

City of Naperville

*400 S. Eagle Street
Naperville, IL 60540*



Naperville

Meeting Minutes - Draft

Thursday, May 5, 2022

3:00 PM

Council Chambers

Liquor Commission

A. CALL TO ORDER:

Mayor Chirico called the meeting to order at 3:00 PM

B. ROLL CALL:

Present 8 - Mayor Steve Chirico, Karyn Charvat, Kelly Douglas, John Koranda, Anthony Signorella, Mitch Stauffer, Scott Wehri, and Kimberly White

Absent 2 - Charles Maher, and Joe Vozar

Staff Present: Rachel Pruneda, Administrative Assistant II; Marty Creighton, Police Detective; Mike DiSanto, City Attorney

C. PUBLIC FORUM:

None

D. OLD BUSINESS:

Provide recommendations concerning The Matrix's concept and its requests for three liquor licenses, two amendments to the Liquor Code, and a finding that its uses are compliant with the City's liquor license location restrictions

Attachments: [Liquor Commission The Matrix Agenda Item Attachments](#)
[The Matrix Entire Floor Plan](#)

Madan Kulkarni, Principal Partner of The Matrix Club, showed a video advertising The Matrix Club concept, displayed a listing of booked events and thanked Commissioners who visited the venue since the last meeting. He reported that he will withdraw his request for bottle service and will instead allow patrons to pre-book bottles which will be poured by BASSET trained servers. He introduced Matrix security supervisor, Syed Sabahat Jamal, and reported that they have met with the Naperville Police Department and are installing approximately 60 security cameras. With the large venue, he understands the security concern.

Mayor Chirico asked how they will monitor the parking lot. Jamal said he is experienced in managing large events and providing VIP security coordination. The strategy for the parking lot will include working with a traffic operators team to coordinate the flow of vehicles and they will utilize radio communication. Chirico asked Creighton asked about any remaining concerns the police department has after the meeting. Creighton reported that he is comfortable with the security plan and venue. Mayor Chirico encouraged Kulkarni to register his cameras with the police department.

Commissioners asked how movement of alcohol from one room to another will be monitored, if wristbands will be used for events and how violations will be handled if there are multiple liquor licenses. Kulkarni said he will require liquor to remain in each room and use wristbands for concerts, but not for weddings. The Lobby Bar will only be open when the banquet and concert facility is open. Mayor Chirico reported that he is not opposed to liquor moving from one area to another. DiSanto clarified that the Class K and the Class R licenses will cover the whole venue with the exception of the restaurant, which will hold a Class B license under a different corporation. Alcohol can move throughout the venue except for entering and leaving the Class B restaurant. Violations would be against the corporation that holds the license. Commissioners asked how he will mitigate drunk driving or shuttles. Mayor Chirico clarified that all we can request is that no liquor leaves the venue.

DiSanto summarized the six issues under consideration. The proximity to a day care issue is resolved. The Class B with entertainment and late night permits and the Class K catering license can both be issued without Liquor Commission action. The Class R Legitimate Theater License can also be issued, however, it currently only allows beer and wine. If the commission recommends the inclusion of spirits, all Class R licensees will have the ability, not the necessity, to serve spirits. This will require a vote by the Liquor Commission. Bottle service will also have to be voted on. Mayor Chirico asked for Commission agreement on issuing the Class B and the Class K licenses. The Commission agreed.

Commissioners asked if bottle service can be requested after the venue has operated successfully for a few months, if business will be affected by the lack of bottle service and how bottle service of wine is permissible. DiSanto stated that wine, pitchers of beer and pitchers of margaritas are treated differently due to the amount of alcohol per volume and the liquor code specifies that they need to be served to 2 or more people. DiSanto said bottle service of spirits is specifically prohibited in all cases. Kulkarni stated that bottle service is expected at Greek and Polish concerts and weddings and the area will be deprived of major artistic talent coming to the area with the absence of bottle service. Kulkarni agreed to withdraw the request.

DiSanto reviewed that if a liquor code violation occurs there would be an investigation, charges would be brought by the Liquor Commission and escalating penalties would be issued. Mayor Chirico requested that Kulkarni continue to remain in close conversation with the police department when large events are planned.

Commissioner Signorella made a motion to allow the service of spirits under the

Class R-Legitimate Theater License with a cap of 3 and recommend it for approval to City Council, seconded by White. The motion was approved and carried by the following vote:

Aye: 7 - Charvat, Douglas, Koranda, Signorella, Stauffer, Wehrli, and White

Excused: 1 - Mayor Chirico

Absent: 2 - Maher, and Vozar

E. NEW BUSINESS:

Install new Liquor Commissioner, Kelly Douglas

Mayor Chirico swore in Kelly Douglas and welcomed her to the Commission.

