

**DOWNERS GROVE LIQUOR COMMISSION
VILLAGE HALL COUNCIL CHAMBERS
801 BURLINGTON AVENUE
Thursday, October 7, 2021**

I. CALL TO ORDER

Chairman Strelau called the October 7, 2021 Liquor Commission meeting to order at 6:30 p.m.

II. ROLL CALL

PRESENT: Mr. Jacobson, Mr. Johnson, Mr. Krusenowski, Mr. Meta, Mr. Rausch, Mr. Shah, Chairman Strelau

ABSENT: None

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

OTHERS: Gina Velasco, Court Reporter

III. APPROVAL OF MINUTES

Chairman Strelau asked for approval of the minutes for the August 5, 2021 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the August 5, 2021 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.

IV. APPLICATION FOR LIQUOR LICENSE

Chairman Strelau made the following statements:

"The next order of business is to conduct a public hearing for liquor license applications. 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."

Egg Harbor Cafe – 5128 Mochel Drive

Chairman Strelau stated that the first order of business was an application hearing for HAMCO, LLC d/b/a Egg Harbor Café located at 5128 Mochel Drive. She stated that the applicant was seeking a Class "R-1", full alcohol, on-premise consumption liquor license and a Class "O" 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. Gina Velasco was sworn in by the court reporter. Ms. Velasco introduced herself as the lead manager for Egg Harbor Café.

Chairman Strelau asked the applicant to present its case.

Ms. Velasco stated that Egg Harbor Café has been in business for over 35 years. She stated that she has been with the company for 13 years. She stated that liquor is something customers want these days. She stated that 3-5 phone callers per day inquire about liquor service and added that they were seeking a liquor license based upon the increasing number of requests they receive. She stated that they want to give guests what they ask for and broaden their demographics. She stated that they plan on serving bloody mary's and mimosas.

Mr. Johnson stated that he reviewed the Egg Harbor application packet. He stated that the packet contained a list of other Egg Harbor Cafes and asked Ms. Velasco if she was also managing those locations. Ms. Velasco replied no. She added that she had managed a few of them in the past but is now only working out of Downers Grove.

Mr. Johnson asked if the seven establishments listed are owned by the Downers Grove owners. Ms. Velasco replied yes. She stated that Egg Harbor is a family run business.

Mr. Johnson asked Ms. Velasco if she was aware of violations at any of the locations. Ms. Velasco replied no.

Mr. Johnson asked Ms. Velasco how often she is at the restaurant. Ms. Velasco replied 5 days a week open to close.

Mr. Johnson asked if they were also seeking a license for the outdoor area. Ms. Velasco replied yes.

Mr. Johnson asked about the age of their servers and if they were over 19. Ms. Velasco replied that currently all are 21 and over.

Mr. Shah had no questions.

Mr. Meta had no questions.

Mr. Rausch had no questions.

Mr. Krusenoski stated that he was aware the bloody mary's and mimosas are available at other locations. He asked how long Downers Grove Egg Harbor has been operating. Ms. Velasco replied 13 years.

Mr. Krusenoski stated that Ms. Velasco is an experienced liquor handler and that the corporation holds licenses at many other locations. He stated that they are open 7AM to 3PM. He stated that a customer

would probably get 2 drinks during their stay. He asked if any combination of prosecco, vodka would be allowed, say a mimosa, screwdriver or bloody mary. Ms. Velasco replied yes, along with lemonade.

Mr. Krusenoski asked how often managers at the other locations meet with servers to discuss and reinforce the importance of safe liquor handling. Ms. Velasco replied every two to three months. Ms. Velasco stated that many of the locations are rolling out liquor service now.

Mr. Krusenoski felt that 2-3 month refresher training may be inadequate if they are trying to create a culture where safe liquor handling is a priority. He stated that new licensees are told of controlled buys conducted by the Village and licensees acknowledge that they will be tested. He stated that the fines issued to the establishment and servers are heavy. He stated that violations tend to occur when safe liquor serving is not a priority and that most violations tend to occur in those establishments with relatively low alcohol sales. He stated when alcohol is a small bit of sales, the importance of being on guard gets lost in the workplace culture.

Mr. Krusenoski encouraged Ms. Velasco to meet more often with staff and let staff know they will be tested. He also told her to advise them of the disproportionate impact of violation fines that would be levied against them and the establishment.

