

**DOWNERS GROVE LIQUOR COMMISSION
VILLAGE HALL COUNCIL CHAMBERS
801 BURLINGTON AVENUE
Thursday, May 6, 2021**

I. CALL TO ORDER

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

II. ROLL CALL

PRESENT: Mr. Johnson, Mr. Rausch (via telephone), Mr. Shah, Chairman Strelau

ABSENT: Mr. Jacobson, Mr. Krusenoski, Mr. Meta

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

OTHERS: Enrique DeLaVega, Maritza Atlatenco, Court Reporter

III. ELECTRONIC ATTENDANCE

Chairman Strelau asked for a motion to allow Commissioner Rausch to participate in this evening's meeting via telephone.

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

VOTE:

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

Nay: None

Abstain: None

MOTION CARRIED: 3:0:0

IV. APPROVAL OF MINUTES

Chairman Strelau asked for approval of the minutes for the November 5, 2020 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the November 5, 2020 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 and a court reporter was present taking the minutes verbatim.

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."

Chula's Bar & Grill – 500 75th Street

Chairman Strelau stated that the first order of business was an application hearing for Chula's Bar & Grill, Inc., d/b/a Chula's Bar & Grill located at 500 75th Street. She stated that the applicant was seeking a Class "R-1", full alcohol, 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.

Mr. Enrique DeLaVega and Ms. Maritza Atlatenco were sworn in by the court reporter. Mr. DeLaVega introduced himself as the president and liquor manager for Chula's.

Chairman Strelau asked the applicant to present its case.

Mr. DeLaVega stated that he would like to obtain a liquor license for his new Mexican restaurant.

Mr. DeLaVega stated that he fully understands liquor handling policies and not selling alcohol to minors. He stated that he knows how to recognize signs of intoxication. He stated that his main concern is to operate the restaurant in an honest way. He stated that he will abide by local and State liquor laws. His hope was to be successful, become a part of the community, create jobs and revenue for the Village while operating in a safe manner.

Chairman Strelau requested questions from the Commission.

Mr. Johnson noted Mr. DeLaVega's extensive liquor serving history. He was pleased that Mr. DeLaVega understands the importance of serving liquor safely.

Mr. Johnson noted that their opening hours listed as 6 AM. Mr. Johnson stated that liquor sales are not allowed until 8 AM.

Mr. Johnson asked Mr. DeLaVega about the number of employees he plans to hire and if he will be at the restaurant at all times. Mr. DeLaVega replied that being in and opening the restaurant is his passion.

He stated that he is accustomed to working 7 days a week. He plans to hire 5 front-end employees and 5 back-end employees. He stated that they will add based upon customer demand.

Mr. Shah asked when they expected to open. Mr. DeLaVega replied as soon as possible and said they are ready to open. Ms. Atlenco noted that they originally planned to open in May, however, the fire company they hired to do some repairs has been slow on employees due to Covid, so they have been delayed. She expected to be open by mid or the end of May once they finish the project.

Mr. Rausch stated that he looked over the packet. He noted that Mr. Johnson addressed his only question concerning the hours of operation.

Chairman Strelau welcomed them to Downers Grove. She appreciated Mr. DeLaVega's comments and how he expressed commitment to reinforce liquor ordinance. She stated that management sets the tone about the importance of proper liquor service.

Chairman Strelau reiterated the fact that although they open at 6 AM, liquor service may begin only after 8 AM and added that they must be cognizant of that.

Chairman Strelau stated that they will be tested and was certain Ms. Kuchynka informed him of the Village's control buy program. Mr. DeLaVega replied yes.

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 Certificate of Occupancy, annual fee, satisfactory background checks and employee certifications.

Mr. DeLaVega summarized by stating that responsible selling and serving are a job requirement for each of our employees and owners. There may be customers who do not understand or who may see this as an invasion of their rights. We remember that it is our responsibility to protect our customers, our community, our company and ourselves.

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 "R-1" liquor license application.

MR. JOHNSON MOVED TO FIND CHULA'S BAR & GRILL, INC. D/B/A CHULA'S BAR & GRILL LOCATED AT 500 75th STREET QUALIFIED FOR A CLASS "R-1", FULL ALCOHOL, ON-PREMISE CONSUMPTION LIQUOR LICENSE. MR. SHAH SECONDED.

VOTE:

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

Nay: None

Abstain: None

MOTION CARRIED: 4:0:0

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 will advise the Commission if there will be a June 3rd meeting and noted the application submittal deadline was tomorrow.

Mr. Shah asked about the Park District's summer concert series liquor license application and asked about special event liquor license provisions. He asked if those go straight to the Mayor for consideration. Ms. Kuchynka replied most all special event liquor license applications go directly to the Mayor's attention, especially if the event has taken place in the past. She stated this event is recurring and he has approved these administratively. She noted that any time there is a new festival or community event, he has the option to refer the request to the Commission for review.

Ms. Kuchynka stated that information concerning special events are in the Month End Report. She added that there are a few churches that hold events throughout the year.

Ms. Kuchynka stated that the State of Illinois is still under Covid gathering restrictions. She stated that although the Village approved this event, the Illinois Liquor Control Commission still needs to authorize this event. She stated that they have a number of guidelines that must be met in order to qualify for a State license which is required in conjunction with the local license. She stated that the Park District has been told that although they have local approval State approval is also required.

Ms. Kuchynka stated that the new guidelines limit the number of people, tickets to the event must be pre-sold, the area secured and social distancing measures met. She stated that the event will last over a number of months, she stated that guidelines could progressively change over the course of the summer, depending upon the guidelines in place at the date/time of each event.

Ms. Kuchynka stated that the State requirements may be difficult for potential applicants to meet. She stated that she received application for an Oktoberfest. She stated that for the Park District, alcohol sales are not a huge revenue generator and the concerts are free. She stated that the larger events such as the Rotary Fest or Oktoberfest may have difficulty recouping costs if attendance is limited.

Mr. Shah was pleased to see the increase of events in the community.

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. She stated that things in the community are starting to pick up. She stated that sidewalk cafes are opening up throughout the Village. She stated that Community Development is handling temporary permits again this year. She noted that guidelines for operation of cafés will be similar and expanded as they were last year.

Ms. Kuchynka was pleased to advise that she did not lose any license holders this year and hoped that things will return to normal.

Ms. Kuchynka noted that ordinance changes and licensing issues discussed at the last meeting will be brought forth in the future. She stated that things had been kept status quo with the onset of Covid.

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 May 6, 2021 meeting. The meeting was adjourned by acclamation at 6:50 p.m.