

**DOWNERS GROVE LIQUOR COMMISSION
VILLAGE HALL COUNCIL CHAMBERS
801 BURLINGTON AVENUE
Thursday, January 6, 2022**

I. CALL TO ORDER

Chairman Strelau called the January 6, 2022 Liquor Commission meeting to order at 6:30 p.m.

II. ROLL CALL

PRESENT: Mr. Johnson, Mr. Meta (6:03), Ms. Rutledge, Mr. Shah, Chairman Strelau

ABSENT: Mr. Krusenoski

STAFF: Carol Kuchynka, Liaison to the Liquor Commission, Village Attorney Enza Petrarca

OTHERS: Kartik Patel, Yogesh Patel, Court Reporter

III. APPROVAL OF MINUTES

Chairman Strelau asked for approval of the minutes for the December 2, 2021 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the December 2, 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. REQUEST FOR CHANGE IN FLOOR PLAN/OPERATION/OWNERSHIP

Chairman Strelau made the following statements:

"The next order of business is to conduct a public hearing for a request of floor plan change/focus of operation and ownership change. 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."

Corner Pantry – 4240 Main

Chairman Strelau stated that the next order of business was Pragat, LLC d/b/a Corner Pantry located at 4240 Main Street who was requesting a floor plan change/focus of operation and change in ownership for their existing Class “P-1”, full alcohol, off- 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. Kartik Patel and Mr. Yogesh Patel were sworn in by the court reporter.

Kartik Patel stated that they are requesting a floor plan change and change in ownership. He added that he is the managing member holding 51% ownership in the LLC. He stated that the two other current members of the LLC did not care to invest any further and wanted to relinquish their stock in the corporation. He stated that Yogesh Patel has offered a partnership and purchase of 49% of the remaining stock. Kartik stated that Yogesh has liquor handling experience.

Kartik Patel stated that 25% of the selling space is currently devoted to liquor inventory. He stated that they are proposing a change to increase the space for liquor inventory to 70%. Kartik Patel stated that this location may not survive without this change in floor plan and focus of operation.

Mr. Johnson asked Kartik and Yogesh if they were related. They replied no and noted that they only have Patel as a common last name.

Mr. Johnson asked Kartik how long he has held the license in Downers Grove. Kartik replied 2 ½ years.

Mr. Johnson asked Kartik if the location had any violations. Kartik replied no.

Mr. Johnson asked Kartik if mostly family will be working at the location. Kartik replied that Minesh, who is a close friend, has been and will continue to work for him.

Mr. Johnson asked Kartik to explain the operation of the Cash Register Express software. Kartik replied that this POS (point of sale) system is approved in all 50 states and is used to scan identification cards. He stated that liquor sales cannot be authorized without scanning the ID.

Mr. Johnson asked if a customer were to be 20 years old and came in with their father’s driver’s license, how the sale would be stopped. Kartik replied that they would first ask for the ID and then check the appearance of the customer. He stated that he also looks at the birthday for the approximate age of the customer. He added that if they do not match, he refuses the sale.

Ms. Rutledge had no questions.

Mr. Meta asked Yogesh if he will be working at the store. Yogesh replied yes. He added that he currently owns two licensed gas stations in McHenry and is opening a liquor store in Johnsburg. He stated that he has 7 years of experience.

Mr. Meta asked with all the other locations how often Yogesh will work. Yogesh replied he will work at Corner Pantry part-time and noted that he has partners at the other locations that work which will free time for him to be present in Downers Grove.

Mr. Meta stated that the risk for selling to minors is great. He encouraged them to use this opportunity to fully train employees and reiterate the importance of proper liquor sales and be certain that employees continue to follow the rules.

Mr. Shah had no questions.

Chairman Strelau asked how many employees they have. Kartik replied three - he, Minesh and Jordan are working at the location now and noted that they are all BASSET trained.

Chairman Strelau asked how many employees they plan to have should their requests be approved. Kartik replied Yogesh will be joining them part time. He stated that as business grows, they will hire more employees.

Chairman Strelau referred back to their cash register scanning system. She recalled Kartik saying that a sale will not go through without the ID being scanned. She asked if she would be able to purchase without an ID as she is clearly over 21. Kartik replied they generally card anyone appearing under the age of 50. Yogesh and Kartik stated that if there was no ID provided, however, the sale would be denied. He added that employees are instructed to refuse the sale if no ID is presented.

Chairman Strelau referred to the floor plan submittal and asked for clarification. She noted the shelving rows in the store. She stated that the final plan shows dotted lines around the aisles. Kartik replied that the rows with open sides will be stocked with liquor. Chairman Strelau asked if the shelving units have changed. Kartik replied no, only their content.

Chairman Strelau stated that even as sophisticated as the ID checking system is, it matters how they convey the importance of carding and proper liquor sales to employees. She reminded them with more liquor inventory, comes more responsibility. She wished them luck.

Chairman Strelau asked staff for recommendations or comments pertinent to this request. Ms. Kuchynka replied that issuance of the license is contingent upon receipt of satisfactory background checks and receipt of the stock purchase agreement.

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 their approval" or "denial" with respect to their request for focus of operation/floor plan change.

MR. META MOVED TO APPROVE THE FOCUS OF OPERATION/FLOOR PLAN CHANGE REQUEST OF PRAGAT, LLC LOCATED AT 4240 MAIN STREET. MR. JOHNSON SECONDED.

VOTE:

Aye: Mr. Meta, Mr. Johnson, Mr. Shah, Chairman Strelau

Nay: None

Abstain: Ms. Rutledge

MOTION CARRIED: 4:0:1

Hearing the testimony given in this case, Chairman Strelau asked for a recommendation from the Commission concerning its finding of their approval" or "denial" with respect to their request for change in ownership.

MR. JOHNSON MOVED TO APPROVE THE CHANGE IN OWNERSHIP REQUEST OF PRAGAT, LLC LOCATED AT 4240 MAIN STREET. MR. META SECONDED.

VOTE:

Aye: Mr. Johnson, Mr. Meta, Mr. Shah, Chairman Strelau

Nay: None

Abstain: Ms. Rutledge

MOTION CARRIED: 4:0:1

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 was uncertain of a February meeting and would let the Commission know.

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 past month end report for December.

Ms. Kuchynka advised of the Mayor's intent to issue licenses to those applicants before the Commission in December.

Ms. Kuchynka stated that she included a current list of liquor license holders. She added that the liquor license classification chart was also updated.

Ms. Kuchynka stated that the Village is at the limit of the "P-1", full alcohol, off-premise consumption license with the recently issued licenses going to the three gas stations.

Chairman Strelau asked if the Village would wait for someone to ask for a "P-1" license class to be added. Ms. Petrarca replied yes. She added that they could be put on a waiting list until one becomes available. Ms. Kuchynka noted that there are plenty of "P-2", beer and wine only, off-premise consumption licenses.

VII. COMMENTS FROM THE PUBLIC

There were none.

VIII. ADJOURNMENT

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

Mr. Johnson moved to adjourn the January 6, 2022 meeting. The meeting was adjourned by acclamation at 6:50 p.m.