

**DOWNERS GROVE LIQUOR COMMISSION
VILLAGE HALL COUNCIL CHAMBERS
801 BURLINGTON AVENUE
Thursday, December 2, 2021**

I. CALL TO ORDER

Chairman Strelau called the December 2, 2021 Liquor Commission meeting to order at 6:30 p.m.

II. ROLL CALL

PRESENT: Mr. Jacobson, Mr. Johnson, Mr. Krusenowski, Mr. Meta, Chairman Strelau

ABSENT: Mr. Shah

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

OTHERS: Samer Odeh, Frank Navarro, Nick Patel, Bhumi Patel, Brian Wente, Steve Jones, Elizabeth Renchin, Tim Carroll, Anne Junia, Jordan Sobus, Court Reporter

III. APPROVAL OF MINUTES

Chairman Strelau asked for approval of the minutes for the October 7, 2021 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the October 7, 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. 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 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."

Powmaro's – 2125 Ogden Avenue

Chairman Strelau stated that the next order of business was an application hearing for PMCO Downers Grove #3, LLC d/b/a Powmaro's located at 2125 Ogden Avenue. She stated that the applicant was seeking a 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. Samer Odeh and Mr. Jerry Navarro were sworn in by the court reporter. Mr. Odeh replied that he is the owner. Mr. Navarro introduced himself as the Director of Food Service.

Mr. Odeh stated that he has owned and operated gas stations since 2010. He stated that they are seeking a liquor license to provide additional service and convenience for their customers and enjoy one-stop shopping. He stated that he owns two other facilities.

Mr. Odeh stated that they have received numerous requests for alcohol. He stated that he is seeking the license in order to better serve his customers.

Mr. Krusenoski asked if the Power Mart is attached to the strip mall. Mr. Odeh replied no. He stated that the adjacent building will eventually be built out as a restaurant.

Mr. Krusenoski asked if the liquor sales will be strictly from the gas station. Mr. Odeh replied yes.

Mr. Krusenoski asked Mr. Odeh if he holds liquor licenses at his other stations in Elmhurst and Palos. Mr. Odeh replied yes.

Mr. Krusenoski asked Mr. Odeh how long he has operated those stations. Mr. Odeh replied 10-12 years.

Mr. Krusenoski asked Mr. Navarro about his experience. Mr. Navarro replied he has liquor handling experience from the Elmhurst and Palos locations.

Mr. Krusenoski asked Mr. Odeh about the liquor log contained in their manual. He asked if employees will sign once or every day when they start their shift. Mr. Odeh replied that they have weekly staff meetings and have multiple logs that employees sign, including those for tobacco and high value products, safety concerns and Covid protocols. He noted that employees are required to sign off on the log checklists each shift - and on that list liquor will be included. Mr. Krusenoski stated that the best manuals may never prevent sales to a minor. He stated that employees may disregard safeguards they have in place. He stated that awareness and creating an environment that selling liquor is an important privilege. He stated that they will be tested. He asked that they create a work environment where proper liquor sales is extremely important. He stated that fines and penalties is disproportionate to the amount of sales revenue that they may have.

Mr. Meta asked if they have had any violations at any other location. Mr. Odeh replied there are no violations on record.

Mr. Meta asked what they plan on selling and where on the sales floor product will be located. Mr. Odeh referred to the diagram submitted with their application. He stated that product is located behind the cashier. He stated that product is also in dedicated doors that are within the sight line of the cashier. He stated that they are looking into technology where the doors are lockable by the cashier remotely.

Mr. Odeh stated that some liquor will be housed behind a closed glass display case. He added that customers will approach the cashier, provide appropriate identification and request the cashier to get the product. He stated that the POS system prompts for a date of birth to be entered when the alcohol item is scanned. He stated that they have been successful with these procedures in both of his stores.

Mr. Meta asked Mr. Odeh what the minimum age requirement for his employees. Mr. Odeh replied 21.

Mr. Meta asked Mr. Odeh how many employees are on staff at any given time. Mr. Odeh replied two employees per shift. He noted that they are not open 24 hours.

