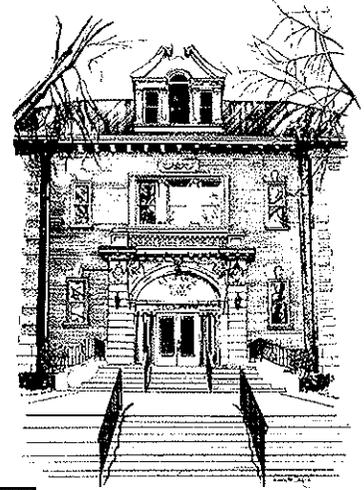


Village of La Grange



VILLAGE BOARD MEETING

MONDAY, JANUARY 28, 2008

7:30 p.m.

Village Hall Auditorium

53 S. La Grange Road

La Grange, IL 60525

Elizabeth M. Asperger
Village President

Robert N. Milne
Village Clerk

VILLAGE OF LA GRANGE
BOARD OF TRUSTEES REGULAR MEETING

Village Hall Auditorium
53 South La Grange Road
La Grange, IL 60525

AGENDA

Monday, January 28, 2008 – 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL
*President Elizabeth Asperger
Trustee Mike Horvath
Trustee Mark Kuchler
Trustee Mark Langan
Trustee Tom Livingston
Trustee James Palermo
Trustee Barb Wolf*
2. PRESIDENT'S REPORT
This is an opportunity for the Village President to report on matters of interest or concern to the Village.
3. PUBLIC COMMENTS REGARDING AGENDA ITEMS
This is the opportunity for members of the audience to speak about matters that are included on this Agenda.
4. OMNIBUS AGENDA AND VOTE
Matters on the Omnibus Agenda will be considered by a single motion and vote because they already have been considered fully by the Board at a previous meeting or have been determined to be of a routine nature. Any member of the Board of Trustees may request that an item be moved from the Omnibus Agenda to Current Business for separate consideration.
 - A. Award of Contract – Tree Pruning
 - B. Consolidated Voucher 071224
 - C. Consolidated Voucher 080114
 - D. Consolidated Voucher 080128
 - E. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, December 10, 2007

5. CURRENT BUSINESS

This agenda item includes consideration of matters being presented to the Board of Trustees for action.

A. Ordinance – Amending Various Sections of the La Grange Code of Ordinances Related to the Sales and Service of Alcoholic Liquor:
Referred to Trustee Langan

B. Ordinance – Creating a New Class I-2 Liquor License, Vineyard Dog Wines, Inc., 18 W. Burlington Avenue: *Referred to Trustee Kuchler*

6. MANAGER'S REPORT

This is an opportunity for the Village Manager to report on behalf of the Village Staff about matters of interest to the Village.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

This is an opportunity for members of the audience to speak about Village related matters that are not listed on this Agenda.

8. EXECUTIVE SESSION

The Board of Trustees may decide, by a roll call vote, to convene in executive session if there are matters to discuss confidentially, in accordance with the Open Meetings Act.

9. TRUSTEE COMMENTS

The Board of Trustees may wish to comment on any matters.

10. ADJOURNMENT

The Village of La Grange is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and/or participate in this meeting, or who have questions, regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at (708) 579-2315 promptly to allow the Village to make reasonable accommodations for those persons.

OMNIBUS VOTE

VILLAGE OF LA GRANGE
Administrative Offices

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert Pilipiszyn, Village Manager,
Ken Watkins, Director of Public Works and
Don Wachter, Village Forester

DATE: January 28, 2008

RE: **AWARD OF CONTRACT -- TREE PRUNING**

The Village contracts annually for supplemental tree pruning services. The Village is divided into five areas which are pruned on a rotating basis. Trees that are less than 7 inches in diameter are pruned by the Department of Public Works Forestry crew. On January 16, 2008, bids were opened and read for a three year parkway tree pruning contract.

Bids for tree pruning were solicited on a unit price basis across four tree diameter categories. The bid tabulation was computed by multiplying the number of trees in each category by the unit cost and adding each of the totals. Since each pruning area has a different amount of trees and size per category, the total dollar amount bid will fluctuate from year to year. The following table reflects the bids received:

VENDOR/LOCATION	2008	2008/09	2009/10
D-RYAN TREE & LANDSCAPE SERVICE, LLC./DEKALB	\$32,595	\$39,610	\$35,920
AUTUMN TREE CARE EXPERTS/GLENVIEW	\$60,350	\$71,800	\$64,610
STEVE PIPER & SONS, INC./NAPERVILLE	\$58,523	\$74,229	\$68,098
DAVEY TREE EXPERT CO./HINSDALE	\$70,820	\$89,475	\$83,200

W-A

The low bidder, D-Ryan Tree & Landscape Service, LLC., formerly known as Midwest Tree Service, is currently the Village's tree removal contractor and has been since May, 2005. They have received favorable recommendations on current and past work performance relating to tree pruning municipal contracts. Based on their performance in the Village, we believe they have the manpower, equipment and experience to complete the contract according to specifications.

The bid proposal is within the Village's budget estimate.

We recommend that the Village Board award the Village's three-year tree trimming contract to D-Ryan Tree & Landscaping Service LLC. based on their proposal described above. The contract is a three-year agreement consisting of consecutive annual contracts, renewable at the Village's discretion, to be administered by Village staff.

4-A.1

VILLAGE OF LA GRANGE

Disbursement Approval by Fund

December 24, 2007

Consolidated Voucher 071224

<u>Fund No.</u>	<u>Fund Name</u>	<u>12/24/07 Voucher</u>	<u>12/14/07 Payroll</u>	<u>Total</u>
01	General	117,015.33	253,921.56	370,936.89
21	Motor Fuel Tax			0.00
22	Foreign Fire Insurance Tax	10,656.43		10,656.43
23	TIF	10,506.82		10,506.82
24	ETSB	558.85		558.85
40	Capital Projects	76,604.12		76,604.12
50	Water	98,367.94	31,110.76	129,478.70
51	Parking	10,088.48	19,820.49	29,908.97
60	Equipment Replacement			0.00
70	Police Pension			0.00
75	Firefighters' Pension			0.00
80	Sewer	3,354.17	8,161.01	11,515.18
90	Debt Service			0.00
91	SSA 4A Debt Service			0.00
93	SAA 269			0.00
94	SAA 270			0.00
		<u>327,152.14</u>	<u>313,013.82</u>	<u>640,165.96</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

Village Manager

Village Clerk

President

Trustee

Trustee

Trustee

Trustee

Trustee

Trustee

4-B

VILLAGE OF LA GRANGE

Disbursement Approval by Fund

January 14, 2008

Consolidated Voucher 080114

<u>Fund No.</u>	<u>Fund Name</u>	<u>01/14/08 Voucher</u>	<u>12/28/07 Payroll</u>	<u>01/11/08 Payroll</u>	<u>Total</u>
01	General	191,452.97	234,098.91	260,188.59	685,740.47
21	Motor Fuel Tax				0.00
22	Foreign Fire Insurance Tax				0.00
23	TIF	5,167.47			5,167.47
24	ETSB	2,288.40			2,288.40
40	Capital Projects	43,764.17			43,764.17
50	Water	129,810.86	33,459.99	36,334.37	199,605.22
51	Parking	6,145.75	20,401.99	23,070.53	49,618.27
60	Equipment Replacement	12,650.00			12,650.00
70	Police Pension	187.50			187.50
75	Firefighters' Pension				0.00
80	Sewer	2,774.72	9,383.76	9,985.46	22,143.94
90	Debt Service	425.00			425.00
91	SSA 4A Debt Service				0.00
93	SAA 269				0.00
94	SAA 270				0.00
		<u>394,666.84</u>	<u>297,344.65</u>	<u>329,578.95</u>	<u>1,021,590.44</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

Village Manager

Village Clerk

President

Trustee

Trustee

Trustee

Trustee

Trustee

Trustee

4-C

VILLAGE OF LA GRANGE

Disbursement Approval by Fund

January 28, 2008

Consolidated Voucher 080128

<u>Fund No.</u>	<u>Fund Name</u>	<u>01/28/08 Voucher</u>	<u>01/25/08 Payroll</u>	<u>Total</u>
01	General	82,628.72	234,310.86	316,939.58
21	Motor Fuel Tax			0.00
22	Foreign Fire Insurance Tax	66.93		66.93
23	TIF	936.02		936.02
24	ETSB	580.94		580.94
40	Capital Projects			0.00
50	Water	3,962.31	34,554.02	38,516.33
51	Parking	1,324.50	18,172.50	19,497.00
60	Equipment Replacement			0.00
70	Police Pension	1,700.00		1,700.00
75	Firefighters' Pension	1,700.00		1,700.00
80	Sewer	1,074.06	8,586.68	9,660.74
90	Debt Service			0.00
91	SSA 4A Debt Service			0.00
93	SAA 269			0.00
94	SAA 270			0.00
		<u>93,973.48</u>	<u>295,624.06</u>	<u>389,597.54</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

Village Manager

Village Clerk

President

Trustee

Trustee

Trustee

Trustee

Trustee

Trustee

4-D

MINUTES

VILLAGE OF LA GRANGE
BOARD OF TRUSTEES REGULAR MEETING
Village Hall Auditorium
53 South La Grange Road
La Grange, IL 60525

Monday, December 10, 2007 - 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL

The Board of Trustees of the Village of La Grange regular meeting was called to order at 7:30 p.m. by President Asperger. On roll call, as read by Village Clerk Robert Milne, the following were present:

PRESENT: Trustees Langan, Horvath, Kuchler, Livingston, Palermo and Wolf

ABSENT: None

OTHERS: Village Manager Robert Pilipiszyn
Village Attorney Mark Burkland
Community Development Director Patrick Benjamin
Assistant Community Development Director / Planner Angela Mesaros
Finance Director Lou Cipparrone
Public Works Director Ken Watkins
Police Chief Mike Holub
Fire Chief David Fleege
Doings Reporter Ken Knutson

2. PRESIDENT'S REPORT

President Asperger announced that the La Grange Business Association's Annual Hometown Holiday was well attended despite the icy weather conditions. Thank you was extended to the Public Works staff for decorating the Central Business District while maintaining public walkways.

