Trustee Glasgow asked Ms. Lim additional questions. After hearing her response, he indicated that he didn't see a significant change from a year ago. He has issues with the credibility and honesty of the petitioner. He believes a liquor license is a privilege and not a right and does not believe satisfactory answers have been provided to warrant a liquor license.

Trustee Glasgow made a motion to deny the issuance of a liquor license. Trustee Farwell seconded the motion.

Trustee Farwell inquired about the ownership documents and what the purchase agreement was. Ms. Park responded that in October 2009 Ms. Han purchased the business from Lim. There was a stipulation that Lim could purchase the business back from Han at the same price within 2 years which would have ended in October 2011. Ms. Lim did not purchase it back so Ms. Han is 100% owner of the business and she dissolved Ding Dong Dang, established a new business entity and a new business name.

Trustee Farwell indicated that he would like to see the ownership documents since the 2011 liquor license submittal contained errors and misleading statements.

Mayor Hayes indicated that the Committee-of-the-Whole meeting needs to end because of the start of the Village Board meeting. He does not believe there is a consensus regarding this application and would like to give the other trustees an opportunity to speak.

Trustee Glasgow amended his motion, and the amended motion was seconded by Trustee Farwell to recommend that the consideration of issuing a liquor license to Music Box Café Inc. doing business as The Music Box be continued until July 1, 2013.

Upon a voice vote the motion carried unanimously: Ayes: 9 Nays: 0

2. OTHER BUSINESS

None

3. ADJOURNMENT

Meeting adjourned at 8:00 PM.

Recorded by: Diana Mikula, Assistant to the Village Manager