

City of Naperville

*400 S. Eagle Street
Naperville, IL 60540*



Naperville

Meeting Minutes - Draft

Thursday, June 9, 2022

3:00 PM

Council Chambers

Liquor Commission

A. CALL TO ORDER:

Mayor Chirico called the meeting to order at 3:05 PM

B. ROLL CALL:

- Present** 8 - Mayor Steve Chirico, Karyn Charvat, Kelly Douglas, John Koranda, Mitch Stauffer, Joe Vozar, Scott Wehrli, and Kimberly White
- Absent** 2 - Charles Maher, and Anthony Signorella

Staff Present: Miranda Barfuss, Assistant to City Council; Marty Creighton, Police Detective; Jennifer Lutzke Bonner, Senior Assistant City Attorney; Peter Zibble, TED Operations Manager; Marc Wilson, Lead Code Enforcement Officer

Also Present: Christine Jeffries, President of Naperville Development Partnership and Danielle Tufano, Executive Director of Downtown Naperville Alliance

C. PUBLIC FORUM:

None

Mayor Chirico welcomed Jennifer Lutzke back from maternity leave.

D. OLD BUSINESS:

None

E. NEW BUSINESS:

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

Attachments: [Giordano's Outdoor Seating Application](#)

Mayor Chirico reviewed that the City Council recently raised the Downtown Outdoor Seating Permit cap from 5 to 6 for The Lantern and wanted to review applicants on a case-by-case basis. If the 4 Downtown Outdoor Seating requests are approved by Liquor Commission and City Council, it will raise the cap to 10. No petitioner was present for Giordano's. Mayor

Chirico asked how much clearance is needed for car doors to open from the parallel parking along the curb. Peter Zibble, TED Operations Manager, reported that 24 inches is the rule of thumb.

Commissioner Vozar made a motion to recommend raising the cap on the Downtown Outdoor Seating Permit to approve Giordano's Downtown Outdoor Seating Permit request pending review and approval by TED and aesthetic review by the Mayor, seconded by Douglas. The motion was approved and carried by the following vote:

Aye: 7 - Charvat, Douglas, Koranda, Stauffer, Vozar, Wehrl, and White

Excused: 1 - Mayor Chirico

Absent: 2 - Maher, and Signorella

Consider La Sorella di Francesca's request for a Downtown Outdoor Seating Permit on a public sidewalk

Attachments: [La Sorella Outdoor Seating Application](#)

Robyn Jones, Executive Director of the Scott Harris Hospitality Group, presented La Sorella's request for seating on the public sidewalk in front of their establishment, which they had during COVID. Commissioners discussed the seating's location on a crosswalk across Jefferson St. and the need for ADA clearance. Zibble confirmed that the brick pattern on Jefferson St. identifies the area as a crosswalk and noted that TED will want to ensure there is ADA access for wheelchairs to get up off the street.

Commissioner Vozar made a motion to recommend raising the cap on the Downtown Outdoor Seating Permit to approve La Sorella di Francesca's Downtown Outdoor Seating Permit request pending review and approval by TED and aesthetic review by the Mayor, seconded by Wehrl. The motion was approved and carried by the following vote:

Aye: 7 - Charvat, Douglas, Koranda, Stauffer, Vozar, Wehrl, and White

Excused: 1 - Mayor Chirico

Absent: 2 - Maher, and Signorella

Consider Le Chocolat du Bouchard's request for a Downtown Outdoor Seating Permit on the public way

Attachments: [Le Chocolat du Bouchard Outdoor Seating Application](#)

Cathy Bouchard, Owner of Le Chocolat du Bouchard, presented the request for seating in the public alleyway and asked if the city fencing could be provided to businesses again this year due to the significant amount of fencing needed. Mayor Chirico replied that the City has been flexible on the type of fencing used to delineate outdoor seating areas, however, it would

be the responsibility of the business to provide the fencing. Bouchard discussed permanent fencing options and Mayor Chirico replied that the Liquor Commission can recommend raising the cap on the Downtown Outdoor Seating Permit to City Council, but a permanent encroachment on the public walkway would need additional City Council approval. Lutzke and Zibble confirmed.

