

**DOWNERS GROVE LIQUOR COMMISSION
VILLAGE HALL COUNCIL CHAMBERS
801 BURLINGTON AVENUE
Thursday, February 3, 2022**

I. CALL TO ORDER

Ms. Kuchynka called the February 3, 2022 Liquor Commission meeting to order at 6:35 p.m.

II. ROLL CALL

PRESENT: Mr. Johnson, Ms. Rutledge, Mr. Shah, Mr. Krusenoski

ABSENT: Mr. Meta, Chairman Strelau

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

OTHERS: Assi Sayegh, Michael Sayegh, Salah Azar, Court Reporter

III. ELECTRONIC ATTENDANCE

Ms. Kuchynka requested a motion to allow Commissioner Rutledge participate in this evening's meeting via telephone.

MR. KRUSENOSKI MOVED TO ALLOW COMMISSIONER RUTLEDGE TO PARTICIPATE ELECTRONICALLY. MR. JOHNSON SECONDED.

VOTE:

Aye: Mr. Krusenoski, Mr. Johnson, Mr. Shah, Ms. Rutledge

Nay: None

Abstain: None

MOTION CARRIED: 4:0:0

IV. APPOINTMENT OF CHAIRMAN PRO TEM

In the absence of Chairman Strelau, Ms. Kuchynka requested a motion to appoint a Chairman Pro Tem.

MR. JOHNSON MOVED TO APPOINT COMMISSIONER KRUSENOSKI TO ACT AS CHAIRMAN PRO TEM FOR THE FEBRUARY 3, 2022 MEETING OF THE DOWNERS GROVE LIQUOR COMMISSION. MR. SHAH SECONDED.

VOTE:

Aye: Mr. Johnson, Mr. Shah, Ms. Rutledge, Mr. Krusenoski

Nay: None

Abstain: None

MOTION CARRIED: 4:0:0

V. APPROVAL OF MINUTES

Chairman Pro Tem Krusenoski asked for approval of the minutes for the January 6, 2022 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the January 6, 2022 minutes of the Liquor Commission meeting were approved as written.

Chairman Pro Tem Krusenoski reminded those present that this evening's meeting was being recorded on Village-owned equipment. Staff was present to keep minutes for the record.

VI. APPLICATION FOR LIQUOR LICENSE

Chairman Pro Tem Krusenoski 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 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 licenses."

"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."

Beggar's Pizza – 417 63rd Street

Chairman Pro Tem Krusenoski stated that the next order of business was an application hearing for Family Pizza, Inc. d/b/a Beggar's Pizza located at 417 63rd Street. He stated that the applicant is seeking a Class "R-2", beer & wine only on-premise consumption liquor license.

Chairman Pro Tem Krusenoski asked that any individual(s) representing the applicant step forward and be seated. He 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. Assi Sayegh, Mr. Michael Sayegh and Mr. Salah Azar were sworn in by the court reporter. Mr. Assi Sayegh introduced himself as part owner of Beggar's Pizza. Mr. Michael Sayegh introduced himself as part owner and liquor manager for Beggar's Pizza. Mr. Azar introduced himself as part owner of Beggar's Pizza.

Assi Sayegh stated that they took over from the previous owner in August 2020. He stated that they did not have dine-in customers until more recently due to Covid. He stated that they were new to the food industry and wanted to operate for a little time before deciding to seek a beer and wine license based on requests by customers.

Mr. Johnson asked what liquor handling experience they have. Assi replied that he and Salah own and operate a grocery/convenience store in the City which sells full alcohol.

Mr. Johnson noted that the application material stated that the license expired in September of 2021. He asked the status of that license. Assi replied that license since has been renewed.

Mr. Johnson asked how many employees they have at Beggars. Assi replied 20-25. Mr. Johnson asked the age of the employees. Assi replied 16-60 years old.

Mr. Johnson asked when the liquor manual is shared with employees. Assi replied if approved for the license they will hold a store meeting and it will be given to employees at that time.

Mr. Johnson stated that the manual was thorough. He asked how often they will meet with employees to discuss guidelines. Assi replied that any time there is a new employee they will reinforce the rules. He stated that they plan to discuss policy monthly, bi-weekly or weekly if necessary. He stated that they will regularly reiterate policy to be sure there are no issues.

