

**DOWNERS GROVE  
ENVIRONMENTAL CONCERNS COMMISSION**

**Minutes**

**December 10, 2015**

I. Roll Call

Present: Chairman Pelloso, Commissioner Getz, Commissioner Marron, Commissioner Commissioner Mlade, Commissioner Salman

Absent: Commissioner McCann, Commissioner Riley

II. Visitor Welcome

Ms. Carrie Horak from SCARCE was in attendance. Ms. Horak updated the commission on what SCARCE has done recently in Downers Grove. A pumpkin collection and composting event was held in November at both Downers Grove high schools. A total of 5.26 tons of pumpkins were collected for composting. The event also provided education on removing contaminants from pumpkins before composting. Ms. Horak noted that Illinois is #1 pumpkin producing state.

Ms. Horak also provided a few statistics based on their collection: pumpkins are 90% water, and therefore SCARCE estimates roughly 1100 gallons of water were put back into the earth through the composting. SCARCE also used an EPA calculator and found the event reduced CO2 emissions by five metric tons.

Ms. Horak noted a cooking oil collection that was held at the Downers Grove Sanitary District after Thanksgiving – roughly 50 gallons of cooking oil was collected which saved it from going down our pipes. At many sites where collection is held, the oil is turned into biodiesel. At the Downers Grove Sanitary District, they will be using the oil for an engine at their facility and plan to hold cooking oil collection permanently. Ms. Horak also distributed an informational paper with all cooking oil collection sites in the area as well as other information.

Ms. Horak is working with our stormwater administrator, Ms. Karen Daulton-Lange to buy some medallions for our stormdrains. These medallions go on top of the curb and are made of ceramic. This project is funded through a grant SCARCE received from the DuPage Foundation.

Ms. Horak invited the commissioners to attend two ceremonies for churches in Downers Grove who are receiving their Earth flags: First Congregational United Church of Christ ceremony is on January 3<sup>rd</sup>, 2016. First United Methodist ceremony is on March 13<sup>th</sup>, 2016.

Ms. Horak talked about the recycling event held in September in the Village. At that event, SCARCE collected two vans full of supplies for teachers.

Ms. Horak mentioned a teacher in Downers Grove took their continuing education course recently. The El Sierra School would soon be receiving No Idle signs. These signs were funded through a grant from the DuPage Foundation. Ms. Horak had a sign with her to show commissioners. The signs encourage parents to turn their cars off while picking up their children at school. A watershed workshop at El Sierra School was recently held as well.

Commissioner Mlade asked to take a photo of the sign. Ms. Horak also mentioned there were signs left for use.

Commissioner Mlade asked Ms. Horak for more information on what SCARCE does. Ms. Horak said they are an educational nonprofit with two arms. The first arm holds events, and communication on things like composting, watershed quality, stormwater management, and recycling basics. SCARCE has five full-time and three part-time, and they cover all of DuPage County. They are partially funded by the county as well as through other fundraising events and donors. Most of the work in SCARCE performs in schools is covered by the county grants.

Commissioner Mlade asked about the list of things they collect on the sheet Ms. Horak handed out earlier. Ms. Horak stated that was the second arm of their organization. Collecting books and school supplies and then repurposing those items for schools. She compared it to a Goodwill for teachers and nonprofits, but the items were free for anyone with a teacher ID or a nonprofit ID. Chairman Pelloso asked about the non-working pens. Ms. Horak said that is part of a TerraCycle program brigade. Ms. Horak mentioned TerraCycle also does recycling of juice boxes, like Capri-Sun and reminded the commissioners that juice cartons are recyclable at home as long as the straw and wrapper are removed.

Ms. Horak said they are working to create a very easy to read list on what can and cannot be recycled. Commissioner Mlade said a first step would be for Republic to publish what can be recycled. The commissioners thanked Ms. Horak for coming, and she said she would stay and listen in on the remainder of the meeting.

### III. View and Approval of November 12, 2015 Meeting Minutes

Chairman Pelloso asked for a motion to approve the minutes. Commissioner Salman made a motion, and Commissioner Getz seconded that motion. The motion passed with a voice vote.

