

**REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE
DOWNERS GROVE PUBLIC LIBRARY
November 14, 2007**

MINUTES

ROLL CALL

President Daniels called the meeting to order in the Library Meeting Room at 7:38 p.m. Trustees present: DiCola, Greene, Humphreys, Read (by phone), Daniels. Trustees absent: Vlcek. Also present: Library Director Bowen, Assistant Director Carlson. Visitors: none.

APPROVAL OF MINUTES

The Board reviewed the minutes of the regular meeting of October 24, 2007. It was moved by DiCola and seconded by Humphreys **THAT THE MINUTES OF THE REGULAR MEETING OF OCTOBER 24, 2007 BE APPROVED.** Ayes: DiCola, Greene, Humphreys, Daniels. Abstentions: Read. Nays: none. Motion carried.

PAYMENT OF INVOICES

The Board reviewed the list of invoices submitted for payment. It was moved by Humphreys and seconded by Greene **TO APPROVE PAYMENT OF OPERATING INVOICES FOR NOVEMBER 14, 2007 TOTALING \$71,152.30 AND ACKNOWLEDGE PAYROLLS FOR OCTOBER TOTALING \$156,920.34.** Ayes: DiCola, Greene, Humphreys, Read, Daniels. Abstentions: none. Nays: none. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT ON AGENDA ITEMS

None.

OLD BUSINESS

None.

Trustee Humphreys asked if an additional T1 line had been installed per discussion at the last Board meeting. Director Bowen reported that the T1 line and another option to increase bandwidth are being discussed with ICN.

NEW BUSINESS

- Review and approval of the revised Circulation of Library Materials policy

A Public Library Board is required to review the library policies on circulation every two years. In the last few years no revisions were made other than up-dating the fee for the non-resident card to reflect the current library levy. This year several revisions were proposed for the circulation policy to reflect changes in actual library practice and to up-date fines and fees to more closely reflect actual costs.

Trustee DiCola brought up a Downers Grove patron's complaint regarding materials being checked out to other libraries' patrons, specifically he reported that he had to wait in line while a non-Downers Grove patron checked out a large number of Christmas CDs. President Daniels and Assistant Director

Carlson had talked with the patron a few days before this meeting. The patron requested that the library limit the number of items other libraries' patrons can borrow at one time, and he asked for statistics on the use of Downers Grove Library's materials by other libraries' patrons. The Board discussed the patron's concerns. Director Bowen explained that the library has multiple copies of Christmas CDs, but keeps the extra copies in storage, though immediately accessible, until November. There has never been a problem with the library's circulation policy and limits on materials. Following his conversation with the patron, President Daniels asked Director Bowen to provide the following information for the Board's discussion.

Background info on use of DGPL by non-residents, and DGPL cardholders use of other libraries:

Cooperation is one of the primary advantages of a cooperative such as SWAN. The shared database allows patrons to see the holdings of all of the SWAN libraries and the agreements to cooperate give patrons easy access to all of those materials. This cooperation occurs in several ways.

Reciprocal Borrowing: A cardholder of one library goes to another library and checks out books or other materials. A Woodridge cardholder comes to Downers Grove and checks out a book, or a Downers Grove cardholder goes to Woodridge and checks out a book.

Interlibrary Loan (ILL): A patron requests that a title from another library's collection be sent to the patron's home library, so the patron can check it out there. Woodridge sends a book to Downers Grove so that a Downers Grove cardholder can check it out at the Downers Grove Public Library. ILL gives patrons the ability to obtain materials from libraries throughout the United States and the world.

Copy Returned Soonest: SWAN libraries have agreed to cooperate in order to fill patrons' requests for materials as quickly as possible. When a patron places a reserve (hold) on a title that is not available on the shelf at his or her home library, the request is filled by the first copy of that title available at any SWAN library. If all of Downers Grove's copies of a title are checked out, a Downers Grove cardholder can place a hold on the title, and the first copy of that title that becomes available in any SWAN library will be sent to Downers Grove to fill the cardholder's request. A cardholder might search for the audio-book of *Harry Potter and the Deathly Hallows* and see "8 holds on first copy returned of 133 copies." That means there are 133 copies of this audio-book in SWAN and the first hold in the queue will be filled by the next copy that is returned to any SWAN library.

Reciprocal borrowing represents about 16% of the Downers Grove Library's total circulation. In 2006 the library's circulation was 935,109. Of that total 149,366 items were checked out to cardholders of other libraries.

At this time the library does not receive statistics on the total number of items that were checked out by Downers Grove cardholders at other libraries. The Annual Report to the State Library requires libraries to report the reciprocal borrowing at their library, but does not ask for the figures on their cardholders use of other libraries, so this is not a statistic that the library currently tabulates. Staff are investigating the reports that can be generated from the SWAN database. At this time they have been able to print a report for the previous few months only. Staff are contacting SWAN staff to find out if there is any way to print reports for earlier periods.

The Downers Grove Library averages 12,500 items per month checked out at this library by non-Downers Grove cardholders.

Based on September and October 2007, Downers Grove cardholders visit other libraries and check out an average of about 7,000 items per month.

Interlibrary Loan (ILL) has increased dramatically since SWAN libraries agreed on implementing "copy returned soonest" a few years ago.

In FY 2006, Downers Grove sent 52,278 items to other libraries for their cardholders use.

Other libraries sent 71,831 items to Downers Grove for DG Library cardholders use.

While the FY 2006 annual Interlibrary Loan totals (52,278) are about half of the Reciprocal Borrowing totals (149,366), Interlibrary Loan items require far more than twice the staff time to process than checking out items directly to patrons at the library's Circulation desk, i.e., reciprocal borrowing. It is also considerably less expensive for Downers Grove to have cardholders from other libraries come to Downers Grove and pull their own selections from the shelf and bring them to Circulation for checkout, than to process books from our collection for delivery to another library for the non-resident to pick up there.

The Board discussed the concerns of the patron, and felt that since the current limits on circulating items have been functioning well, there was no need to change the policy. The Board reviewed all the proposed revisions to the Circulation Policy, clarified the wording of section 6.4 Confidentiality of Circulation Records, and made typing corrections.

It was moved by Greene and seconded by Humphreys **THAT THE REVISED CIRCULATION OF LIBRARY MATERIALS POLICY BE APPROVED AS AMENDED.** Ayes: DiCola, Greene, Humphreys, Read, Daniels. Abstentions: none. Nays: none. Motion carried. The Board will receive copies of the amended policy to include in their Policy Manuals at the next Board meeting.

