



City of Naperville

400 S. Eagle Street
Naperville, IL 60540

Meeting Minutes

Liquor Commission

Thursday, April 5, 2018

3:00 PM

Council Chambers

A. CALL TO ORDER:

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

B. ROLL CALL:

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

Absent 1 - Scott Wehrli

C. PUBLIC FORUM:

There was no one present to speak under Public Forum.

D. OLD BUSINESS:

1. Update on the outdoor seating ordinance.

Jennifer Lutzke, Senior Assistant City Attorney, reported that the City Council determined that the sunset provision for the outdoor seating should not be removed due to concerns about clearance for the public sidewalks. This issue will be reviewed in a year to address removing the sunset provision.

2. Receive staff report on Dispenser Permit - Tabled

It was requested to table this topic in order to contact 64 A Wine Bar and Red Arrow Tap Room for their input.

Commissioner Vozar moved to table this item, seconded by Commissioner Maher.

E. NEW BUSINESS:

1. The Workbench DIY Studio's request to expand the cap for the Class M liquor license.

Ted and Erica Rowlands, The Workbench DIY Studios, presented their concept in order to request an increase in the Class M license.

Mayor Chirico asked if there were any power tools used by the public. 90% of their wood is cut by the big box stores (Lowes and Home Depot). They do have a table saw on site in a locked storage room. They also have an electric nail gun that the employees will use.

Commissioner Blackman asked about the table saw.
This is located in the backroom. It will not be used by the public. It will be used during their off hours.

Commissioner O'Toole asked what type of alcohol will be served.
It will be prepackaged beer, wine and champagne.

Commissioner Vozar asked about payment for the alcohol.
The workshop is prepaid but the alcohol will be an extra cost.

Commissioner Vozar asked where we were at with the number of Class M licenses.
Currently the cap for the Class M licenses is at 11 and we are at the cap.

Mayor Chirico stated that we had previously been asked for a Class M license for the Virtual Reality store that just approved last night at the Planning and Zoning Commission meeting. The request to City Council would be to increase the cap from 11 to 13.

Commissioner Maher asked if the extra license is being saved for the Virtual Reality store. It is not. The next business that requests a Class M license would need to present to the Liquor Commission.

Commissioner Blackman moved to increase the cap for the Class M license from 11 to 13, seconded by Commissioner Davis.

Aye: 8 - Blackman, Davis, Maher, O'Toole, Robbins, Stauffer, Vozar, and White

Excused: 1 - Mayor Chirico

Absent: 1 - Wehrli

2. Request to increase Late Night Permits - 1 Downtown and 2 Non-Downtown

The request is to increase the Late Night Permit in the downtown area by one and outside of the downtown by two. The Downtown increase is for Midici on Water Street and the non-downtown are for Taps N Tenders on Rt. 59 and Shinto's in Freedom Commons.

Mayor Chirico asked Valerie Insignares from Midici Neopolitan Pizza the reason she would need a Late Night Permit.

Midici is a franchise business based in Sherman Oaks, California. The standard operating hours are 11am to 1am and on Friday and Saturday 11am to 2am. They ask franchise owners to start with these hours for the first 90 days and evaluate the business to see if the Late Night is needed.

Taps N Tenders were represented by Rob Anderson, Attorney, and Ryan Higgins, owner. Mayor Chirico asked them how important the Late Night Permit is to their business model.

Ryan Higgins responded that he currently runs Buffalo Wild Wings at several locations and he sees this as a similar demographic. They are looking at 4% -

6% of their sales are during the late night hours. Their hours will be open Monday - Thursday until midnight 12am, Friday and Saturday until 1am and Sunday until 11pm.

Commissioner Vozar asked for their location.
They will be located on South of 95th St. on Rt. 59 in the former First State Bank building.

Commissioner Vozar asked Detective Riggs his opinion on Late Night Permits. Detective Riggs stated in the downtown area, he has not seen any issues. With the other two locations, he doesn't see any issues.

Commissioner Stauffer asked what time is stated in the ordinance that you need to stop serving alcohol without a Late Night. Without a Late Night Permit, service of alcohol stops at 11pm.

Commissioner Stauffer wants to be cautious if the number of licenses are exceeding our growth. Are we trending in a direction that we prefer not to.

Commissioner Vozar stated that the last increase in the downtown Late Night Permits was Water Street. The Commission deliberated on this increase. We were intentional about the last increase which was over a year ago.