The Plan Commission will meet tomorrow evening at 7:30 p.m. to discuss a proposal for a planned unit development, special use permit and site plan approval for a townhome development at 47 South 6th Avenue (the former Peck Building) and the public is encouraged to attend. The YMCA redevelopment will not be discussed until January.

A Liquor Commission meeting was conducted earlier this evening and recommended an amendment to the current liquor code to include a new classification. President Asperger

explained that the new classification would allow Vineyard Dog Wines, Inc. to apply for such a liquor license for their new concept in wine tasting and selling.

President Asperger explained that the Omnibus Agenda lists a proposed amendment to the Village's ordinance which regulates smoking throughout the community. This amendment is in response to the statewide legislation which was passed in July, 2007 prohibiting smoking in public places and places of employment. President Asperger noted that the original ordinance was thoroughly discussed by the Village Board prior to its adoption. The three recommended amendments are merely adjustments to the original ordinance.

A. Oath of Office – Firefighter / Paramedic Brian Ratkovich

President Asperger stated that a vacancy occurred within the Fire Department and the La Grange Board of Fire and Police Commission appointed Brian Ratkovich to the position of Firefighter / Paramedic effective December 17, 2007. President Asperger welcomed Brian who is a licensed paramedic and certified firefighter. Village Clerk Milne administered the Oath of Office to Firefighter/Paramedic Brian Ratkovich.

B. Introduction – Canine Handler, Police Sergeant Erik Berg and K-9 Officer “Dak”

President Asperger introduced the newest member of the La Grange Police Department, a one-year-old Belgian Malinois Police K-9 named Dak. Police Sergeant Erik Berg has been chosen as the handler and has completed extensive training with Dak at the Cook County Sheriff's Canine Training Unit. President Asperger presented Dak with his badge.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Doug Brown, 4 Calle View Drive gave a thorough explanation of the circumstances in his request seeking a variation from the Zoning Code in order to allow more than one garage on his property. Mr. Brown indicated his willingness to adhere to any conditions associated with the variation.

4. OMNIBUS AGENDA AND VOTE

- A. Amendment to Village Code – Regulations Governing Smoking in Public Places (Ordinance #O-07-43)
- B. Ordinance (#O-07-44) – Establishing Regulations for Cable and Video Service Providers
- C. Amendment to Village Code – Standards for Constructing Utilities in Village Rights-of-Way (Ordinance #O-07-45)

4-E.1

- D. Consolidated Voucher 071210 (\$631,591.55)
- E. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, November 26, 2007

It was moved by Trustee Langan to approve items A, B, C, D and E of the Omnibus, seconded by Trustee Livingston. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo, Wolf and President Asperger
Nays: None
Absent: None

5. CURRENT BUSINESS

- A. Ordinance (#O-07-46) – Variation – Storage of Vehicles in Garages / Douglas and Jeanne Brown, 4 Calle View Drive: Referred to Trustee Horvath

Trustee Horvath explained that the petitioners purchased two buildable lots which contained a single family residence with an attached garage as well as a detached garage. The petitioner wished to demolish the existing house to construct a new single family residence with an attached garage and maintain the detached garage for storage. Only one garage is permitted per zoning lot. Although the Zoning Code states that the total gross floor area of an accessory storage structure other than garages shall not exceed 100 square feet, it does not allow variations for the size of storage structures.

Trustee Horvath added that the request to maintain the detached garage for storage was denied by the Zoning Board of Appeals with three ayes and three nays, at least four ayes are required to decide in favor of any application.

Reasons on the decision by the Zoning Board of Appeals were identified. Trustee Horvath noted that the petitioners have agreed that they would remove and not restore the driveway to the existing garage nor would they apply for another accessory structure.

Trustee Horvath stated that in accordance with State Statute, the approval of any proposed variation which fails to receive the approval of the Board of Appeals will not be passed except by the favorable vote of two-thirds majority vote by roll call of all Trustees (four out of six Trustees) currently holding office.

It was moved by Trustee Horvath to approve the ordinance authorizing a variation for storage of vehicles in garages in order to allow more than one garage on the property located at 4 Calle View Drive, seconded by Trustee Wolf.

4-E.2

After much discussion by the Village Board, President Asperger summarized the conditions for approval as follows: no additional structure, removal of the driveway and no additional living quarters. The petitioner agreed to these conditions. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo, and Wolf
Nays: None
Absent: None

B. Ordinance (#O-07-47) – Abatement of 2007 Tax Levy / 2005 Street Light Refunding Bonds: Referred to Trustee Kuchler

Trustee Kuchler explained the beginning history of the Residential Streetlight Program noting the Village Board’s approval to issue alternate revenue bonds in 1998 to complete the program. Due to more favorable interest rates in 2005, the Village adopted an ordinance authorizing the refunding of the remaining outstanding bonds, thereby saving the Village approximately \$100,000 in interest over the remaining life of the issue which matures on December 1, 2017. Trustee Kuchler added that the Series 2005 bond issue is a general obligation, alternate revenue source issue, backed by the full faith and credit of the Village. Revenues derived from the collection of utility taxes are pledged to pay the principal and interest expenditures related to this issue. Because sufficient revenues from the utility tax are available within the General Fund, it is appropriate to abate this portion of the tax levy.

It was moved by Trustee Kuchler to approve the Ordinance abating taxes levied for 2007 with respect to the \$2,785,000 General Obligation Refunding Bonds, Alternate Revenue Source, Series 2005, in the amount of \$295,853, seconded by Trustee Horvath. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo, and Wolf
Nays: None
Absent: None

C. Resolution - (Library Resolution No. R-11-A-2007) – Levying a Tax for Library Operating Purposes: Referred to Trustee Kuchler

Trustee Kuchler explained the La Grange Library Board of Trustee’s 2007 tax levy request for operating purposes is \$1,697,566 which is a 3.88% increase over last year’s tax levy. This is the allowable increase under the Property Tax Limitation Act and is equal to the increase of the Village tax levy request. Because the La Grange Library is a “municipal library” rather than a separate “public library district” it must levy property taxes as part of the Village of La Grange tax levy.

4-E.3

Trustee Kuchler noted that Library Director Steve Moskal is in attendance to answer any questions.

It was moved by Trustee Kuchler to accept La Grange Public Library Resolution approved by the Library Board, seconded by Trustee Langan. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo and Wolf
Nays: None
Absent: None

D. Ordinance (#O-07-48) – 2007 Property Tax Levy for Village Operations:
Referred to Trustee Kuchler

Trustee Kuchler explained that the preliminary 2007 property tax levy was reviewed and discussed in detail at the October 22, 2007 Village Board meeting and since the tax levy did not exceed Truth in Taxation requirements it was not necessary to hold a public hearing to adopt the final levy. The final tax levy includes an increase of 3.88%, exclusive of debt service, over the prior year's tax extension. The increase reflects the allowable increase under the Property Tax Limitation Act of 2.5% (Consumer Price Index) as of December 2006.

Trustee Kuchler noted that on average, a home with an assessed property value of \$250,000 would only incur an annual increase of \$17.36 from the Village levy and \$4.75 from the Library levy.

Although a Special Service Area levy is filed with Cook County to fund on-going maintenance of the Central Business District, it is not subject to Truth in Taxation requirements. By ordinance the Special Service Area levy is to be adjusted annually by the Consumer Price Index utilized as part of the Property Tax Limitation Act. Trustee Kuchler noted the 2007 Special Service Area levy of \$54,741 reflects an increase of 2.5% over last year's levy of \$53,406.

It was moved by Trustee Kuchler to adopt the ordinance requesting a 2007 property tax levy of \$6,792,632, exclusive of debt service, which is a 3.88% increase from the 2006 levy, seconded by Trustee Langan. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo and Wolf
Nays: None
Absent: None

4-E-4

6. MANAGER'S REPORT

Village Manager Robert Pilipiszyn summarized the solid waste survey which was distributed to residents last summer relative to refuse collection and disposal. Of the 1,200 surveys returned or 28% response rate, approximately 76% wished to retain the current volume-based system; 13% preferred a mandatory toter program; and 11% were willing to try a modified volume base option. Mr. Pilipiszyn identified general comments and opinions provided by residents and indicated that negotiations have been initiated for a new multi-year contract with Allied Waste to include the retention of the current volume-based system.

Mr. Pilipiszyn responded to a previous inquiry made regarding truck enforcement of tandem trucks on non-designated truck routes in La Grange. A clarification was given on the meaning of a non-designated truck route as it relates to trucks size, weight and height.

Mr. Pilipiszyn indicated that the Department of Public Works will continue to pick up leaves as weather allows.