### IV. Staff update on ongoing projects

Ms. Miles provided an update on the question posed at the November 12<sup>th</sup> meeting if a member of the commission could attend a council meeting to speak on behalf of the commission. Ms. Miles noted she spoke with the village attorney on this issue. Ms. Miles

said if someone came to a council meeting to speak on behalf of the commission that would be appropriate as long as there was a consensus from the ECC on the issue and documented in meeting minutes. Commissioner Mlade asked if there was something specific to present, and Chairman Pelloso said no, but wanted an answer on that question if something came up in the future.

Ms. Miles said she spoke with a gentleman named Andrew VanGorp of Sustain DuPage. Mr. VanGorp would be attending the next meeting during the visitor section to speak about a symposium being held in March for DuPage communities. Mr. VanGorp will be attending with a handout and provide a quick explanation of the symposium and the Sustain DuPage organization.

Ms. Miles also stated she would be listening in on the monarch butterfly webinar next week on December 15<sup>th</sup>.

### Green Business Application Revisions Round 1

Ms. Miles pulled up the green business application on the screen for the commissioners to review. The round 1 changes made were from the notes and minutes taken at the November meeting. Ms. Miles noted the top section of the application listing core requirements. Ms. Miles said she found this repetitive and suggested based on prior discussions to keep just the statement regarding resources which is also asked later in the application. Ms. Miles suggested possibly moving this piece to the end of the application, asked for thoughts from the commissioners. Chairman Pelloso suggested removing the whole core requirements section in it's entirety, but Commissioner Mlade said reordering was ok, but they needed to keep the question on EnergyStar. Chairman Pelloso said at last month's meeting the commissioners discussed changing this question to asking how/what is tracked, and then provide a suggestion of using EnergyStar portfolio manager. Commissioner Mlade asked to leave the link for portfolio manager in the application. Ms. Miles asked if this should then be left in beginning of the application, and Commissioner Mlade said to move it wherever it makes the most sense.

Ms. Miles moved on to the next discussion item from last week, the checkbox sections. Ms. Miles said she created two options – one with an explanation row after each item, and one with the items numbered, and one general explanation section at the end of the entire checkbox section. Chairman Pelloso said she liked option two with the items numbered.

Ms. Miles said she added hyperlinks for several items as well that need further explanation. Commissioner Mlade said things were confusing with the N/A, Yes, or No options after each item. Chairman Pelloso mentioned this was added because of the range of businesses in the village and some businesses especially in the downtown do not own but rather rent property and do not have control over some of the items. Commissioner Mlade said they wanted businesses to rent in places that had options for something like a bioswale. There was discussion on this, and Commissioner Salman said they discussed how some questions would not apply to all businesses, but they did not want to dissuade

anyone from applying. Commissioner Mlade added the water fixtures portion and other questions similar to that where only a Yes or No is possible, to gray out the N/A option and leave only Yes or No.

Ms. Miles said additionally she did start working on an introductory paragraph that would explain how some questions in the application would not apply to all businesses and to instruct applicants to answer only what applies to your particular business/organization. Chairman Pelloso added when the commission refines the application further, we can add something like “please provide further explanation” to make it more user-friendly.

Commissioner Mlade asked if he had added the SEDAC item and further explained how ComEd is for all public entities and SEDAC is state-funded and only for municipalities and government buildings, maybe nonprofits and that most businesses would be using ComEd. Commissioner Getz asked if this was limited to just for-profit businesses and Ms. Miles said the DG Park District is a current applicant so did not think that was the case.

Commissioner Getz then said this application was very specific, and agreed with some of the comments from last month’s guest regarding the application. A lot of questions are very specific, so maybe rewording them would be beneficial; this was a general comment for everything on the application.

Commissioner Mlade said the original version was very open-ended, and previous comments from the group was that it was so open-ended and very subjective. Chairman Pelloso said it still was open-ended; there was no scoring system. Commissioner Mlade said more specific questions would lead to Yes or No answers.