Mr. Johnson had no questions.

Mr. Jacobson reviewed the packet. He stated that they need to emphasize the importance of compliance with Downers Grove law.

Chairman Strelau asked Mr. Odeh if employees can enter the date of birth manually. Mr. Odeh replied yes. He noted that they will not be accepting the vertical ID.

Mr. Odeh stated that there are some scanning systems, but he feels that it is imperative that clerks really look at the ID and evaluate the customer.

Chairman Strelau noted that some of their operating hours are out of the sales hours allowed by law and asked Mr. Odeh how they plan to deter sales that are sold at the wrong times of day. Mr. Odeh replied the doors to alcohol product may be locked. He stated that alcohol only will be dedicated to those lockable areas.

Chairman Strelau stated that employees must be aware of the importance of proper liquor sales.

Chairman Strelau noted their excellent track record and good processes in place. She wished them luck.

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 the annual fee.

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 "P-1" liquor license application.

MR. KRUSENOSKI MOVED TO FIND PMCO DOWNERS GROVE #3, LLC D/B/A POWMARO'S LOCATED AT 2125 OGDEN AVENUE QUALIFIED FOR A CLASS P-1, FULL ALCOHOL, OFF-PREMISE CONSUMPTION LIQUOR LICENSE. MR. JACOBSON SECONDED.

VOTE:

Aye: Mr. Krusenoski, Mr. Jacobson, Mr. Johnson, Mr. Meta, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 5:0:0

BP Amoco – 1200 75th Street

Chairman Strelau stated that the next order of business was an application hearing for Downers Grove Gasoline, Inc. d/b/a BP Amoco located at 1200 75th Street. She stated that the applicant was seeking a 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. Nick Patel was sworn in by the court reporter. He introduced himself as the manager for BP Amoco. Mr. Patel stated that the Amoco is a family-owned business and added that his wife, Bhumi Patel, is the owner. He stated that they purchased the business in 2019. He stated that due to Covid, gasoline sales have been bad and he was thankful that the Village created licenses for gas stations which will add another source of revenue.

Mr. Johnson had a question about their training and the signing of daily liquor logs was listed as "optional". Mr. Patel replied that "optional" was a typo and he would require employees to sign the log daily.

Mr. Johnson noted that they planned quarterly training meetings. Mr. Patel replied they thought that every three months would be adequate for training but can do so every week if it is required.

Mr. Patel advised that they operate a Dunkin Donuts out of the site and they do not have much space for liquor. He noted that two cooler doors and a small area behind the counter will house hard liquor.

Mr. Jacobson asked if all liquor will be behind the counter. Mr. Patel replied yes and added that only the cashier can reach the hard alcohol for the customer.

Mr. Jacobson asked Mr. Patel how many employees they have. Mr. Patel replied five. Mr. Jacobson asked their ages. Mr. Patel replied all are 21 and older. He stated that a few of the employees have been working for him for the past 6-7 years.

Mr. Meta asked Mr. Patel if the beer cooler was behind the counter. Mr. Patel replied no. He stated that it is next to the cash register. He stated that there is a lock on it to secure the beer after hours.

Mr. Meta asked Mr. Patel if he will be working there. Mr. Patel replied yes. He added that they have another family businesses in Northlake that he manages as well.

Mr. Meta stated that he did not see Mr. Patel's BASSET Certification in the packet. Mr. Patel stated that he would submit it.

Mr. Meta asked Mr. Patel about the Northlake liquor store. Mr. Patel replied that is another family-owned business that they have operated for the past 21 years.

Mr. Meta asked Mr. Patel if they have had any violations. Mr. Patel replied no.

Mr. Krusenoski asked Mr. Patel if the prior gas station owners had a liquor license. Mr. Patel replied no.

Mr. Krusenoski was surprised to see so many gas station applications on the agenda. Ms. Didier noted that the ordinance finally changed after a long time since the Commission's initial discussion (November 2020).