Lastly, Mr. Pilipiszyn announced that the Village Hall will be closed on Monday, December 24 and Tuesday, December 25 for the holiday. The Village Hall will also be closed on Monday, December 31 and Tuesday, January 1, 2008 for the holiday. The regularly scheduled Village Board meeting on Monday, December 24 is cancelled and the next regularly scheduled meeting will be on January 14, 2008

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

None

8. EXECUTIVE SESSION

A. Closed Session – Personnel Matters and Purchase, Sale, or Lease of Real Property

President Asperger noted that the Village Board would adjourn to closed session and not reconvene.

It was moved by Trustee Langan and seconded by Trustee Horvath to convene in the lower level conference room for Executive Session to discuss personnel matters and the purchase, sale or lease of real property. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo and Wolf
Nays: None
Absent: None

4-E.5

9. TRUSTEE COMMENTS

Trustee Livingston in anticipation of the inclement weather forecast noted his appreciation of the Public Works staff who work around the clock to plow and salt public right-of-ways.

Trustee Kuchler expressed his thanks to Village Manager Pilipiszyn and staff for their research on truck traffic and proposed enforcement.

10. ADJOURNMENT

At 8:35 p.m. the meeting was adjourned to the lower level conference room for closed session.

Elizabeth M. Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

Approved Date

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4-E-6

CURRENT BUSINESS

VILLAGE OF LA GRANGE
Administrative Offices

BOARD REPORT

TO: Village President, Village Clerk, and Board of Trustees

FROM: Robert J. Pilipiszyn, Village Manager
Andrianna Peterson, Assistant Village Manager
Mark Burkland, Village Attorney

DATE: January 28, 2008

RE: **ORDINANCE - AMENDING VARIOUS SECTIONS OF THE LA GRANGE CODE OF ORDINANCES RELATED TO THE SALES AND SERVICE OF ALCOHOLIC LIQUOR**

Over the past year, Village staff has been working with the Village Attorney to develop a comprehensive set of amendments to our liquor code. A need to review our existing liquor code provisions and develop a set of proposed amendments was identified in order to better reflect the changing needs of our businesses, the growing popularity of our downtown, and marketplace changes related to the sale and service of alcoholic liquor.

The proposed ordinance attempts to satisfy three primary objectives. First, to provide new license classes for businesses that sell or serve alcoholic beverages in new ways. Second, to provide updated and clarified standards for issuing new and existing licenses. Lastly, to update and modernize certain other regulations so that they reflect the best practices for regulating liquor in the Village. Each of these objectives will be described in detail below.

PROPOSED NEW CLASSIFICATIONS AND CRITERIA

Several businesses (some already with existing liquor licenses) have requested new license classes that would allow the service of wine as a sample, wine tasting events, wine for sale by the glass, and bring-your-own liquor. In addition, new license classes for unique businesses have been developed that provide specific allowances and requirements that are germane to that particular business.

The existing license classes that apply to packaged liquor sales, restaurants, and caterers either have not changed or have changed only slightly with new, clearer language. The proposed changes and new license classes are outlined below.

Ordinance – Amending Various Sections of the La Grange Code of Ordinances
Related to the Sales and Service of Alcoholic Liquor
Board Report – January 28, 2008 – Page 2

Class A: Retail Dealer (retail sale of beer and wine not for consumption on premises)

No changes proposed.

Class B: Retail Dealer (retail sale of beer and wine for consumption on premises)

No changes proposed.

Class C-1: Restaurant (sale of liquor for consumption by drink - lounge)

No changes proposed.

Class C-2: Restaurant (sale of liquor for consumption by the drink - service bar)

No changes proposed.

Class D: General Retail Store (retail sale of package liquor not for consumption)

No changes proposed.

Class E: Club

The definition of "Club" has been updated and the license includes provisions specific to activities common to existing clubs in the Village.

Class F: Movie Theatre

The current movie theatre license provides for the sale of liquor by the drink at retail for consumption on the premises where food is also sold for consumption. The current provisions are proposed to be removed and replaced with regulations that permit the service of alcohol at non-movie special events both open to the public (such as comedy shows) and private (such as a private fundraising or employee appreciation event).

Bring-your-own-liquor would be allowed for a private event, but we recommend that bring-your-own-liquor not be allowed for any public event. The theatre would be required to apply for the license and maintain adequate insurance on behalf of any such event.

Class G-1: Catering

The Class G-1 Caterer's (annual) license has been updated from, but basically is the same as, the existing caterers license. The Class G-1 License authorizes the service of alcohol as a part of a catering business that operates a business within the Village.

5-A.1

Class G-2: Temporary Catering

A G-2 Caterer's (temporary) License would authorize a licensee to cater alcohol at one function (for instance if an existing business was catering one special event off-premise in the Village). This temporary license can be issued by the La Grange Liquor Control Commissioner (Village President), assuming all criteria are met, without action of the Board of Trustees. This is in recognition of the fact that this is a single event license and that quick action is sometimes required in response to a request for it. The G-2 License would be limited to one per business in any 12-month period.

Class H: Food Boutique

A new Class H Food Boutique License would allow a gourmet food store (defined as a store selling food products that appeal primarily to connoisseurs of the delicacies of the table) to sell packaged wine for consumption off-premises and also wine by the glass on-premises. Restrictions placed on the license (such as service hours, seating, and number of chairs) help ensure that only smaller retail specialty food stores would be eligible for the license. This license class also ties the liquor license to the sale of food, requiring that 50 percent of gross annual revenue originates from the sale of goods other than wine by the glass.

Class I-1: Wine Boutique

A new Class I-1 Wine Boutique License would allow a wine boutique (defined as a small retail shop specializing in wine) to sell wine and beer for consumption off premises and wine by the glass for consumption on-premises.

Class I-2: Wine Boutique Retail and Tasting

A new Class I-2 Wine Boutique and Tasting License is similar to the Class I-1 License, but limits liquor sales just to wine (not beer too). The I-2 License allows for (a) sale of bottled wine for off-premise consumption, (b) sale of wine by the glass by dispenser for consumption on-premises, and (c) service of wine during a class or event (for no direct charge).

The proposed Class I-2 license was developed for Vineyard Dog Wines after specifics of its business plan were discussed with the Liquor Control Commission. The "taste before you buy" wine retail and tasting shop (proposed for 18 W. Burlington Avenue) will allow patrons the opportunity to taste almost 50 different wines through a self-serve dispenser before making a decision to buy a bottle of wine. To control the quantity of wine served, the servings are precisely measured and the dispenser can be programmed to limit the number of servings and ounces poured in a 24-hour period. Customers purchase a renewable "smart card" in any amount of their choosing which is debited each time it is used. The price of each taste will vary from \$0.50 to \$5.00 making it possible for

5-A.2

customers to sample everyday wines or very expensive wines.

In addition to the sale of wine, Vineyard Dog Wines plans to offer cheeses, meats, nuts, breads, olives, and chocolate from around the world to compliment the wine. The owners also plan to offer various wine education classes, a library with related reading material, and merchandise to enhance the wine drinking experience.

To prevent a retail wine boutique from becoming a wine bar, the license holder must prove that at least 50 percent of its gross annual revenue is derived from the sale of goods other than wine by a dispenser. Along those same lines, the proposed classification has been drafted with additional provisions meant to restrict the quantity of wine allowable by dispenser, times that wine by dispenser is available, and restrictions on the pouring of wine by hand. The proposed license also would allow for invitation-only wine tasting special events and classes.

Class J: Grocery Store Tasting

A new Class J Grocery Store Tasting License has been created in recognition of the growing practice of grocery stores holding wine and beer tasting events. The definition was narrowly crafted so as to exempt convenience stores from this classification.

Class K: Retail Store Cabaret / Event

A new Class K Retail Store Cabaret / Event License has been created that would allow retail stores that have live music events the ability to serve wine by the glass during both public events and private parties. The number of events is proposed to be limited to four each month.

Class L: Food Preparation Services Store Corkage

A new Class L Food Preparation Services Store Corkage License has been created to allow a Food Preparation Services Store (defined as a “make your own meals” store) to allow beer and wine to be brought to the premises by customers. The business would be required to apply for the license and maintain adequate insurance.

Class M-1: Not-For-Profit Organization Single Event

A new Class M-1 NFP Organization Single Event License authorizes a business supporting a not-for-profit organization or a not-for-profit organization to sell and serve liquor at one event. An organization may receive two of these licenses in any calendar year. These licenses are tightly regulated. As with the G-2 Temporary Caterer’s License, this license also can be issued by the La Grange Liquor Control Commissioner (Village President), assuming all criteria are met, without action of the Board of Trustees. This is in recognition of the fact that these types of events are of very limited scope and duration

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and that quick action is sometimes required in response to a request for a single-event license.

We have become aware of several businesses over the past year that have served alcohol on their premises without a liquor license. In some cases, the liquor was served in conjunction with a fundraising or similar event related to an area church or school (for example, a raffle prize could include a shopping event at a store where wine also is served).

Existing temporary licenses or special event licenses had few protective regulations attached to them. The Class M-1 License is meant to: 1) recognize that these events are occurring in the Village, 2) provide a mechanism for businesses to receive permission to conduct the event within specific controls, and 3) balance the needs of businesses with the Village's responsibility to properly regulate liquor sales, service and consumption.

Class M-2: Not-For-Profit Organization Annual Events

A new Class M-2 NFP Organization Annual Events License authorizes a not-for-profit organization to sell and serve liquor for up to four events in a calendar year. This license is the same as the Class M-1 single event license except for the number of events it authorizes. This license class would allow a not-for-profit organization to apply for permission to sell and / or serve liquor for all of its planned events during an upcoming 12-month period at the beginning of the year if it so chooses.