- Review and approval of the 2008 Calendar of Library Closings

A proposed calendar of the library closings for holidays, Heritage Fest, etc. was included in the Board packet. There were no new or unusual days off requested in this calendar. Two possible dates for the Library Foundation event in July were included. The possible dates for the Foundation event were corrected to July 19 and 26.

It was moved by DiCola and seconded by Greene **THAT THE 2008 CALENDAR OF LIBRARY CLOSINGS BE APPROVED AS AMENDED.** Ayes: DiCola, Greene, Humphreys, Read, Daniels. Abstentions: none. Nays: none. Motion carried.

REPORT FROM THE ADMINISTRATION

On Monday, Trustee Humphreys and Director Bowen accepted a check for \$1,000 to the Downers Grove Library Foundation from the Downers Grove Rotary Club, one of the grants made with proceeds of this year's Oktoberfest.

During the review of the September financial reports at the last meeting, Trustee Humphreys asked for an explanation of the Personal Property Replacement Tax that is one of the library's revenue sources. The Board packet contained the explanation of this tax from the Illinois Department of Revenue website. Briefly, in 1979 the new State Constitution abolished the personal property taxes on business that had been levied by local governments. A new law was enacted to replace the lost revenue, and established a statewide income tax on various kinds of corporations. The tax is paid into the Personal Property Replacement Tax Fund and is distributed to local taxing districts based on an allocation factor that was determined when the law was enacted.

The Board packet included a copy of a letter from the County Clerk, alerting taxing bodies to the impact of proposed county budget cuts on the Clerk's Office. The letter suggests that staff cuts would likely lead to delays in issuing property tax bills, which would result in delays in collecting the property tax. While Bowen was not sure it was appropriate for the County Clerk to issue this sort of letter, he really hopes the Downers Grove Library won't end up in a situation like Cook County. Cook County libraries expect to experience very late collection of tax levies and often are forced to temporarily reduce hours and cut spending due to late tax collection.

After Thanksgiving the library is beginning a job study of the work of reference and readers advisory staff, to learn how their work has changed due to the increased use of computers. We will be looking at things like the amount of time that is spent assisting patrons in finding information in print and online resources, time spent helping patrons use applications such as Microsoft Office products, and time spent trouble-shooting hardware problems. The project will help administration revise job descriptions to reflect the actual work of the public service staff in today's library, and identify skills to seek in new staff and identify areas in which to focus training of current staff to help them do their jobs better.

The agenda for the November 28 Library Board meeting will be very short, so that there is plenty of time to have a meeting of the Foundation Board, after the Library Board meeting.

Staff have been interviewing for an open Reference Librarian position and Library Monitor position, and hope to fill both positions after Thanksgiving.

PINs (or passwords) were added to the SAM computer login to make SAM patron accounts more secure. Patrons adjusted to the login change very quickly.

TRUSTEES REQUEST FOR INFORMATION AND ANNOUNCEMENTS

Trustee Read suggested adding a note on the Trustee contact sheet that 630 is the area code that must be dialed for all numbers not indicating an area code.

Trustee Humphreys asked what had been done to upgrade the wireless access throughout the library. Bowen responded that one access point was added to the Meeting Room and two were added on the second floor so there should be good access almost anywhere patrons sit in the library.

President Daniels announced that David W. Green, treasurer for the library's referendum, died in an auto accident on October 27 in Michigan. Services will be held at 10 a.m. Friday, Nov. 16, at First United Methodist Church. David worked at Argonne National Laboratory as a chemist for 30 years. The library will put a memorial book on chemistry in the collection in honor of Green.

OPPORTUNITY FOR PUBLIC COMMENT

None.

ADJOURNMENT

The meeting was adjourned at 8:54 p.m.

**DOWNERS GROVE LIQUOR COMMISSION
VILLAGE HALL COUNCIL CHAMBERS
801 BURLINGTON AVENUE**

Thursday, November 1, 2007

I. CALL TO ORDER

Chairman McInerney called the November 1, 2007 Liquor Commission meeting to order.

II. ROLL CALL

PRESENT: Ms. Strelau, Ms. King, Mr. Kubes, Mr. Adank, Mr. Cawthorne, Mr. Barnett,
Chairman McInerney

ABSENT: None

STAFF: Assistant Village Attorney Ann Marie Perez, Liaison to the Liquor Commission
Carol Kuchynka

OTHERS: Sean Chaudhry, Jessie Peterson, Karen Shannon, Sandy Dixon, Kevin Molidor,
Brad Mitchell, Randy Russell, James Ihssen, Jarrod Mullins, Shelli Mullins,
Shannon Johnson, Kyle Johnson

III. APPROVAL OF MINUTES

Chairman McInerney asked for approval of the minutes and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the minutes of the October 4, 2007 Liquor Commission meeting were approved.

Chairman McInerney reminded those present that this evening's meeting was being recorded on Village-owned equipment. Staff was present to keep minutes for the record and a court reporter was present to take the minutes verbatim.

IV. APPLICATION FOR LIQUOR LICENSE

Chairman McInerney made the following statements:

"The first order of business is to conduct a public hearing on a liquor license application. For the benefit of all present, I would like to state that this Commission does not determine the granting or denial of the issuance of any license. We may at the end of each hearing, make a finding or recommendation with respect to the application. If necessary, the Commission may adjourn a hearing to a later date in order to have benefit of further information."

"At the conclusion of the hearing, the Commission will summarize its findings and determine any recommendations it wishes to make to the Liquor Commissioner"

"The Liquor Commissioner, who is the Mayor of Downers Grove, will, pursuant to Section 3-12 of the Ordinance, render decisions regarding issuance of available licenses within 60 days in order to consult the Plan Commission for its recommendations."

"Hearings by this Commission are held according to the following format: 1) reading of information pertinent to the application, 2) comments from the applicant, 3) comments from the public, 4) discussion by the Commission, and 5) motion and finding by the Commission."

"A court reporter is present to take the proceedings verbatim. Staff is also present for purposes of summarizing the proceedings."

The Cellar Door, LLC d/b/a The Cellar Door, 5150 Main Street

Chairman McInerney stated that the first order of business was to consider a liquor license application for The Cellar Door, LLC d/b/a The Cellar Door located at 5150 Main Street. He added that the applicant is seeking a Class "W-1", Wine Boutique beer and wine on-premise/off-premise consumption liquor license and a Class "O" outdoor liquor license.