Mr. Krusenoski noted that Mr. Patel stated training would be conducted quarterly but would conduct training weekly if the Village required it. He stated that they should run the business the way they want, but within the rules and laws of the Village. He stated that successful licensees emphasize proper liquor sales every single day and added that the topic should be made a priority day in and day out.

Chairman Strelau stated that it is critically important that they be a responsible license holder. She stated they must treat liquor sales importantly.

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 the annual fee, 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 the applicant with regard to their Class "P-1" liquor license application.

MR. JACOBSON MOVED TO FIND DOWNERS GROVE GASOLINE, INC. D/B/A BP AMOCO LOCATED AT 1200 75TH STREET QUALIFIED FOR A CLASS P-1, FULL ALCOHOL, OFF-PREMISE CONSUMPTION LIQUOR LICENSE. MR. JOHNSON SECONDED.

VOTE:

Aye: Mr. Jacobson, Mr. Johnson, Mr. Krusenoski, Mr. Meta, Chairman Strelau
Nay: None
Abstain: None

MOTION CARRIED: 5:0:0

BP Amoco – 4314 Main Street

Chairman Strelau stated that the next order of business was an application hearing for Graham Enterprise, Inc. d/b/a BP Amoco located at 4314 Main Street. She stated that the applicant was seeking a 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. Brian Wentz and Mr. Steve Jones were sworn in by the court reporter. Mr. Wentz introduced himself as the Chief Operating Officer for Graham Enterprise, Inc. and Mr. Jones introduced himself as the site manager for the BP Amoco Downers Grove.

Mr. Wentz stated that they were requesting a P-1 license for the location. He stated that Graham Enterprise is a third generation 100% family-owned business. He stated that they will be celebrating their 100th year in business next year. He stated that they take liquor serving very seriously.

Mr. Wentz stated that he has been in the convenience store business for 21 years and 5 years prior in the restaurant/bar industry.

Mr. Krusenowski stated that they have the benefit of hearing comments from the first two applicants.

Mr. Krusenowski stated that they operate 26 establishments. Mr. Wentz stated yes, that have licenses.

Mr. Krusenowski stated that they anticipate 2% revenue from alcohol. He stated that it is disproportionate to the penalties that would befall them if they were to fail a control buy. He stated that from the experience and other locations they have he hoped they would be vigilant concerning liquor sales. He noted the proximity to Downers Grove North High and encouraged them to be extra vigilant due to this proximity.

Mr. Krusenowski wished them luck.

Mr. Meta stated that the proximity to the high school is the biggest issue for him.

Mr. Meta asked how many employees are at this location. Mr. Wentz replied seven.

Mr. Meta asked if they plan to bring employees from other locations to assist. Mr. Wentz replied that there is a marketplace labor shortage. He stated this store typically has 10-11 employees. He stated that they will not bring in other store employees unless they are in dire need.

Mr. Wentz stated that the 2% does seem low when taking into consideration the price of gas. He stated that they take liquor sales very seriously. He noted that they have many other age restricted products that they sell.

Mr. Wentz stated that they are serious about proper sales. He stated that they pay a third party (BARS) to secret shop the locations. He stated that they have a zero tolerance policy.

Mr. Wentz stated that they have sold age restricted products from this location since they purchased it in 2013.

Mr. Meta stated that he was not so concerned that they would sell to anyone but that product would be stolen. He asked staff to pull up the floor plan for this location.

Mr. Meta stated that there is liquor on the sales floor and not restricted behind any counters. Mr. Wentz confirmed that was correct.

Mr. Meta asked Mr. Wentz how they plan to prevent theft. Mr. Wentz stated that was the closest spot they could put liquor to the cashiers station and within their line of sight. He stated that 4 cooler doors will be able to be locked during non-sales hours.

Mr. Meta asked what the minimum age of employees. Mr. Wentz replied 21. Mr. Jones replied he was the youngest employee at the location and is 48 years of age.

Mr. Jacobson looked at the qualification section of the application which shows that they have been fined for previous violations. He asked Mr. Wentz how often they have been fined. Mr. Wentz replied that he was aware of four violations. He stated that was due to the sale of an age restricted product to a minor.

