



Meeting Minutes

Liquor Commission

Thursday, November 9, 2017

3:00 PM

Council Chambers

A. CALL TO ORDER:

Mayor Chirico called the meeting to order at 3:00pm.

B. ROLL CALL:

Also Present: Kavita Athanikar, City Prosecutor, Dan Riggs, Police Liaison and Emy Trotz, Executive Assistant/Mayor.

Present 9 - Mayor Steve Chirico, Pam Davis, Charles Maher, Paul O'Toole, Whitney Robbins, Mitch Stauffer, Joe Vozar, Scott Wehrli, and Kimberly White

Absent 1 - Marc Blackman

C. PUBLIC FORUM:

Doug Petit informed the Commission that he held a Sticker Shock campaign on October 26th. Twelve teens came to the Jewel Osco on Ogden and hung tags on the liquor bottles. This serves as a reminder to parents that 21 means 21.

Joel Carlson, 2018 Ribfest Chairman, requested permission to hold liquor tastings in the Sponsor Tent Area only. There would be two to four tasting stations from 2pm to 6pm each day with a limit of three tastings per person. Revenue is estimated at \$25,000 to \$50,000 as a result of this. Tastings must take place at the stations.

Commissioner Davis moved, seconded by Commissioner Maher to approve the request as presented and as defined by the speaker.

Aye: 7 Davis, Maher, O'Toole, Robbins, Vozar, Wehrli and White

Nay: 1 Stauffer

Excused: Chirico

D. OLD BUSINESS:

1. Receive staff report and vote on the Pedal Pub's request for a liquor license.

Kavita Athanikar stated that at the last Liquor Commission meeting staff was directed to provide more information regarding this request. The Pedal Pub request is two-fold. The first request is the BYOB license that would attach with the pub on the streets. The second request is the actual operation on the streets downtown. The actual operation on the street within the downtown, there is nothing prohibiting this now. The Pedal Pub is allowed to operate in the downtown and within our city limits. Regarding the BYOB, currently we don't

have a BYOB permit within our code. We have Corkage which allows for someone to bring in their own wine or liquor to a restaurant or hotel for a fee where the establishment uncorks that bottle and serves it. These are only for Class A, B, and J. There isn't anything that allows BYOB at this time.

Monica Bennet, the petitioner, came to the podium to answer questions.

Mayor Chirico asked if she'd be good to go without liquor. Her answer was yes, depending on the purchase of the Pedal Pub. She has the insurance and the route.

Monica stated that this is an activity that is rated the number one activity on Trip Advisor.

Commissioner Stauffer left the meeting at 3:35pm.

Commissioner Maher moved, seconded by Commissioner Vozar to allow a BYOB permit for this venue.

Nay: 7 - Davis, Maher, O'Toole, Robbins, Vozar, Wehri, and White

Excused: 1 - Mayor Chirico

Absent: 2 - Blackman, and Stauffer

E. NEW BUSINESS:

1. Receive Staff's report regarding Red Arrow Tap Room's request for a liquor license.

Kavita Athanikar presented to Commission a request from Red Arrow Tap Room. They have a current location in Elmhurst, Illinois. They are looking to open their second location in Naperville at 216 S. Washington Street. This is the location of Kuma's. They are proposing hours that begin at 4pm and go until 11pm during the week and until 10pm on Sundays. Red Arrow Tap Room did meet with the Concept Committee and requested either an amendment to the Class A liquor license, which is the Restaurant License or the creation of a new license. Liquor service with the Class A comes from a Service Bar only. With this concept, the liquor service is coming from a pour your own self service model through taps that are mounted in the wall. For the Naperville location, they are looking to have sixty taps, a full menu, barbeque style food, full kitchen, and fully staffed. They would meet the qualification of a Class A minus the part that the service is coming from a service bar only. What Commission can decide is whether to amend that portion of the Class A license or create a new

license per this request. The petitioner is here today and has since concept amended his request. Things to consider are the expansion of the Class A license would then make that open to all existing current Class A licensees. If you have a new license classification, the commission and staff would be required to outline the restrictions of that new classification.