Chairman McInerney asked that any individual(s) representing the applicant step forward and be seated. He asked that any individual(s) giving testimony state and spell their name for the record, indicate their affiliation with the establishment and be sworn in by the court reporter.

Mr. Sean Chaudhry and Ms. Jessie Peterson were sworn in by the court reporter. Ms. Peterson introduced herself as the manager of The Cellar Door. Mr. Chaudhry introduced himself as the owner of The Cellar Door. Mr. Chaudhry stated that he is seeking a wine boutique liquor license. He thanked the Commission for helping him to change the Code to accommodate his business. He stated that Carol did an excellent job working with him through the process. He stated that this amendment will make his business more successful and the Downtown more vibrant.

Mr. Chaudhry stated that the wine boutique license will enable them to sell packaged goods as well as serve beer by the bottle and wine by the glass, bottle and carafe.

Ms. Kuchynka noted that there were some corrections to the liquor handling materials that were contained in the Commissioner's packets. She stated that the cover page should read "The Cellar Door, a Wine **Boutique**". She also noted that there have been some updates to the hours of operation. She stated that the Monday through Friday hours have been changed to **10AM-1AM**, in lieu of 4PM to 1AM hours originally listed. She noted that she has updated the pages and the revised manual will be incorporated into the licensee's file.

Mr. Barnett did not have any particular questions and thanked Mr. Chaudhry for his persistence and patience.

Mr. Barnett noted that the outdoor sales application reads "Hinsdale" in the d/b/a address. Ms. Kuchynka noted that she would make a correction by changing the reference to "Downers Grove" and would also update the incorrect zip code.

Mr. Cawthorne did not have any questions. He stated that he liked the fact that Mr. Chaudhry was offering employees \$100 if they pass a control buy test and felt it was an incentive in rewarding the good behavior of his employees.

Ms. King wondered if it would be beneficial to include a sample of the vertical under 21 license in the manual. Mr. Chaudhry replied that they have indicated in the manual that employees are not to accept the vertical licenses. Ms. King thought it would be good for employees to see what the identification looks like and know exactly what not to accept.

Ms. King asked how many people will be employed. Mr. Chaudhry replied that he currently has four

employees. He intends to add an assistant manager with a culinary background and 1-2 servers.

Ms. King cautioned Mr. Chaudhry to monitor the balance of food and alcohol consumption and to be watchful of over service.

Ms. Strelau commented on the vertical under 21 license. She noted that some of the licensee's employees have accepted the vertical license and got caught in the control buy. Ms. Peterson noted that she has a sign posted about not taking the vertical license. Ms. Strelau emphasized the fact that they need to be cautious with these types of licenses.

Mr. Adank did not have any questions and appreciated all of their hard work.

Mr. Kubes agreed with Ms. King that they should include a sample of the vertical under 21 license and update the manual.

Mr. Kubes stated that page 7 of the manual states that they plan to card patrons under the age of 25. He suggested that they amend the policy and card all patrons.

Mr. Kubes preferred that they refer to patrons as "intoxicated" or "under the influence" in lieu of how their manual refers to "how to tell if a person is "drunk".

Mr. Kubes was concerned about points mentioned on page 9 and references to the Liquor Code. He noted that some of the section reference numbers in the manual are incorrect. He asked that they update the manual, correct the inconsistencies and include the proper Liquor Code sections. He also noted a typographical error in their reference to Section 3-25.

Mr. Kubes stated that they include fine and suspension information in their manual and noted that they might also want to list the ordinance section corresponding to fines that are issued to employees if they are involved in the sale to a minor.

Mr. Kubes noted that they might want to copy and include the signs referred to in Appendix B "Sample Signage at the Door". He asked if they have a perpetual calendar. Mr. Chaudhry replied yes.

Mr. Kubes acknowledged that the licensee has been in operation for a number of years. He cautioned the licensee and noted that serving alcohol on premises is a new venture for the business.

Chairman McInerney stated that page 9 of the manual refers to Liquor Product Identification Signs. He noted that the applicant is also applying for an outdoor license. He stated that the manual does not include reference to those ordinance restrictions which prohibit brand advertising on patio umbrellas. He wanted to be sure that the licensee was aware of this regulation. Ms. Kuchynka noted that the outdoor patio has an overhang and patio umbrellas may not likely fit under the overhang.

Chairman McInerney cautioned the licensee on over service. He noted that the Village has a DUI Notification Program for business involved in on-premise consumption and hoped that DUIs do not generate out of the facility.

Chairman McInerney thanked Mr. Chaudhry for continuing with the process, noting it can be tedious, however, the Commission wanted to be sure that the license was structured with certain elements desired for this type of operation in Downers Grove.

Hearing the testimony given in this case, Chairman McInerney asked for a recommendation from the Commission concerning its finding of "qualified" or "not qualified" with respect to the applicant with regard to their Class "W-1" Wine Boutique beer and wine on-premise/off-premise consumption liquor

license application.

MR. BARNETT MOVED TO FIND THE CELLAR DOOR, LLC D/B/A THE CELLAR DOOR LOCATED AT 5150 MAIN STREET, QUALIFIED FOR A CLASS “W-1” WINE BOUTIQUE, BEER AND WINE ON-PREMISE/OFF-PREMISE CONSUMPTION LIQUOR LICENSE. MS. KING SECONDED.

VOTE:

Aye: Mr. Barnett, Ms. King, Ms. Strelau, Mr. Cawthorne, Mr. Kubes Mr. Adank, Chairman McInerney

Nay: None

Abstain: None

MOTION CARRIED: 7:0:0

The Motion carried.

Hearing the testimony given in this case, Chairman McInerney asked for a recommendation from the Commission concerning its finding of “qualified” or “not qualified” with respect to the applicant with regard to their Class "O" outdoor liquor license application.

MR. BARNETT MOVED TO FIND THE CELLAR DOOR, LLC D/B/A THE CELLAR DOOR LOCATED AT 5150 MAIN STREET, QUALIFIED FOR A CLASS “O” OUTDOOR LIQUOR LICENSE. MS. KING SECONDED.

VOTE:

Aye: Mr. Barnett, Ms. King, Ms. Strelau, Mr. Cawthorne, Mr. Kubes Mr. Adank, Chairman McInerney

Nay: None

Abstain: None

MOTION CARRIED: 7:0:0

The Motion carried.

IV. OLD BUSINESS

Chairman McInerney asked if there was any discussion, update from staff or comments from the Commission regarding any old business.

