

**AGENDA  
DOWNERS GROVE LIQUOR COMMISSION  
JUNE 1, 2017  
VILLAGE HALL COUNCIL CHAMBERS**

**6:30 P.M.**

- I            Call to Order**
  
- II           Roll Call**
  
- III          Approval of Minutes of May 4, 2017 Liquor Commission Meeting**
  
- IV          Disciplinary Hearings**  
  
              Thai First  
              2249 Maple Avenue  
  
              Karma Club  
              1201 A Butterfield
  
- V           Old Business**
  
- VI          New Business**
  
- VI          Comments from the public**
  
- VIII        Adjournment**

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

Thursday, May 4, 2017

**DRAFT**

**I. CALL TO ORDER**

Chairman Strelau called the May 4, 2017 Liquor Commission meeting to order at 6:30 p.m.

**II. ROLL CALL**

**PRESENT:** Mr. Clary, Mr. Jacobson, Ms. King, Mr. Krusenoski, Chairman Strelau

**ABSENT:** Mr. Austin, Ms. Pietrucha

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

**OTHERS:** Kary Connolly, Curt Selby, Court Reporter

**III. APPROVAL OF MINUTES**

Chairman Strelau asked for approval of the minutes for the April 6, 2017 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the April 6, 2017 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 the public, and 5) motion and finding by the Commission."

Board & Brush - 5151 Main Street

Chairman Strelau stated that the first order of business was an application hearing for Board & Brush of Illinois, LLC d/b/a Board & Brush located at 5151 Main Street. She stated that the applicant was seeking a Class "AS", beer and wine only, on-premise consumption 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.

Mr. Curt Selby and Ms. Kary Connolly were sworn in by the court reporter. Mr. Selby introduced himself as the owner of Board & Brush. Ms. Connolly introduced herself as the liquor manager of Board & Brush.

Chairman Strelau asked the applicant to present its case.

Mr. Selby advised that 90% of their class participants pre-register for classes through their on-line calendar. He stated that they will have both open and private sessions. He stated that there are four tables with six seats per table with a guest capacity of 24, give or take a few. He stated that classes are paid for in advance. He stated that customers will enter and check in at the front desk and they will be seated according to a pre-made seating charge. He stated that there will be one staff member overseeing each table. He stated that a manager and lead instructor will also be on hand. He stated that upon arrival guests will be offered beer, wine, soft drinks or water.

Mr. Selby advised that for class activity, participants will be supplied with a stack of wood. He stated that they will be instructed on how to distress, stain, assemble and use custom stencils to paint their pre-chosen craft project.

Chairman Strelau asked for questions from the Commission.

Ms. King asked if they were currently open. Mr. Selby replied no. He stated that the calendar is not up and that the Downers Grove location is listed as "coming soon". He stated that they were waiting on the license before opening. He stated that once they open they plan to market their store as a "Wood and Wine Workshop".

Ms. King asked them to explain their carding procedures. Mr. Selby replied that they will be utilizing the handbook created for Downers Grove as their standard operating policy company wide. He stated that they learned a lot from creating the manual. He stated that anyone who appears under the age of 30 will be carded. He stated that they plan to post "we card hard" materials. He stated that they will accept the vertical under 21 identification, but only with the manager or lead instructor's approval.

Ms. King asked how they will handle mixed age groups. Mr. Selby advised that customers must be a minimum of 16 years old in order to participate. He stated that they can attend adult classes. He stated that one employee per table who will be responsible for instructing the group of six through the project and can monitor those under 21 at the table.

Mr. Selby advised that their beer and wine will be stored in a custom made bar that has storage and refrigeration. He stated that about half of their guests order beer or wine during the session. He stated that they average about 1 ½ drinks. He stated that they have not had any issues with over service in their 3 licensed studios in Wisconsin nor the New Lenox location in Illinois.

Ms. King asked staff if a control buy will be done at this facility. Ms. Kuchynka replied yes. She stated that the agent will need to pre-register for a class and attend and attempt a purchase just as they would at other licensed establishments.

Mr. Krusenoski embraced the concept and was pleased that the Village could accommodate their business and the request for liquor license. He stated that the studio was not a destination for people to go and drink. He cautioned them to be careful that a violation can be quite costly for the limited amount of beer and wine revenue they may bring in. He wished them luck.

Mr. Jacobson stated that the application packet looked in order. He wished them luck.

Mr. Clary commented on their manual and welcomed them to Downers Grove.

