

BOARD OF TRUSTEES WORK SESSION
11004 Carpenter Street, Mokena, Illinois 60448
Monday, September 16, 2024

CALL TO ORDER

Mayor Fleischer called the Board of Trustees work session to order at 6:02 p.m.

PLEDGE OF ALLEGIANCE

The Board of Trustees recited the Pledge of Allegiance.

ROLL CALL

The following Trustees were present:

Rob Dauphinais
Debbie Engler
Melissa Fedora
Terry G. Germany
George J. Metanias
Terence Smith

Also present were the following: Village Clerk Melissa Martini; Village Administrator John Tomazoski; Finance Director Nathan Pasbrig; Village Attorney/Human Resources Director Carl Buck; Community Development Director Brent Cann; and Director of Public Works Dan Peloquin

7 Brew: Special Use Permit Request

Community Development Director Brent Cann presented the following item:

Special Use Permit/Planned Unit Development Amendment Request -
7 Brew Coffee Shop

Outlot A – Mokena Marketplace

Village Board Work Session
September 16, 2024

Request

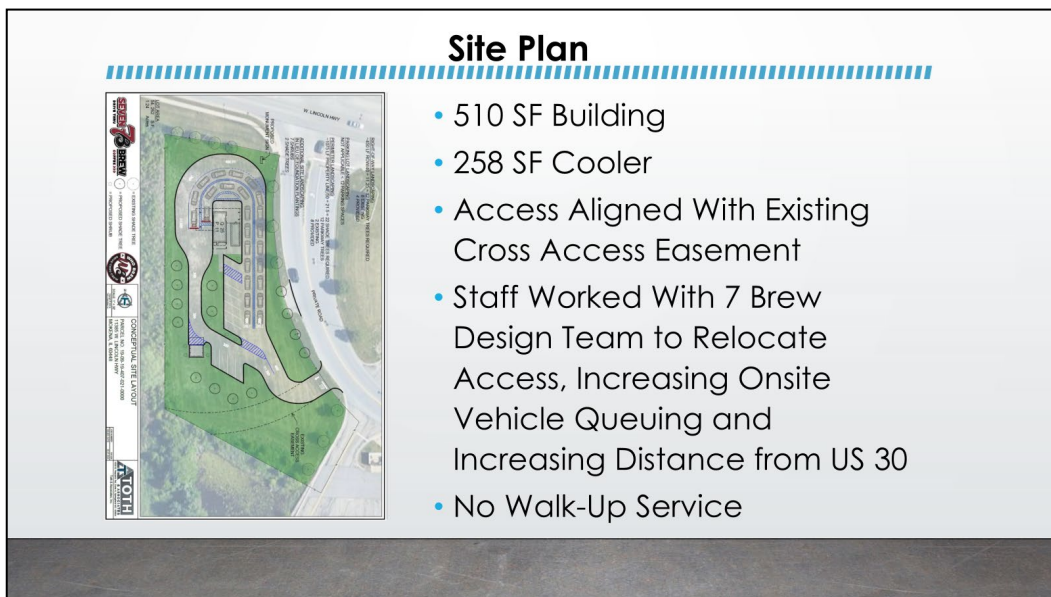
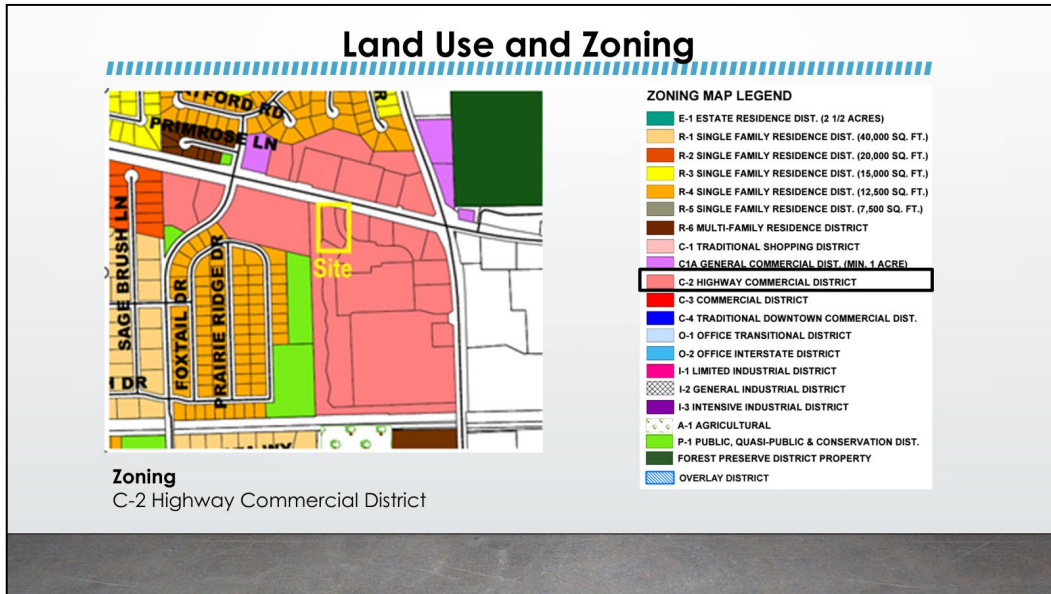
Applicant
Bob Gage, Who Brew, LLC, Director of Entitlements