Mayor Chirico stated that the downtown crime statistics have been going down the past few years with the exception of juvenile complaints. In regard to the number of permits, it's more about the quality of the businesses within the cap rather than the number of permits within the cap.

Commissioner Maher feels it has to do a lot with the geographical areas and what the primary business model is for the restaurant.

This will go to City Council for approval in May.

A motion was made by Davis to move approval of the increase in the Late Night Cap for all three businesses, seconded by Maher.

Aye: 8 - Blackman, Davis, Maher, O'Toole, Robbins, Stauffer, Vozar, and White

Excused: 1 - Mayor Chirico

Absent: 1 - Wehrli

3. Juul devices introduction and discussion

Mayor Chirico stated that this is to open up discussion. Dr. Louis Lee, Indian Prairie School District #204, Nancy Voise, School District #203 and Matt Cassity, 360 Youth Services were present for the discussion. Mayor Chirico asked the representatives from the school districts to give an update on what is happening in the schools.

Dr. Louis Lee stated they are learning about these devices. They are working with 360 Youth Services and other organizations to get information out to the parents to make sure they are educated about the harmful affects of vaping. These devices contain nicotine. We are working to educate our parents about these devices.

Mayor Chirico asked how big of a problem this is currently. The students are taking the Illinois Youth Survey every two years. The students are taking the survey now. Some of the questions being asked deal with use, vaping and smoking. They will know more after the surveys are completed. In the 2016 survey, 92% of students were not taking part in these types of substances. JUUL is very recent and new. These devices are designed to look discreet.

Nancy Voise stated that a lot of the students don't see the harm in this. It is important to educate the students. The students don't believe Juul contains nicotine.

Matt Cassity thanked District #203 and District #204 for being their partners. He passed some samples of the devices to the commissioners. The vast majority of users don't know what they are smoking when they smoke ejuice. Juul can be plugged into your computer to charge, so it looks like a jump drive. Juul is the more popular product we are seeing now. Juul devices may be purchased on line, at vape shops and at gas stations.

Commissioner O'Toole questioned how old you have to be to purchase the Juul and the juices. You have to be 18 years old but where Tobacco 21 has been passed, you have to be 21.

There is no action on this today. We will continue to monitor it.

F. REPORTS:

1. Approval of February 8, 2018 Liquor Commission Meeting Minutes

Commissioner White moved to approve the minutes of the February 8, 2018

Liquor Commission meeting, seconded by Commissioner Maher.

Aye: 8 - Blackman, Davis, Maher, O'Toole, Robbins, Stauffer, Vozar, and White

Excused: 1 - Mayor Chirico

Absent: 1 - Wehrli

1. Restaurant Association Report - Jeffries

No Report.

2. BASSET- Employee Training Statistics - Riggs

Detective Riggs reported that the March 2018 class had 100 attendees with 17 no shows. He did a special class for Black Rock with 20 attendees and 10 no shows. The online course is up and running with 20 signed up and 5 registrations pending.

3. Tobacco Enforcement Review - Riggs

We have completed the first round of compliance checks including vape shops with 100% in compliance. The second round will happen next month.

4. Liquor Report - Riggs

Detective Riggs reported that in February 2018 there were 20 DUI's compared to 22 in February 2017. In March 2018, there were 20 DUI's compared to 30 in 2017.

5. Liquor Concept Committee Update - Trotz

Trotz reported the following concepts:

March 15, 2018

Last Fling - they are not changing anything except they will be serving cans of beer this year. There will be 3 locations for alcohol, the Entertainment Stage on Jackson Avenue, the Family Area at Naper Settlement and the Hill but there won't be anything on the Hill on Monday.

The Work Bench DIY Studio's - previously presented.

Quiubo - they are asking for additional outdoor seating. On the north side of their building, where there bar is, they have the overhang door that they wanted to open and go out 3 feet and put pots of plants out where people would stand and drink. This was denied.

BLJP Cuisine Catering - there is a place by Menards called Sage where you can rent out the kitchen and do cooking there. We have had caterers call and do tasting there with alcohol. We had the caterer reach out to the owner of Sage to see if she would get a liquor license and she does not want the expense of a liquor license. So we directed this lady to get a catering liquor license from Aurora and then come to Naperville and get a catering permit.

Taps N Tenders - previously discussed.

G. EXECUTIVE SESSION:

H. ADJOURNMENT:

Commissioner Vozar moved to adjourn the meeting at 4:20pm, seconded by Commissioner Maher.

/S/ Emy Trotz
Emy Trotz
Executive Assistant/Mayor