Consider The Lantern's request for a Downtown Outdoor Seating Permit on a public sidewalk

Attachments: [The Lantern Outdoor Seating Permit Application](#)

Teri Feldott, General Manager of The Lantern, presented her request to lift the cap on Downtown Outdoor Seating on the public sidewalk. She reported that the temporary outdoor seating provisions saved her business. There have been no incidents at The Lantern and other restaurants will benefit from lifting the cap.

Mayor Chirico reviewed that the cap of 5 was decided based on the restaurants that had the sidewalk space for public seating and asked what other restaurants qualify. DiSanto reviewed that there are five current licensees (1) Catch 35, (2) Hugo's, (3) Fat Rosie's, (4) Quiubo, (5) Front Street Cantina. Commissioners discussed the streetscape project widening the sidewalk, if The Lantern's seating area can be made more aesthetically pleasing and solutions for minimizing cigarette smoke. Feldott stated that they will invest in improving the space now that they know it is permanent. Mayor Chirico suggested directing people to smoke on Washington Street, noting that the law requires 15 feet from the front door, and that Downtown Outdoor Seating permits need to submit their materials and fencing to the Mayor's Office for aesthetic approval.

Commissioner Koranda made a motion to raise the Downtown Outdoor Seating cap to 6 and recommend it for approval to City Council, seconded by Charvat. The motion was approved and carried by the following vote:

Aye: 7 - Charvat, Douglas, Koranda, Signorella, Stauffer, Wehrli, and White

Excused: 1 - Mayor Chirico

Absent: 2 - Maher, and Vozar

F. REPORTS:

Approve the regular Liquor Commission meeting minutes of April 7, 2022

Attachments: [Liquor Commission Meeting Minutes 040722 DRAFT](#)

Commissioner Wehrli made a motion to approve the Liquor Commission regular meeting minutes of April 7, 2022, seconded by White. The motion was approved by unanimous vote.

1. Restaurant Association Report - Jeffries

None

2. BASSET- Employee Training Statistics - Creighton

Creighton reported that in-person BASSET classes have restarted. Two sessions in April had 126 people. Renewals continue online with 48 participating.

3. Tobacco Enforcement Review - Creighton

Creighton reported that there were three violations in the last round of tobacco compliance checks. The third round of compliance checks will be coming up.

4. Liquor Report - Creighton

Creighton reported that there were 17 DUIs in April 2022, compared to 11 DUIs in April 2021. The moving average is showing a slight uptick for this year and the DUIs do not identify any establishments with a pattern of over-service.

5. Liquor Concept Committee Update - Barfuss

Pruneda reported that since the last Liquor Commission Meeting, the Liquor Concept Committee had one meeting on April 20th.

The following concepts were discussed:

Naperville Summer Ale Fest, event scheduled for Saturday, July 9th at Naper Settlement

The charity is the Naperville Humane Society. The organizer is Lou Dog Events. They will be serving 3 oz craft beer samples. Their request was approved and their application is in process.

Naper Nights, events scheduled for June 17th-18th, July 15th-16th and

August 19th-20th at Naper Settlement

The charity is the Naperville Heritage Society. There is no 3rd party organizer. They will be serving beer, wine and hard seltzer. Their request was approved and their application is in process.

Oktoberfest, event scheduled for September 30th and October 1st at Naper Settlement

The charity is the Naperville Heritage Society. There is no 3rd party organizer. They will be serving beer, wine and hard seltzer. Their request was approved and their application is in process.

Howlin at the Moon, event scheduled for October 21st and 22nd at Naper Settlement

The charity is Naper Settlement. There is no 3rd party organizer. They will be serving beer, wine and hard seltzer. Their request was approved and their application is in process.

(Name to be determined), located at 119 Shuman Blvd. the site of the old Noah's Event Venue

New business seeking a Class K - Catering license with Outdoor Seating and an Entertainment Permit. Their request was approved and their application is in process.

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G. EXECUTIVE SESSION:

None

H. ADJOURNMENT:

Commissioner Douglas made a motion to adjourn the Liquor Commission meeting of May 5, 2022, seconded by Signorella. The motion was approved by unanimous vote.

/S/ Miranda Barfuss
Miranda Barfuss
Assistant to City Council