Park District Request - Class K Catering License Amendment

Ms. Kuchynka commented on a request made by the Park District for an amendment to the ordinance. She stated that the Park District has a contract with a sole source caterer for banquet services at the Belmont Road Recreation Center. She noted that the catering company does not want to obtain a Class K catering liquor license from the Village. She noted that the caterer has found a sub-contractor who is

willing to provide liquor service. Ms. Kuchynka noted that currently caterers must serve food in conjunction with a function can only obtain a license.

Ms. Kuchynka provided the Commission with the minutes of past discussions. She noted that she provided a draft ordinance in this month's packet which amends the provisions of the Class K, catering license classification which would allow the Park District the ability to have a sub-contractor of their sole-source caterer to provide liquor service which is limited specifically to the Recreation Center.

Ms. Kuchynka noted that any liquor service provided by the sub-contractor must, at all times, be in conjunction with the food catering operations at all times. She stated that the contract between the Park District and caterer as well as the contract between the caterer and sub-contractor must be valid at all times.

Ms. Kuchynka noted that the amendment would allow the sub-contractor to obtain a Class K license, however, they will not be able to utilize the license in any other facility other than the Park District Recreation Center and only in conjunction with food service.

Ms. Kuchynka requested that the Commission discuss the amendment and make a recommendation as to whether they wish that the ordinance be forwarded to the Village Council for consideration. She noted that staff has some concerns with this activity in that the license holder and caterer work in conjunction at all times and that food service is available at all times.

Ms. Kuchynka noted that should the amendment be approved by the Village Council, the sub-contractor would have to appear before the Commission at an application hearing.

Ms. Kuchynka noted that representatives from the Park District, the sole source caterer and sub-contractor are present to answer any Commissioners questions. She asked that any individuals who wish to speak state and spell their names for the record.

Ms. Sandy Dixon introduced herself as the Director of Recreation for the Downers Grove Park District. Mr. Kevin Molidor introduced himself as the owner of Culinary Catering. Mr. Brad Mitchell introduced himself as owner of Wine Expressions. Ms. Dixon noted that she can answer any questions regarding the operating standpoint of the Recreation Center and the rental of the banquet facilities.

Mr. Barnett asked what is arrangement between the caterer and the Park District that caused him to enter into a contract with the Park District. Mr. Molidor replied that he was approached by the Park District He stated he was showed him the facility and was advised it was underutilized. He noted that the Park District has since contacted the Health Department and the facility has been upgraded. He stated that the banquet room can seat 130. He stated that he wanted to focus on mid- to upper-level catering events.

Mr. Molidor stated that he focuses all of his attention on what he does best which is food service. He stated that he met Mr. Mitchell, of Wine Expressions, a few years ago and formed a partnership where he sub-contracts with Wine Expressions to handle wine service and education. Mr. Molidor stated that he does not cater events with hard liquor or open bar. He added that his customers are typically interested in high quality food and nice quality wine while being educated about the wines. He added that there is no way that Mr. Mitchell can do an event without him as the ordinance is written.

Mr. Molidor noted that the Park District turns away a lot of rentals. He noted that renters are also notified that they cannot bring in their own alcohol, which also turns away potential rentals. He stated that not all of his events include alcohol. He noted that the facility is very nice, but underutilized. He thought it would be a good opportunity to keep people in Downers Grove. He noted that it is a very affordable

option for banquet facilities. He noted that they plan to actively market the option of having beer and wine at catered events.

Mr. Barnett asked if the Park District can allow renters to bring in their own alcohol. Ms. Kuchynka replied no and that they need a license to give, deliver, serve or sell alcohol at the facility. She stated that the individual would have to prove the event is a bona fide private party such as when an event takes place in a private home, where there is no charge for the alcohol, guests are invited and the general public would not be allowed to participate.

Mr. Barnett asked if there was any connection to the Park District with the Class K catering license issued to the sub-contractor as far as violations or performance values. Ms. Kuchynka replied no. She stated that the licensee's reputation would be at stake, not the Park District's. She noted that violations would be against only the business that the license is issued to.

Mr. Barnett noted that the idea of an on-again, off-again server and no built-in, inherent drive to do the right thing is not obvious with this license. He noted that there is no opportunity for the Park District to lose business or be responsible for a violation.

Mr. Cawthorne noted that the facility is something the Village could use. He noted Mr. Barnett's comments about licensed businesses having risks and does not believe the parties involved here would do anything to risk the license.

Ms. King asked what would happen if a minor was served. Ms. Kuchynka noted that the Wine Expressions license would be in violation. Ms. King asked if they would be banned serving alcohol in Downers Grove. Ms. Kuchynka replied that the license would be subject to fines, suspension and/or revocation for serving a minor. She noted that the Park District would then lose their only source of alcohol service and could potentially affect any other pre-booked rental that has requested alcohol service. Mr. Mitchell noted that he holds a liquor license for Wine Expressions from the Village of Lisle and has had no incidents.

Ms. King asked what type of forms a renter would have to fill out. Ms. Dixon noted that if a person is interested in renting the room only, they would deal with the Park District. She stated that if they want food and beverage service, they would deal directly with Mr. Molidor. Mr. Molidor would be the liaison between the renter and the Park District and simply provide the Park District with a copy of the rental food/beverage service information. Ms. King asked who liability fall on if there was a case of salmonella. Mr. Molidor replied himself, as the caterer.

Ms. King asked Mr. Mitchell about Wine Expressions. Mr. Mitchell stated that they have been in business for five years and are located in Lisle. He stated it is primarily a wine shop. He noted that they have retail sales with wine tastings, private functions and events and do Web-based sales.

Ms. King asked who would be serving wine at the Park District events. Mr. Mitchell stated that they have 3 partner owners. He stated that they have other staff that may help and offer manpower. He stated that 70% of their group has certified training which is not required by Lisle. Ms. Kuchynka noted that all servers would have to be certified as certification is required for all servers/sellers in Downers Grove.

Ms. King asked what would be served. Mr. Mitchell replied beer and wine.

Ms. King asked how the banquet facility would be promoted. Ms. Dixon replied in a leaflet under the facility rentals and they may advertise in wedding magazines and perhaps a with link on the website.

Ms. Strelau asked how banquet patrons would be served and how they would be carded. Mr. Mitchell replied they can be carded at the door or at the bar area. Ms. Strelau wondered if they would receive a bracelet or mark on the hand indicating that they have been carded.

Ms. Strelau liked the idea, however, had some concerns. She noted that there have been licensees cited for violations even after the Village's special agent was carded at the door. She encouraged them to iron out a policy so that they do not have a similar violation situation.