This license too can be issued by the La Grange Liquor Control Commissioner (Village President) without action of the Board of Trustees.

Class N: Business Single Event

A new Class N Business Single Event License authorizes a business to serve liquor at a store event that is either charitable or civic in nature, or that is related to a business purpose of the store such as a grand opening or special promotion. A business may receive only two of these licenses in any 12-month period.

As with the limited-scope licenses for not-for-profit events, these single-event business licenses also can be issued by the La Grange Liquor Control Commissioner (Village President) without action of the Board of Trustees. A business that issued a Class N license would not be able to charge for the liquor.

Because the businesses being targeted by this proposed classification are retail in nature (clothing stores, beauty parlours, and the like) and in keeping with the criteria outlined under Class M, we think it best to acknowledge that these events are occurring and to regulate them. However, we do not recommend that non-food service businesses (such as art stores and beauty salons) be allowed to serve liquor (for sale or at no charge) or offer a

“bring-your-own” concept to their customers.

OTHER CODE REVISIONS

Additionally, over the past year, staff has identified three areas of the liquor code where amendatory clarifications might be beneficial. These regulations may be considered more “housekeeping” in nature.

- The Village’s existing ordinance does not allow the sale or service of alcohol within 100 feet of a church, school, and other similar uses. These regulations limit the location of a restaurant that serves alcohol in a manner that is not required by State law. A proposed amendment would mirror State law and would allow a restaurant serving liquor to be located closer than 100 feet to a church or school.
- Currently, the Code of Ordinances requires that the number of licenses in any classification may be increased or decreased by ordinance. While the Village Board has always passed an ordinance to increase the number of licenses in a classification, it has not always been efficient to reduce the number by ordinance under certain circumstances (a business leaving town or a requesting a different classification for instance). Therefore, to make this administrative burden easier, we propose language that would automatically reduce the amount of licenses in a classification when the license is terminated, a license expires without renewal, a business is sold or changes, or a business is discontinued for more than 30 days.
- The current ordinance provides that alcohol awareness training is required for liquor managers and some employees. More specific language has been proposed in a new Section 111.65 to make it clear which employees must be trained that are involved in the sale of liquor at a licensed establishment.
- The current liquor license fee schedule has been updated to include fees for the proposed new liquor license classifications. No increases to existing license classifications are proposed.

We recommend that the ordinance be approved.

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VILLAGE OF LA GRANGE

ORDINANCE NO. _____

AN ORDINANCE AMENDING VARIOUS SECTIONS
OF THE LA GRANGE CODE OF ORDINANCES
RELATED TO THE SALES AND SERVICE OF ALCOHOLIC LIQUOR

WHEREAS, the vibrant and growing business community in the Village of La Grange is offering a wider variety of opportunities than ever before for Village residents and guests to enjoy great shopping, fun activities, and wonderful dining experiences; and

WHEREAS, among the new opportunities are different opportunities for the sale and service of alcoholic liquor; and

WHEREAS, the President and Board of Trustees of the Village of La Grange have determined that it is appropriate and in the best interests of the Village to revise and update various provisions of the La Grange Code of Ordinances regulating the sale and service of alcoholic liquor, in the manner provided in this Ordinance, to reflect marketplace changes that have occurred in the past several years and so those regulations better serve and protect businesses, customers, and Village residents;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, Cook County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals are incorporated herein as findings of the President and Board of Trustees.

Section 2. Amendment of Section 111.01 of Code of Ordinances. Section 111.01, titled "Definitions," of the La Grange Code of Ordinances is hereby amended by revising the definitions of "caterer" and "club" as follows and by adding, in proper alphabetical order, new definitions as follows:

Revised definitions of "caterer" and "club":

CATERER: A person who performs, as a business, the service of providing food and beverages to any location within or outside of the Village, which food and beverages are consumed within 36 hours after delivery.

CLUB: A not-for-profit corporation organized under the laws of the State of Illinois that has been in operation as a club for at least three years immediately prior to its application for a liquor license and that has been (1) organized solely for the promotion of some object common to its members of a national or statewide social, patriotic, recreational, benevolent or similar purpose not for pecuniary gain and other than the sale or consumption of alcoholic liquors, (2) kept, used, and

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maintained by its members through the payment of annual dues, and (3) owning, hiring, or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests.

New definitions:

BOUTIQUE: A small retail shop that specializes in a particular product such as women's clothes, food, or wine for example.

EVENT: A fundraiser, grand opening, concert, festival, special meeting, party, or similar non-recurring function.

FOOD PREPARATION SERVICES STORE: A "make-your-own" meals store, that is, a store that provides services to its customers who prepare meals for consumption off the store premises.

GROCERY STORE: A full-service retail sales establishment, with a gross floor area of not less than 5,500 square feet, engaged primarily in the sale of canned goods; dry goods; fresh fruits and vegetables; fresh and prepared meats, fish, and poultry; and typical household goods, but not including any establishment commonly understood to be a drugstore or a convenience food mart and not including any establishment also in the business of selling gasoline.

GOURMET FOOD: Food products that appeal primarily to connoisseurs of the delicacies of the table, that is, fancy and elegant party-type food and drink.

NOT-FOR-PROFIT (NFP) ORGANIZATION: An educational, political, governmental, civic, fraternal, religious, charitable, or other not for profit organization.

PRIVATE EVENT: An invitation-only event not open to the general public.

Section 3. Amendment of Section 111.15 of Code of Ordinances. Section 111.15, titled "Classification Of Licenses," of the La Grange Code of Ordinances is hereby amended in its entirety so that it will hereafter be as read as follows:

§ 111.15 CLASSIFICATION OF LICENSES

(A) Class A Retail Dealer. A Class A Retail Dealer's License authorizes the licensee to engage in business as a retail dealer in beer and wine not for consumption on the premises where sold, if that business is merely incidental to other businesses conducted by the licensee on the same premises.

(B) Class B Retail Dealer. A Class B Retail Dealer's License authorizes the licensee to sell beer and wine at retail for consumption on the premises where sold, subject to the condition that a Class B license may be issued only to a person engaged in conducting or operating an establishment in which the principal business is the service of food, ice cream, or non-alcoholic beverages or in which the sale of beer and wine otherwise is not the principal business.

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(C) Class C-1 Restaurant. A Class C-1 Restaurant License authorizes the licensee to sell alcoholic liquor at retail for consumption on the licensed premises where food also is sold for consumption, if all of the following conditions are met:

(1) A Class C-1 License may be issued and held only for a business that generates more than 60 percent of its gross annual revenue from the sale of food within the licensed premises. The licensee must provide, at the time of license application, license renewal, and when otherwise requested by the Village, proof of compliance with that 60 percent sales requirement, and the licensee must maintain with that sales requirement at all times.

(2) A Class C-1 License authorizes the licensee to have a bar or lounge area that is engaged primarily in the sale of alcoholic beverages to the public on any one floor. Alcoholic liquor may be served in the bar or lounge area and in the dining area.

(D) Class C-2 Restaurant. A Class C-2 Restaurant License authorizes the licensee to sell alcoholic liquor at retail for consumption on the licensed premises where food also is sold for consumption, if all of the following conditions are met:

(1) A Class C-2 License may be issued and held only for a business that generates more than 60 percent of its gross annual revenue from the sale of food within the licensed premises. The licensee must provide, at the time of license application, license renewal, and when otherwise requested by the Village, proof of compliance with that 60 percent sales requirement, and the licensee must maintain compliance with that sales requirement at all times.

(2) A Class C-2 License authorizes the service of alcoholic liquor in the establishment in the fashion commonly referred to as a "service bar," that is, as a complement to the service of food. A Class C-2 License does not authorize any bar or lounge area.

(E) Class D General Retail Store. A Class D General Retail Store License authorizes the licensee to sell alcoholic liquor at retail in packages or containers not for consumption on the licensed premises, if all of the following conditions are met:

(1) A Class D License may be issued and held only for a business that generates more than 50 percent of its gross annual revenue from the sale of goods other than alcoholic liquors. The licensee must provide, at the time of license application, license renewal, and when otherwise requested by the Village, proof of compliance with that 50 percent sales requirement, and the licensee must maintain compliance with that sales requirement at all times.

(2) A Class D License may be issued and held only for a licensed premises with not more than 40 percent of the total floor area being devoted to the display of alcoholic liquors. The licensee must provide, at the time of license application, license renewal, and when otherwise requested by the Village, proof of compliance with that 40 percent floor area requirement, and the licensee must maintain compliance with that requirement at all times.

(F) Class E Club. A Class E Club License authorizes the sale of alcoholic liquor at a Club for consumption on the premises where sold, if all of the following conditions are met:

(1) Alcoholic liquor may be sold only (a) to Club members and their guests and (b) to guests at a Private Event for which the licensed facility has been rented or otherwise reserved.

(2) The Club must maintain a written policy that membership in the Club must be for a minimum period of time not less than six months.

(G) Class F Movie Theater Events. A Class F Movie Theater Events License authorizes the service within the licensed premises of alcoholic liquor by the drink during an Event, if all of the following conditions are met:

(1) A Class F License may be issued to and held only for a movie theater with one or more movie screens that include a total of at least 300 seats.

(2) A Class F License does not authorize the sale of alcoholic liquor by the licensee. Alcoholic liquor may be provided only (a) at a Private Event by either a properly license caterer or the patrons of the Private Event on a bring-your-own basis or (b) at an Event other than a Private Event by a properly licensed caterer.