Location
Outlot A – Mokena Marketplace

Background
Tommy's Express Car Wash
Proposed in 2023 – Not Approved

Request
Seeking Board Support of Planning Commission Recommendation –
Special Use Permit for Drive Through



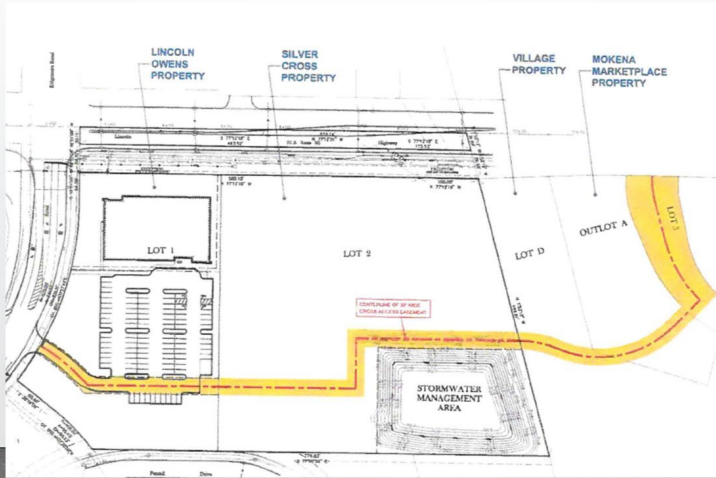


Development Standards

Minimum Development Standards		
	C-2	Proposed
Minimum Lot Size	3-acres*	1.2 acres
Minimum Lot Frontage	150 ft.*	133.49 ft.
Yard	Front	30 ft.
	Side(s)	10 ft.
	Rear	30 ft.
Maximum Height	35 ft.	20 ft.

* Denotes code exceptions approved under the Mokena Marketplace Development Agreement

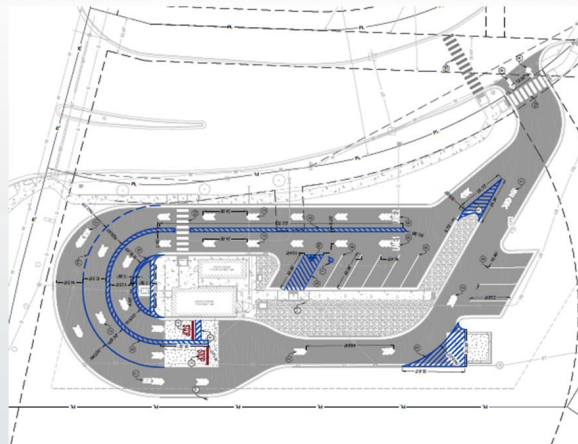
Cross-Access Easement Agreement



Parking & Stacking Spaces

- Site is Drive-Through Only, No Walk-Up Access
- 6-8 Employees per Shift
- Providing 11 Parking Spaces
- Stacking Spaces Required = 6
- Stacking Spaces Provided = 25

