

# **City of Naperville**

*400 S. Eagle Street  
Naperville, IL 60540*



## **Naperville**

### **Meeting Minutes - Draft**

**Thursday, March 4, 2021**

**3:00 PM**

**Held on Zoom due to COVID-19**

### **Liquor Commission**

**CITY OF NAPERVILLE PUBLIC MEETINGS UPDATE:**

On Friday, June 12, 2020, an amendment to the Open Meetings Act was signed into law. This new law replaces the gubernatorial executive order concerning the Open Meetings Act and allows public bodies to temporarily conduct meetings remotely during a state of emergency, subject to certain requirements, including a determination by the head of the public body that an in-person meeting is not practical or prudent.

Pursuant to Section 120/7(e) of the Illinois Open Meetings Act, the continuation of the Governor's disaster proclamation, and Mayor Chirico's executive order determining that in-person public meetings are not currently practical or prudent because of the COVID-19 pandemic, we are holding the March 4, 2021 Liquor Commission meeting remotely.

**TO JOIN A MEETING:** The meeting will be conducted using the Zoom Video Conferencing. You do not need to download any software or create an account to participate.

**To login on your computer or iPad:**

Click the link to join the webinar, the password is provided on this agenda. Once connected, if you choose to speak, click the "Raise Hand" button at the bottom of Zoom screen and wait for the Chairman to recognize you. When it is your turn to speak, you will be unmuted. There will be a few second delay after you are unmuted until your mic will be live. Please identify yourself for the public record and speak clearly.

**To login on your phone:**

For iPhones, use the iPhone one-tap number provided on this agenda.

For telephones, dial one of the numbers provided and join the meeting by using meeting ID and password provided on this agenda.

Once connected to the meeting, press \*9 to "raise your hand" and wait for the Chairman to recognize you. When it is your turn to speak, you will be unmuted. There will be a few second delay after you are unmuted until your mic will be live. Please identify yourself for the public record and speak clearly.

**PARTICIPATION GUIDELINES:** All viewpoints are welcome. Positive comments and constructive criticism are encouraged. Speakers must refrain from harassing or directing threats or personal attacks at Commissioners, staff, other speakers or members of the public. Comments made to intentionally disrupt the meeting may be managed as necessary to maintain appropriate decorum and allow for city business to be accomplished.

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. [https://zoom.us/j/96428649130?](https://zoom.us/j/96428649130?pwd=dWdORVVpc3lZdVdtYk90ZEKzNHNVUT09)  
[pwd=dWdORVVpc3lZdVdtYk90ZEKzNHNVUT09](https://zoom.us/j/96428649130?pwd=dWdORVVpc3lZdVdtYk90ZEKzNHNVUT09)  
Passcode: 133933

Or iPhone one-tap:

+13126266799,,96428649130#,,,,\*133933# US (Chicago)  
+13017158592,,96428649130#,,,,\*133933# US (Washington DC)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 301 715 8592 or +1 929 205 6099 or +1 669 900 6833 or +1  
253 215 8782 or +1 346 248 7799

Webinar ID: 964 2864 9130

Passcode: 133933

International numbers available: <https://zoom.us/u/aetGw2vICD>

## **A. CALL TO ORDER:**

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

## **B. ROLL CALL:**

**Present** 7 - Mayor Steve Chirico, Paul O'Toole, Joe Vozar, Scott Wehrli, Kimberly White, Karyn Charvat, and Dana Davenport  
**Absent** 4 - Pam Davis, Charles Maher, Mitch Stauffer, and Anthony Signorella

Also Present: Miranda Barfuss, Assistant to City Council; Jennifer Lutzke, Senior Assistant City Attorney; Rachel Pruneda, Administrative Assistant; Christine Jeffries, President-Naperville Development Partnership

## **C. PRESENTATION:**

Installation of new Commissioner: Dana Davenport

Mayor Chirico installed new Commissioner, Dana Davenport, and thanked outgoing Commissioner Paul O'Toole for his service.

## **D. PUBLIC FORUM:**

None

## **E. OLD BUSINESS:**

None

## **F. NEW BUSINESS:**

Consider Tasting DeVine's request to expand their Class S - Specialty Wine Shop liquor license

**Attachments:** [City of Naperville Liquor Commission Tasting deVine Cellars Proposal 03.04.2021](#)

Gregory Hayes, General Manager of Tasting de Vine, presented his request to expand his Class S-Specialty Wine Shop license to allow the service on-premise of craft beer and spirits, as well as sell off-premise spirits. Under the current license class, Tasting de Vine can serve on-premise wine and sell off-premise wine and beer.

Lutzke reported that this action will require approval by the City Council after a recommendation by the Liquor Commission. Commissioners asked about other Class S licensees in the city, package sale restrictions in the downtown, provision of on-premise food sales, and tasting restrictions. Barfuss reported that we have 5 Class S licensees: Angeli's, Cooper's Hawk, Le Chocolat, Sixty-Four Wine Bar and Tasting de Vine. All of the other licensees also have Class B- Restaurant and Tavern licenses. Riggs reported that there have been no liquor citations or complaints related to Tasting de Vine. Lutzke reported that the Class S license class is exempted from the restriction of package sales in the downtown.

