

**DOWNERS GROVE LIQUOR COMMISSION
VILLAGE HALL COUNCIL CHAMBERS
801 BURLINGTON AVENUE**

Thursday, August 1, 2019

I. CALL TO ORDER

Chairman Strelau called the August 1, 2019 Liquor Commission meeting to order at 6:30 p.m.

II. ROLL CALL

PRESENT: Mr. Clary, Mr. Heafner, Ms. Flanagan, Mr. Jacobson, Chairman Strelau

ABSENT: Mr. Krusenoski, Ms. Pietrucha

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

OTHERS: Peter Chruscinski, Jennifer Davis, Michael Canty, Julie Balsamo, Mark Canty, Rob Johnson, Rob Johnson, Court Reporter

III. APPROVAL OF MINUTES

Chairman Strelau asked for approval of the minutes for the June 6, 2019 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the June 6, 2019 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."

Tacochela – 2321 Ogden

Chairman Strelau stated that the first order of business was an application hearing for Tacochela DG, LLC d/b/a Tacochela located at 2321 Ogden Avenue. 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. Peter Chruscinski was sworn in by the court reporter. Mr. Chruscinski introduced himself as the owner of Tacochela.

Chairman Strelau asked the applicant to present its case.

Mr. Chruscinski stated that he was seeking a full liquor license for his restaurant. He stated that they are a Mexican restaurant serving street style tacos similar to the setup of Chipotle. He stated that they offer quick counter service counter with no wait service to the tables. He stated that they would like to offer liquor to its customers.

Chairman Strelau asked for comments from the Commission.

Mr. Clary asked Mr. Chruscinski if he had any prior experience. Mr. Chruscinski replied that he had worked at restaurants but has never been a bartender or served liquor. He stated that he obtained his BASSET certification.

Mr. Clary asked Mr. Chruscinski how the liquor is served. Mr. Chruscinski replied that all ordering is done behind the line counter. He stated that all alcohol would be ordered at the register but kept in a secure location behind the service counter.

Mr. Clary advised Mr. Chruscinski to be diligent and constantly remind staff about the importance of proper liquor service.

Ms. Flanagan asked Mr. Chruscinski how they plan to card customers. Mr. Chruscinski replied that they will follow typical protocols for checking id's. He stated that they will accept only a government issued driver's license or State id, passport or military id. He stated that they will not accept the vertical id.

Ms. Flanagan asked Mr. Chruscinski what type of security he will have on the premises if there are problems. Mr. Chruscinski replied that they will initially stop serving any patron who becomes unruly and call the local authorities for assistance if customers cause any disturbance.

Ms. Flanagan asked if all employees behind the line will be over 21. He stated that the people serving the liquor will be 21 and over. He stated that three of the five current employees are over 21. He stated that those over 21 will be BASSET certified. He stated that no employee under the age of 21 will be allowed to take id's or ring up sales.

Mr. Jacobson noticed that the restaurant will be open 12 hours day. He asked Mr. Chruscinski if he will be at the location all of the time. Mr. Chruscinski replied that he took over the store about five weeks ago and has been putting in a lot of time. He stated that he will not be there every single day but has management on staff who are always present.

Mr. Jacobson asked if his management staff has liquor handling experience. Mr. Chruscinski replied yes. He added that the restaurant has been open for two years and a liquor license was in place. He stated that when he took over the restaurant, liquor sales stopped due to the change in ownership. He added that he retained the former staff and that they have experience.

Mr. Jacobson asked Mr. Chruscinski if he is aware of the penalties for a violation and that the store is subject to fines and suspension in addition to the clerk being penalized. Mr. Chruscinski replied yes and is aware of their severity.

Mr. Jacobson asked Mr. Chruscinski how often he plans on discussing liquor handling policies with staff. Mr. Chruscinski replied that he plans on going over policy initially every day until everyone is re-familiarized with liquor service. He stated that he will go over his policy details and will have refresher training every month.

Mr. Heafner had no questions.