Ms. Horak mentioned Lisle’s Green Business program and that SCARCE had done some energy audits with them. Ms. Horak said she thought SCARCE had done about 50 green audits for Lisle. Commissioner Salman said the direction being moved in makes the application an education document and thought that was a good thing. Commissioner Salman said they need to ask what the commission is trying to do in terms of the award, which does make it subjective, the commission is not LEED-certified and this is meant to be a community award. It is hard to walk away from the recognition piece for even just basic efforts. Commissioner Mlade liked the idea of it being an education document. Commissioner Salman said she hoped someone who wanted to be part of this program would also be willing to do more green things. Commissioner Mlade said the program becomes more of a participation program and not an award. Commissioner Getz looked at Lisle’s program and said they have about 50 businesses on there, and how the program raised more awareness. The first step was an audit, and then a second step is to offer sustainable products and then the business receives the listing. Greenness is not as strong with that program. Chairman Pelloso said she would like to incorporate some of those elements.

Ms. Miles said she did think we have some of the same elements of the Lisle program already included as incremental steps are recognized.

Commissioner Getz suggested asking the contact person at Lisle to come to a meeting to review the process. Ms. Miles said she would look into reaching out. Chairman Pelloso said the proposed symposium event in Naperville could be a good opportunity for learning what other communities are doing.

Ms. Miles went on to say she removed some of the duplication from the application. Ms. Miles also suggested pulling out the audit section referencing the SCARCE audit and have it be its own question rather than just listing it towards the end of the application. Commissioner Getz did like how the question was worded. Ms. Miles also said she added at the end of the application a note about contacting the applicant regarding their future green efforts. Ms. Miles noted the application was currently six pages but would be shorter with final edits. Commissioner Mlade asked about when providing resources in the application. Ms. Miles said she understood the education portion to be adding of hyperlinks to the document. She also said a resource page could be added on the website page where the application was housed. Chairman Pelloso said her only concern would be having someone look at the application and seeing it be too long and that discouraging them from applying. Commissioner Mlade said he liked the idea of putting resource information in the application. Commissioner Getz said that could be a good question for Lisle, to ask them what resources are provided. Commissioner Salman said we did not have to walk away from that entirely as the application comes together and recommendations could be provided back to the applicants. Ms. Miles said that as part of the application process we could send something back to them before the interview. Chairman Pelloso said generally the application revisions incorporated what we had discussed. Commissioner Salman said maybe as part of the process we offer recommendations back to them, recognize their efforts and give additional tools.

Commissioner Mlade said Lisle has 50 businesses, Commissioner Getz said that was an estimate. Commissioner Mlade said this does not excite him and Commissioner Getz said she did simplify the Lisle program in her previous comments. Commissioner Mlade said he was bent towards education because he feels he does not see a value in reviewing the applications. Ms. Miles said part of the reason to apply and review applications was because some businesses did not meet requirements when they were reviewed in the past. The Lisle program sounds similar because they are recognizing businesses for incremental steps. Ms. Miles said Downers Grove has the same goal but a different way of approaching the plan.

Commissioner Mlade said part of the challenge is businesses want to do the right thing and start with recycling but then are given the green business award and stop doing anything further. Chairman Pelloso said that has been a concern from the beginning. Commissioner Mlade said making it an education effort rather than participating and voting is better. Commissioner Salman said continued effort is important.

Ms. Miles said the introduction paragraph could contain language saying the commission may reach out in the future. Commissioner Mlade said he thought that was nice because it asked the applicant if they achieved their intended goals and said the commission could

mail the applicants their prior submissions yearly and ask for updates. Chairman Pelloso said it could be a way to ask where they are at with what they had indicated on their application. Commissioner Mlade said maybe its semantics but he is getting hung up on the certification piece and the targets are self-established.

Commissioner Getz said she liked how Lisle has SCARCE do the audits and outsourcing the education portion as we are a government entity and they have expertise. Commissioner Getz said she also liked how the audit is done at the beginning and Chairman Pelloso said she would like to do that as well. Commissioner Getz asked Ms. Horak if there was a charge for the audit and Ms. Horak believed that was charged back to the county. Ms. Horak said Kay or Erin at SCARCE would be happy to come out again to discuss the audit program as she was not as familiar.