Ms. Strelau stated that the Park District has had a their golf course license for a number of years. She felt that they do not have the proper ability to manage or want a license at the Recreational Facility.

Ms. Strelau wondered how a control buy would take place at the facility. She suggested that fees are increased to cover additional control buys. Ms. Perez noted that if it is a private party, it may be difficult to do a control buy. Ms. Strelau felt that not being able to check for compliance is a big problem. She stated that licensees are visited by a student who attempts to buy liquor. She noted that should they not be sold liquor, the licensee will receive letter notifying them that they have passed the test. She added that if they fail, the server is ticketed and the licensee is required to attend a disciplinary hearing. Mr. Molidor noted that although it is a private party he would not know any of the guests and would encourage the Village to test.

Ms. Strelau noted that the Health Department can make surprise checks. She felt that if the ordinance is changed, that the Village should be awarded the courtesy to check for compliance. Mr. Molidor noted that could be arranged through the Park District without his knowledge. Ms. Dixon noted that the Park District will have a Facility Supervisor at every event. Ms. Perez wondered if a renter of the facility would be happy that a stranger enters their private party to do a control buy test.

Mr. Molidor noted that he generally sets up "scatter bars", such as salad bars, buffet style food bars, dessert bars and the wine bar. He noted that there is a limited liquor service area which people will need to approach and he will not have service at the tables. Ms. Strelau envisioned a wedding sit-down dinner where wine is poured at the table. Mr. Molidor noted that the facility does not lend itself well to that type of scenario. He noted that 95% of all banquets he caters, he sets up using the "scatter bars" with the separated area for beverages. He noted that they can guard and observe it better that way.

Mr. Randy Russell of Wine Expressions noted that they did a private party at Naper Settlement and noted that were guests under 21. He stated that he personally carded people at the event. Mr. Mitchell noted that it is their policy to card people that appear under 35.

Ms. Dixon noted that the Park District would be willing to amend their agreement with the caterer to require the "scatter bar" set up and that there always be a separate area where alcohol is served. Mr. Mitchell noted that the area would be controlled. Mr. Molidor noted he would prefer that set up as it encourage people to scatter and mingle. Mr. Mitchell also preferred that the liquor area be separate as it will allow them to control, screen and have more security in the area. Mr. Russell also noted a concern of over service and it can be monitored more closely with this setup. Ms. Strelau stated that this method has helped explain the situation.

Ms. Strelau asked if the Village be able to conduct a control buy based upon how the ordinance is written. Ms. Kuchynka noted that the Village has the authority to check any licensee. She noted that the Village would have to know when a banquet is taking place. She added that there are other establishments in the Village that have banquet facilities, but the Village does not send in an agent into the private party/banquet and noted that the licensee is typically checked in the restaurant or bar area. She noted that the Police Department has a structured way in which they conduct the control buy. She added that staff will need to work with the Police Department to address doing these types of buys in a private setting. She stated that the difficulty with doing the tests is that the Village is not aware exactly when they take place and the

agent may or may not be available at the precise time the event is taking place. She added that if there are other issues such as over service or if the Village receives a complaint that a minor is served, staff will investigate the incident. She stated that the Village can require that the Park District including something in their contract that they are aware the Village has the right to enter the establishment at any time to ensure compliance.

Ms. Perez noted that there seems to be a concern with the catering license in general. Ms. Strelau sensed a bit of apprehension on the part of the Commission as this is not their normal course. She felt the banquet facility is a good idea, but is looking for a way that the Commission would be comfortable issuing a license while the Village maintains control. She was searching for a solution that would make the Commission comfortable with the idea that this activity will be monitored. She stated that she could not support the ordinance if the Village cannot check the licensee. She noted that in order to conduct certain check it could require a higher license costs.

Mr. Adank liked the idea of another banquet facility. He noted his concern about control at banquet facilities and the availability of alcohol on the tables. He liked the idea of having a focused bar with control over the alcohol and the monitoring of what is being served and to whom.

Mr. Molidor wondered how the Village monitors existing establishment banquet service. Ms. Strelau had no idea that banquets were not monitored. She indicated that she would like to discuss the matter under New Business. She noted that when the golf course license was amended to include cart service, provisions and fees were incorporated into the license in order for the Village to conduct a control buy on the course.

Mr. Molidor encouraged the Village to conduct a test. He stated that it would be easy for an individual to enter and approach the liquor service area.

Mr. Kubes asked if the licensee has a violation, how would the license be suspended, especially if they only conduct one banquet a month. Ms. Kuchynka replied that is the erratic nature of this license. She noted the Village would not know if the licensee books events 365 days of the year or just one time a month.

Mr. Kubes was in support of monitoring the banquet facility, but was unsure if the Village can. He thought it would be beneficial to ask the Police Department for input. He stated that an easy solution would be for the licensee to report to the Village when a party is booked and the Village can pick an event to go into to test them.

Mr. Kubes wondered how many events they hope to book. Ms. Dixon replied two bookings a month would be a good goal. Mr. Molidor noted that this being a new activity, it is hard to tell. He felt that they are losing a lot of business by not being able to offer beer and wine service.

Mr. Kubes noted that there will be a bad reflection on the facility if a party is booked and the licensee is served with a violation. He wondered if, when and how a violation would be served. Ms. Kuchynka noted that the Commission has the authority to recommend fines and/or revocation for a violation.

Mr. Kubes noted that the licensee's behavior will be a reflection on the Park District. He wondered what would happen if there was a separation of the caterer and licensee. He noted the Park District would lose the ability to serve and would need to find another party who would be willing to obtain another license. He added that it is a good relationship in that both the catering business and wine serving are concentrating on the business they know.

Mr. Kubes asked staff if they have any concerns. Ms. Kuchynka replied that staff with concerned about those items mentioned this evening. She noted that the ordinance was particularly crafted for the Park

District limitations, has specific limitations and will not allow the licensee to provide alcohol outside of the facility. She was concerned about control buys and what type of disciplinary action that would be appropriate.

Mr. Cawthorne brought up hotel licenses and noted that there is no way to police banquet events at those facilities. Ms. Kuchynka noted that the licensee is tested, however, is tested in the restaurant of the facility. She noted that hotels also have in-room service and gift shop service areas that are not policed. Chairman McInerney noted that there is no structured program in place to test various aspects of business conducted by the licensee.