Chairman Strelau asked Ms. Kuchynka if there were any previous violations at Tacochela. Ms. Kuchynka replied no. Ms. Kuchynka noted that the previous owner held the license for two years. She stated that Tacochela did not renew the liquor license for the new year as Mr. Chruscinski was taking over. She stated that the location previously only sold beer and wine. She noted that Mr. Chruscinski was applying for full alcohol and provided a drink menu with the application materials.

Chairman Strelau asked how many staff members under the previous owner are still with him now. Mr. Chruscinski replied that all of the staff transferred over. He stated that three of them have been serving beer and wine at Tacochela for two years.

Chairman Strelau noted that they are open 12 hours a day. She asked how Mr. Chruscinski envisions staffing the restaurant so that he has enough 21 year olds to take drink orders. Mr. Chruscinski replied that the main chef will open the restaurant and a manager comes in the evening. He stated that there is always someone over 21 at the restaurant.

Chairman Strelau felt that they may be a little thin on over 21 year old staff. She stated that if they are not properly staffed to card and a minor is served, there will be problems.

Chairman Strelau advised Mr. Chruscinski to continue to have daily conversations with staff about the importance of liquor service. She added that, when reminded daily, the employees may understand that his interest in proper liquor service should be as important to them as it is to him.

Chairman Strelau asked staff for recommendations or comments pertinent to this application. Ms. Kuchynka replied that issuance of the license is contingent upon update to the Certificate of Occupancy, receipt of satisfactory background checks, the annual fee, insurance 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 "R-1" liquor license application.

MR. JACOBSON MOVED TO FIND TACOCHELA DG, LLC D/B/A TACOCHELA LOCATED AT 2321 OGDEN AVENUE QUALIFIED FOR A CLASS "R-1" FULL ALCOHL ON-PREMISE LIQUOR LICENSE. MR. CLARY SECONDED.

VOTE:

Aye: Mr. Jacobson, Mr. Clary, Mr. Heafner, Ms. Flanagan, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 5:0:0

WAGs Wine Shop – 1202 F 75th

Chairman Strelau stated that the next order of business was an application hearing for WAGs Wine Shop, LLC d/b/a WAGs Wine Shop located at 1202 F 75th Street. She stated that the applicant was seeking a Class "WB", beer and wine, on-premise consumption liquor license and a Class "O" outdoor 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. Jennifer Davis and Mr. Michael Canty were sworn in by the court reporter. Ms. Davis introduced herself as the major stockholder and owner of WAGs Wine Shop. Mr. Canty introduced himself as the liquor manager for WAGs Wine Shop.

Chairman Strelau asked the applicant to present its case.

Mr. Canty stated that they are taking over an existing licensed business and they will have a similar operation to The Cellar Door serving small plates along with wine and beer for both on and off premise consumption. Ms. Davis stated that the business is currently known as the Downers Grove Wine Shop. She stated that they plan to keep the business the same, but to slightly grow the wine of the month memberships and on-site events. She stated that current site offers a few, however, they plan to offer and increase the sale and promotion of craft beers.

Ms. Davis informed the Commission that WAGs stands for Wine and Growler Society.

Chairman Strelau asked for comments from the Commission.

Mr. Heafner had no questions.

Mr. Jacobson asked how long they have been in the wine business. Ms. Davis replied that this is a brand new endeavor and personal investment for herself. She stated that her first cousin owns a wine bar in Elmhurst. Mr. Canty added that he has a friend that ran the Plainfield Wine & Cheese Shop and has some insight to his operation.

Mr. Canty stated that they plan to retain the services of the existing owner for a few months until they get the feel for the operation. Ms. Davis added that the current owner is retiring and was selling the business and, per their retainer agreement, will stay on six months to teach them and introduce them to both distributors and regular clientele.

Mr. Jacobson stated that the violation of liquor laws and the sale to underage customers is of great concern. He asked if they have the experience to stop the violations. Mr. Canty replied that all three owners have become BASSET certified. He added that part owner Dave Cradeur has several years' experience in the restaurant industry.

