

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

I. CALL TO ORDER

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

II. ROLL CALL

III. ROLL CALL

PRESENT: Mr. Johnson, Mr. Meta, Ms. Rutledge, Mr. Shah, Chairman Strelau

ABSENT: None

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

OTHERS: Kelly Bissias, Andy Ocampo, Breanna Miller, Araceli Martin, Zubin Kammula, Court Reporter

IV. APPROVAL OF MINUTES

Chairman Strelau asked for approval of the minutes for the May 5, 2022 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the May 5, 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 liquor license applications. 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."

Bucky's – 2181 63rd Street

Chairman Strelau stated that the next order of business was Bucky's #6519 located at 2181 63rd 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.

Kelly Bissias and Andy Ocampo were sworn in by the court reporter. Ms. Bissias introduced herself as the District Manager and Ms. Ocampo introduced herself as the Liquor Manager for Bucky's. Ms. Bissias stated that they are seeking a P-2 license for the Bucky's gas station at Main & 63rd Street.

Chairman Strelau requested questions from the Commission.

Mr. Johnson asked how long each of them have been with the organization. Ms. Bissias replied eighteen years. Ms. Ocampo replied three years in December.

Mr. Johnson asked how many Illinois Bucky's locations there were. Ms. Kuchynka replied corporate reported 508 Illinois locations and reported 2,454 locations Nationwide.

Mr. Johnson referred to the application packet noted the number of violations that were disclosed in the State of Illinois from 2018 through 2021. He asked Ms. Bissias and Ms. Ocampo if either of them were involved in any violations or associated with any of the locations listed. Both replied no.

Mr. Johnson asked what policies were in place with regard to the sale of alcohol. Ms. Bissias replied that staff is trained extensively for tobacco and required BASSET certified training. She added that staff is re-trained annually with tobacco and BASSET certification training is required every three years.

Ms. Bissias advised that Bucky's regularly performs in house spot testing on its locations.

Ms. Bissias stated that it is their policy to suspend employees for a first violation and terminate employees for a second violation. She noted that staff is fully re-trained after a first violation and must be coached and re-trained and not allowed on the register alone until after suspension.

Mr. Johnson asked how often policies are reinforced. Ms. Bissias replied daily. She stated that as a district manager she oversees 11 stores. She advised that Ms. Ocampo is the manager of this location. Ms. Ocampo added that management oversees and pays attention to what team members do daily. She stated that she takes coaching very seriously.

Mr. Johnson asked Ms. Bissias to explain their scanning software and their carding procedures. Ms. Bissias replied that they request identification from anyone who appears under the age of 40 for tobacco. She stated that in her district she prefers to request identification 100% from anyone purchasing alcohol.

Ms. Bissias stated that the POS system will not allow clerks to scan liquor items past allowed sales hours.

Ms. Rutledge and Ms. Bissias about her statement carding 100% in her district. She asked if that policy varied throughout the district. Ms. Bissias stated that they must abide by company policies, but are

allowed to be more stringent if need be. She stated that they card 100% especially when the business just starts selling alcohol. She stated that she does not loosen up on that policy and is allowed to make that decision for her district. She stated that over the course of time, then can ease up on those restrictions.

Ms. Rutledge commented on the number of Illinois violations and noted that sales were made to minors. She asked if violations are reviewed and adjustments in policies made at the district level. She asked if violations are treated as isolated incidents or considered globally for corporate to institute more stringent policies.

Ms. Bissias replied that she has worked in the industry for 30 years and has never seen so many policies in place as with Casey's. She stated that violations are taken seriously. She stated that area district managers discuss policy every Monday and then she brings issues to the stores she oversees in her district. She stated that re-training is standard for violations and the clerk will be required to work with someone else. She stated that age restricted items come with a lot of training.

Mr. Shah stated that Ms. Bissias originally mentioned the store being located at 63rd and Main, but noted that the correct location was 63rd & Belmont. Ms. Rutledge thanked him for the clarification.