Commissioner Vozar made a motion to recommend raising the cap on the Downtown Outdoor Seating Permit to approve Le Chocolate du Bouchard's Downtown Outdoor Seating Permit request pending review and approval by TED and aesthetic review by the Mayor, seconded by Wehrli. The motion was approved and carried by the following vote:

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

Excused: 1 - Mayor Chirico

Absent: 2 - Maher, and Signorella

Consider Allegory's request for a Downtown Outdoor Seating Permit on a public sidewalk or public alleyway

Attachments: [Allegory Outdoor Seating Application](#)

Chris Mason, Owner of Allegory, presented his request for seating on the public sidewalk and use of a public parking space. Mayor Chirico noted that using a parking space would require City Council for additional approval. Mason presented his other proposed layouts including a high top bench on the public sidewalk and seating using the private property parking spaces behind the building that belong to Liam Brex, who has approved the request. Mayor Chirico confirmed that the private property seating can be processed administratively, however, the bench seating on the sidewalk will require raising the Downtown Outdoor Seating Permit cap. Commissioners discussed whether the outdoor seating needs to be contiguous and how service and monitoring of the area will be provided. Lutzke reported that the outdoor seating does not need to be contiguous. Zibble confirmed that a letter of permission would be needed for the seating to be on a neighboring businesses' private property. Mason reported that he would have dedicated staffing for the back outdoor area.

Commissioner Wehrli made a motion to recommend raising the cap on the Downtown Outdoor Seating Permit to approve Allegory's Downtown Outdoor Seating Permit request pending review and approval by TED and aesthetic review by the Mayor, seconded by Koranda. The motion was approved and carried by the following vote:

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

Excused: 1 - Mayor Chirico

Absent: 2 - Maher, and Signorella

Discuss amending the fencing requirement for the Outdoor Seating Permit

Mayor Chirico questioned the purpose of the fencing requirement for outdoor seating areas with liquor, noting that it prevents passing of drinks from a licensed premise to the street, but that is not a common occurrence. Commissioners discussed how fencing creates a barrier which keeps pedestrians from walking into the area, it keeps the area contained, and it defines the premise for the liquor license. Commissioners asked if the City owns the black FEMA fencing provided to businesses during the pandemic and asked if a rental fee could be arranged to include installation, removal and storage at least for this year. Christine Jeffries reported that Dick Dublinski, Director of Public Works, confirmed that the fencing is available. Mayor Chirico asked Danielle Tufano, Executive Director of Downtown Naperville Alliance, to contact Dublinski to discuss coordinating a program.

F. REPORTS:

Approve the regular Liquor Commission meeting minutes of May 5, 2022

Attachments: [Liquor Commission Meeting Minutes 050522 DRAFT](#)

Commissioner Stauffer made a motion to approve the regular Liquor Commission meeting minutes of May 5, 2022, seconded by Koranda. The motion was approved by unanimous vote.

1. Restaurant Association Report - Jeffries

Christine Jeffries reported the 2021 Naperville sales tax numbers were the highest in Illinois outside of the City of Chicago. All top 5 suburbs showed increased sales between 2020 and 2021 and retail sales in Naperville increased 31% or over \$1 billion. Revenue from just drinking and dining establishments was also the highest in Illinois outside of the City of Chicago at \$443 million in 2021.

2. BASSET- Employee Training Statistics - Creighton

Creighton reported that since the last meeting there was one BASSET class on June 8, 2022 and 130 people passed. Online training passed 34 renewing individuals this month. The next BASSET class is scheduled for August 10, 2022.

3. Tobacco Enforcement Review - Creighton

Creighton reported on the 3rd round of tobacco compliance checks. There were 2 violations and both were small specialty tobacco shops.

4. Liquor Report - Creighton

Creighton reported that there were 10 DUIs in May 2022, compared to 17 DUIs in May 2021. The average remains consistent with 2021.

5. Liquor Concept Committee Update - Barfuss

Barfuss reported that since the last Liquor Commission Meeting, the Liquor Concept Committee had two meetings on May 19th and on June 2nd.

The following concepts were discussed:

Root Down Vinyl & Tap

A proposed business that is a vinyl record store offering onsite consumption and offsite package sales of craft beer. This concept would be seeking a Class C - Tavern license. They are considering their options, given the cap on the Class C, and may come to a future Liquor Commission meeting.

Ss Peter & Paul Homecoming Festival, event scheduled for August 27th in the Ss Peter & Paul parking lots

There is no 3rd party organizer. They will be serving beer and wine. Their request was approved and their application is in process.

SoulFest, event that occurred June 3 - 4 at Naper Settlement

The event contracted with Granite City Catering for the liquor at the event and did not apply for a special event liquor permit.

The Naperville Salute, event scheduled for July 1 - 4 on Rotary Hill

The charity is Naperville Responds for Veterans. There is no 3rd party organizer. They will be serving beer, wine, seltzer and canned cocktails. Their request was approved and their application is in process.

G. EXECUTIVE SESSION:

None

H. ADJOURNMENT:

Commissioner Douglas made a motion to adjourn the Liquor Commission meeting of June 9, 2022, seconded by Vozar. The motion was approved by unanimous vote.

/S/ Miranda Barfuss
Miranda Barfuss
Assistant to City Council