Chairman Strelau cautioned them on accepting the vertical identification and noted that it has caused licensees to trip up in the past.

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 satisfactory background checks, annual fee, Certificate of Occupancy and receipt of 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 "AS" liquor license application.

**MR. JACOBSON MOVED TO FIND BOARD & BRUSH OF ILLINOIS, LLC D/B/A BOARD & BRUSH LOCATED AT 5151 MAIN STREET, QUALIFIED FOR A CLASS "AS", BEER & WINE, ON-PREMISE CONSUMPTION LIQUOR LICENSE. MR. CLARY SECONDED.**

**VOTE:**           **AYE:**           Mr. Jacobson, Mr. Clary, Ms. King, Mr. Krusenoski, Chairman Strelau

**Nay:**           None

**Abstain:**       None

**MOTION CARRIED: 5:0:0**

Motion carried.

The Commission inquired when they planned to open the studio. Mr. Selby replied they have a few private functions booked for mid-May but planned to host a grand opening around Memorial Day. He stated that the open calendar would be posted June 1<sup>st</sup>.

**V.     OLD BUSINESS**

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

Ms. Kuchynka referred to the April month end report and advised she included information from the Mayor concerning his intent to issue a license to Tacochela and an Order of Forfeiture for Cork Wine & Spirits.

Ms. Kuchynka stated that she provided a current copy of the updated Liquor Code that includes the new AS license classification to the Commission.

Mr. Krusenoski asked about liquor license fees and where they could be found. Ms. Kuchynka stated that fees were originally contained in the Liquor Code but were moved to an Administrative Regulation policy that is posted on the Village's Municipal Code website page. She stated that fees were extracted from the Municipal Code in order for them to be updated administratively. She noted that changes to fees do not require an ordinance and stated that fees are updated annually by the Finance Department with the approval of the Village Manager.

Mr. Krusenoski asked how much a restaurant license fee is. Ms. Kuchynka pulled up the Administrative Policy on the overhead projector for the group to review. She stated all license class fees are listed under Chapter 3. She stated that applicants pay a one time application fee which covers the cost of the public hearing, court reporter, background checks and staff time and then an annual fee, depending on the classification they apply for.

Ms. Kuchynka advised that those establishments requesting the creation of a license classification, as in the case of Board & Brush, pay a one time license creation fee. She stated that fee is charged in order to recover staff costs researching new activities and surrounding community regulations, along with public hearing costs and preparation of Liquor Commission and Village Council materials for the ordinance amendments.

Ms. Kuchynka advised that renewals were mailed out April 28<sup>th</sup> and are due back to the Village by June 9<sup>th</sup>.

## **VI. 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 there would be a June meeting.

## **VII. COMMENTS FROM THE PUBLIC**

There were none.

## **VIII. ADJOURNMENT**

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

Ms. King moved to adjourn the May 4, 2017 meeting. The meeting was adjourned by acclamation at 7:00 p.m.



**Village of Downers Grove  
Report for the Liquor Commission  
June 1, 2017 Agenda**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
Licensee: Thai First Address: 2249 Maple Avenue	Violation: 3-25(a) Sale of Liquor to a Minor	Carol Kuchynka Liaison to the Liquor Commission

**Item**

The licensee has been charged with a violation of Section 3-25(a) of the Liquor Control Ordinance which prohibits the sale of alcohol to a minor.

**Notice**

Notice of this hearing (attached) was served upon the Licensee by certified mail to its registered agent and by personal delivery to the manager of the licensed premises.

**General Information**

**Licensee:** Wanartit, Inc.  
d/b/a Thai First  
2249 Maple Avenue  
Downers Grove, IL 60516

**Registered Agent:** Laddawan Hardy

**Manager:** Ms. Linda (Laddawan) Hardy

**Date License Issued:** December 7, 2016 (Note, under another corporation the owner has held a license for the same establishment since September 25, 2015)

**History**

See attached Control Buy Record

**Aggravating Circumstances**

Owner involved in transaction  
Non-certified server involved in transaction

**Recommendation**

Based upon testimony presented at the June 1, 2017 disciplinary hearing staff requests the following:

A recommendation from the Commission concerning its finding of "guilty" or "not guilty" of a violation of Section 3.25(a) of the Liquor Control Ordinance.