Mr. Shah asked Ms. Bissias if this location was the old Mobil station. Ms. Bissias replied yes.

Mr. Shah stated that he has been to other Casey's locations with a much larger footprint and asked if there are any future plans to expand this location. Ms. Bissias replied that there are thirty-six 800 square foot stores. She stated that their plan is to expand those to 1,980 square feet, but noted that may take 5-8 years for those expansions to be completed.

Mr. Shah asked about the internal secret shopper program and sked what happens to employees that fail internal tests. Ms. Bissias replied that staff is immediately retrained if there is a violation. She noted that they will also be required work alongside with the manager with hands on training and guidance given.

Mr. Meta asked Ms. Ocampo about the existing staff. Ms. Ocampo replied that her youngest staff member is 27 years old. She added that all employees have been working with her in excess of 1 ½ years. She noted that in the span of the two years she has been manager all tobacco stings have been passed. She stated staff regularly asks for identification.

Mr. Meta asked Ms. Ocampo what was the minimum age for Casey's staff. Ms. Ocampo believed an employee must be at least 16 to do maintenance work. She stated that they do not allow anyone under age to work the register, especially for tobacco or alcohol sales.

Mr. Meta asked if they will sell only beer and wine. Ms. Bissias replied yes. She noted that the store is small and they cannot get much product into the limited space they have.

Mr. Meta asked Ms. Bissias if other stores in her district sell alcohol. Ms. Bissias replied yes and stated no store she has overseen has had a violation.

Ms. Kuchynka noted that the applicant is seeking a beer and wine only license. She noted that Village is currently at the limit of P-1, full alcohol off-premise liquor licenses.

Chairman Strelau clarified that Downers Grove does not conduct "sting" operations and refereed to them as "controlled buys". She stated that the agents that come in to test establishments are under the age of 21. She advised that there is no trickery or deceit and bring their own valid under 21 license.

Chairman Strelau asked Ms. Bissias about the scanning of ids. She asked if they scan all licenses across the US. Ms. Bissias replied yes and the scanner recognizes all 50 state ids.

Chairman Strelau asked Ms. Bissias if cashiers scan liquor items outside of hours, did she mean the scanning of driver's license tool did not work or if the register scanning the product not work. Ms. Bissias replied that clerks must type or scan the UPC. She stated liquor will not allowed to be scanned at the point of sale, the item will not ring up and the register will block the sale.

Chairman Strelau stated that they have a good record at the store and employees that have been at the location for a long while. She stated that staff takes cues from management and recommended that they remind employees of the rules frequently.

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 satisfactory background checks.

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. META MOVED TO FIND CASEY'S RETAIL COMPANY D/B/A BUCKY'S #6519, LOCATED AT 2181 63RD STREET, QUALIFIED FOR A CLASS "P-2", BEER & WINE ONLY, OFF-PREMISE CONSUMPTION LIQUOR LICENSE. MR. SHAH SECONDED.

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

Nay: None

Abstain: None

MOTION CARRIED: 5:0:0

Eurest Dining Services - Cafe – 3500 Lacey Road, 1st Floor Lobby

Chairman Strelau stated that the next order of business was Compass Group USA, Inc. d/b/a Eurest Dining Services - Cafe located at 3500 Lacey Road, 1st Floor Lobby. She stated that the applicant is seeking a Class "R-2", beer & wine, 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.

Ms. Breana Miller, Ms. Araceli Martin and Mr. Zubin Kammula were sworn in by the court reporter. Mr. Kammula introduced himself as the attorney representing Compass Group USA. He stated that they are requesting an R-2 license for 3500 Lacey Road.

Chairman Strelau requested questions from the Commission.

Mr. Meta asked if this location was an existing office building. Ms. Miller replied yes.