Mr. Jacobson asked what an age restricted product is. Mr. Wentz replied typically alcohol but can also be tobacco.

Mr. Wentz was unaware of the details of the violations but assumed they were all alcohol related.

Mr. Jacobson stated that he was really concerned about this section and that detailed information about the fine was not provided. He stated that along with the location being by a high school was of concern.

Mr. Johnson echoed the comments of Mr. Jacobson, noting that several locations had issues.

Mr. Johnson asked when they instituted the BARS testing system. Mr. Wentz replied 2016.

Mr. Johnson asked if that was proactive or reactive. Mr. Wentz replied proactive. He stated that was a program he brought to the organization when he started in 2015.

Mr. Johnson asked when the violations occurred, after or before BARS was instituted. Mr. Wentz replied after.

Mr. Wentz explained that they have a number of licenses. He stated that the number of transactions that the organization engages in during the course of the day well surpasses any activity limited to just one location.

Mr. Wentz was most frustrated by the fact that they put a lot of training in and processes for employees to follow, yet they fail a sale. He wished that the State of Illinois would require sellers to hold a license so that individuals would be held accountable. He stated that there is nothing preventing someone who sells to a minor after getting fired to go work somewhere else.

Mr. Wentz stated that they have a zero tolerance policy and a violation would result in immediate termination. Mr. Johnson asked if they are terminated if they fail the internal test. Mr. Wentz replied they will be terminated whether it is a legal sting or fail the BARS program test.

Chairman Strelau stated that minors were sold alcohol in the same manner as the Village's control buy process. She stated that it is impossible to conceive that violations are only taking place when the Village agent comes in. She stated while they have a number of stores with a liquor license it is their job to manage that. She stated that responsibility falls solely on the licensee.

Chairman Strelau wished them luck but stated that they must take the sale of liquor seriously.

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 the annual fee, 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 the applicant with regard to their Class "P-1" liquor license application.

MR. JACOBSON MOVED TO FIND GRAHAM ENTERPRISE, INC. D/B/A BP AMOCO LOCATED AT 4314 MAIN STREET NOT QUALIFIED FOR A CLASS P-1, FULL ALCOHOL, OFF-PREMISE CONSUMPTION LIQUOR LICENSE. MR. META SECONDED.

VOTE:

Aye: Mr. Jacobson, Mr. Meta

Nay: Mr. Johnson, Mr. Krusenoski, Chairman Strelau

Abstain: None

MOTION FAILED: 2:3:0

Chairman Strelau noted the motion failed.

MR. KRUSENOSKI MOVED TO FIND GRAHAM ENTERPRISE, INC. D/B/A BP AMOCO LOCATED AT 4314 MAIN STREET QUALIFIED FOR A CLASS P-1, FULL ALCOHOL, OFF-PREMISE CONSUMPTION LIQUOR LICENSE. MR. JOHNSON SECONDED.

VOTE:

Aye: Mr. Krusenoski, Mr. Johnson, Chairman Strelau

Nay: Mr. Jacobson, Mr. Meta

Abstain: None

MOTION PASSED: 3:2:0

The motion carried.

Rybell's Blow Dry Bar – 5221 Main Street

Chairman Strelau stated that the next order of business was an application hearing for Rybell Group, LLC d/b/a Rybell's Blow Dry Bar located at 5221 Main Street (note corrected address). She stated that the applicant was seeking a Class "SAL", 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.

Ms. Elizabeth Renchin was sworn in by the court reporter. Ms. Renchin introduced herself as the owner/manager of Rybell's Blow Dry Bar. Mr. Timothy Carroll introduced himself as the attorney/registered agent representing Ms. Renchin.

Ms. Kuchynka advised Ms. Renchin that they would need to update her application materials to reflect the correct address.

Chairman Strelau asked the applicant to present its case.

Ms. Renchin stated that she was seeking a license to serve liquor for her salon. Chairman Strelau recalled Ms. Renchin appearing before the Commission to request the creation of a salon license. She asked Ms. Renchin to remind the Commission how service will take place at the salon.