Chairman McInerney stated that questions raised this evening are tied to the Village's willingness to create the ability for the Park District to host events with beer and wine and how the Village chooses to enforce the catering license and banquet activities. He noted that the Commission creates licenses and agrees with the concept, however, rarely discusses methodology on how the Village is going to enforce the ordinance or incorporate the license structure into Village programs.

Chairman McInerney supported the activity. He stated that the Commission is in support of the concept, however, noted it is an off-measure that the license is being created and structured specifically for the Park District. He felt that concerns have been raised as to how enforcement will take place. He noted that suspension may not be a viable option in the case of a violation and the Village may need to consider fine-heavy penalties in lieu of suspension for catering enforcement.

Ms. Perez stated that staff was concerned on how the functions would be conducted and envisioned something different than what was presented by the Park District group. Mr. Molidor noted that he prefers a more social-type of catering. Ms. Kuchynka noted that staff was most concerned about alcohol being served without food and noted that the ordinance is limited to the Park District facility. She noted that the Village is also requiring that valid contracts amongst the parties be in effect at all times.

Ms. Strelau noted that the Park District will be impacted if Culinary Catering and Wine Expressions sever their working relationship and was something for the Park District to consider.

Mr. Barnett stated that the Commission discussed policing the catering activities and asked that perhaps wording be added to the ordinance that requires liquor service from a service bar only as opposed to allowing the distribution of bottles on the tables. He noted that a clearer path to carding results. Ms. Kuchynka noted that there had been licenses issued in the past by the Village that had service bar only requirements. She stated that the classification can be re-structured to require any liquor service be served directly from a physical bar or area.

Mr. Barnett understood why the Park District does not want to obtain a liquor license. He wondered if it would be better to structure the license with more of a connection to the Park District.

Mr. Barnett asked what would happen if the ordinance change went through and either contractor decided they do not want to participate anymore. Ms. Kuchynka noted that the cater or liquor service provider would need a contract in place in order for the catering license to be issued. She noted that at application, valid contracts between the Park District and caterer as well as the caterer and sub-contractor would need to be provided in order for them to qualify for the license. She noted that the Village should be notified if relations between any of the three were severed.

Ms. Kuchynka was notified by the Park District that they do not wish to hold a liquor license and noted this change as their only means to serve liquor at the facility. She understood Mr. Barnett's reasoning for wanting to tie the license to the Park District and the facility as a whole, but the licensee is the only entity that can be responsible for the alcohol service. Ms. Karen Shannon of the Park District noted that they

wanted to bring in contractors that have a specialty in catering and a specialty liquor serving. Ms. Strelau noted that having all three present tonight provided better insight to what is planned for the facility.

Mr. Kubes stated that he was originally opposed to the idea and felt it better that the Park District be responsible for both the food and alcohol, however, realized they would rather have professionals doing the activities. He noted that any activity, whether good or bad, will be a reflection on the Park District. He felt that the group should further discuss the ramifications if there is a violation.

Mr. Kubes noted that liquor service must only be provided with food service and during certain prescribed hours. Mr. Mitchell noted that rentals are generally limited to a few hours. He stated that the actual amount of consumption is relatively small during limited hours.

Mr. Cawthorne noted that the entertainment class has certain serving restriction times and reference portable bars. He wondered if these restrictions could be incorporated into the Class K license amendment.

Ms. Kuchynka stated that the Commission may motion to forward the item to the Council for consideration. Ms. Strelau stated that she was not comfortable sending the draft ordinance to the Council as is. She noted that monitoring issues have not been addressed. Mr. Kubes suggested that the ordinance be re-drafted and re-presented to the Commission. He noted that service bar only provisions, restricted hours and control buy issues need to be addressed.

Chairman McInerney requested a motion concerning the draft ordinance.

MS. KING MOVED TO DIRECT STAFF TO REVISE THE DRAFT ORDINANCE CONCERNING THE CLASS "K" CATERING LICENSE BASED ON COMMISSION DISCUSSION AND DEVELOP AN ENFORCEMENT PLAN FOR MONITORING COMPLIANCE. MR. CAWTHORNE SECONDED.

VOTE:

Aye: Ms. King, Mr. Cawthorne, Mr. Barnett, Ms. Strelau, Mr. Kubes, Mr. Adank, Chairman McInerney

Nay: None

Abstain: None

MOTION CARRIED: 7:0:0

The Motion carried.

Ms. Kuchynka noted that she will re-draft the ordinance concerning the hours of service, provide for service bar only provisions and would contact the Police Department concerning banquet activities and control buys associated therewith.

Ms. King asked if the license classification requires that all servers have certified training. Ms. Kuchynka replied that is a blanket requirement which applies to all servers and sellers of alcohol.

Ms. Kuchynka noted that there has only been one licensed caterer since the Village established the catering license and noted it was no longer in operation. She noted that the classification was created to regulate those catering businesses operating in the Village and serving alcohol. She was unaware if any surrounding communities require licenses or if they allow caterers who are licensed in other municipalities

to operate within theirs. She noted the issues with private parties. She stated that the State recognizes them as invite only. She noted that regulations were put in place to ensure that licensees were trained and that hours were regulated so the events did not get out of control.

Juxtapose House of Art - Cultural/Performing Arts Facility License Classification

Ms. Kuchynka resumed discussion from last month's meeting concerning the creation of a Cultural/Performing Arts Facility license. She noted that she provided a draft ordinance in the monthly packet and would like further discussion on the matter. She added that representatives of Juxtapose House of Art were present to provide comments and to answer any questions. She asked that any individuals who wish to speak state and spell their names for the record.

Chairman McInerney asked if the Court Reporter was needed. Ms. Kuchynka requested that the court reporter stay for the discussion.

Kyle Johnson introduced himself as part-owner of the Juxtapose House of Art. Shelli Mullins introduced herself as part-owner of the Juxtapose House of Art. She stated that the ordinance serves their needs but commented on one part of the draft. She wondered if it would be possible to add the word "live" to the section which states "... no (live) nudity is allowed in any performance, design, instruction or exhibition". She stated that Picasso and other artists have art pieces in which partially clothed individuals appear in paintings or as a sculpture. She noted that they plan to allow only over 21 year olds into exhibits which feature nudity but not in a live state. Ms. Kuchynka noted that Section 3-33(d) states that it is unlawful "to permit any entertainment, fashion show, presentation or performance which may include any person in a nude or semi-nude state, including, but not limited to, servers, hosts, hostesses, dancers, singers, models or other performance artists, or to permit role playing interactions" which notably prohibits "live" performances. Ms. Strelau noted that the group discussed not having any live performances that would involve nudity and that the exhibitions be strictly limited to statues and paintings.