Joe Tota, CEO of Red Arrow Tap Room in Elmhurst, presented his amended concept. They are a barbeque restaurant with healthy options. They sell 60% food. They are now proposing forty eight self serve beer tappers. No liquor or wine is served through the tappers on the wall, but through a server. The customer is given a card after age verification. The card keeps track of what beer they have consumed and after 24oz. the card deactivates. They are proposing that they will be using 5oz and 10oz glasses. They have table top tablets where the customer purchases the food and they also have an app. They are focused on food and craft beer, they will have a customer bar. The average ticket price is \$32 per customer. They will have live music consisting of a single performer on an acoustic guitar. There will be two to three beer monitors on staff. They are a family establishment with a kids menu. Wine and cocktails will be served from a customer bar. They host a lot of fund raisers. Each month, they dedicate one of the taps to a local charity where every time an ounce is poured, five cents is donated to the charity.

No Late Night Permit.

Commissioner Wehrli recommended a permit for self serve tappers.

Commissioner Maher recommended that if there was a permit that training should be a condition of the permit.

Kavita Athanikar clarified that with the new information presented, Red Arrow could be licensed as a Class B establishment. Class B liquor license has no restrictions on the service of liquor, meaning it can come from a taper or server. If Commission felt that this concept meets the requirements for a Class B, Commission could approve this.

Commissioner Vozar recommended that if Commission determines that this concept fits under the Class B license, he'd like at sometime to consider making the wall tap not just available to everybody but to change the code through Council to have a permit required.

Commissioner Davis moved, seconded by Commissioner Vozar to approve the concept and direct staff to determine the appropriate licensing for this establishment.

Motion carried by the following vote:

Aye: 7 - Davis, Maher, O'Toole, Robbins, Vozar, Wehrli and White

Excused: 1- Chirico

Absent: 2- Blackman and Stauffer

Commissioner Maher made a motion to substitute the first motion.

Commissioner Davis moved, seconded by Commissioner Maher to approve the concept as presented for a B license.

The motion carried by the following vote:

Aye: 7 - Davis, Maher, O'Toole, Robbins, Vozar, Wehri, and White

Excused: 1 - Mayor Chirico

Absent: 2 - Blackman, and Stauffer

Commissioner Vozar moved, seconded by Commissioner Maher to direct staff to explore a permit to control self serve establishments.

Ayes: 7-Davis, Maher, O'Toole, Robbins, Vozar, Wehri and White

Excused: 1- Mayor Chirico

Absent: 2- Blackman and Stauffer

F. REPORTS:

1. Approve the minutes of the October 5, 2017 meeting.

Commissioner Maher moved, seconded by Commissioner O'Toole to approve the minutes of the October 5, 2017 meeting.

Aye: 7 - Davis, Maher, O'Toole, Robbins, Vozar, Wehri, and White

Excused: 1 - Mayor Chirico

Absent: 2 - Blackman, and Stauffer

1. Restaurant Association Report - Jeffries

No report.

2. BASSET- Employee Training Statistics - Riggs

Detective Riggs reported the following BASSET class attendance.
October 59 with 9 no shows

The on line program that was submitted to the State has been approved. Naperville will be the first City to have their own on line program. This is only for renewal.

3. Tobacco Enforcement Review - Riggs

Detective Riggs reported that the tobacco grant is still pending with the State.

4. Liquor Report - Riggs

Detective Riggs reported that in October 2017 there were 12 DUI's compared to October 2016 that had 32 DUI's.

5. Liquor Concept Committee Update - Trotz

Trotz reported the following Liquor Concepts:
October 25, 2017
Your Neighbors - being sold to a nephew and it was approved.
Luxe Skin - opening up on Washington Street. They are a facial salon and they were approved.
Red Arrow Tap Room - already discussed.
Le Pain Quotidien - 204 S. Washington Street. It will be a Class A with Out Door Seating.
ChristKindle Market - came in for discussion.

G. EXECUTIVE SESSION:

None

H. ADJOURNMENT:

Commissioner Maher moved, seconded by Commissioner Vozar to adjourn the meeting at 4:42pm.

/S/ Emy Trotz
Emy Trotz
Executive Assisatn/Mayor