(3) Alcoholic liquor may be served only for an Event at which food is sold or served for immediate consumption within the licensed premises.

(4) For an Event, alcoholic liquor may be served and consumed only in areas of the licensed premises that are not at the same time accessible to persons who are not attending the event.

(5) Alcoholic liquor may be served, sold, and consumed only between the hours of 12:00 p.m. and 11:00 p.m.

(H) Class G-1 Caterer's. A Class G-1 Caterer's License authorizes the service of alcoholic liquor for catered functions conducted off the premises of the licensee, if all of the following conditions are met:

(1) A Class G-1 License may be issued only to a catering business that maintains a business facility within the Village for which a business license has been issued by the Village

(2) A Class G-1 License may be issued and held only for a business that generates more than 60 percent of its gross annual revenue from the sale of catered food. The licensee must provide, at the time of license application, license renewal, and when otherwise requested by the Village, proof of compliance with that 60 percent sales requirement, and the licensee must maintain with that sales requirement at all times.

(3) The licensee must operate its offices and distribution points in compliance with all Village zoning and health regulations.

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(4) No temporary license or special event license is required for a caterer that holds a Class G-1 License.

(5) The licensee must comply with all codes and ordinances of the State of Illinois and the Village applicable to the catering business.

(I) Class G-2 Temporary Caterer's. A Class G-2 Temporary Caterer's License authorizes the licensee to sell alcoholic liquor by the drink at one function conducted off the premises of the licensee, if all of the following conditions are met:

(1) A Class G-2 License may be issued only to a food caterer, grocery store, food boutique, wine boutique, or similar business that maintains its principal business facility within the Village for which a business license has been issued by the Village.

(2) No more than one Class G-2 License may be issued to a business in any 12-month period.

(J) Class H Food Boutique. A Class H Food Boutique License authorizes a gourmet food store to sell (a) wine in its original packaging for consumption off the licensed premises and (b) wine by the glass for consumption within the licensed premises, if all of the following conditions are met:

(1) The licensed premises may be not more than 2,000 square feet in total area.

(2) Wine by the glass may be sold within the licensed premises only during the hours specified in the particular license, which hours may not start before 12:00 p.m. and must end by 10:00 p.m.

(3) Not more than two glasses of wine may be served to any customer within the licensed premises in any 16-hour period.

(4) The number of customers currently drinking wine within the licensed premises may not exceed, at any time, the number of then-available chairs within the licensed premises on which the customers may be immediately seated. Seating within the licensed premises is limited to the number of chairs specified in the particular license, which number may not exceed 16 chairs.

(5) A Class H License may be issued and held only for a business that generates more than 50 percent of its gross annual revenue from the sale of goods other than wine by the glass. The licensee must provide, at the time of license application, license renewal, and when otherwise requested by the Village, proof of compliance with that 50 percent sales requirement, and the licensee must maintain compliance with that sales requirement at all times.

(6) A Class H License is not available to a grocery store.

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(K) Class I-1 Wine Boutique. A Class I-1 Wine Boutique License authorizes a wine boutique to sell (a) wine and beer in their original packaging for consumption off the licensed premises and (b) wine by the glass for consumption within the licensed premises, if all of the following conditions are met:

(1) The licensed premises may not exceed a total area of 3,200 square feet.

(2) Wine by the glass may be sold within the licensed premises only during the hours specified in the particular license, which hours may not start before 12:00 p.m. and must end by 10:00 p.m.

(3) The number of customers currently drinking wine within the licensed premises may not exceed, at any time, the number of then-available chairs within the licensed premises on which the customers may be immediately seated. Seating within the licensed premises is limited to the number of chairs specified in the particular license, which number may not exceed 16 chairs.

(4) A Class I-1 License may be issued and held only for a business that generates at least 50 percent of its gross annual revenue from the sale of goods other than wine by the glass. The licensee must provide, at the time of license application, license renewal, and when otherwise requested by the Village, proof of compliance with that 50 percent sales requirement, and the licensee must maintain compliance with that sales requirement at all times.

(L) Class I-2 Wine Boutique Retail and Tasting. A Class I-2 Wine Retail and Tasting Boutique License authorizes a wine boutique to (i) sell wine in its original packaging for consumption off the licensed premises, (ii) sell wine by the glass from a dispenser for consumption within the licensed premises, and (iii) serve wine during at a class or Event for no direct charge, if all of the following conditions are met:

General conditions:

(1) The licensed premises may not exceed 3,800 square feet in total area.

(2) A Class I-2 License may be issued and held only for a business that generates at least 50 percent of its gross annual revenue from the sale of goods other than wine by a dispenser for consumption within the licensed premises. The licensee must provide, at the time of license application, license renewal, and when otherwise requested by the Village, proof of compliance with that 50 percent sales requirement, and the licensee must maintain compliance with that sales requirement at all times.

(3) An I-2 License is not available to a grocery store.

(4) The licensee may not permit any customer to leave the licensed premises with any open wine container.

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(5) An I-2 License does not authorize sale of wine by the glass by a hand pour in any quantity greater than a one-ounce serving.

Conditions on wine service by dispenser:

(6) Wine by the glass may be sold from a dispenser within the licensed premises only at the following times:

(a) Monday through Thursday between the hours of 12:00 p.m. and 8:00 p.m.

(b) Saturday between the hours of 12:00 p.m. and 10:00 p.m.

(7) Not more than a total of 12 ounces of wine for consumption within the licensed premises may be sold to any customer in any 16-hour period.

(8) Each wine dispenser must be set to dispense not more than 1 ounce (a "taste"), 2.5 ounces (a "half-pour"), or 5 ounces (a "full pour") of wine per serving.

(9) All wine dispensers must be located in a single room, in which room bottled wine must be displayed for retail sale.

(10) No person younger than 21 years of age may operate a wine dispenser.

(11) The licensed premises must be staffed at all times by an full-time employee 21 years old or older, who must monitor the age of all customers within the licensed premises and the customers who use a wine dispenser.

Conditions on Events and classes:

(12) An Event or class at which wine is served for consumption within the licensed premises may be conducted only during the hours set forth in Paragraph (6) of this Subsection L.

(13) The amount of wine served for a taste at a wine tasting may not exceed one ounce per serving.

(14) At an Event or class, no separate charge, cost, fee, or other consideration may be levied for the wine that is served.

(15) Each Event or class at which wine is served for consumption within the licensed premises must be attended and supervised by a full-time employee 21 years old or older.

(16) An Event or class at which wine will be served for consumption within the licensed premises must be by-invitation only, with limited attendance, and no such Event or class may be open to the public generally on a "walk-in" basis.

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(M) Class J Grocery Store Tasting. A Class J Grocery Store Tasting License authorizes the limited tasting of bottled wines and beers at a grocery store, if all of the following conditions are met:

(1) A Class J License may be issued only to a grocery store located within the Village for which a business license has been issued by the Village.

(2) Each tasting must be attended by and supervised by a person 21 years old or older, who must be a full time or part time employee of the grocery store or a wine or beer distributor representative.

(3) A tasting may occur only in the same area of the licensed premises as the display of the wines or beers being tasted.

(4) The actual amount being tasted may not exceed one ounce per serving of wine or three ounces per serving of beer.

(5) No charge, cost, fee, or other consideration of any kind may be levied for any tasting.

(6) A tasting may be advertised only within the licensed premises itself, which inside advertisement may not be visible from outside the licensed premises. No tasting held pursuant to a Class J License may be advertised through any general public media, including without limitation newspapers, radio, television, posters, and similar means of communication.

(7) A tasting may be conducted only between the hours of 12:00 p.m. and 8:00 p.m.

(N) Class K Retail Store Cabaret / Event. A Class K Retail Store Cabaret / Event License authorizes the service of wine by the glass at a retail store during an Event, if all of the following conditions are met:

(1) Not more than four Events at which wine is served may be conducted within any 30-day period.

(2) Each Event at which wine is served must be attended by and supervised by a person 21 years old or older, who must be a full time or part time employee of the retail store or a wine distributor representative.

(3) Service of wine may be conducted only between the hours of 12:00 p.m. and 11:00 p.m.

(O) Class L Food Preparation Services Store Corkage. A Class L Food Preparation Services Store Corkage License authorizes consumption on the licensed premises of beer and wine brought to the premises by the customers, if all of the following conditions are met:

(1) A Class L License is exclusively for a retail store with the principal use of providing services to customers for "make-your-own" meals for consumption not on the licensed premises.

(2) In addition to the make-your-own meals services, the licensee may sell goods and other services within the licensed premises, but only such goods or other services that are ancillary to the principal use.

(3) The licensee may not sell, serve, or otherwise provide any alcoholic liquor to any customer. Consumption of beer and wine on the licensed premises is limited to product brought into the licensed premises by customers.

(4) Beer and wine may be consumed within the licensed premises only (a) during the time customers (whether individuals or a group) actually are engaged in make-your-own meal preparation activities or (b) during a private group session or other function (not open to individual customers or to the public) that may include pre- or post-meal preparation activity within the licensed premises.

(5) No persons younger than 21 years of age may be present at any function at which beer or wine is present.

(6) Beer and wine may be consumed only between the hours of 12:00 p.m. and 11:00 p.m.

(7) The licensee may not impose any fee or charge on its customers related to the consumption of beer or wine within the licensed premises, including without limitation any corkage fee or fee for supplies, disposal, or other services.

(8) The licensee may provide corkscrews, bottle openers, glassware, ice, disposal services, and similar items to customers, but without fee as provided in Paragraph (7) of this subsection.