Mr. Johnson stated that a floor plan was included with the materials. He asked if the beer/wine cooler will be behind the counter or if it was self-serve. Assi replied that there is a cooler that is behind the counter, unseen by the customer that employees only have access to. He stated that they also have a locking cage in the office where all other beer and wine will be stored.

Mr. Johnson was concerned if the cooler was accessible on the floor or if it was locked. Assi replied that they could put a locking mechanism on it so that only a manager on site would have access. He stated that there are some underage employees that they may wish to restrict access to those coolers. Salah noted that in addition to a manager they have an assistant manager on duty. He noted that there will always be someone over 21 on the premises overlooking the operation.

Mr. Shah stated that the Village conducts controlled buys and reminded them to reinforce with staff the importance of proper liquor service.

Ms. Rutledge had no questions.

Chairman Pro Tem Krusenoski welcomed them to Downers Grove. He asked about their dine-in service. Assi replied that for the first few months they operated they had no dine in service. He stated that they are currently following the current Covid guidelines which allow for 50% capacity. He stated that they have 8-10 tables.

Chairman Pro Tem Krusenoski asked if they have indoor dining now. Assi replied yes.

Chairman Pro Tem Krusenoski referred to their layout. He asked if the cooler was next to the hostess stand. Assi stated that it is next to the front counter, where the POS system is. He noted that there is a wall partition to the right, which the cooler sits, which is behind the counter and is unseen by the customers.

Chairman Pro Tem Krusenoski asked how many of the 20-25 employees will be serving alcohol. Assi replied 4-5.

Chairman Pro Tem Krusenoski stated that the best manuals do not mean anything if someone willingly sells to someone underage. He stated that the Commission offers advice based on experience with disciplinary hearings. He stated that some establishments have failed to create a work culture that

stresses the importance of responsible liquor handling. He stated that there never is a legitimate answer to the question of why an employee sells to someone underage.

Chairman Pro Tem Krusenoski stated their liquor sales will be a disproportionate amount of their income stream which would make it more painful if a fine is incurred for a violation. He stated that when the Village conducts a test, it is only a reflection of a portion of the day to day for this one person to fail.

Chairman Pro Tem Krusenoski noted their experience at their store. He stated that they should establish the importance of proper liquor service in the work culture at Beggar's and reinforce it regularly.

Salah stated that they plan to be very strict and noted that they have come from businesses where weekly training and refreshers are the norm.

Chairman Pro Tem Krusenoski asked staff for recommendations or comments pertinent to this request. Ms. Kuchynka replied that issuance of the license is contingent upon receipt of the annual fee, insurance and employee certifications.

Chairman Pro Tem Krusenoski asked for comments from the public. There were none.

Hearing the testimony given in this case, Chairman Pro Tem Krusenoski asked for a recommendation from the Commission concerning its finding of "qualified" or "not qualified" with respect to the applicant before us with regard to their request for a Class "R-2" liquor license.

MR. JOHNSON MOVED TO FIND FAMILY PIZZA, INC. D/B/A BEGGAR'S PIZZA LOCATED AT 417 63RD STREET QUALIFIED FOR A CLASS "R-2", BEER AND WINE ONLY, ON-PREMISE CONSUMPTION LIQUOR LICENSE. MR. SHAH SECONDED.

VOTE:

Aye: Mr. Johnson, Mr. Shah, Ms. Rutledge, Chairman Pro Tem Krusenoski

Nay: None

Abstain: None

MOTION CARRIED: 4:0:0

VII. NEW BUSINESS

Chairman Pro Tem Krusenoski asked if there was any discussion, update from staff or comments from the Commission regarding any new business.

Ms. Kuchynka was expecting to receive applications and advised there would be a March 3rd meeting.

VIII. OLD BUSINESS

Chairman Pro Tem Krusenoski 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 for January.

Ms. Kuchynka advised of the Mayor's intent to approve the changes to Corner Pantry operation and ownership.

IX. COMMENTS FROM THE PUBLIC

There were none.

X. ADJOURNMENT

Concluding business for the evening, Chairman Pro Tem Krusenoski called for a motion to adjourn.

Mr. Johnson moved to adjourn the February 3, 2022 meeting. The meeting was adjourned by acclimation at 6:50 p.m.