Ms. Kuchynka noted that the word "live" can be added to the ordinance, so that art is excluded. Mr. Kubes liked the fact that the owners will limit these exhibits to those who are 21 and older.

Mr. Kubes asked if the Tivoli can sell alcohol during regularly featured movies. Ms. Kuchynka replied no. She added that liquor service is limited to contracted theater rentals which are not open to the general public.

Ms. Kuchynka noted that Section 3-33 also prohibits such things as fashion shows and contests.

Ms. Kuchynka asked the representatives if they fully understood all of the other provisions of the license classification. She mentioned a "service bar only" with no seats. She stated that the Village wants the liquor serving area to remain in one location, however, allows for the gallery to be re-arranged in order to accommodate exhibits. She stated that no bars or portable beer tubs are allowed in other areas of the facility. She asked if they are aware of the food service requirements. The group replied yes.

Ms. Kuchynka asked the Commission to comment on item #7 in the draft ordinance which reads that "the Village may request the licensee to submit a report setting forth any planned events currently scheduled by the Licensee and the activities during the twelve months prior". She wanted to know if it would be appropriate to include this provision in the event the Village experiences police activity. She noted that the Village may be better able to pinpoint why there are issues and/or associate any problematic activity with events scheduled at the facility. She stated that the Village is not requiring reports but simply reserving the right to request information from the licensee in order to monitor activity if problems necessitate it.

Mr. Kubes was fine with the wording of the ordinance and was pleased with the service bar only area. He stated that the floor plan will be a required submittal, along with their hours of operation, menu and manual. Mr. Kubes wondered about their hours of operation and if alcohol would be available at all times. Mr. Johnson noted that there may be some activities involving younger children where they will not have alcohol available. He added that there may be instances where alcohol is served while there is a mixed crowd of over and under 21 year olds present. Mr. Kubes asked how they planned to address the mixed crowd. Mr. Johnson replied that they would issue wristbands to those over 21. He noted that in order to obtain each drink, a customer would not only have to show the band, but show also their identification as well.

Mr. Kubes asked staff how suspension issues would be addressed. Ms. Kuchynka noted that the facility would be open 7 days a week where the agent can go in to attempt a control buy. She noted in the case of a banquet facility or catering license, the Village is not aware of precisely when the events are planned, making the control buy much more difficult to schedule.

Mr. Adank did not have any questions at this time.

Ms. Strelau stated that there are some similarities between the cultural/performing arts facility and the catering license and felt it was interesting that they came up at the same time. She noted that a lot of concerns with the caterer can be addressed with this activity. She stated that some private parties could be at issue here. Ms. Perez recalled Juxtapose having a monthly list of their events open to the public and felt that there are more regularly scheduled activities at this location.

Ms. King asked about item #6 which states "food service must be available during all hours of operation". She asked if that provision should be expanded to read "food service must be available during all hours of operation *that alcohol is served*". Staff agreed with the amendment.

Ms. King stated that she is pleased with their proposal and believes it is a fun concept.

Mr. Cawthorne commented on point #7 and was pleased that this point was included so that the Village can monitor the area as necessary. He recommended that the group consider giving their employees incentives if they successfully pass a control buy. He wished them luck.

Mr. Barnett did not have any questions at this time.

Mr. Johnson asked about the food service requirements and asked if there was specific information on what type of menu he needs to provide. Ms. Kuchynka replied that they should be able to submit a menu that is in compliance with a Type 3 food service permit through the DuPage County Health Department. She noted, at minimum, food can be prepared on the premises with this permit. She noted that it does require sinks, etc. She added that it is not intended for them to simply have sandwiches that are in pre-packaged containers. She provided them with a copy of the sample menu from The Cellar Door.

Chairman McInerney requested a motion on the proposed draft ordinance. Ms. Kuchynka stated that she would keep item #7 in the ordinance, add the provision that food service must be available during all hours liquor is provided, and include the "live" provision with regard to performances so as not to include art exhibits.

The group agreed that the ordinance would be acceptable as amended.

MR. KUBES RECOMMENDED THAT THE ORDINANCE ESTABLISHING A CULTURAL/PERFORMING ARTS FACILITY BE FORWARDED TO THE VILLAGE COUNCIL FOR CONSIDERATION. MR. ADANK SECONDED.

VOTE:

Aye: Mr. Kubes, Mr. Adank, Ms. King, Mr. Cawthorne, Mr. Barnett, Ms. Strelau, Chairman McInerney

Nay: None

Abstain: None

MOTION CARRIED: 7:0:0

The Motion carried.

Mr. Kubes requested that the ordinance be forwarded to the Commission once it is amended.

Ms. Kuchynka advised that the minutes of this meeting and previous discussion will be forwarded to the Council along with the ordinance for their consideration. She stated that in the meantime, Juxtapose House of Art can opt to prepare a menu, liquor manual, operating policies, floor plan. She advised that the ordinance requires Council approval and adoption of the new the classification prior to the submittal of application.

Licensee Ethics

Ms. Kuchynka stated that staff had amended the Ethics ordinance prohibiting campaign contributions of licensees that was previously presented to the Commission. She stated that provisions were added to address hearing procedures. She noted that if the Mayor were to receive a contribution from a licensee, either the Liquor Commission or Deputy Liquor Commissioner would conduct a disciplinary hearing. She stated that in the event a Commission member were to receive a contribution from a licensee, the Liquor Commission would hold a hearing, however that individual will be required to recuse themselves from any vote.

Ms. Kuchynka wanted the Commission's thoughts on how particular they wish to restrict contributions. She was unsure if they were comfortable with the language that reads "*liquor license holders* are prohibited from directly or indirectly making contributions" and asked whether they wished to add specific language such as "*any applicant, liquor manager, person or entity listed on the license application shall be* prohibited from directly or indirectly making contributions". She thought the liquor license holder reference may be too obscure and wanted to know if they would prefer something more than just prohibiting a license holder from contributing. Ms. Kuchynka stated that typically corporations hold the license and thereby would be prohibited from contributing. She felt that "license holders" was too vague and gave the example of a 100% owner of the corporation, who personally would may be able to give a contribution. She thought it might be more appropriate and more encompassing to include all individuals listed on the application. Chairman McInerney stated that since the provision is new, he would rather be more specific than general so as to avoid confusion.