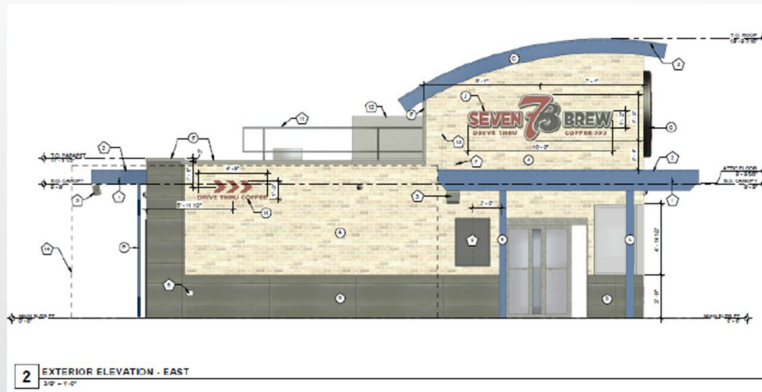
Sidewalk Layout



Building Elevations



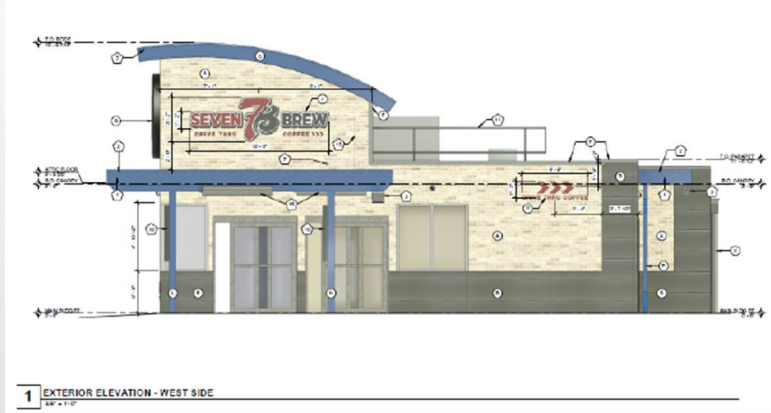
Building Elevations



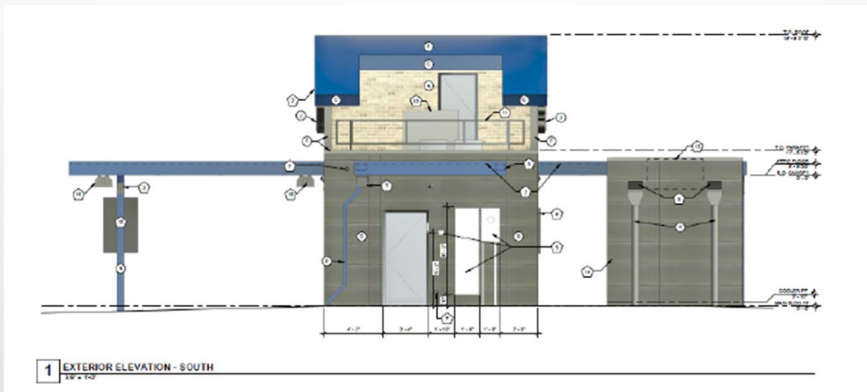
Building Elevations



Building Elevations



Building Elevations



Building Elevations



Building Rendering



Economic Impact

Projected Sales

- Year 1 = \$1,700,000
- Year 2 = \$1,900,000
- Year 3 and Beyond = \$2,000,000

Board Direction

1. Does the Board support the Plan Commission recommendation to approve the Special Use Permit for a drive-through at this location?
2. Does the Board support placing this Special Use Permit request on a regular agenda for final consideration?