Ms. Renchin stated that she would like to serve a glass of wine in connection with a wash/blowout or hairstyle service.

Mr. Johnson asked Ms. Renchin about her liquor handling experience at Helping Hand. Ms. Renchin replied she served liquor while working for this catering company in 2017.

Mr. Johnson stated that Ms. Renchin's BASSETT certification was included in the packet. He asked who else at the salon would be serving at the establishment. Ms. Renchin replied her stylist, Abbie, who has completed her BASSETT certification. Mr. Johnson asked if Abbie was over 21. Ms. Renchin replied yes.

Mr. Johnson referred to Rybell's manual. He stated that "no more than three (3) services of beer/wine/champagne shall be served, per person, per calendar year" was indicated and asked how that was going to be enforced. Mr. Krusenoski stated that end phrase should read "calendar *day*".

Mr. Carroll replied that customers are typically in the salon less than an hour and their idea was to provide them a glass of wine/beer during their visit. He stated that one drink was in their original request for the license, but discussion by the Commission ended up expanding that provision in order for the license classification to apply to other types of salon businesses that offer more services over the course of a longer time period. Mr. Carroll stated that their activity of a wash and blow out or style should take no longer than an hour and, in their anticipation, will allow time for only one drink.

Ms. Renchin stated that she will update the manual to correct the typo.

Mr. Jacobson recalled the August Liquor Commission meeting salon discussion. He stated that their idea for the creation of a salon license was well received. He had no questions and wished them luck.

Mr. Meta had no questions.

Mr. Krusenoski stated that he was not present at the meeting where Rybell's pitched their request for a salon license. He stated that the salon license is similar to what is being offered at Board & Brush. He stated that they have private parties and workshops that customers can sign up for a class and participate in a craft project. He stated that although there for a different purposes at the two facilities, a customer can have a glass of wine or beer to enhance their activity.

Mr. Krusenoski did not believe anyone would be in the salon long enough to finish three drinks at a time.

Mr. Krusenoski stated that beer and wine service is a nice adjunct to the services they are providing. He stated that failing a control buy would be devastating as the source of revenue from sales is disproportionate to the penalties that they could incur with fines if they violate.

Mr. Krusenoski stated that although the salon is small, they still need to be on guard. He stated that it would be especially painful if something goes awry.

Ms. Renchin noted that they typically provide services to those 17 years of age and under and 28 years and older customers. She stated that the 18-28 year olds do not get their hair done.

Chairman Strelau thanked them for enduring the liquor license creation process.

Chairman Strelau noted that Ms. Renchin submitted a BASSET certification and that another employee was certified. She asked if they will be the only in the salon. Ms. Renchin replied no, but she and Abbie will be the only two that will be checking ID's and serving alcohol in the salon. She stated that she is present 99% of the time and Abbie will serve in her place. She stated if that changes in the future or she steps away a little more, she would allow more employees to serve once they obtain their certificate.

Chairman Strelau stated that liquor service is a nice amenity as long as they manage it well.

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 the annual fee, liquor liability insurance, 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 the applicant with regard to their Class "SAL" liquor license application.

MR. JACOBSON MOVED TO FIND RYBELL GROUP, LLC D/B/A RYBELL'S BLOW DRY BAR LOCATED AT 5221 MAIN STREET QUALIFIED FOR A CLASS "SAL", BEER AND WINE ONLY, ON-PREMISE CONSUMPTION LIQUOR LICENSE. MR. JOHNSON SECONDED.

VOTE:

Aye: Mr. Jacobson, Mr. Krusenoski, Mr. Johnson, Mr. Meta, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 5:0:0

Dash Mart – 5600 Belmont Road

Chairman Strelau stated that the next order of business was an application hearing for Door Dash Essentials, LLC d/b/a Dash Mart/The Corner Market located at 5600 Belmont Road. She stated that the applicant was seeking a 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.

Ms. Anne Junia and Ms. Jordan Sobus were sworn in by the court reporter. Ms. Junia introduced herself as the outside counsel representing Door Dash Essentials and Ms. Sobus introduced herself as the area manager for Door Dash.

