

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

Thursday, November 1, 2018

I. CALL TO ORDER

Chairman Strelau called the November 1, 2018 Liquor Commission meeting to order at 6:34 p.m.

II. ROLL CALL

PRESENT: Mr. Heafner, Mr. Jacobson, Ms. Pietrucha, Chairman Strelau

ABSENT: Ms. Flanagan, Mr. Clary, Mr. Krusenoski

STAFF: Carol Kuchynka, Liaison to the Liquor Commission, Assistant Village Attorney Dawn Didier

OTHERS: Pamela Geraldts, Paul Geraldts, Court Reporter

III. APPROVAL OF MINUTES

Chairman Strelau asked for approval of the minutes for the September 6, 2018 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the September 6, 2018 minutes of the Liquor Commission meeting were approved as written.

Chairman Strelau 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 taking the minutes verbatim.

IV. APPLICATION FOR LIQUOR LICENSE

Chairman Strelau made the following statements:

"The next order of business is to conduct a public hearing for 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 liquor licenses within 60 days."

"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) discussion by the Commission, 4) comments from staff, 5) comments from the public, and 6) motion and finding by the Commission."

Pinecone Cottage - 1029 Burlington Avenue

Chairman Strelau stated that the first order of business was an application hearing for Pinecone Cottage, Inc. d/b/a Pinecone Cottage located at 1029 Burlington Avenue. She stated that the applicant was seeking a Class "BYO", beer and wine, on-premise consumption liquor license and a Class "O" beer and wine outdoor liquor license.

Chairman Strelau asked that any individual(s) representing the applicant step forward and be seated. She 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.

Ms. Pamela Geraldts and Mr. Paul Geraldts were sworn in by the court reporter. Ms. Geraldts introduced herself as the president of Pinecone Cottage. Mr. Geraldts introduced himself as the secretary of the corporation.

Chairman Strelau asked the applicant to present its case.

Ms. Geraldts stated that Pinecone Cottage serves a four-course afternoon tea, conducts cooking classes, offers quarterly dinners and private parties which include baby and bridal showers. She stated that she gets many requests for champagne/wine service and has missed many opportunities at the private gatherings and cooking classes.

Ms. Geraldts stated that having a regular, full service liquor license does not make sense for their operation as they do not have room for inventory. She felt that BYO was a better alternative for their operation.

Chairman Strelau asked for comments from the commission.

Mr. Jacobson stated that their application materials looked good. He asked Ms. Geraldts if she had any liquor handling experience. Ms. Geraldts replied no, but added that she has 16 years of experience in the restaurant business operating this location.

Mr. Jacobson noted that serving liquor is a lot of responsibility. He noticed that Ms. Geraldts had received her BASSET certification. He cautioned them that one violation could be a costly mistake by way of penalties and fines.

Mr. Jacobson asked Ms. Geraldts if she will be at the location. Ms. Geraldts replied that she is always there.

Ms. Pietrucha asked what age groups were most private parties and bridal/baby shower attendees. Ms. Geraldts replied mid-twenties to 60's.

Ms. Geraldts noted that Ms. Kuchynka and she discussed ways in which to better monitor a group that might have under 21 year olds in attendance. She stated that at booking, she will ask the hostess if anyone will be in attendance that is under 21 and during the party, ask the hostess to point out the under 21 individuals so that staff can monitor them and be sure that they do not have access to alcohol.

Ms. Pietrucha asked approximately how long the gatherings take place. Ms. Geraldts replied about three hours.

Mr. Heafner asked if there was a minimum food order with the service of liquor. He stated that their application packed noted a minimum food order when bringing in alcohol. Ms. Geraldts replied yes. She stated that most of their business is by reservation and that they come to eat. She stated that they will not serve the alcohol if a customers does not order food.

Mr. Heafner asked if anyone will be able to rent the facility and just consume liquor. Ms. Geraldts replied no.

Chairman Strelau stated that the BYO license is not easy to manage and she cautioned them that there will be a greater issue of monitoring guests than a regular license holder. She noted that if multiple people attending a shower bring in their own bottle and someone under 21 is in attendance, they will have to monitor and make certain adults are not sharing drinks with minors. She believed that the idea she and staff came up with as to pre-determine those under 21 was a great plan to have.

Chairman Strelau stated that those licensees who are diligent and properly serving will be successful.

Chairman Strelau noted that the penalty for a violation is significant and will far outweigh the proceeds they obtain from allowing the BYO.

Chairman Strelau asked staff for recommendations or comments pertinent to this application. Ms. Kuchynka replied that issuance of the license is contingent upon receipt of the lease in the corporate name, satisfactory background checks, insurance, the annual fee and employee certifications.

Ms. Kuchynka advised that the outdoor dining area is conducted on Village owned property. She stated that Pinecone Cottage entered into a license agreement for use of the property for the past two years. She stated that the 2019 license agreement will need to be amended to include the service of beer and wine on the premises. She noted that they will also need to provide additional insurance and apply for a temporary use and enter into the license agreement for use of the patio yearly. She advised that the seasonal use of the patio is March 15-November 15th.

Chairman Strelau asked for comments from the public. There were none.

Hearing the testimony given in this case, Chairman Strelau 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 "BYO" liquor license application.

MR. JACOBSON MOVED TO FIND PINECONE COTTAGE, INC. D/B/A PINECONE COTTAGE LOCATED AT 1029 BURLINGTON AVENUE, QUALIFIED FOR A CLASS "BYO" BEER AND WINE ON-PREMISE LIQUOR LICENSE. MS. PIETRUCHA SECONDED.

VOTE: **Aye:** Mr. Jacobson, Ms. Pietrucha, Mr. Heafner, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 4:0:0

Hearing the testimony given in this case, Chairman Strelau 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" liquor license application.

MR. JACOBSON MOVED TO FIND PINECONE COTTAGE, INC. D/B/A PINECONE COTTAGE LOCATED AT 1029 BURLINGTON AVENUE, QUALIFIED FOR A CLASS "O" LIQUOR LICENSE. MS. PIETRUCHA SECONDED.

VOTE: **Aye:** Mr. Jacobson, Ms. Pietrucha, Mr. Heafner, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 4:0:0

Motion carried.

V. NEW BUSINESS

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

Ms. Kuchynka advised that there would be a December 6th meeting.

Ms. Kuchynka advised that the Village Council considered eliminating the square foot requirement of the full alcohol, Class P-1, off-premise consumption license at the Council meeting on October 17th. She stated that the matter will be voted on November 13th.

VI. OLD BUSINESS

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

Ms. Kuchynka discussed the month end reports and advised of the Mayor's intent to issue a license to Casa Margarita. She expected that they would open by November 3rd. Ms. Kuchynka advised that she attended the Aldi grand opening this morning and advised it was open to the general public.

VII. COMMENTS FROM THE PUBLIC

There were none.

VIII. ADJOURNMENT

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

Mr. Jacobson moved to adjourn the November 1, 2018 meeting. The meeting was adjourned by acclimation at 6:58 p.m.