Community Development Director Cann Presented the 7 Brew Project considering a Special Use Permit for a drive-through.

Discussion:

Trustee Germany stated all requests of the Site Plan & Architectural Review Committee (SPARC) have been addressed.

Trustee Fedora asked if the building was a prototypical 7 Brew facility. The applicant, Mr. Bob Gage, responded yes. Trustee Fedora asked if the color could be changed, and Mr. Gage stated corporate would not be receptive to that request.

Trustee Metanias asked if brick would be used. Mr. Bob Gage said yes, full brick would be installed after the building was constructed. Trustee Metanias asked if a Right-In/Right-Out would be possible onto US Route 30. Village Administrator John Tomasoski said this would be highly unlikely as the Village neither owner the road off US Route 30 nor US Route 30.

Village Administrator Tomasoski asked when the facility would be open. Mr. Bob Gage said the target was for the facility to be open prior to the end of the year.

The project received a favorable recommendation to move the project forward to a future Board meeting for the Board's consideration.

Liquor Control Review

1. BYOB

This item was tabled by Mayor Fleischer to be presented at a future work session after Mayor Fleischer speaks with local businesses.

2. Gaming Bistros

Village Attorney/Human Resources Director Carl Buck presented the following item:

<p>Village of Mokena Board of Trustees Work Session</p> <p>•</p> <p>Discussion on Liquor Control Code Amendments</p> <p>Work Session September 16, 2024</p>	
---	---

	<h3><u>Background</u></h3> <ul style="list-style-type: none">• The Village's Liquor Control Code has been periodically reviewed in response to evolving regulations.• Recent discussions focused on video gaming regulations and potential new liquor license classifications.• Current interest in BYOB policies and gaming café liquor licenses.
---	---

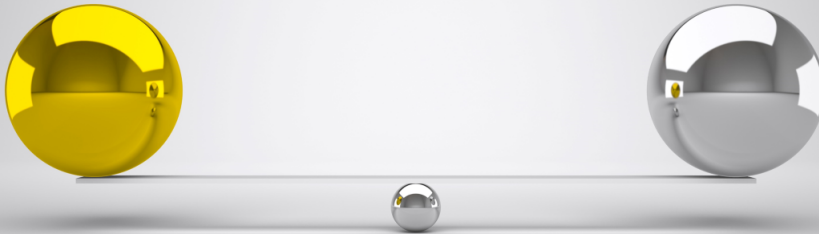
BYOB (Bring Your Own Bottle) Overview

- Allows patrons to bring their own alcohol to establishments without a full liquor license.
- Could benefit local dining establishments and increase consumer choice.



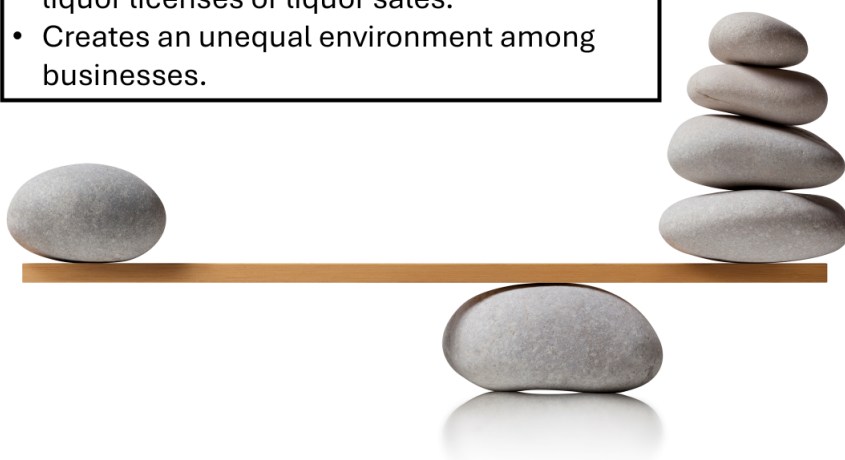
Pros of Allowing BYOB

- Economic benefits for small businesses, especially those unable to afford a liquor license.
- Increases consumer choice and customer satisfaction.
- Reduces regulatory burden compared to traditional liquor licenses.