Ms. Junia stated that Downers Grove will be Door Dash's first suburban location. She stated that Door Dash started out as restaurant food delivery. She stated that this is their new convenience store model. She stated that consumers will use a technology-based platform to place orders online. She stated that customers may pick up orders directly from the location, however, most will likely request them to be delivered. She stated that Door Dash will serve consumers from this location from about a 12-mile radius. She stated that the idea is to get consumers their orders within an hour. She stated that they are seeking a P-1 license to offer consumers packaged beer, wine or spirits.

Ms. Junia stated that the packet contained a sample product list which is currently being offered from their Chicago location.

Mr. Jacobson asked if they will deliver alcohol ordered online or will it be picked up. Ms. Junia replied either, however a majority will request home delivery. She stated that the only difference is that customers will not be able to go to the location and shop the aisles. She stated that orders will be placed through the Door Dash platform on a consumer's phone or computer.

Mr. Jacobson asked how they will ensure that the person receiving alcohol is 21. Ms. Junia replied that customers who order alcohol will need to upload their driver's license in order to access the list of alcohol products. She stated that the ID is verified for authenticity by Door Dash. She stated IDs will also be verified at the door and stated that alcohol will not be delivered to anyone but to the individual matching the ID that ordered the product. Ms. Junia stated that "Dashers" (Door Dash delivery agents) are required to take back any alcohol from an order. She stated that there is age verification on the front end and back end. She stated that the Dashers will have a picture of the ID on their mobile application. She stated that they are instructed to see the person who matches the ID they have on record.

Mr. Jacobson asked if the Dashers get tipped. Ms. Junia replied that they can get tipped through the application.

Ms. Junia stated that Door Dash is attempting to keep up with consumer trends. She stated that the delivery of alcohol by third party companies may be a safer way to track alcohol product. She stated alcohol orders can be tracked from start to finish. She stated that records can be produced showing who made an alcohol purchase and delivery on a certain date. She added that there is a chain of custody that one may never have in on-store premises.

Mr. Jacobson asked what made them choose the Downers Grove location. Ms. Junia replied that there are several locations in the mix as their goal is to have satellite locations so that they can service a small radius at one time. She stated that not all suburban locations were properly zoned for this model, but Downers Grove worked.

Ms. Junia stated that this is a new concept that Door Dash is doing across the country. She stated that they welcome the regulations that Downers Grove has in place and will model after it in other areas.

Mr. Johnson stated that Ms. Sobus did not have any previous liquor handling experience. Ms. Sobus replied that was correct.

Mr. Johnson asked Ms. Sobus to explain the front end facilitation of orders and what her role will be. Ms. Sobus replied that as Liquor Manager, along with another site manager will oversee a team of shift leaders and associates and she will be in charge of hiring and training these individuals. She stated that her desk is located at the front of the store where she can see everyone coming in and out. She stated that she will make sure that employees will understand Door Dash values and that they are here to serve the community safely. She stated that it will be her job that they understand the importance of what they are selling and who they are selling to.

Mr. Krusenoski asked Ms. Junia if there would be no walk in business but the availability of delivery. He asked if it is similar to Pea Pod. Ms. Junia confirmed. She stated that this operation will be a trajectory of their original restaurant food service delivery. She stated that Go Puff is another convenience-store based operation that is also branching out. She stated that Dash Mart concept is now operating in 58 markets. She stated that they have the technology systems, but are branching out from only the distribution of food service delivery to now include food and convenience items.

Mr. Krusenoski asked if Door Dash handled deliveries from Binny's. Ms. Junia replied no. Chairman Strelau stated that Instacart delivers for Binny's.

Mr. Krusenoski noted that they will not only deliver to Downers Grove, but some areas of Woodridge and Lisle. Ms. Junia confirmed.

Mr. Krusenoski asked Ms. Sobus if there was a fair amount of turnover with employees. Ms. Jordan stated that since the pandemic, more Dashers are applying due to the flexibility. Ms. Junia stated that Dashers are 1099 independent contractors. She stated that to get the privilege of selling alcohol those Dashers must be tagged. She noted that they also receive a higher commission based rate for delivering liquor. She stated that they also have to be BASSET certified and trained internally.