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**\*NOTICE OF HEARING\***

**COMMUNITY RESPONSE  
CENTER**

630.434.CALL (2255)

**CIVIC CENTER**

801 Burlington Avenue

Downers Grove

Illinois 60515-4782

630.434.5500

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FAX 630.434.5571

**FIRE DEPARTMENT**

**ADMINISTRATION**

5420 Main Street

Downers Grove

Illinois 60515-4834

630.434.5980

FAX 630.434.5998

**POLICE DEPARTMENT**

825 Burlington Avenue

Downers Grove

Illinois 60515-4783

630.434.5600

FAX 630.434.5690

**PUBLIC WORKS**

**DEPARTMENT**

5101 Walnut Avenue

Downers Grove

Illinois 60515-4046

630.434.5460

FAX 630.434.5495

May 10, 2017

Thai First  
Ms. Linda Hardy, Liquor Manager  
2249 Maple Avenue  
Downers Grove, IL 60516

Re: *Liquor License No. LQ-000207; Wanartit, Inc. d/b/a Thai First, 2249 Maple Avenue, Downers Grove, Illinois*

Dear Ms. Hardy:

You are hereby notified as the Liquor Manager of a Class "R-2" Liquor License No. LQ-000207 of the Village of Downers Grove, that the Liquor Commission shall hold a public hearing on Thursday, June 1, 2017, at 6:30 p.m. in the Council Chambers of the Downers Grove Village Hall.

The purpose of the hearing will be to determine whether the said liquor license held by Wanartit, Inc. should be revoked, fined and/or suspended by reason of the alleged sale of alcoholic liquor (a bottle of Chang beer), on Tuesday, April 11, 2017 at approximately 5:58 p.m., to a person under the age of twenty-one (21) years, in violation of Section 3-25 of the Downers Grove Municipal Code and Ill. Comp. Stat., Ch. 235, Sec. 5/6-16. At the hearing the licensee will be given the opportunity to appear and defend against such charge.

Prior to the date of the hearing, you or your attorney, if any, should contact the undersigned at (630) 434-5504, to discuss necessary procedures at the hearing.

Sincerely,

VILLAGE OF DOWNERS GROVE

Dawn C. Didier  
Village Prosecutor

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**\*NOTICE OF HEARING\***

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5420 Main Street

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Illinois 60515-4834

630.434.5980

FAX 630.434.5998

**POLICE DEPARTMENT**

825 Burlington Avenue

Downers Grove

Illinois 60515-4783

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**PUBLIC WORKS**

**DEPARTMENT**

5101 Walnut Avenue

Downers Grove

Illinois 60515-4046

630.434.5460

FAX 630.434.5495

May 10, 2017

Ms. Laddawan Hardy  
Registered Agent for Wanartit, Inc.  
308 Hemlock Lane  
Oswego, IL 60543

*Re: Liquor License No. LQ-000207; Wanartit, Inc. d/b/a Thai First, 2249 Maple Avenue, Downers Grove, Illinois*

Dear Ms. Hardy:

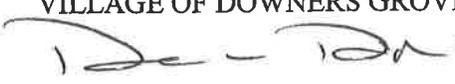
You are hereby notified as the Registered Agent of a Class "R-2" Liquor License No. LQ-000207 of the Village of Downers Grove, that the Liquor Commission shall hold a public hearing on Thursday, June 1, 2017 at 6:30 p.m. in the Council Chambers of the Downers Grove Village Hall.

The purpose of the hearing will be to determine whether the said liquor license held by Wanartit, Inc. should be revoked, fined and/or suspended by reason of the alleged sale of alcoholic liquor (a bottle of Chang beer), on Tuesday, April 11, 2017 at approximately 5:58 p.m., to a person under the age of twenty-one (21) years, in violation of Section 3-25 of the Downers Grove Municipal Code and Ill. Comp. Stat., Ch. 235, Sec. 5/6-16. At the hearing the licensee will be given the opportunity to appear and defend against such charge.

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Sincerely,

VILLAGE OF DOWNERS GROVE

  
Dawn C. Didier  
Village Prosecutor

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**Village of Downers Grove  
Report for the Liquor Commission  
June 1, 2017 Agenda**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
Licensee: Karma Club Address: 1211A Butterfield Road	Violation(s): Multiple	Carol Kuchynka Liaison to the Liquor Commission

**Item**

The licensee has been charged with miscellaneous violations of the Downers Grove Liquor Control Ordinance.

**Notice**

Notice of this hearing (attached) was served upon the Licensee by certified mail to its registered agent and by personal delivery to the manager of the licensed premises.