(9) The licensee may not permit any customer to leave the licensed premises with any open liquor except only a single wine bottle that has been sealed in compliance with the requirements of Section 6-33 of the Illinois Liquor Code.

(10) The licensed premises must have dram shop liability coverage at least to the maximum amount required by law.

(P) Class M-1 NFP Organization Single Event. A Class M-1 NFP Organization Single Event License authorizes the sale and service of alcoholic liquor by a Not-For-Profit Organization at one Event, if all of the following conditions are met:

(1) Sales or service of alcoholic liquor must be for consumption at the licensed Event only.

(2) Alcoholic liquor may be sold or served only in containers not intended or allowed to be removed from the licensed Event.

(3) Alcoholic liquor may be sold or served only in conjunction with the service of food.

(4) The license is valid only for the particular Event stated in the license.

(5) The license is valid only for the period of time stated in the license, which may not exceed 96 hours.

(6) No more than one Class M-1 License may be issued to a Not-For-Profit Organization in any 30-day period.

(7) No more than two Class M-1 Licenses may be issued to a Not-For-Profit Organization in any calendar year.

(8) The license authorizes sales and service of alcoholic liquor only within the area specifically designated in the license, which area may include publicly owned property.

(9) Alcoholic liquor may be sold or served only to patrons while they are within the licensed premises.

(10) The applicant for the license must file with the Village satisfactory evidence from the owner of the premises for which the license is sought indicating authorization of the applicant to use the premises for the Event.

(11) At least one officer of the organization to which the license is issued must be a resident of the Village and must sign the application for the license.

(12) The sale or service of alcoholic liquor is permitted only during the hours stated in the license, which hours may not start before 11:00 a.m. and must end by 11:00 p.m.

(13) A caterer that sells or serves alcoholic liquor at the Event must have a caterer's license issued by the Village pursuant to this Chapter.

(14) The holder of a Class M-1 License must provide to the Village evidence of all required State licenses.

(Q) Class M-2 NFP Organization Annual Events. A Class M-2 NFP Organization Annual Events License authorizes the sale and service of alcoholic liquor by an NFP Organization at multiple Events, if all of the following conditions are met:

(1) Alcoholic liquor may be sold or served at not more than four Events within any calendar year.

(2) A Class M-2 License is subject to all of the conditions applicable to a Class M-1 License except for the limitations on number of Events.

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(R) Class N Business Single Event. A Class N Business Single Event License authorizes the service of alcoholic liquor at a single Event by a retail, service, or other business establishment, if all of the following conditions are met:

(1) The service of alcoholic liquor is permitted only incidental to, and complementary to, an Event related to (a) a charitable or civic purpose or (b) the business purpose of the retail, service, or other business establishment, such as a grand opening, a special promotion of a particular goods or service, or the like.

(2) No more than two Class N Licenses may be issued to a business in any 12-month period.

(3) Service of alcoholic liquor is for consumption at the licensed Event only.

(4) Alcoholic liquor may be served only in containers not intended or allowed to be removed from the licensed premises.

(5) The license is valid only for the particular Event stated in the license.

(6) The license authorizes service of alcoholic liquor only within the area of the establishment specifically designated in the license.

(7) Alcoholic liquor may be served only to patrons while they are within the area of the establishment designated in the license.

(8) No separate charge, cost, fee, or other consideration may be imposed for the alcoholic liquor.

(9) The license is valid only for the period of time stated in the license, which may not exceed 96 hours.

(10) The service of alcoholic liquor is permitted only during the hours stated in the license, which hours may not start before 11:00 a.m. and must end by 11:00 p.m.

(11) The consumption of alcoholic liquor must be discontinued within 30 minutes after the service of alcoholic beverages has concluded.

(12) A caterer that serves alcoholic liquor at the Event must have a caterer's license issued by the Village pursuant to this Chapter.

(13) The availability of alcoholic liquor at the Event held pursuant to a Class N License may not be advertised through any public medium, including without limitation newspapers, radio, television, posters, and similar means of communication.

(14) The holder of a Class N License must provide to the Village evidence of all required State licenses.

Section 4. Amendment of Section 111.16 of Code of Ordinances. Section 111.16, titled "Limitation On Number Of Licenses; Nontransference; Reduction Of Number," of the La Grange Code of Ordinances is hereby amended in its entirety so that said Section 111.16 will hereafter be and read as follows:

§ 111.16 NUMBER OF LICENSES, OTHER RESTRICTIONS

(A) Number Of Licenses Generally: The number of licenses for each license class is established by the Board of Trustees, except as provided in Subsection (B) of this Section. A current record of the number of licenses for each license class will be kept in the office of the Village Clerk. The Board of Trustees may increase or decrease the number of licenses in a class by ordinance.

(B) Number Of Class G-2, M-1, M-2, and N Licenses: The numbers of Class G-2, M-1, M-2, and N Licenses are established by the La Grange Liquor Control Commissioner from time to time.

(C) Automatic Reductions. The number of licenses in a license class will be reduced automatically if:

- (1) a license within that class is terminated; or
- (2) a license within that class expires without renewal; or
- (3) a licensed business within that class is sold or the ownership of that licensed business otherwise changes without the prior written approval of the Village; or
- (4) a licensed business within that class changes location without the prior written approval of the Village; or
- (5) a licensed business within that class is discontinued for 30 consecutive days or longer without the prior written approval of the Village or otherwise ceases to operate.

(D) Each liquor license is purely a personal privilege and is not property of or in any form. No license is or may be subject to attachment, garnishment, or execution. No license is alienable or transferable, whether voluntarily or involuntarily, or is subject to being encumbered or hypothecated. No license may descend by the laws of testate or intestate succession. Every license ceases on the death, bankruptcy, or insolvency of the licensee; except only that executors or administrators of the estate of any deceased licensee and the trustee of the estate of any bankrupt or insolvent licensee, when such estate consists in part of alcoholic liquor, may continue the business of the sale of alcoholic liquor under order of the appropriate court and may exercise the privileges of the deceased, bankrupt, or insolvent licensee until the original expiration date of that licensee's license but no longer than six months after the death, bankruptcy, or insolvency of that licensee.

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Section 5. Amendment of Section 111.17 of Code of Ordinances. Section 111.17, titled "License Or Temporary Permit Required For Sale or Consumption; Exceptions," of the La Grange Code of Ordinances is hereby amended in its entirety so that said Section 111.17 will hereafter be and read as follows:

§ 111.17 LICENSE REQUIRED; EXCEPTIONS

(A) License Required: It is unlawful for any person, himself or through or as an agent, to sell or offer for sale at retail within the Village any alcoholic liquor with first having obtained a license to do so as provided in this Chapter. Also, it is unlawful for any person, himself or through or as an agent, to sell or offer any alcoholic liquor for sale at retail in the Village in violation of the terms and conditions of this Chapter.

(B) Drinking in Unlicensed Premises Prohibited: It is unlawful for any business not having a liquor license to permit or allow the drinking of alcoholic liquor within the premises of that business.

(C) Exceptions:

(1) Nothing in this Chapter (a) prevents the possession and transportation of alcoholic liquor for the personal use of the possessor or the possessor's family or guests or (b) prevents the making of wine, cider, or other alcoholic liquor by any person from fruits, vegetables, or grain or the products thereof, by simple fermentation and without distillation, if that alcoholic liquor is made solely for the use of the maker and the maker's family or guests.

(2) Nothing in this Chapter prevents (a) a duly licensed practicing physician or dentist from possessing or using alcoholic liquor in the practice of her or his profession or (b) any hospital or other institution caring for sick or diseased persons from possessing alcoholic liquor for the treatment of *bona fide* patients of that hospital or other institution.

(3) Any drugstore employing a licensed pharmacist may possess and use alcoholic liquor in the concoction of prescriptions of duly licensed physicians.

Section 6. Amendment of Section 111.19. Paragraphs (A)(6) and (A)(19) of Section 111.19, titled "Application For License; Filing; Contents," of the La Grange Code of Ordinances are hereby amended in their entirety so that said Paragraphs 111.19(A)(6) and 111.19(A)(19) will hereafter be and read as follows:

§ 111.19 APPLICATION FOR LICENSE; FILING; CONTENTS.

* * *

(A) Contents of Application:

* * *

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(6) That the proposed location of the licensed premises is in compliance with the location restrictions set forth in Section 111.61 of this Code of Ordinances.

* * *

(19) The initial application and all subsequent renewal applications for all classes of alcoholic liquor dealer licenses must be accompanied by proof of completion of sellers and servers training as set forth in Section 111.65 of this Code of Ordinances.

Section 7. Amendment of Section 111.24. Section 111.24, titled "Initial Application Fee," of the La Grange Code of Ordinances is hereby amended in its entirety so that said Section 111.24 will hereafter be and read as follows:

§ 111.24 INITIAL APPLICATION FEE.

The initial application fee for a liquor license is \$500, payable in advance; except that no initial application fee is required for any single event license, a catering license, or a grocery store tasting license being issued to a licensee that holds any other class of annual liquor license. The initial application fee is not refundable and is in addition to the annual liquor license fee.

Section 8. Amendment of Section 111.25. Section 111.25, titled "License And Permit Fees," of the La Grange Code of Ordinances is hereby amended in its entirety so that said Section 111.25 will hereafter be and read as follows:

§ 111.25 LICENSE FEES.

The fees for liquor licenses are as stated in this section. Every fee must be paid in advance of issuance of a license or of any renewal of a license. Every fee must be paid on or before May 1 of each year. No fee is required for a license not listed in this section.