Commissioner Marron said he thought the whole point was to change people's behavior and maybe to set goals or metrics; achievable goals. Commissioner Getz asked if they could get information from the people at SCARCE that perform the audit. Ms. Horak said they are more general practices, not necessarily a checklist. Commissioner Mlade asked if that information could be sent out. Ms. Miles said she could provide that information. Commissioner Getz said the information about Lisle is all on their website, and they post a listing of the green things each business does and a viewer is able to tell which businesses do more than others, but it does say specifically what they do. Commissioner Marron said he had one concern, and asked if there were still applications pending. Commissioner Mlade said he did not think they needed the applicants to present but the other commissioners said they thought they should. Commissioner Marron said applicants should be lined up to present soon. Commissioner Mlade asked when Ms. Miles reaches out to the applicants to emphasize a 10 minute presentation. Ms. Miles said the Downers Grove Park District is one of the applicants, a hair salon and PediaProgress. Commissioner Salman said the Park District should be on its own day. Ms. Miles said they can emphasize a time limit but Chairman Pelloso said realistically they cannot expect less than a half hour. Ms. Miles said it does state on the website that any green business applicants are reviewed quarterly. Commissioner Mlade said on the topic of scheduling, his class schedule shifted and he now has class Wednesday and Thursdays January through May.

Ms. Miles said she would continue to make changes to the application, and would reach out to the applicants for scheduling and to the contact at Lisle.

V. New Business – Prescription Drug program recommendation

Ms. Miles said to move on to the next item the commission could wrap up the discussion on prescription drugs. If the commission like to make a general recommendation that would be seen in the minutes by council and they could also have further discussion if desired.

Chairman Pelloso said she would support coming to a consensus and making a recommendation. Commissioner Mlade suggesting attaching the flyer provided by SCARCE which lists all of the police departments that have a program. Ms. Horak said

Downers Grove is the only one requiring an appointment. Ms. Miles provided information to Ms. Horak about the police department accreditation to Ms. Horak as information. Commissioner Mlade said it was not the accreditation program, it was the police department themselves making the prescription drug program requirements. Commissioner Salman said through her digging, she was told they would get nowhere making changes because it was part of a bigger conflict and changing the program has nothing to do with prescription drugs. Commissioner Salman said the way the police department is interpreting it has nothing to do with the prescription drug program and the commission would get nowhere. Commissioner Mlade said in his mind it was an easy win and Commissioner Salman said she supported continued discussion. Commissioner Getz asked if the commission can make a recommendation to the council that we support reformation of the program to remove the appointment and staying while medication is documented as evidence. Chairman Pelloso said and to please note the 17 other departments that do not follow this program and how it provides a better service to the community. Commissioner Getz said we cannot force their hands but can make a statement on the record and are all in agreement about that. Chairman Pelloso asked to make a motion that we formally – and Commissioner Salman asked before that was made, if the county has a program and if it could be leverage and Ms. Horak said the sheriff does and as far as she knows it is the RX bins.

Commissioner Marron asked what the mechanics were of the motion and Ms. Miles said the motion would be made here and recorded in the minutes.

Chairman Pelloso suggested a motion to modify the police department requirement of an appointment for drop-off. Commissioner Mlade then added saying it is a self-imposed requirement because the way we frame it, it sounds as though the police department has to do it this way but they do not.

**Chairman Pelloso made a Motion with respect to the prescription drug program that the Village modify their policy to match how the county, the sheriff's department and the other police departments are handling to remove the requirement for appointments, and self-identification and inventory in person.**

**Commissioner Getz seconded the Motion. The Motion passed with a voice vote 5-0.**

Chairman Pelloso asked if council will respond to the motion and Ms. Miles noted the minutes would be attached the council meetings consent agenda. Commissioner Mlade said he thought they should go speak at a council meeting. Chairman Pelloso agreed or suggested to send an email to mayor and council.