Mr. Krusenoski stated that when the vertical under 21 license came about what resulted was less of a chance in misreading the date and being vertical in nature helped distinguish the age. He stated that there is no excuse when staff is shown a vertical license.

Mr. Jacobson asked which Egg Harbor was the first to sell alcohol. Ms. Velasco replied Hinsdale.

Mr. Jacobson stated that the Village takes alcohol serving seriously. He stated that the laws are simple to follow. He stated that Ms. Velasco is aware of the hardship to the business should they sell to minors. Ms. Velasco agreed.

Chairman Strelau noted that Ms. Velasco stated servers were over 21 and asked how many are on staff. Ms. Velasco replied eight.

Chairman Strelau stated that she only saw BASSET cards for three employees. Ms. Velasco stated that some employees are going through the training and/or their certificates have not been uploaded into the system yet. She stated that they are looking for a November 1st roll out date and employees have a deadline of this Sunday to complete the training.

Chairman Strelau asked Ms. Velasco if they anticipate hiring those over 21. Ms. Velasco replied yes and that it would be ideal to hire those over 21. She stated that if it does happen that an employee is under 21, they are aware that the underage server is to have someone over 21 card the table and make drinks. She stated at this time it is not an issue for them.

Chairman Strelau asked Ms. Velasco if she had prior liquor handling experience. Ms. Velasco replied yes. She stated that she worked 7 years with Lone Star Steakhouse and was a bartender in a martini bar.

Chairman Strelau stated that customers can order any component of prosecco or vodka. She asked if they will be stocking any other liquor. Ms. Velasco replied no.

Chairman Strelau felt that this is a wonderful addition to their menu. She stressed Mr. Krusenoski's statements that employees only care about what management cares about. She added it may take every day to make mention of proper liquor serving. She wished them luck.

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 fee, satisfactory background checks and employee certifications.

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 "R-1" liquor license application.

MR. KRUSENOSKI MOVED TO FIND HAMCO, LLC D/B/A EGG HARBOR CAFE LOCATED AT 5128 MOCHEL DRIVE QUALIFIED FOR A CLASS "R-1", FULL ALCOHOL, ON-PREMISE CONSUMPTION LIQUOR LICENSE. MR. JOHNSON SECONDED.

VOTE:

Aye: Mr. Krusenowski, Mr. Johnson, Mr. Jacobson, Mr. Meta, Mr. Rausch, Mr. Shah, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 7:0:0

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 HAMCO, LLC D/B/A EGG HARBOR CAFE LOCATED AT 5128 MOCHEL DRIVE QUALIFIED FOR A CLASS "O", OUTDOOR LIQUOR LICENSE. MR. RAUSCH SECONDED.

VOTE:

Aye: Mr. Jacobson, Mr. Rausch, Mr. Johnson, Mr. Krusenowski, Mr. Meta, Mr. Shah, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 7:0:0

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 referred to the month end report. She stated that draft ordinances were presented to the Village Council for consideration which included an ordinance creating a salon liquor license classification, an ordinance removing language that prohibited gas stations from selling liquor and an

ordinance amending delivery regulations. She stated that all three were adopted at the Council meeting of October 5th.

Ms. Kuchynka stated that there will not be a November meeting, however, she anticipated a meeting for December 2nd as she expects applications. She stated that a number of gas stations have already contacted her about obtaining a license. She stated that she expected Rybell's Blow Dry Bar to also apply.

Mr. Meta asked how establishments hear about the changes. Ms. Kuchynka replied that the Council meetings are regularly posted online and broadcast. She believed that the Chamber and Downtown Management Organization have also spread the word. Mr. Jacobson added that distributors may be sharing the information too.

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 noted the Mayor's intent to issue licenses to Cheap Cheap Liquor and Cellar Door. She noted that the Cellar Door transition took place on October 1st.

Ms. Kuchynka stated that she is in the process of liquor license renewal. She stated that renewals were due Friday, October 1st. She stated that she is processing 100 renewals over the course of October and noted the new license year begins November 1st.

VII. COMMENTS FROM THE PUBLIC

There were none.

VIII. ADJOURNMENT

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

Mr. Krusenoski moved to adjourn the October 7, 2021 meeting. The meeting was adjourned by acclamation at 7:00 p.m.