- (1) The fee for a Class A License or a Class B License is \$500 per year.
- (2) The fee for a Class C-1 License is \$2,000 per year, and the fee for a Class C-2 License is \$1,250 per year.
- (3) The fee for a Class D License is \$1,500 per year.
- (4) The fee for a Class E License is \$500 per year.
- (5) The fee for a Class F License is \$1,250 per year.
- (6) The fee for a Class G-1 License is \$500 per year.
- (7) The fee for a Class H License is \$1,500 per year.

5 - A . 19

(8) The fee for a Class I-1 License is \$1,500 per year, and the fee for a Class I-2 License is \$2,500 per year.

(9) The fee for a Class J license is \$150 per year.

(10) The fee for a Class K license is \$500 per year.

(11) The fee for a Class L license is \$500 per year.

Section 9. Amendment of Section 111.61 of Code of Ordinances. Section 111.61, titled "Location Restrictions," of the La Grange Code of Ordinances is hereby amended in its entirety so that said Section 111.61 will hereafter be and read as follows:

§ 111.61 LOCATION RESTRICTIONS

(A) No license may be issued for the sale at retail of any alcoholic liquor within 100 feet of any church, school, hospital, home for aged or indigent persons or for veterans and their spouses and children, or any military or naval station except as provided in Section 6-11 of the Illinois Liquor Control Act. The 100-foot prohibition does not apply to a restaurant when the sale of alcoholic liquors is not the principal business of the restaurant. In the case of a church, the distance of 100 feet will be measured to the nearest part of any building used for worship services or educational programs and not to property boundaries. In the case of a school, hospital, home for aged or indigent persons or for veterans and their spouses and children, or any military or naval station, the distance of 100 feet will be measured from the center of the proposed licensed premises to the center of the institution.

(B) A liquor license may not be issued to a premises located within any residential district except a license for a caterer or for sale or service of alcoholic liquor at an Event as defined in the particular license class regulations.

Section 10. Addition of Section 111.65 to Code of Ordinances. Chapter 111 of the La Grange Code of Ordinances, titled "Alcoholic Liquor," is hereby amended by adding thereto a new Section 111.65 which will hereafter be and read as follows:

§ 111.65 SELLERS AND SERVERS TRAINING

Each person who (a) manages a licensed premises, or (b) is responsible for the sale of alcoholic liquor at a licensed premises, or (c) operates a cash register in the sale of alcoholic liquor, or (d) is responsible for determining the age of persons within the licensed premises, or (e) is responsible for determining whether a person has been over-served alcoholic liquor must complete a Beverage Alcohol Sellers and Servers Education and Training (BASSET) program or a Training for Intervention Procedures (TIPS) program or their equivalent. That training must take place before the person engages in the activity for which training is required.

In addition to every other penalty provided by this Code of Ordinances, any failure to comply with this Section 111.65 will be cause for the denial, suspension, or revocation of a liquor license.

Section 11. Addition of Section 111.66 to Code of Ordinances. Chapter 111 of the La Grange Code of Ordinances, titled "Alcoholic Liquor," is hereby amended by adding thereto a new Section 111.66 which will hereafter be and read as follows:

§ 111.66 AMENDMENTS; CONTINUITY

(A) Amendments. When the Board of Trustees amends a regulation affecting a license class, then each licensee holding a license of that class must comply with the amended regulation within 30 days after it becomes effective, except only if the Board of Trustees has established a different compliance date in the ordinance enacting the amendment.

(B) Continuity. When the Board of Trustees amends the name of a license class or the type of license applicable to a licensee, then the Village Clerk will cause a new license to be issued to each affected licensee. Each new license will be valid for the remainder of the term of the superseded license. No new license may be renewed or otherwise reissued except only if the licensee complies with all regulations applicable to that new license.

Section 12. Effective Date. This Ordinance will be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED this ____ day of _____ 2008.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____ 2008.

Elizabeth M. Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

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5-A.21

VILLAGE OF LA GRANGE
Administrative Offices

BOARD REPORT

TO: Village President, Village Clerk,
Village Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Andrianna Peterson, Assistant Village Manager

DATE: January 28, 2008

RE: **ORDINANCE - CREATING A NEW CLASS I-2 LIQUOR LICENSE,
VINEYARD DOG WINES, INC., 18 W. BURLINGTON AVENUE**

The Village recently received an application from Kathleen Erickson, President of Vineyard Dog Wines, Inc. for a "taste before you buy" wine retail and tasting store to be located at 18 W. Burlington Avenue. The concept allows patrons the opportunity to taste almost 50 different wines through self-serve dispenser before making a decision to buy a bottle of wine. To control the quantity of wine served, the servings are precisely measured and the dispenser can be programmed to limit the number of servings and ounces poured in a 24-hour period. Customers purchase a renewable "smart card" in any amount of their choosing which is debited each time it is used. The price of each taste will vary from \$0.50 to \$5.00 making it possible for customers to sample everyday wines or very expensive wines.

The Liquor Commission met twice to review and consider the proposal from Vineyard Dog Wines and, on December 10, 2007, agreed to have the Village Attorney draft an amendment to the liquor regulations creating an appropriate class of liquor license for the Village Board's consideration. The new Class I-2 license which is part of the broader amendments to the liquor regulations being considered by the Board, allows the sale of bottled wine in its original packaging for consumption off the licensed premises; the sale of wine by the glass from a dispenser for consumption within the licensed premises; and the ability to serve wine during a class or event for no direct charge. In controlling the dispensing of alcohol, the applicant and licensees of a Class I-2 license must prove to the satisfaction of the Village that at least 50% of the gross annual revenue has resulted from the sale of goods other than wine by a dispenser.

After, but only if, the Village Board approves the proposed comprehensive amendments to the liquor code this evening (including the new proposed I-2 license), it is the recommendation of the Liquor Commission that the Board create one Class I-2 license. The La Grange Liquor Control Commissioner (President Asperger) has stated that she would

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Ordinance – Creating a New Class I-2 Liquor License,
Vineyard Dog Wines, Inc., 18 W. Burlington Avenue
Board Report – January 28, 2008 – Page 2

issue that license to Vineyard Dog Wines, Inc. if it is created, upon evidence of insurability and the business meeting all Village code requirements. (A copy of the minutes from that meeting is attached for your reference). A recent background investigation was performed and did not produce any information which would preclude the issuance of a liquor license. Additionally appropriate personnel will be trained in alcohol management.

Village staff has prepared the necessary ordinance which would create one I-2 License. We recommend that the ordinance be approved.

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5-B.1

VILLAGE OF LA GRANGE

ORDINANCE NO. _____

AN ORDINANCE CREATING ONE CLASS I-2 LIQUOR LICENSE

WHEREAS, the President and Board of Trustees of the Village of La Grange have amended the Village's liquor regulations to create a new class of liquor license known as the Class I-2 Wine Boutique Retail and Tasting License; and

WHEREAS, the owner of a new wine store in La Grange (the "Applicant") has applied for a liquor license for that store (the "Application") for which the Class I-2 License is suitable; and

WHEREAS, the La Grange Liquor Control Commission conducted a hearing on the Application and has recommended the Board of Trustees create one Class I-2 License; and

WHEREAS, the La Grange Liquor Control Commissioner has stated that she intends to issue a Class I-2 License to the Applicant one is created by the Board of Trustees; and

WHEREAS, the President and Board of Trustees have determined that the Application and all related facts and circumstances are in order and that it is appropriate to create one Class I-2 License;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, Cook County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals are incorporated herein as findings of the President and Board of Trustees.

Section 2. Creation of One Class I-2 License. The President and Board of Trustees hereby create one Class I-2 Wine Boutique Retail and Tasting License.

Section 3. Effective Date. This Ordinance will be in full force and effect from and after its passage and approval.

PASSED this ____ day of _____ 2008.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____ 2008.

Elizabeth M. Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

5-13-2

MINUTES

LIQUOR COMMISSION
OF THE
VILLAGE OF LA GRANGE

53 South La Grange Road
First Floor Conference Room
La Grange, IL 60525

Monday, December 10, 2007 - 6:30 p.m.

1. Call to Order and Roll Call

A meeting of the Liquor Commission of the Village of La Grange was held on Monday, December 10, 2007 in the first floor conference room of the Village Hall, and was convened at 6:30 p.m. by Liquor Commissioner Elizabeth Asperger. Present and constituting a quorum were:

Present: Commissioners Mark Langan and Mark Kuchler and Liquor Commissioner Elizabeth Asperger

Absent: None

Also Present: Village Manager Robert Pilipiszyn, Village Attorney Mark Burkland, Kathleen P. Erickson, President of Vineyard Dog Wines, Inc., Joseph Kwiek, partner of Vineyard Dog Wines, Inc., and Village Administrative Secretary Ellie Elder. Realtor Mr. Joel Klecka arrived at 7:10 p.m.

2. Approval of the Minutes from the Liquor Commission Hearing on November 12, 2007

It was moved by Commissioner Langan and seconded by Commissioner Kuchler to approve the minutes of November 12, 2007. The motion carried unanimously.

3. Liquor License Request / Liquor License Applicant – Vineyard Dog Wines, Inc.

Commissioner Asperger explained the process by which the applicant's request for a new class of liquor license would be discussed. The request will require an amendment to the Village's current liquor regulations by the Village Board.

