

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

Thursday, May 4, 2017

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 1st.

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 28th and are due back to the Village by June 9th.

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.