

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

Thursday, May 3, 2018

I. CALL TO ORDER

Chairman Strelau called the May 3, 2018 Liquor Commission meeting to order at 6:40 p.m.

II. ROLL CALL

PRESENT: Mr. Clary, Ms. Flanagan, Mr. Jacobson, Chairman Strelau

ABSENT: Mr. Krusenoski, Ms. Pietrucha, Ms. Toerpe

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

OTHERS: Sam Vlahos, Patricia Vlahos, Pete Brown, Court Reporter

III. APPROVAL OF MINUTES

Chairman Strelau asked for approval of the minutes for the April 5, 2018 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the April 5, 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 first 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."

Pierce Tavern - 5135 Main Street

Chairman Strelau stated that the next order of business was an application hearing for Bar on Main, LLC d/b/a Pierce Tavern located at 5135 Main Street. She stated that the applicant was seeking a Class "O", full alcohol, on-premise consumption 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.

Mr. Sam Vlahos and Ms. Patricia Vlahos were sworn in by the court reporter. Mr. Vlahos and Ms. Vlahos introduced themselves as co-owners of Pierce Tavern.

Chairman Strelau asked the applicant to present its case.

Mr. Vlahos stated they were seeking an outdoor liquor license to accompany the full alcohol, on-premise liquor license they applied for in October, 2017.

Chairman Strelau asked for comments from the Commission.

Mr. Clary stated he reviewed the layout and noted that the outdoor area will be on the north of the building on Main and east of the building on Curtiss. Mr. Vlahos agreed.

Mr. Clary asked how many seats they were proposing. Mr. Vlahos replied 16.

Mr. Clary asked how the patios will be seated. Mr. Vlahos stated that they will post signage that patrons must go to the hostess to be seated in these areas. Ms. Vlahos added that a server will be designated to this area.

Ms. Flanagan had no questions.

Mr. Jacobson noted that there are trees and other appurtenances in the area that might affect people with disabilities. He asked who has authority over the sidewalk. Ms. Kuchynka advised that a small portion of the cafes are on private property; however, their remaining area is subject to a Temporary Use License Agreement for the use of the public property. She stated that Village staff has discussed and has expressed concern about ADA access requirements and the five-foot unobstructed clearance rule for handicapped access on the right-of-way. Ms. Kuchynka added that a revised plan will need to be submitted to the Village with detailed and exact measurements. She also noted that handicap accessible seating in each of the two patios will need to be indicated on the plan. She also advised that there are additional insurance requirements as liquor is being served and that they will need to enclose the area and pay for the use of the property.

Mr. Jacobson asked when they planned to open. Mr. Vlahos replied in the next few months. He advised that an electric service issue had set them back from opening sooner.

Chairman Strelau asked about the patio staffing. Ms. Vlahos replied that a designated server will be stationed to serve the area. Mr. Vlahos stated that the hostess would have to seat the patrons outside and a server will be designated. He added that floor managers will be monitoring the area during its operation and noted the areas are very visible from the inside.

Chairman Strelau asked about the enclosure. She asked if the fence will include the umbrella or the planters. Mr. Vlahos replied no. Ms. Vlahos stated that the enclosure is quite similar and will not be attached to the ground. Mr. Vlahos stated that it will be a thin-grade steel with a wood railing. Ms. Vlahos noted that the planters would not allow it to fit in the space.

Chairman Strelau stated that having a patio will bring additional challenges to the operation. She wished them luck and advised them to be mindful while observing the outdoor seating areas.

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 insurance, employee certifications, Certificate of Occupancy, the annual fees and a Temporary Use License Agreement for the use of public property.

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 "O" liquor license application.

MR. JACOBSON MOVED TO FIND BAR ON MAIN, LLC D/B/A PIERCE TAVERN, LOCATED AT 5135 MAIN STREET, QUALIFIED FOR A CLASS "O", FULL ALCOHOL, ON-PREMISE CONSUMPTION OUTDOOR LIQUOR LICENSE. MR. CLARY SECONDED.

VOTE: **AYE:** Mr. Jacobson, Mr. Clary, Ms. Flanagan, 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 Cadence Kitchen opened to the public on May 1st.

Ms. Kuchynka stated that there will be a disciplinary and two application on the agenda for June and will send an email to confirm their availability for the upcoming meeting.

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 referred to the month end report. She noted that they Mayor intends to issue the license to Maple Food & Liquors.

Ms. Kuchynka advised the Commission that renewal applications have been mailed. She advised of the June 8th return deadline.

Chairman Strelau asked what is planned for the Carlucci building. Ms. Kuchynka replied she has not received application for that location to date.

VII. COMMENTS FROM THE PUBLIC

There were none.

IX. ADJOURNMENT

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

Mr. Clary moved to adjourn the May 3, 2018 meeting. The meeting was adjourned by acclamation at 6:52 p.m.