Cons of Allowing BYOB

- Potential loss of revenue from traditional liquor licenses or liquor sales.
- Creates an unequal environment among businesses.



Legal Considerations for BYOB

- Current Village ordinance prohibits alcohol sales without a license but does not address BYOB.
- Illinois Municipal Code permits municipalities to regulate or prohibit BYOB practices.



Neighboring Communities' BYOB Policies

- **New Lenox:** Allowed
- **Frankfort:** Not Allowed
- **Lockport:** Allowed
- **Orland Park:** Allowed
- **Homer Glen:** Not Allowed




Gaming Café Liquor License Overview

- Focus on gaming with minimal food service requirements.
- Historically, the Village Board has not supported gaming cafés.
- Interest from local businesses (e.g., Mokena Mart and BP Gas Station).



Pros of Allowing Gaming Café Licenses	Cons of Allowing Gaming Café Licenses
<ul style="list-style-type: none"> • Increased revenue through liquor license fees and gaming revenue shares. • Potential boost to local economic activity. • Provides a controlled environment tailored to gaming-focused establishments. 	<ul style="list-style-type: none"> • Competition with existing licensed businesses, such as restaurants. • Regulatory challenges and resource requirements for enforcement. • Risk of market saturation impacting current businesses.



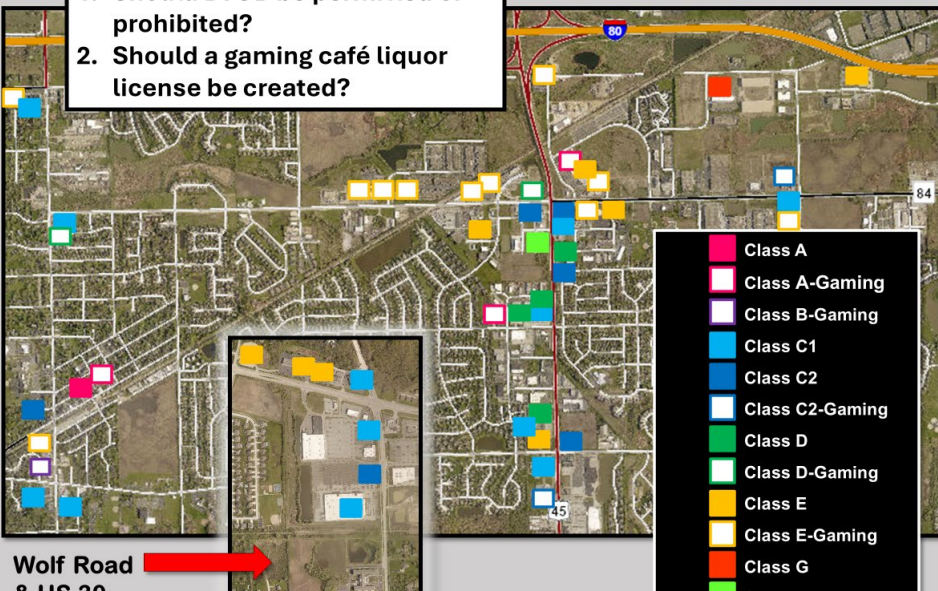
Neighboring Communities' Gaming Café Policies

- **New Lenox:** Allowed
- **Frankfort:** No Video Gaming Allowed
- **Lockport:** Allowed
- **Orland Park:** Gaming Café not allowed; video gaming permitted
- **Homer Glen:** Gaming Café not allowed; video gaming permitted



QUESTIONS FOR THE BOARD

1. Should BYOB be permitted or prohibited?
2. Should a gaming café liquor license be created?



Class A
Class A-Gaming
Class B-Gaming
Class C1
Class C2
Class C2-Gaming
Class D
Class D-Gaming
Class E
Class E-Gaming
Class G
Class H

Wolf Road & US 30

The presentation centered around the ongoing review of the Village's Liquor Control Code, particularly concerning liquor license classifications and the growing interest in video gaming establishments. The Board had previously considered these issues in March 2024 when staff presented an update on the Illinois Video Gaming Act and its application to truck stops within the Village. Since that time, staff have received several requests from local business owners seeking to establish liquor licenses for establishments offering food service without the need for a full-service kitchen, often referred to as "gaming cafés."