Commissioner Salman asked if this gets put on the agenda if anyone can speak to it. Ms. Miles clarified the motion would not be put on the council meeting agenda but it could be spoken about during public comment. Chairman Pelloso said whomever from the commission would come they could also email Mayor Tully and/or the council ahead of time or use rEmarks. Commissioner Salman asked if she knew of an advocate if this would be a good opportunity for them to speak. Ms. Miles said they could not speak on

behalf of the commission. Chairman Pelloso asked why the commission minutes are not provided to the public and Ms. Miles said they are on the website after they are approved.

Commissioner Marron said he had a comment regarding ComEd. ComEd is suspending their refrigerators and freezer recycling and asked if Republic was still recycling them and Ms. Miles said yes but you have to call Republic ahead of time to schedule that pickup. Commissioner Marron asked if maybe that should be put on the website that ComEd is not doing that recycling anymore. Ms. Miles said she can let the people who answer the phones at the Village know as they answer many recycling questions from residents.

Ms. Miles then reminded the commission that the leaf blower presentation would be on next month's agenda.

#### VI. Adjournment

Chairman Pelloso asked for a motion to adjourn the meeting. Commissioner Salman made a motion to adjourn. Commissioner Marron seconded that motion. The motion was carried by a voice vote.

Meeting adjourned.



**DOWNERS GROVE LIQUOR COMMISSION  
VILLAGE HALL COMMITTEE ROOM  
801 BURLINGTON AVENUE**

Thursday, October 1, 2015

**I. CALL TO ORDER**

Staff called the October 1, 2015 Liquor Commission meeting to order at 6:30 p.m.

**II. ROLL CALL**

**PRESENT:** Mr. Clary, Mr. Jacobson, Ms. King, Mr. Krusenoski

**ABSENT:** Mr. Austin, Chairman Strelau, Ms. Fregeau

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

**OTHERS:** Vipul Patel, David Patel, Bharat Akolia, Mrs. Jacobson, Brian Bentley, Mrs. Jacobson, Court Reporter

**III. APPOINTMENT OF CHAIRMAN PRO TEM**

In the absence of Chairman Strelau, staff requested a motion to appoint a Chairman Pro Tem for the meeting.

**MS. KING MOVED TO APPOINT MR. KRUSENOSKI TO ACT AS CHAIRMAN PRO TEM FOR THE OCTOBER 1, 2015 MEETING OF THE LIQUOR COMMISSION. MR. JACOBSON SECONDED.**

**VOTE:**     **Aye:**    Ms. King, Mr. Jacobson, Mr. Clary, Mr. Krusenoski

**Nay:**     None

**Abstain:** None

**MOTION CARRIED: 4:0:0**

The motion carried.

**IV. APPROVAL OF MINUTES**

Chairman Pro Tem Krusenoski asked for approval of the minutes for the September 3, 2015 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the September 3, 2015 minutes of the Liquor Commission meeting were approved as written.

Chairman Pro Tem Krusenoski 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.

**V. APPLICATION FOR LIQUOR LICENSE**

Chairman Pro Tem Krusenoski made the following statements:

"The first order of business is to conduct a public hearing for a liquor license application. For the benefit of all present, I would like to state that this Commission does not determine the granting or denial of the issuance of any license. We may at the end of each hearing, make a finding or recommendation with respect to the application. If necessary, the Commission may adjourn a hearing to a later date in order to have benefit of further information."

"At the conclusion of the hearing, the Commission will 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) comments from the public, 4) discussion by the Commission, and 5) motion and finding by the Commission."

**Devi, Inc. d/b/a Downers Grove Food Mart**

Chairman Pro Tem Krusenoski stated that the next order of business was an application hearing for Devi, Inc. d/b/a Downers Grove Food Mart located at 2027 Ogden Avenue. He stated that the applicant was seeking a Class "P-2", beer and wine, off-premise consumption liquor license.

Chairman Pro Tem Krusenoski asked that any individual(s) representing the applicant step forward and be seated. He 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. Vipul Patel and Mr. David Patel were sworn in by the court reporter. Mr. Vipul Patel introduced himself as the owner of Downers Grove Food Mart. Mr. David Patel introduced himself as Vipul's brother. Mr. Vipul Patel stated that Mr. David Patel will be helping out in the store.