Ms. Davis stated that they plan to abide by their liquor handling policies. She stated that they plan to request id from anyone appearing under the age of 35. She added that employees will be required to be BASSET certified.

Mr. Jacobson asked if they will accept the vertical id. Ms. Davis replied no.

Mr. Jacobson asked if they will operate in the same manner as The Cellar Door. Ms. Davis replied that there will be on and off premise sales. She stated that Julie currently has a wine club which they would like to expand. She noted that they will offer small cheese plates, hummus, relish, cheese and crackers to pair with the wines and increase the tasting events to give customers more options. She noted that they will plan to expand the tastings with craft beers.

Mr. Jacobson asked what the total seating is. Ms. Davis replied that the space is about 680 square feet. She added that the current counter will be turned into a seating space. She stated that they will add a few tv's and more tables expecting to seat about 15 inside and have seating in the outdoor café.

Mr. Jacobson expressed his concern that they had no experience. He noted that if there is a violation there are huge penalties and consequences for selling to a minor.

Ms. Flanagan asked if they will be hiring new staff. Mr. Canty replied that 95% of the business will be owner operated. He anticipated needing extra staff for the tastings.

Ms. Flanagan asked if they have any plans to test themselves and/or be sure that staff does check identification properly. Mr. Canty noted that would be a good idea.

Mr. Clary advised them when they hold the tastings and/or events to be certain that the participants are of age. He wished them luck.

Chairman Strelau asked Ms. Kuchynka if there were any violations at Downers Grove Wine Shop. Ms. Kuchynka replied no.

Chairman Strelau advised them to pay a lot of attention to what Julie has to tell them and noted that she has run the business well without violation, which is a good thing.

Chairman Strelau stated that it matters what they do. She stated that it can look like an easy business but can have its trying times. She encouraged them to be cautious in their operation and to listen to Julie. 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 Certificate of Occupancy,

signed lease (in d/b/a name), insurance, annual fee, satisfactory background checks, employee certifications, and landlord approval of use of exterior space.

Chairman Strelau asked if the exterior space is on Village-owned property where they need to get Village approval. Ms. Kuchynka replied that their sidewalk area is all private.

Chairman Strelau asked for comments from the public. Ms. Julie Balsamo introduced herself as the current owner of the Downers Grove Wine Shop who held the license for the past 20 ½ years. She stated that she will stress the importance of carding to the new owners and noted that they are very attentive.

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 "WB" liquor license application.

MR. CLARY MOVED TO FIND WAGS WINE SHOP, LLC D/B/A WAGS WINE SHOP LOCATED AT 1202 F 75TH STREET QUALIFIED FOR A CLASS "WB" BEER AND WINE, ON-PREMISE LIQUOR LICENSE. MR. JACOBSON SECONDED.

VOTE:

Aye: Mr. Clary, Mr. Jacobson, Ms. Flanagan, Mr. Heafner, Chairman Strelau

Nay: None

Abstain: None

MOTION CARRIED: 5:0:0

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 "O" liquor license application.

MR. JACOBSON MOVED TO FIND WAGS WINE SHOP, LLC D/B/A WAGS WINE SHOP LOCATED AT 1202 F 75TH STREET QUALIFIED FOR A CLASS "O", OUTDOOR LIQUOR LICENSE. MR. CLARY SECONDED.

VOTE:

Aye: Mr. Jacobson, Mr. Clary, Ms. Flanagan, Mr. Heafner, 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 June and July month end reports. She advised that renewals went well. She advised the Commission that Tacochela and Beggars Pizza did not renew. Ms. Kuchynka advised that Rockwood Tap House closed for business.

Chairman Strelau asked about Orange & Brew. Ms. Kuchynka advised that they renewed. She noted that they have limited hours.

Ms. Kuchynka advised there will not be a September meeting.

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 stated there was none.

VII. COMMENTS FROM THE PUBLIC

There were none.

VIII. ADJOURNMENT

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

Mr. Clary moved to adjourn the August 1, 2019 meeting. The meeting was adjourned by acclamation at 6:58 p.m.