**General Information**

**Licensee:** Downers Grove Entertainment, LLC  
d/b/a Karma Club  
1211A Butterfield Road  
Downers Grove, IL 60515

**Registered Agent:** Mr. Chris Patel

**Manager:** Ms. Lacey Heissenbuttel

**Date License Issued:** December 11, 2015

**History**

See attached Control Buy Record

**Aggravating Circumstances**

Multiple

**Recommendation**

Based upon testimony presented at the June 1, 2017 disciplinary hearing staff requests the following:

Recommendation from the Commission concerning its finding of "guilty" or "not guilty" for violation(s) of the Downers Grove Liquor Control Ordinance as set forth in the Notice of Hearing.

### **3.13. Class "E" Entertainment/Restaurant Facility Licenses**

"E-1" Entertainment/Restaurant Facility licenses shall authorize the sale of alcoholic liquor for consumption on the licensed premises where the primary business is an entertainment/restaurant facility as defined herein, of not less than twelve thousand (12,000) square feet. Such facility shall have dining on the premises with a guest seating capacity, excluding outdoor areas, of not less than one hundred twenty-five (125). Such facility shall have an area where food is prepared on the premises. An area or area(s) may be devoted to dancing, live entertainment or recreational activities. Physical bar seating shall be limited to twenty percent (20%) of the total amount of dining seats provided.

Such facility shall be limited to patrons twenty-one (21) years of age and older.

A monthly report shall be submitted to the Village describing any planned events or scheduled entertainment by the licensee.

The licensee shall provide the Village with a detailed security plan for the facility, including, but not limited to, a policy, security procedures and security staffing provisions. Twenty-four (24) hour emergency contact information shall be provided to the Village's Police and Fire Departments.

This license shall be subject to any other additional conditions and/or restrictions imposed by the Local Liquor Commissioner:

1. The sale of alcohol by the bottle (except wine or champagne) is prohibited;
2. Pyrotechnics of any type are prohibited;
3. Patron dress code shall be posted and consistent with Karma's Security Plan;
4. All staff, performers and vendors must maintain a dress code that is not in violation of Section 3-33(d) of the Municipal Code and consistent with Karma's Security Plan;
5. Current floor plans must be posted throughout the establishment;
6. Advertising of drink specials must be reviewed by the Village in advance.
7. Brando's may be advertised as a room or portion of the Karma Club, however, not a separate entity thereof.





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**\*NOTICE OF HEARING\***

**COMMUNITY RESPONSE  
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May 15, 2017

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**CIVIC CENTER**

801 Burlington Avenue  
Downers Grove

Illinois 60515-4782

630.434.5500

TDD 630.434.5511

FAX 630.434.5571

**Karma Club**

Ms. Lacey Heissenbuttel, Liquor Manager  
1211A Butterfield Road  
Downers Grove, IL 60515

*Re: Liquor License No. LQ-000195; Downers Grove Entertainment, LLC d/b/a  
Karma Club, 1211A Butterfield Road, Downers Grove, Illinois*

Dear Ms. Heissenbuttel:

**FIRE DEPARTMENT  
ADMINISTRATION**

5420 Main Street  
Downers Grove

Illinois 60515-4834

630.434.5980

FAX 630.434.5998

You are hereby notified, as the Liquor Manager of the Class "E-1/O – Entertainment/Restaurant Facility and Outdoor license" Liquor License No. LQ-000195 of the Village of Downers Grove, that the Liquor Commission shall hold a public hearing on Thursday, June 1, 2017, at 6:30 p.m. in the Council Chambers of the Downers Grove Village Hall.

The purpose of the hearing will be to determine whether said liquor license held by Downers Grove Entertainment, LLC should be revoked, fined and/or suspended by reason of the alleged violations of Chapter 3 of the Downers Grove Municipal Code listed below. At the hearing the licensee will be given the opportunity to appear and defend against such charges.

**POLICE DEPARTMENT**

825 Burlington Avenue  
Downers Grove

Illinois 60515-4783

630.434.5600

FAX 630.434.5690

- 1) Tiffany Nellums, an employee of the Licensee, sold alcoholic liquor to a person (Agent N.B.) under the age of twenty-one (21) years (birthdate of 10-19-99) on April 29, 2017 in violation of Section 3.25(a);
- 2) Tiffany Nellums, an employee of the Licensee, failed to request proof of identification from Agent N.B. showing a date of birth and picture on April 29, 2017 in violation of Section 3.26(a);
- 3) Chante Johnson, an employee or agent of the Licensee allowed Agent N.B., a minor whose date of birth is 10-19-99, to enter the establishment on April 29, 2017 in violation of its liquor license classification (E-1/O – Entertainment/Restaurant Facility and Outdoor) which requires an individual to be 21 or older to enter;

