

**DOWNERS GROVE LIQUOR COMMISSION
VILLAGE HALL COUNCIL CHAMBERS
801 BURLINGTON AVENUE
Thursday, May 5, 2022**

I. CALL TO ORDER

Chairman Strelau called the May 5, 2022 Liquor Commission meeting to order at 6:30 p.m.

II. ROLL CALL

PRESENT: Mr. Johnson, Mr. Krusenoski, Mr. Meta, Ms. Rutledge, Mr. Shah (6:32), Chairman Strelau

ABSENT: None

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

OTHERS: Krystal Smith, Court Reporter

III. APPROVAL OF MINUTES

Chairman Strelau asked for approval of the minutes for the March 3, 2022 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the March 3, 2022 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. 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 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."

7-Eleven – 6301 Main Street

Chairman Strelau stated that the next order of business was 7-Eleven, Inc. d/b/a 7-Eleven located at 6301 Main Street. She stated that the applicant is seeking a Class “P-2”, beer & wine, 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.

Krystal Smith was sworn in by the court reporter. She introduced herself as the General Manager and Liquor Manager for the 7-Eleven. Ms. Smith stated that she is seeking the recently created gas station liquor license for the 7-Eleven located at 6301 Main Street.

Chairman Strelau requested questions from the Commission.

Mr. Johnson asked Ms. Smith to elaborate on her liquor handling experience. Ms. Smith replied that she has worked for 7-Eleven for five years. She stated that she has worked at 7-Eleven locations that have had liquor licenses over the years.

Mr. Johnson asked when the location opened. Ms. Smith replied November 17, 2020.

Mr. Johnson asked Ms. Smith if she was aware of the Control Buy Program. Ms. Smith replied yes.

Mr. Johnson asked about their training policies. Ms. Smith replied that employees are trained yearly with the “Come of Age” BASSETT certified program. She stated that she will also hold monthly and weekly meetings and that their policies will be regularly enforced. Mr. Johnson noted their zero tolerance policy.

Mr. Johnson asked if all employees have been certified. Ms. Smith replied yes, with the exception of one new hire who is currently going through their training process.

Ms. Rutledge stated that she frequents the store and asked about sight lines and blind spots in the store. She asked Ms. Smith to explain the layout. Ms. Smith referred to the floor plan in the packet and noted that the first aisle holds beer and seltzer which faces the register. She stated that there are three cooler doors to the rear of the store and a section of wine which is visible from the register.

Ms. Rutledge noted the proximity of the beer area to the ice cream section and asked if there are cameras to better observe the area. Ms. Smith replied yes. She stated that there are cameras that face the aisle and front door. She noted that if the license is approved they plan to have two employees working the store during sales hours for double coverage.

Mr. Meta asked if this was a 24 hour store. Ms. Smith replied yes.

Mr. Meta asked how they plan to control beer and wine sales after hours. Ms. Smith replied that they will post decals with the sales hours at the display areas. She stated that she will program the POS system which will deny employees from ringing up products after the allowable sales hours.

Mr. Meta asked if the cooler doors lock. Ms. Smith replied no. She stated that gas stations were not allowed to sell liquor location, so locks were not installed at the time the store opened. She stated that she has worked in some municipalities that have required it.

Mr. Meta asked if all employees were over 21. Ms. Smith replied yes, with the exception of one employee who works part time that only stocks with no liquor involvement.

Mr. Shah asked if all are BASSET certified. Ms. Smith replied yes.

Mr. Krusenoski asked if the store was corporate owned. Ms. Smith replied yes.

Ms. Kuchynka reported that the last corporate owned store in the Village ran from 2007-2014. She noted that they had no violations. She stated the franchised Fairview Avenue store is currently in operation and the franchised Main Street store closed and is now operating as Downtown Food Mart.

Mr. Krusenoski stated he was pleased to hear of yearly, monthly and weekly meetings. Ms. Smith stated that they will have regular huddles. She stated that they also have secret shoppers that monitor the stores. She stated that they do internal stings for alcohol and tobacco.

Mr. Krusenoski cautioned Ms. Smith about the POS system regulating liquor sales as there may be a way around for employees to ring up items.

Mr. Krusenoski asked her to be diligent and remind employees of the importance of not selling liquor to minors. He stated that employees who make a sale to the Village's agent never give a valid reason for doing so other than "I don't know" when asked why. He stated that it is up to management to instill a culture that prohibiting sales to minors is emphasized.

Chairman Strelau asked Ms. Smith if two employees will be in the store at all times. Ms. Smith replied yes, with the exception of third shift.

Chairman Strelau asked Ms. Smith if the other communities she worked in had a Control Buy Program. Ms. Smith replied yes.

Chairman Strelau asked Ms. Smith if any of those stores had any violations. Ms. Smith replied no.

Chairman Strelau asked about the signage in the windows and the sight lines on the exterior of the store. Ms. Smith replied that the two windows by the register are clear and others have some advertising.

Chairman Strelau cautioned Ms. Smith about third party sales and asked if there are any other security measures in place. Ms. Smith replied that there are cameras for the exterior of the building giving a visibility of both Main and 63rd Streets.

Chairman Strelau reminded Ms. Smith to be diligent and 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 the annual fee and any new 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 their request for a Class P-2 liquor license.

MR. KRUSENOSKI MOVED TO FIND 7-ELEVEN, INC. D/B/A 7-ELEVEN #38976H LOCATED AT 6301 MAIN STREET, QUALIFIED FOR A CLASS P-2, BEER & WINE, OFF-PREMISE CONSUMPTION LIQUOR LICENSE. MR. JOHNSON SECONDED.

VOTE:

Aye: Mr. Krusenoski, Mr. Johnson, Mr. Meta, Ms. Rutledge, Mr. Shah, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 6:0:0

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 had no new business.

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 March and April.

Ms. Kuchynka advised of the Mayor's intent to issue licenses to Lantern Pizza, Save Max and Honey Jam. She also noted approval for outdoor licenses for The Foxtail, Goldfinger, Chama Gaucha and Carnivore & the Queen.

Ms. Kuchynka stated that she included information about outdoor dining regulations that were adopted by the Village Council.

Ms. Kuchynka advised downtown café plans have been reviewed and approved by staff. She noted that the temporary use season runs from March 15th to November 15th. She stated that most licensees will be setting up cafés once the weather breaks. She noted that the street café barricade installation ran behind as there were a few construction projects and pavement striping done throughout the downtown.

Ms. Kuchynka was unsure if there will be a June meeting and will keep the Commission advised.

VII. COMMENTS FROM THE PUBLIC

There were none.

VIII. ADJOURNMENT

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

Mr. Krusenoski moved to adjourn the May 5, 2022 meeting. The meeting was adjourned by acclamation at 6:55 p.m.