Ms. Junia stated that Door Dash has a separate training program of their values and expectations.

Mr. Krusenoski asked how many Dashers will work out of this location. Ms. Junia replied she was unsure how many will be delivering at any given point as it will vary, depending on amount of orders that come in, the Dashers and if they have their app turned on and choose to deliver. She stated that they will have the option whether or not to pick up an order.

Ms. Junia advised that Dashers, under 21 or those without proper training or BASSET certifications will not be given the opportunity to deliver alcohol orders.

Mr. Krusenoski asked if Uber Eats delivers alcohol. Ms. Junia replied they do, but not in this packaged goods context. She advised that Uber Eats and Grizzly merged recently. She stated that Grizzly is an alcohol-based online ordering.

Ms. Junia stated that she did not know whether Uber Eats will be expanding into the packaged goods delivery.

Mr. Krusenoski stated that with the amount of potential Dashers it is almost impossible to create the culture of what was described to the convenience store gas station where employees are seen every day and they can be reminded of the importance of alcohol service. He stated that they will need to rely on the independent contracts to do the right thing. Ms. Junia replied that Dashers receive regular communications through their mobile app. She stated that is how they get their orders, that is how they know they can work, that is how they log their time and how they are tracked. She stated that they get constant push notifications to remind them of the proper checkout process. She stated that there are checks and balances they have to go through or the system will not close out the order. She stated that they will not have a verbal face to face with the Dashers, they are notified throughout the order process.

Mr. Krusenoski stated that it is an excellent platform and can simply be defeated looking at the order receiving and knowing they do not match the ID on file and sell anyway. He asked if the contractor would lose the Door Dash account if they did.

Mr. Krusenoski asked if they have this model running in Chicago. Ms. Junia replied yes. Mr. Krusenoski asked if the City has a control buy program. Ms. Junia replied that they get two undercover operations per year. Mr. Krusenoski asked if they know of any violations. Ms. Junia replied no, they would only be informed if they fail.

Mr. Krusenoski asked how long the Chicago model has been running. Ms. Junia replied about one year.

Mr. Krusenoski asked what percentage of sales are alcohol related. Ms. Junia replied 10%.

Ms. Junia stated that those under 21 try to get alcohol based on convenience and accessibility. She stated that they run the risk of getting caught by way of this model. She stated that there is a record and paper trail of the entire transaction.

Mr. Krusenoski asked if these were all credit card purchases. Ms. Junia replied yes. Ms. Junia stated that the credit card transaction is done at the front end of the sale. She stated that they do not need to present their credit card at the back end when the Dasher delivers the items.

Mr. Krusenoski stated that what they have in place is as good as it is going to get and they have been up and running in Chicago for a year without a mishap. He asked if there were violations in any of the other 57 models across the country. Ms. Junia replied that she only represents the company with the Illinois locations and was unsure if there were any violations.

Mr. Krusenoski asked how close they are to being operational. Ms. Sobus replied they were hoping to go live December 20th.

Ms. Didier stated that the Village does not allow Uber Eats to deliver alcohol. Ms. Kuchynka added deliveries are done by employees of the establishment that are over 21. She stated that Door Dash, in this instance, is obtaining the license.

Ms. Kuchynka stated that Covid brought along changes to the industry. She stated that the State relaxed delivery regulations to assist businesses.

Mr. Jacobson asked if the Village has regulations to control Westmont delivering alcohol to Village residents. Ms. Kuchynka replied no. She stated that the only information the Village would receive would likely be complaint based.

Mr. Meta asked if Dashers are exclusive to this store. Ms. Junia replied no.

Mr. Meta asked if Dashers get copies of customers ID. Ms. Junia replied yes but is only populated in the Dasher's app. Mr. Meta asked what prevents a Dasher taking a screen shot of someone's information. Ms. Junia believed that the violation of data privacy laws would prevent Dashers from taking that information. Mr. Meta wondered why IDs are not just checked at the time of delivery versus having customers upload it.