Mr. Meta asked them to explain the business. Ms. Miller stated that Compass Group offers contracted corporate dining food and beverage service and that Kore Investors is their client for this office facility. She stated that a café is proposed in the lobby of the building at 3500 Lacey Road.

Mr. Meta asked if it will be a full service bar. Ms. Miller replied no. She added that the new coffee bar will operate Monday through Friday during the day and include beer and wine service in the evenings one to two days a week. She noted that the building is not fully populated. She stated that this will be a private amenity for their tenants.

Mr. Meta asked if there is a restaurant in the building now that they will be taking over. Ms. Miller replied that there is another cafeteria in the building which is open for breakfast and lunch. She stated that food will be available at their café which will come from the commissary kitchen. She stated that a small oven will be able to heat things.

Mr. Kammula provided background on the Compass Group USA stating that it is a food service company with a number of divisions. He stated that the Eurest division specifically offers corporate amenities. He stated that they come into corporate building environments and provide food and beverage options for the tenants. He stated that they do not expect customers from off the street and is not a destination restaurant but simply for tenants to have access to food service during business hours.

Mr. Meta asked if it is restricted to tenants only. Mr. Kammula stated that anyone could walk in off the street, but it would be highly unusual.

Mr. Kammula stated that Eurest has 1,400-1,500 locations across the country. He noted that the clientele is typically limited to tenants of the office buildings.

Mr. Meta stated that he was confused about the menu which contained craft cocktail items. Ms. Miller apologized and noted that was a sample menu from another location.

Mr. Meta asked if opening the café is contingent upon receipt of a liquor license. Ms. Miller replied there is a coffee bar which will operate during the day. Ms. Martin stated that they will move ahead with the coffee bar and with approval of the liquor license would move ahead with offering beer and wine at the café.

Mr. Meta asked when they plan to open. Ms. Martin replied the first week of December.

Ms. Martin stated that she will be the general manager for the location. She stated that they do not have the coffee bar staff position filled at this time.

Mr. Shah asked if they will do private corporate events at building tenant's suites. Mr. Kammula stated the Commission will also be considering their K-2 license application as a part of tonight's meeting. He stated that it is their intention to do catered events for clients in the building. He stated that service would be in the respective office areas and delivered to individual suites.

Mr. Shah asked how they plan to check ids, knowing that this will be a corporate office with employees being older. Ms. Martin replied that most office dwellers are over the age of 21. She stated that all bartenders will be BASSET certified and will follow id checking guidelines. Mr. Kammula replied that company policy is to card anyone who appears under the age of 30.

Ms. Rutledge stated that they advised this is a new business concept for the location and that they would start with breakfast and coffee and see how the bar hours/days pan out. She asked about other locations across the country and wondered what they anticipate for this location based on this business model. Ms.

Miller replied with her experience as the regional director of Compass Group, typical bar hours are Wednesday through Friday, as populations have not fully returned. She stated coffee bar services would be offered Monday through Friday. She stated that bar serving hours are typically 3-7 p.m. Mr. Kammula agreed that similar locations in Illinois typically close by 7 p.m., with larger operation/services maybe going past 8:30 p.m. He stated that in instances where they are not busy, they may close even earlier.

Mr. Johnson asked Ms. Martin to elaborate on her experience. Ms. Martin replied that she has been in the food and beverage industry since she was 16. She stated that she has been a banquet hall server and currently works at Two Brothers Roadhouse in Aurora. She added that she has worked for the Compass Group overseeing catering services and training staff for off premise events.

Chairman Strelau asked Ms. Kuchynka if Cooper's Hawk still holds the license for their on-site cafeteria. Ms. Kuchynka replied yes. She stated that they are located in the lower level of 3500 Lacey. She stated that Eurest Café, completely unrelated, will be located on the 1st Floor of the office complex.

Chairman Strelau confirmed that this application was for a beer and wine license. She asked if the catering is for full alcohol. Ms. Kuchynka replied that the catering license will be heard as a separate application and noted that the Commission will vote on the R-2 license for the café first and will be considered separately.