Chairman Pro Tem Krusenoski asked the applicant to present its case.

Mr. Vipul Patel stated that he had owned this convenience store in the past. He stated he had an opportunity to purchase it and wished to come back to Downers Grove. He noted that he has 26 years of liquor handling experience.

Chairman Pro Tem Krusenoski asked who the liquor manager is for the store. Mr. Vipul Patel stated that he is the liquor manager.

Chairman Pro Tem Krusenoski asked for questions from the Commission.

Mr. Jacobson was glad to see that they were returning to Downers Grove. He asked how long he operated the store in the past. Mr. Vipul Patel replied three years.

Mr. Jacobson asked if all employees will be over 21. Mr. Vipul Patel replied yes.

Mr. Jacobson asked if they will accept the vertical license. Mr. Vipul Patel replied no.

Mr. Jacobson reviewed the manual and noted a discrepancy about the age at which they will card and asked whether it will be at age 30 or 40. Mr. Vipul Patel replied 30.

Mr. Jacobson asked how much time Mr. Vipul Patel will be at the store. Mr. Vipul Patel stated that he will work the store about 8-10 hours every day.

Mr. Jacobson asked how many employees they will have. Mr. Vipul replied himself and his uncle, Pravinkumar Patel. Mr. David Patel stated that he will help out at the store as well.

Mr. David Patel stated that Vipul Patel has 26 years of experience and this will be the 7<sup>th</sup> store they have operated.

Mr. Clary asked if they have had any violations over the course of 26 years. Mr. Vipul Patel replied no.

Ms. King asked what they attributed their success to by operating so long and having had no violations. Mr. David Patel replied that the many years of experience have helped. He said they also do well in that they only hire family members who have a vested interest in the business to work for them.

Chairman Pro Tem Krusenoski asked how many other locations they currently operate. Mr. Vipul Patel replied they have stores in Hinsdale and Rolling Meadows.

Chairman Pro Tem Krusenoski asked Mr. Vipul Patel if he will split his time at the stores. Mr. Vipul Patel replied that he will be in Downers Grove. He stated another brother operates the other store. Mr. David Patel replied that he runs the Hinsdale store but will put some hours in the Downers Grove store.

Chairman Pro Tem Krusenoski stated that they should instill a culture for employees to not sell to anyone who is underage. He noted that training the small group of employees who are a few family members should not be difficult. He stated that some establishments with the best manuals have failed control buys as some employees simply did not follow the rules. He stated that they should regularly enforce the message to follow procedure for carding. Mr. David Patel noted that a POS system has been set up with an age restriction. He stated that any time alcohol is scanned, the employee is prompted to check identification.

Chairman Pro Tem Krusenoski asked staff for recommendations or comments pertinent to this application. Ms. Kuchynka replied that issuance of the license is contingent upon receipt of satisfactory background checks, receipt of the annual fee, dram shop insurance and a revised certificate of occupancy due to the change in ownership.

Chairman Pro Tem Krusenoski asked for comments from the public. There were none.

Hearing the testimony given in this case, Chairman Pro Tem Krusenoski 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-2" liquor license application.

**MR. JACOBSON MOVED TO FIND DEVI, INC. D/B/A DOWNERS GROVE FOOD MART LOCATED AT 2027 OGDEN AVENUE, QUALIFIED FOR A CLASS P-2, BEER AND WINE, OFF-PREMISE CONSUMPTION LIQUOR LICENSE. MR. CLARY SECONDED.**

**VOTE:**           **Aye:**           Mr. Jacobson, Mr. Clary, Ms. King, Chairman Pro Tem Krusenoski

**Nay:**           None

**Abstain:**       None

**MOTION CARRIED:           4:0:0**

## **VI.     OLD BUSINESS**

Chairman Pro Tem Krusenoski asked if there was any discussion, update from staff or comments from the Commission regarding any old business.

Ms. Kuchynka stated that she forwarded the September month end report. She stated that the Mayor indicated his intent to issue licenses to Thai First, the Ogden Starbucks and Main Street Starbucks. She stated that Thai First license was recently issued and the owner was awaiting approval of the State license.

