

Letter to the Community

As the Village President, I made the decision to deny a liquor license to Mark Clemens. I felt he did not have the "character and reputation in the community," needed for a liquor license in the Village of Rochester. This is a valid reason to deny a liquor license in the State of Illinois.

I have lived and worked in this community for over 30 years. I worked with the former village attorney on my decision and was informed I had the legal justification necessary to deny the license. Many stories have come out over the past year and a half about my decision to deny the license, but not many facts. It was stated that the denial was in "retaliation for my son." It is an easy claim to believe, but my son had nothing to do with my decision to deny Mr. Clemens a liquor license. What happened to my son is his business, not mine.

An appeal was filed by Mr. Clemens with the Illinois State Liquor Commission. We had a hearing by video. It was not a court where Mr. Clemens had to prove anything. The burden of proof was placed on the village. An attorney from the State Liquor Commission played the referee, and there was no judge overseeing the process. There were two board members from

School board

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er Stadium have been saved and will be returned to the original owners. A new donor plaque will be placed to memorialize the original donors to the stadium complex. He said the district was in the process of contacting the original donors so that they can make arrangements to pick up their pavers or stones.

Dr. Shaw told the board that the district needed to expand the Pre-K playground at the elementary school campus. "With the expansion of Pre-K, an area of need is the playground," she said, adding that there were concerns with the proximity of the playground to the road, and the lack of a fence. "We are currently working with vendors to develop a plan to expand the options on the Pre-K playground and install a fence around the area." All of the improvements will be funded through the district's Kindergarten For All or Prekindergarten Special Education grants.

Director of Education Services Suzanne Keller reported on a January 8 meeting of Partners in Education, where a General Education Advisory Council Constitution had been drafted. The draft will undergo further review by the administrative team and at the February PIE meeting, and could possibly be on the board's agenda as an action item at its next meeting February 19.

April election

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be on the ballot. Two seats became vacant after the sudden resignations of two board members in October, and the third is currently held by incumbent and board vice president Todd

the State Liquor Commission on video. One held her dog on her lap and would periodically adjust her dog and hold it in front of the camera. No matter who was talking, others would comment about how cute the dog was. While observing the other board member, she appeared to not move or blink for over an hour. When she finally moved again, she was eating from a bag of jellybeans that was not present earlier. In my view, the Liquor Control Commission did not take this process seriously, and it felt as if the verdict had already been predetermined.

In the final judgement, the State Liquor Commission stated, "while there is no specific statutory threshold of what constitutes bad character, typically bad character would exist if a person has committed a crime." That statement suggests that character and reputation are subjective, or that the only way to demonstrate bad character is by proving that the applicant had committed a crime previously. How does the Commission get to decide this threshold with no guidelines or knowledge of this person? It was stated that Mr. Clemens was "just frustrated" and not telling the truth as "mischaracterizations". I found this hearing to be unprofessional and very suspicious!

The next step would have been to appeal the Liquor Control Commission's judgement to a circuit court judge to review. I wanted to appeal the decision, but the village board did not want me to pursue an appeal. Several village board members took the fight so far that the former village attorney resigned. As a result, the village had to hire a new attorney to represent it.

The village board's behavior has been horrendous at best. Four out of five board members signed affidavits written by Mr. Clemens' attorney, which were used in the hearing with the State Liquor Commission and referred to several times in the judgement. Only one trustee was honest. At one point, there was a "settlement" offer. I saw it as just another bullying tactic. In this "settlement" offer, it was suggested that I appoint a trustee to take over all duties of Liquor Commissioner to one of three trustees to deal with Mr. Clemens' new business. It listed them by name: Stacia Monroe, Jake Kindred, Chadd Carver. They were obviously

picked for a reason! Every step of the way, the behavior of these three trustees was damaging to the village. Though they tried to distance themselves from me and the problem at hand, they continued to make matters worse for the village. The village needed to appeal that flawed Liquor Control Commission judgement to a circuit court judge. By not doing so, it opened the door for a civil lawsuit.

I truly wanted my decision to be reviewed by a judge. The problem with fighting this civil lawsuit is that it could potentially cost the village more than the original amount. The attorney fees would exceed the amount we were being sued for. I am a businessman, and I can do the math. It was not in the best interests of the village to pay for a lawsuit where the cost could exceed the potential settlement. We went to mediation and settled the lawsuit. The settlement was well below what Mr. Clemens demanded, and was cheaper for the village than the lawsuit would have been. The judge that ran the negotiations asked me why we didn't appeal. After I gave her the history, including the board's opposition, she made clear that the village would be in a better position if it had appealed the Liquor Control Commission's decision!

Every decision that I have made, in the past 7+ years, was in the best interest of the Village of Rochester and our residents. I take my responsibility as Village President very seriously and have always tried to make decisions thoughtfully. I believe in truth, justice and fairness. I am the same man who you elected and trusted to make solid decisions for our village. I am the same person who has worked in this community for 23 years. You know me and you know there is more to this story. There is a non-disparagement clause in the settlement, so I can't elaborate any more than I have.

I am truly sorry that this has cost the citizens of Rochester precious tax dollars that could have been spent to make improvements to our village. I continue to work hard for the residents of Rochester as I have done for 7+ years and I have confidence that the Village of Rochester will continue to grow and prosper under my continued leadership.

Joseph C. Suerdieck
Village President
Village of Rochester