**PUBLIC WORKS**

**DEPARTMENT**

5101 Walnut Avenue  
Downers Grove

Illinois 60515-4046

630.434.5460

FAX 630.434.5495

- 4) Chante Johnson, an employee or agent of the Licensee, accepted money from the agents and knowingly allowed Agent P.B., a minor whose date of birth is 3-17-00, to enter the establishment on April 29, 2017 in violation of its liquor license classification (E-1/O – Entertainment/Restaurant Facility and Outdoor) which requires an individual to be 21 or older to enter;
- 5) Dino Vulpitta, purported to be 35% owner of the Licensee, made false statements at the public hearing held by the Downers Grove Liquor Commission on March 3, 2016 when he testified under oath to the Commission regarding how the licensee was going to change the theme of the establishment in violation of Section 3.12(i);
- 6) Since it received its license in December 2015, Licensee has failed to operate the establishment consistent with the original plan and theme presented at the Liquor Commission hearing in June 2015; and Licensee has also failed to operate the establishment consistent with the approved theme change granted in April 2016;
- 7) Licensee has failed to submit a monthly report regarding planned events or scheduled entertainment in violation of its liquor license classification (E-1/O – Entertainment/Restaurant Facility and Outdoor) as defined in Section 3.13 since December 2015;
- 8) Since at least July 2016, Licensee failed to obtain approval to change its theme, business plan or advertising in violation of Section 3.19(a)(ii) as the activities and entertainment since that time is different than what Dino Vulpitta represented was going to occur at the establishment at the public hearing on March 3, 2016;
- 9) On each and every date Licensee has been open for business, Licensee has failed to scan the IDs of its patrons as indicated in its Security Plan, which is required by its license classification (E-1/O – Entertainment/Restaurant Facility and Outdoor) as defined in Section 3.13;
- 10) Beginning in January 2017, Licensee has failed to provide advertising of its drink specials to the Village to review in advance of promotion as required under a special condition of its license imposed in April 2016;
- 11) On each and every date Licensee has been open for business, Licensee has failed to have video surveillance at the front entrance as indicated in its Security Plan, which is required by its license classification (E-1/O – Entertainment/Restaurant Facility and Outdoor) as defined in Section 3.13;
- 12) Since July 2016, Licensee's advertising has not been consistent with the approved theme change granted in April 2016;

13) On May 14, 2017, Licensee allowed individuals wearing jerseys and baseball hats in the establishment in violation of its Security Plan, which is required by its license classification (E-1/O – Entertainment/Restaurant Facility and Outdoor) as defined in Section 3.13.

Prior to the date of the hearing, you or your attorney, if any, should contact the undersigned at (630) 434-5504, to discuss necessary procedures at the hearing.

Sincerely,

VILLAGE OF DOWNERS GROVE



Dawn C. Didier  
Village Prosecutor



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**\*NOTICE OF HEARING\***

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May 15, 2017

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801 Burlington Avenue  
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630.434.5500  
TDD 630.434.5511  
FAX 630.434.5571

Mr. Chris Patel  
Registered Agent for Downers Grove Entertainment, LLC  
502 Pratt Avenue N  
Schaumburg, IL 60193

*Re: Liquor License No. LQ-000195; Downers Grove Entertainment, LLC d/b/a  
Karma Club, 1211A Butterfield Road, Downers Grove, Illinois*

Dear Ms. Heissenbuttel:

**FIRE DEPARTMENT  
ADMINISTRATION**

5420 Main Street  
Downers Grove  
Illinois 60515-4834  
630.434.5980  
FAX 630.434.5998

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**POLICE DEPARTMENT**

825 Burlington Avenue  
Downers Grove  
Illinois 60515-4783  
630.434.5600  
FAX 630.434.5690

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**PUBLIC WORKS**

**DEPARTMENT**  
5101 Walnut Avenue  
Downers Grove  
Illinois 60515-4046  
630.434.5460  
FAX 630.434.5495

- 4) Chante Johnson, an employee or agent of the Licensee, accepted money from the agents and knowingly allowed Agent P.B., a minor whose date of birth is 3-17-00, to enter the establishment on April 29, 2017 in violation of its liquor license classification (E-1/O – Entertainment/Restaurant Facility and Outdoor) which requires an individual to be 21 or older to enter;
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Sincerely,

VILLAGE OF DOWNERS GROVE



Dawn C. Didier  
Village Prosecutor