Vineyard Dog Wines, Inc. proposes to sell bottled wine at retail for consumption off premises and to sell wine by the glass in various amounts for consumption within the premises by self-service dispenser unit. Ms. Erickson noted that dispenser unit will be purchased if a liquor license is approved. Commissioner Langan inquired about the length of time involved in purchasing the unit, and Ms. Erickson noted that the

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costly unit is specially made and would take three to five months to obtain. Commissioner Kuchler inquired about Mr. Kwiek's role with the applicant. Ms. Erickson responded that he is a partner, but that he does not have an ownership interest in the business at this time.

Commissioner Asperger inquired what Ms. Erickson's estimated opening date is and her response was hopefully in March of 2008. Commissioner Asperger inquired if more employees would be hired and Ms. Erickson responded that her standard will be to have two employees in the store at all times.

Attorney Burkland inquired about the size of the store and was told it would be approximately 3,500 square feet. Attorney Burkland inquired what percentage of the store's annual gross sales receipts would result from the sale of bottled wine and was informed approximately 50%.

Hours of service were discussed. Also, it was asked if Ms. Erickson had contemplated setting a limit on how much wine would be dispensed in a glass to be served to a customer. Ms. Erickson responded that this is not a bar concept and the wine would be dispersed only by the dispenser unit except during certain special events.

Attorney Burkland inquired if there would be tables and Ms. Erickson indicated yes possibly five and a library setting area for customers to relax.

Attorney Burkland inquired if the wine dispenser could be set to different quantities and Ms. Erickson noted yes; 1 ounce would be considered a "pour" or tasting; 2.5 ounces would be considered a "half-pour"; and 5 ounces would be a "full pour" or a glass. The controlled limit would be 12 ounces in a 24-hour period and cards similar to credit cards would be utilized for tracking.

It was asked if Ms. Erickson would conduct free wine tasting and she indicated no. It was asked how Ms. Erickson would market her product and she indicated that special events would be by invitation only.

Commissioner Kuchler inquired if a new liquor license class would be created to accommodate this wine tasting concept. Attorney Burkland indicated yes and that the new license class could be a separate amendment to the existing liquor regulations and would be written to be consistent with future, more comprehensive revisions.

Attorney Burkland inquired if the wine dispensers will create a record of how much is dispensed and was informed yes. Trustee Kuchler inquired if retail sales tax would be included on the dispensing cards. Ms. Erickson was not clear on the matter and it was suggested that Finance Director Lou Cipparrone be consulted.

Commissioner Asperger noted that holding a Liquor License in the Village of La Grange is a privilege which the Village takes very seriously and regulatory compliance checks are conducted.

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Commissioner Kuchler inquired if seating would be located at the wine dispensing machine and was informed no. Ms. Erickson indicated that most of the time people are walking around and tasting, however tables and comfortable seating would be available in a library type setting.

Commissioner Langan hoped this new concept would complement other businesses within the community. Ms. Erickson expressed her hopes to conduct charitable events and be involved in community activities.

After due consideration, it was moved by Commissioner Langan, seconded by Commissioner Kuchler that the Village Attorney be directed to draft an amendment to the liquor regulations creating an appropriate class of liquor license for consideration by the Village Board. Upon Village Board approval the Liquor Commission recommends that such license be issued to Vineyard Dog Wines, Inc. to be located at 18 W. Burlington Avenue. Such license would be contingent upon evidence of insurability and the business meeting all Village code requirements.

5. Adjournment

At 7:20 p.m., it was moved by Commissioner Asperger, seconded by Commissioner Langan that the meeting of the Liquor Commission be adjourned.

Respectfully submitted
Ellie Elder, Administrative Secretary

Date Approved: _____

5-13.5

MINUTES

LIQUOR COMMISSION
OF THE
VILLAGE OF LA GRANGE

53 South La Grange Road
First Floor Conference Room
La Grange, IL 60525

Monday, June 25, 2007 - 6:30 p.m.

1. Call to Order and Roll Call

A meeting of the Liquor Commission of the Village of La Grange was held on Monday, June 25, 2007 in the first floor conference room of the Village Hall, and was convened at 6:40 p.m. by Liquor Commissioner Elizabeth Asperger. Commissioner Asperger noted that the purpose of the meeting was to discuss a unique business model proposal from ABC Wine Shop and that it was prudent to give the Commission and opportunity to ask questions in more of an informal meeting prior to scheduling a Liquor License Hearing on the matter. Present and constituting a quorum were:

Present: Commissioners Mark Langan and Mark Kuchler with Liquor Commissioner Elizabeth Asperger presiding.

Absent: None

Also Present: Village Manager Robert Pilipiszyn, Assistant Village Manager Andrianna Peterson, Community Development Director Patrick Benjamin, Village Attorney Mark Burkland, Dr. Kathleen Powers Erickson of ABC Wine Shop, Scott Larsen and Joseph Kwiek of Maverick Wines and Joel Klecka, Realtor

2. Approval of the Minutes from the Liquor Commission Hearing on April 23, 2007 was moved by Commissioner Langan and seconded by Commissioner Kuchler. Motion unanimously carried.
3. Dr. Kathleen Powers Erickson referred to her written proposal that had been provided to the Commission as an accurate description of her proposed vision for a new wine shop at 18 W. Burlington. The concept would consist of self-serve kiosks which would sell samples of up to 48 different types of wines. There would be some food sold but it would be secondary to wine sales. She added that she is considering a "green" design which would incorporate recycled materials. She also added that she plans to promote charities that serve the

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community. Dr. Erickson currently works for The Cork in Riverside and indicated that she has many years of experience in the hospitality and wine industries.

4. Commissioner Kuchler asked whether the license would become an asset of the business if issued. Liquor Commissioner Asperger responded that the license is a privilege and cannot be sold. It is granted to the applicant only after a Hearing process.
5. Commissioner Langan asked whether or not employees would be trained in alcohol awareness techniques. Dr. Erickson indicated that they would be.
6. Attorney Burkland noted that the Village is currently in the process of looking at new licensing provisions. If the Commission and Village Board are inclined to allow for this type of liquor use, it would be necessary to create a new license classification, especially since the proposal includes liquor sales without meaningful food sales.
7. Commissioner Kuchler asked why Dr. Erickson is not looking at locating the shop in Riverside. Dr. Erickson indicated that Riverside already has a wine shop and that she likes the space and foot traffic in downtown La Grange. She indicated that the additional space of the building would allow her to sell retail products oriented to wine such as books, magazines, decanters, and stemware. Further, she stated that her intent is to start with the wine and perhaps slowly add food items over time.
8. Liquor Commissioner Asperger asked about wine classes. Dr. Erickson indicated that she would be teaching classes. Mr. Larsen explained that for the first time last year, wine sales surpassed beer sales in America. Customers are more loyal when they learn and know about the product. Mr. Larsen also explained that Food and Wine Magazine recently noted five top trends, one of which is retail wine shops providing more tasting and sales.
9. Commissioner Kuchler asked if area liquor stores would be competition. Dr. Erickson indicated that she did not think so as her proposal is a very different operation. She wants people to be able to sit down, read and ask questions.
10. Liquor Commissioner Asperger asked about how the self serve kiosks would be monitored. Dr. Erickson indicated that the customer has to buy a card. The customer must provide identification when they purchase the card. When redeeming the card, they must ask for a glass in order to use the kiosk, which are located in a locked cabinet. Additionally, the cards can be programmed to only allow a certain amount of wine to be dispensed within a 24 hour period. Dr. Erickson believed it could be set to allow for 12 oz maximum. Attorney Burkland indicated that he believed State Law required retailers to limit samples to 4 oz.
11. Liquor Commissioner Asperger asked if there will be other personnel besides Dr. Erickson managing the store. Dr. Erickson indicated yes especially on the weekends.

12. Commissioner Kuchler asked if private parties will be allowed. Dr. Erickson said yes. She plans to close the store on Sundays and Mondays and would allow the store to be open for private events.
13. Commissioner Kuchler asked about sales of wine by the glass. Dr. Erickson confirmed that she is also interested in selling wine by the glass as well as racked wine and most likely the self serve kiosks. Gift baskets would also be available. She is interested in a retail wine shop, not a wine bar. Catering is also likely which would include demonstrations, menu creations and wine pairings.
14. Commissioner Kuchler asked whether other alcohol would be sold. Dr. Erickson indicated that decision would be made later but most likely no. President Asperger stressed that the Village would have concerns about a liquor store.
15. Dr. Erickson indicated that the likely hours of operation would be Tuesday through Thursday from 12 p.m. to 8 p.m., Fridays from 12 p.m. to 9 p.m. and Saturdays from 12 p.m. to 8 p.m.
16. Dr. Erickson stated that she would like to open by November 1 to take advantage of the holidays. She is currently looking into the logistics of ordering the kiosks and thinks that she wants to purchase them.
17. Commissioner Langan indicated that he thought the business proposal was intriguing and indicated that information about how the business would be administered would be helpful.
18. Commissioner Kuchler indicated that there was a major difference between a wine tasting bar and a pure wine bar. Dr. Erickson stated that she is not interested in a wine bar, but wants a retail shop with a tasting component.
19. Liquor Commissioner Asperger indicated that community preferences have changed over time and the proposed concept seemed to fill a unique niche. She asked Dr. Erickson to further define her proposal providing a detailed business model. She indicated that the Liquor Commission meets as needed and can meet and act quickly once Dr. Erickson is ready.

20. Adjournment

At 7:25 p.m., it was moved by Commissioner Langan, seconded by Commissioner Kuchler that the meeting of the Liquor Commission be adjourned.

Respectfully submitted
Andrianna Peterson, Assistant Village Manager

Date Approved: 11-12-07

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