Ms. Perez noted that the Village does not have control over people involved on the application in general. Mr. McInerney asked what staff recommended. Ms. Kuchynka suggested adding language such as "any person, any applicant, liquor manager, person or entity listed on the license application". Mr. McInerney suggested that language be incorporated on the application in the form of a yes/no question requesting the disclosure of contributions. Mr. Barnett noted that formal applicants have something to gain. Ms. Kuchynka noted that at application there is no license that exists that the Village can fine or suspend. She did note that the Village can deny issuance of a license if a contribution was made during application. Mr. Kubes asked if they can be denied if they contributed in the past. Ms. Kuchynka replied no.

Mr. Barnett stated that if language is put on the application stating that contributions are unlawful, it will serve as another means to cover the possibility of the rules and sets a clear tone about the expected behavior of licensees. He noted that there may be some ways for a licensee to circumvent the law.

Ms. Kuchynka noted that the larger corporations are 100% publicly traded. She stated that the Village does not know every person that owns each share of stock. Mr. McInerney wondered what stock percentage would constitute a material interest. Ms. Kuchynka noted that disclosure is required from anyone owning more than 5% of stock.

Mr. Barnett asked staff if the Village Attorney provided them with a copy of information regarding states that require structured bidding and disclosure of certain information. Staff replied no.

Ms. Strelau asked if the Commission wanted the ordinance revised and brought back before them. Mr. Barnett stated that staff can make reasonable changes and forward it to the Council for consideration. Mr. Kubes noted that the Village Council may have more insight and proper wording as they have been discussing ethics matters for awhile or be better able to tie the regulations in with other ethics policies previously adopted.

Chairman McInerney called for a motion.

MR. KUBES MOVED TO RECOMMEND AN ORDINANCE PROHIBITING LICENSEES FROM CONTRIBUTING TO CERTAIN LOCAL POLITICAL CAMPAIGNS BE FURTHER AMENDED BY STAFF AND FORWARDED TO THE VILLAGE COUNCIL FOR CONSIDERATION. MS. KING SECONDED.

VOTE:

Aye: Mr. Kubes, Ms. King, Ms. Strelau, Mr. Cawthorne, Mr. Barnett, Mr. Adank, Chairman McInerney

Nay: None

Abstain: None

MOTION CARRIED: 7:0:0

The Motion carried.

V. NEW BUSINESS

Chairman McInerney asked if there was any discussion, update from staff or comments from the Commission regarding any new business.

Ms. Kuchynka stated that she left items for the Commission. She noted that the licenses for Stillwater and 7-Eleven were issued on October 25th. Ms. King asked when Stillwater was opening. Ms. Kuchynka was unsure of the exact date. Ms. Kuchynka noted that due to the change in ownership of the 7-Eleven, the former White Hen Pantry license was forfeited.

Ms. Kuchynka advised that Downers Delight completed a remodel a few years ago, however, had just finalized renovation of the back room of the restaurant. She provided the Commission with the updated floor plan. She noted that the area contains a banquet room with a service bar, dance floor and seating. She stated that the addition does not alter the nature of his facility as the owner previously advised that

the area was to be a banquet room. Mr. Kubes wondered if the extra bar area is an issue. Ms. Kuchynka replied no, as he is increasing the seating more than he has the bar service area. She stated that the restaurant has approximately 250-300 seats. She noted that the service bar will only service the banquet room.

Ms. Kuchynka advised that next month the Commission will again be meeting in the Committee Room. She anticipated having an application hearing for that agenda as well as re-presentation of the Park District ordinance.

Ms. King asked about the status of the dueling piano bar (Howl at the Moon). Ms. Kuchynka stated that the owners have not pushed the issue. She stated she did some research, reviewed their materials and noted that the facility seems a bit more in the way of a drinking establishment. She looked at their schedule and found that the dueling pianos only occur one or two nights a week. She stated that they have food service available. She noted that if they wish to pursue it, she will re-present it to the Commission. She felt that the Commission would need to be very specific with this type of classification and stated that there may be the same level of problems at a new facility as there is now.

Ms. King asked about Sam's and the status of their violation. Ms. Kuchynka noted that they have until mid-November to come into compliance with the Order and install the identification checking cash register system. Mr. Barnett asked about their appeal. Ms. Kuchynka replied that they filed an appeal but agreed to put in the system.

Ms. Strelau asked about control buys at banquets. She felt it would make sense to test all aspects of a facility's license. Ms. Kuchynka replied that control buys are very structured. She noted that timing is a huge issue as banquets are sometimes few and far between. Ms. Strelau stated that the Village should take into consideration the new applicants who are going to need special consideration in this regard. She was uncomfortable that banquets were not checked. Mr. Adank was also concerned. Ms. Strelau stated that the Police should provide input and they should have some solutions on how to approach the issue. She noted if it is a special circumstance, the licensee should pay extra for that unique feature of the license for the control buy to be done. Mr. McInerney noted that the Police may be able to figure out extra costs and how they would approach the activity. He noted that a review of the license classifications and our current enforcement procedures should be done. Ms. Kuchynka noted that some licensees have more than one activity that taking place on the premises and wondered if it is possible to test all of them. Ms. Strelau stated that enforcement issues and how licenses are used should be reviewed. Ms. Kuchynka replied that in some instances, it may be proper to test different aspects of a facility. She noted that she would contact the Police Department to see if it is feasible and if they have the manpower to do it. Mr. Barnett asked if this item could be added on the agenda for discussion to allow time for further discussion and get input by the Police Department. Ms. Kuchynka replied yes. Mr. Barnett noted that it would be beneficial to speak with the Police as they will need time and resources to do the activity.

Mr. McInerney noticed gaps in enforcement for the catering license and special events license. Ms. King recalled the testing issue coming up when Shikira opened their banquet facility. Ms. Kuchynka noted that they do have a restaurant at the facility. Ms. Kuchynka also mentioned the Esplanade which is solely a banquet facility. She noted that she can look at past minutes which contain discussion about those issues.

Mr. Kubes asked if a Police Department official can appear before the Commission. Ms. Strelau stated that it would be helpful.

Ms. Kuchynka stated that she believes that the Police Department has written policies on the steps taken during a control buy and how they are conducted. She noted that the DARE officers are in charge of the program and get the teenagers who participate in the control buys from local high schools.

VII. COMMENTS FROM THE PUBLIC

There were none.

VIII. ADJOURNMENT

Concluding business for the evening, Chairman McInerney called for a motion to adjourn.

Ms. King moved to adjourn the November 1, 2007 meeting. The meeting was adjourned by acclamation at 8:45 p.m.