Mr. Meta asked if they have any way to verify if Dashers are carding when they make the delivery. She stated that Door Dash will upload it on front end through software that verifies that the identification is authentic. She stated that if it is not the person at the door during delivery who made the order, the Dasher has to take the order back.

Mr. Meta stated that it would not hurt to comment to the Dasher as they are walking out with an order that contains alcohol to make sure the delivery is done properly.

Ms. Didier asked if the customer has to show the Dasher the ID at the door. Ms. Junia replied that if there is any question as to whether the person receiving the order is the person whose ID is online, they are required to request the ID.

Chairman Strelau hoped they understood the length and detail of the questioning was not to target them. She noted that this is something new and different that is being offered.

Chairman asked Ms. Junia what percentage of liquor sales they expect. Ms. Junia replied 10%.

Chairman Strelau noted that it is the goal of Door Dash to have an order to a customer within an hour. Ms. Junia replied yes and added heavy orders may take a bit longer.

Chairman Strelau asked if customers can order alcohol at 12:30 AM and deliver liquor after the 1:00 AM cutoff. Ms. Junia replied customers will not have options to purchase certain items and there are automatic minimum cut off times imbedded in the software. She stated that the store is open longer than sales are allowed.

Chairman Strelau asked if they will be following liquor delivery hours from the store. Ms. Junia replied yes. She stated that the maximum delivery radius is 12 miles.

Ms. Sobus stated that before the order is packed up, associates will look at the receipt. She stated that she and the site manager will be monitoring those orders and would use their best judgment as to whether the alcohol would be included in the order.

Chairman Strelau noted that this model is easy to check. She felt that control buys would be simple on this process. She stated that they will be tested and they need to be thorough on how they operate.

Chairman Strelau thought it was wonderful that companies are thinking of ways to serve us and fill needs we did not know we had.

Chairman Strelau noted they will have some challenges. She stated that they best be certain that alcohol is not left at the door or Dashers are taking tips to look the other way.

Ms. Kuchynka asked Ms. Junia to explain what would happen to a Dasher if they are involved in a violation. Ms. Junia replied that if there is an incident and/or a Dasher is deemed negligent, they will be blocked from the site and not have the option to pick up orders and would lose the privilege of working for Door Dash.

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 the annual fee, liquor liability insurance, 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 the applicant with regard to their Class "P-1" liquor license application.

MR. JACOBSON MOVED TO FIND DOOR DASH ESSENTIALS, LLC D/B/A DASH MART/CORNER MARKET LOCATED AT 5600 BELMONT ROAD QUALIFIED FOR A CLASS "P-1", FULL ALCOHOL, OFF-PREMISE CONSUMPTION LIQUOR LICENSE. MR. JOHNSON SECONDED.

VOTE:

Aye: Mr. Jacobson, Mr. Johnson, Mr. Krusenoski, Mr. Meta, 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 anticipated a January 6th meeting. She advised that there was an application on file for Beggar's Pizza and a request for stock ownership/floor plan change for Corner Pantry.

Mr. Krusenoski asked about the restaurant going in on the north side of the Burlington Northern tracks at Washington. Ms. Kuchynka replied that she does not have an application on file but noted that they may be initiating remediation work on the site.

Mr. Jacobson recommended that the Village consider guidelines concerning deliveries as there may be issues if they are not properly monitored.

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 reports for October and November. She noted that there have been a number of requests for private functions and holiday gatherings that serve liquor which have been approved administratively.

Ms. Kuchynka replied that the renewal process ended in October. She stated that the annual license year runs from November 1st – October 31st of each year.

Mr. Meta asked Ms. Kuchynka to send out an updated list of current liquor license holders.

Ms. Kuchynka advised that tonight was Mr. Jacobson's last meeting as his term expired. The group thanked him for his service. Ms. Kuchynka thanked him for his comments, input and support throughout the terms he served.

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 December 2, 2021 meeting. The meeting was adjourned by acclamation at 8:30 p.m.