Chairman Strelau asked how Levey fits into the operation. Mr. Kammula replied that Levey is another division of Compass Group USA. He stated that some materials provided in the application are labeled Levey, but they are essentially the same company. He stated that Compass is the sole owner of Levey.

Chairman Strelau asked if liquor violations were disclosed of Levey or liquor violations were disclosed of Compass. Ms. Kuchynka replied she would request violation information from Levey. Mr. Kammula stated that the applicant is Compass and d/b/a Eurest which is one division that handles the corporate café operations. He stated the Levey is owned by Compass, but the policies are all one in the same. He stated that in terms of violations, he who has represented them for the past seven years was unaware of a single violation in Illinois.

Chairman Strelau noted that the café will essentially operate 8 a.m. – 7 p.m. with a limited menu for breakfast and lunch, grab and go, and beer and wine service begins after 3 p.m.

Chairman Strelau asked if the bar is separate from where food is served and if it would be obvious to the customer that they cannot get a beer to go with a sandwich. Ms. Miller replied that the design is one large bar top. She noted that there is no display rail of beer or wine. She stated that all will be stored in under counter coolers. She stated that they may display beer or wine only in the later hours.

Chairman asked if they plan to sell beer at lunch if there is a request. Ms. Miller replied no, there would only be a barista on staff during the day and a bartender on staff only during the late afternoon.

Mr. Shah asked if they will serve bottles and cans. Ms. Miller replied yes.

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 Certificate of Occupancy, satisfactory background checks and 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 R-2 liquor license.

MS. RUTLEDGE MOVED TO FIND COMPASS GROUP USA, INC. D/B/A EUREST DINING SERVICES – CAFÉ LOCATED AT 3500 LACEY ROAD, 1ST FLOOR LOBBY, QUALIFIED FOR A CLASS R-2, BEER & WINE ONLY, ON-PREMISE CONSUMPTION LIQUOR LICENSE. MR. JOHNSON SECONDED

VOTE:

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

Nay: None

Abstain: None

MOTION CARRIED: 5:0:0

Eurest Dining Services - Catering – 3500 Lacey Road, 1st Floor Lobby

Chairman Strelau stated that the next order of business was Compass Group USA, Inc. d/b/a Eurest Dining Services - Catering located at 3500 Lacey Road, 1st Floor Lobby. The applicant is seeking a Class “K-1”, full alcohol, catering liquor license.

Chairman Strelau asked that any individual(s) representing the applicant step forward and be seated.

Ms. Kuchynka noted that the individuals representing the catering application are the same and do not require them to be re-sworn in by the court reporter.

Chairman Strelau requested comments from the applicant.

Ms. Miller stated that 3500 Lacey is a multi-tenant space. She stated that companies that host meetings will have an opportunity to offer cocktail service in their individual units. She stated that the catering license will be by-request events.

Chairman Strelau asked if the liquor service will include food from the cafe. Ms. Miller replied no. She stated that they have an off-premise catering company that will provide food as there is no full service kitchen at this site.

Chairman Strelau requested questions from the Commission.

Mr. Johnson asked if Live Feed Chicago was affiliated with Levey. Ms. Miller stated that Live Feed Chicago is their off-premise caterer for the City of Chicago which is one of the commissary kitchens they subcontract with.

Ms. Rutledge had no questions.

Mr. Shah asked if their employees will serve the tenants who request catering in their suites. Ms. Martin replied yes. She stated that the client would outline the scope of services they would like. She stated that Eurest staff would set up the bar, serve and deliver the alcohol. She noted that alcohol would never be left without a server present.

Ms. Kuchynka requested for clarification and asked if food service would be provided. Ms. Martin replied that clients can order breakfast, lunch or snacks and may include alcohol upon request.