As background, there are presently 52 liquor licenses, and 18 video gaming licenses issued within the Village. Will County recently approved the use of video gaming terminals in qualifying establishments, including truck stops, which are zoned in unincorporated areas of the county.

The conversation then focused on the concept of a "gaming café" liquor license classification, which historically has not been favored by the Board. A gaming café differs from a traditional restaurant with a liquor license in that its primary focus is gaming, while the food and beverage service is secondary and does not require a full-service kitchen. The Board has consistently opposed the approval of liquor licenses for gaming cafés, citing past precedent, including the case of Christine Marie's Sweet Vine in 2020, which sought to operate without a full-service kitchen. While that applicant ultimately revised their proposal to comply with Board preferences, the business did not move forward due to the impact of COVID-19.

Two local businesses, Mokena Mart and BP Gas Station on LaGrange Road, have expressed interest in the proposed gaming café liquor license. Staff outlined both the potential benefits and drawbacks of introducing such a classification. On the positive side, it could increase revenue through liquor license fees, sales taxes, and gaming revenue, stimulate economic development, and allow the Village to maintain control by setting specific standards for these establishments. However, there are concerns about unfair competition with existing businesses, regulatory challenges, and the risk of market oversaturation.

Finally, the presentation reviewed how neighboring communities handle gaming cafés, with New Lenox and Lockport allowing them, while Frankfort prohibits video gaming entirely, and both Orland Park and Homer Glen permit video gaming but do not allow gaming cafés.

Attorney Paul Rickleman spoke on behalf of Mokena Mart to state that Mokena Mart sought to keep providing package sales with limited food options as an extension of its existing business. Gayatri "Pinky" Patel spoke on behalf of BP Gas Station to state that she hoped to expand the business to allow gaming as she had in Cook County. She indicated that package liquor would be allowed to be consumed on the premises with limited food options. Both spokespersons thanked the Board for their time in considering this proposed liquor license classification.

Discussion:

Trustee Engler led off the discussion by indicating that she did not support the classification because of the impact to local businesses, past precedent, and that she did not want other locations popping up all over the Village. Trustee Dauphinais echoed Trustee Engler's comments indicating that he also would not support the classification. Trustee Germany did not support the classification stating that he has seen gaming cafés in other towns take over commercial centers. Trustees Smith and Fedora also did not support the classification based on the statements of their colleagues. Trustee Metanias agreed with the other Trustees and stated that while he appreciated the entertainment aspect of gaming cafes, he did not support being able to consume alcohol from a package sale location. Based on the comments of the Board, Mayor Fleischer indicated to Staff and the business representative that the Village would not be moving forward with amending the Village's code to include a gaming café classification.

Staff Reports

There were no Staff Reports.

EXECUTIVE SESSION

Trustee Engler made a motion to enter executive session at 6:44 p.m. to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity pursuant to 5 ILCS 120/2(c)(1) and collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees pursuant to 5 ILCS 120/2(c)(2). Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith

NAYS: (0)

Absent: (0)

Motion carried

RECONVENE WORK SESSION

Trustee Engler made a motion to adjourn the executive session and reconvene the work session at 7:21 p.m. Trustee Metanias seconded.

AYES: (6) Dauphinais, Engler, Fedora, Germany, Metanias, Smith

NAYS: (0)

Absent: (0)

Motion carried

There being no further business to bring before the Mayor and Board of Trustees, Mayor Fleischer adjourned the work session at 7:22 p.m.