Chairman Pro Tem Krusenoski stated that there was an article in the paper concerning the various suburbs that Starbucks held licenses in, with the exception of Downers Grove. Ms. Kuchynka replied that they have not been issued but anticipated issuing the licenses by November.

Chairman Pro Tem Krusenoski asked about Mia's Cantina. Ms. Kuchynka replied that they broke ground for a larger watermain to service the building and fire suppression equipment. Ms. King asked if they were paying for the leased space while work is being done. Ms. Kuchynka replied that provision would be set out in the lease and noted some owners will not start charging rent until renovation is complete.

## **VII. NEW BUSINESS**

Ms. Petrarca stated that the State passed new legislation concerning amendments to the Liquor Control Act and requested discussion from the Commission.

Ms. Petrarca added that the State is now allowing happy hours. She stated that they will be allowed for 4 hours a day, not to exceed 15 hours per week and offer discounted drinks. She stated that the event needs to be posted in advance and are not allowed after 10 pm. She stated that home rule municipalities may be more restrictive than the State. She stated that the Village adopted the former regulations which prohibit happy hours. She stated that the Mayor requested discussion from the Commission on whether to continue to be more restrictive concerning happy hours or adopt State changes. She stated that there was also a request to discuss the one drink at-a-time rule and party package regulations. She asked the Commission if the Village should remain more restrictive or adopt the State changes.

Ms. Petrarca stated a draft ordinance was prepared which addressed party packages and advised that staff was in support of these changes. She stated that there have been issues in the past with Super Bowl and New Year's Eve parties. She stated that regulations have been developed that requires that ticket sales must be done in advance of the event, the event must be contained in a separate area of the facility, the event is limited to three hours and that food must be served.

Ms. Petrarca advised the Commission that Ms. Kuchynka conducted a survey of surrounding communities and a chart of who allows happy hours and party packages. She noted survey results were provided in their packet. She noted that Lombard and Westmont have taken the position that as they are non-home rule communities, they cannot be inconsistent with the State and will allow happy hours.

Mr. Clary asked about the party packages and if the establishment will be open to regular customers as well as those attending the event. Ms. Kuchynka replied yes and noted that participants of the party would have to obtain tickets prior to the event. Ms. Petrarca added that the party would have to be in a designated area separate from regular customers. Ms. Petrarca stated tickets must be purchased in advance. Ms. Kuchynka added that food must be served. Ms. Petrarca stated that the event cannot be more than three hours and participants must have a lanyard or wristband. Ms. Kuchynka advised that during this party, drinks are unlimited.

Mr. Jacobson stated that the laws on overconsumption have changed and noted DUI penalties are strict. Ms. Kuchynka stated that servers will be responsible for recognizing signs of intoxication, monitoring patrons' alcohol consumption and address the need to slow down or cut off service. She stated that the State is requiring employees to obtain BASSETT training every three years for on-premise consumption licensees. She stated that the Village will continue to require the training for employees at off-premise license holders.

Ms. Petrarca asked for feedback from Commission for the happy hour provisions. She stated that licensees will not be able to offer two-for-one drinks, but will be able to have special drink prices during the day. Ms. Kuchynka stated that there cannot be a large reduction in the price, for example a \$.50 beer.

Mr. Clary asked who would monitor the events. Ms. Petrarca replied the Village will. She stated that she would respond to any complaints. Chairman Pro Tem Krusenoski noted that people will call Ms. Kuchynka if they see an illegal advertisement. Ms. Kuchynka replied yes.

Chairman Pro Tem Krusenoski noted that the Village survey information from surrounding communities and whether they allow happy hours or party packages is all over the board. Ms. Petrarca replied that the happy hour regulations are new. She stated that the State is going around to the municipalities for training on the law. Ms. Kuchynka stated that there is a lot of confusion interpreting the law.

Mr. Jacobson stated it is a good idea for the Village. Ms. Petrarca asked if they would be willing to adopt the State law. Mr. Clary agreed. Chairman Pro Tem Krusenoski stated that it is good for a license holder not to run afoul if the Village ordinance matches the State. He stated that there will be confusion if the Village adopts something different.