Ms. Shah envisioned that this would be a controlled event with employees of the tenant only. Mr. Kammula replied that the catering license would not be used for events open to the public. He stated that company policy is that catered events have to be private in nature. He stated that there is a pre-determined host that has a contract for serving X number of people at a certain cost. He stated their employees will be there to staff and control alcohol. He stated that they will be responsible for carding and recognizing signs of intoxication and preventing over service.

Ms. Kuchynka asked Mr. Kammula if this service would be limited to the 3500 Lacey Road tenants. Mr. Kammula replied yes.

Ms. Kuchynka noted that the catering license they are seeking would allow them to cater events throughout the Village. Mr. Kammula stated that they will not be advertising business outside of the facility. He stated that their intent is to focus on this particular client and service this building. Ms. Rutledge confirmed that the client is the landlord and it their needs that are being met with this service. Mr. Kammula stated that they are being brought in by a corporate landlord who does not want to be in the food and beverage business. He stated that they are hired for this expertise and envision the amenity being of value to the building and their tenants.

Mr. Meta asked Ms. Kuchynka if this license required to have food service. Ms. Kuchynka replied that as there is a sale, a license is required.

Mr. Meta requested clarification and asked if happy hour events be held with just liquor or will food be required.

Chairman Strelau also asked if tenants can simply order alcohol without food. Ms. Kuchynka stated that K-1 license authorizes the sale of alcohol in connection with the catering of foods. Ms. Petrarca stated that food service is required according to the definition of the K-1 license. She stated that the sale of alcohol shall be incidental to the food service. Mr. Kammula stated that they can certainly build the food service requirement into their contract. He added that if a client wants liquor only, they will advise that liquor only service is contrary to the Code.

Ms. Petrarca confirmed that the alcohol must be incidental to food service. Chairman Strelau noted that their contract will need to be specific. She noted that this is a different arrangement than the Commission would normally have for catering applicants but wanted them to be clear of the Village requirement for food service.

Mr. Kammula noted that they can tell clients that they cannot order liquor without food. Mr. Meta stated it could be an adjustment of their menu offerings. Mr. Kammula replied they will comply with the Code 100% and advise the client there has to be food served. Ms. Kuchynka noted that provision could be detailed in the service contract and/or offer alcohol only with a meal package.

Mr. Meta stated he felt that they were originally describing portable bar service for the facility. He was glad for the clarification.

Chairman Strelau confirmed that they are not doing the full liquor in the café because they are out of P-1 licenses. Ms. Kuchynka replied there are no caps on restaurant licenses. Ms. Petrarca confirmed the P-1 licenses are off-premise licenses.

Chairman Strelau asked about the corporate role of Levey. Mr. Kammula stated that the Levey materials should have been labeled Compass so as not to add to the confusion. Ms. Miller stated that Compass Group USA is the parent company of Levey, Eurest and Cartwell Associates. She stated that company policies are all the same for these affiliated groups. She stated that Levey services sports and entertainment venues, Eurest services business and industry venues and Cartwell services higher education venues.

Chairman Strelau about other locations that have a commissary kitchen. Ms. Miller replied Nalco Ecolab of Naperville offers the Live Feed menu.

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 satisfactory background checks and 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 K-1 liquor license.

MS. RUTLEDGE MOVED TO FIND COMPASS GROUP USA, INC. D/B/A EUREST DINING SERVICES – CATERING LOCATED AT 3500 LACEY ROAD, 1ST FLOOR LOBBY, QUALIFIED FOR A CLASS K-1, FULL ALCOHOL, CATERING LIQUOR LICENSE. MR. JOHNSON SECONDED.

VOTE:

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

Nay: None

Abstain: None

MOTION CARRIED: 5:0:0

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 referred to the past month end report for May through September.

Ms. Kuchynka advised that licensees are currently in renewal. She noted that the current licenses expire October 31st and noted that tomorrow is the deadline for submittal.

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 advised that there will be a November meeting.

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 October 6, 2022 meeting. The meeting was adjourned by acclamation at 7:30 p.m.