Ms. Petrarca stated that licensees cannot offer happy hours between the hours of 10 p.m. and closing. She stated that the happy hour cannot exceed 4 hours at a time or exceed 15 hours per week and has to be posted at the establishment 7 days in advance or on their public website. Mr. Clary asked if the hours have to be consecutive. Ms. Petrarca replied yes.

Ms. Petrarca stated that only a handful of licensees have contacted the Village about allowing happy hours. She noted that they can offer specials on drinks now, but have to offer it all day and stated that they will now be able to limit it.

Mr. Jacobson stated that allowing happy hour will be good for business.

Ms. King liked that the State will not allow two-for-one drinks.

Ms. Petrarca stated that she would like feedback from the Commission concerning the restriction of serving only one drink at a time. She stated this provision comes up mostly with festivals. She stated that the State removed this regulation. She stated that the regulation was loosely enforced. Chairman Pro Tem Krusenoski asked what the limit is on delivery of drinks. Ms. Petrarca replied there is no limit.

Chairman Pro Tem Krusenoski asked Ms. Kuchynka if she drafted an ordinance. Ms. Kuchynka replied yes. Ms. Petrarca noted that the ordinance included in their packet includes party package provisions. She stated that staff did not address the happy hour or delivery of drinks, as they wanted Commission feedback. She stated that they will re-draft the ordinance to reference the State law, but will not reference particulars of the law, as some may change over the course of time. She stated that it will be a general reference to the section of the law.

Ms. Kuchynka asked if they would be willing to allow the delivery of more than one drink. Ms. Petrarca stated that the State has stricken the rule that "no licensees shall serve two or more drinks at one time to one person" and replaced the language with "licensees may not sell more than one drink of alcoholic liquor for the price of one drink". She stated that particular provision will regulate two-for-one. Mr. Clary asked if a customer will be able to order five shots and take it back to the table. Ms. Kuchynka replied yes. Chairman Pro Tem Krusenoski noted that the one drink per person rule is most frustrating at festivals. Ms. Kuchynka stated that the licensee will still be responsible for monitoring their guests and put a stop to adults sharing drinks with minors.

Mr. Jacobson was in favor of reflecting the State law and stated that the establishment will be responsible for monitoring. Mr. Clary agreed and felt that allowing establishments to give a patron more than one drink will lead to that patron giving it to a minor.

Ms. Kuchynka stated that the delivery of more than one drink is the most violated State law. She stated that sporting and music venues for years have handed out more than one drink at a time. Ms. Petrarca noted that the State loosely enforces that provision.

Chairman Pro Tem Krusenoski asked if there was any comment from the public.

Mr. Bentley replied that he agreed with all that the Commission was saying. Mrs. Jacobson agreed.

Ms. Petrarca requested a motion from the Commission.

**MR. JACOBSON MOVED TO ADOPT THE PROVISIONS OF PUBLIC ACT 99-46 CONCERNING HAPPY HOUR REGULATIONS. MS. KING SECONDED.**

**VOTE:**           **Aye:**           Mr. Jacobson, Ms. King, Mr. Clary, Chairman Pro Tem Krusenoski  
                   **Nay:**           None  
                   **Abstain:**       None

**MOTION CARRIED: 4:0:0**

Ms. Kuchynka stated that staff will place the revised ordinance on a future Village Council agenda for consideration. Ms. Petrarca stated that staff may hold off until they attend the State conferences and be certain that no further changes are pending.

Chairman Pro Tem Krusenoski asked staff if there will be a November meeting. Ms. Kuchynka stated that she did not have any applications on file but was uncertain if there will be a November meeting.

**VIII. COMMENTS FROM THE PUBLIC**

There were none.

**IX. ADJOURNMENT**

Concluding business for the evening, Chairman Pro Tem Krusenoski called for a motion to adjourn.

Ms. King moved to adjourn the October 1, 2015 meeting. The meeting was adjourned by acclamation at 7:05 p.m.