Wehrli noted that the Commission created a Class S1 license for a specific business that is no longer operating. The license class remains in our code and has a cap of 1. He went on to suggest that the Commission modify the S1 Class, rather than the S Class, to avoid impacting other Class S licensees. Commissioners asked about pricing for the license class, hours of operation and the proposed product offerings. Hayes reported that he would be offering unique craft beer and bourbon selections, but they would not be a private label. Tasting de Vine hours would align with the current S1 hours of operation.

**Commissioner Wehrli made a motion for staff to bring back a modified S1 class that maintains the current S1 premise size, container requirements, hours of operation and the cap of 1, but adds the petitioner request for on-premise and off-premise beer and spirits, seconded by Vozar. The motion was approved and carried by the following vote:**

**Aye:** 6 - O'Toole, Vozar, Wehrli, White, Charvat, and Davenport

**Excused:** 1 - Mayor Chirico

**Absent:** 4 - Davis, Maher, Stauffer, and Signorella

Approve the regular Liquor Commission meeting minutes of November 5, 2020

**Attachments:** [DRAFT-Liquor Commission Meeting Minutes 110520](#)

**Commissioner Vozar made a motion to approve the regular Liquor Commission Meeting Minutes of November 5, 2020, seconded by White. The motion was**

**approved and carried by the following vote:**

**Aye:** 6 - O'Toole, Vozar, Wehrli, White, Charvat, and Davenport

**Excused:** 1 - Mayor Chirico

**Absent:** 4 - Davis, Maher, Stauffer, and Signorella

## **G. REPORTS:**

### **1. Restaurant Association Report - Jeffries**

Jeffries reported on Valentine's Day promotions and January's Restaurant Week, which had 37 participating restaurants and over 125,000 page clicks. This was down from last year, but still provided a boost for businesses. A second Restaurant Week event is planned for this summer. NDP, DNA and the City are partnering to improve temporary outdoor seating this spring and summer for more uniform and attractive solutions. Restaurants have continued to adapt to COVID restrictions and the restaurant association's email list has been vital for providing timely information.

The restaurant association is currently seeking updates on the City's 2021 liquor renewal process and request that the executive orders allowing temporary outdoor seating and liquor service to-go be retained or renewed as we move into Phase 5 of the Restore Illinois plan. Chirico responded that when the state of emergency is lifted the executive orders will expire, however, Council action can be taken to extend orders. Barfuss reported that the liquor license renewal process is underway. Lutzke reported that we are not charging for outdoor seating permits now because the executive order allowing temporary outdoor seating is still in effect. Barfuss will ensure liquor license renewal communications are shared with the restaurant association. Chirico praised NDP's effective communications, which resulted in Naperville restaurants having the highest number of awards for the DuPage County grant program.

### **2. BASSET- Employee Training Statistics - Riggs**

Riggs reported on the online BASSET program. Recently there have been 50 participants a week, which is a good sign that businesses are starting to recover and hire new staff. The online program can accommodate 200 students at a time and the program is constantly full. Participants have a week to complete the course.

### **3. Tobacco Enforcement Review - Riggs**

Riggs reported on December tobacco compliance checks. There were 4 businesses that failed the check; 3 were gas stations and 1 was a vape shop. The vape shop sold an electronic cigarette device to an 18-year-old. One gas station sold a pack of cigarettes to a 17-year-old and the other two gas stations

sold Juul pods to an 18-year-old. Riggs issued citations and the violations are in process.

#### **4. Liquor Report - Riggs**

Riggs reported that 2020 had a total of 157 DUIs compared to 242 in 2019. The significant decrease can be attributed to COVID. January 2021 had 9 DUIs, compared to 14 in 2020.

#### **5. Liquor Concept Committee Update - Barfuss**

Barfuss reported that since the last Liquor Commission Meeting, the Liquor Concept Committee had three meetings on November 19, 2020, January 21, 2021 and February 17, 2021.

The following concepts were discussed:

**Tasting de Vine**, already reported

**Egg Harbor**, 175 Jackson Ave.

Existing business seeking a Class A Restaurant license. Their request was approved. The application is in process.

**C'zar Male, as part of C'zar Salon and Spa**, 237 W. Jefferson St.

Existing business holding a Class M lifestyle amenities license. They wanted to explore alternate license class options in order to include spirits. They have not finalized their plan.

**Pancake Cafe**, 1292 Rickert Dr.

Existing business seeking a Class A Restaurant license. Their request was approved. The application is in process.

**Costco**, 1255 E. Ogden Ave.

New business seeking a Class D - Package Store license. Their request was approved. The application is in process.

**Tapville Social**, 216 S. Washington St.

Existing business seeking to add a Class K - Catering License, in addition to their Class B. Their request was approved. The Class K will be added through their liquor license renewal process this year.

**TOCA Training Centers**, 1740 Quincy Ave. #106

New business purchasing the Players Indoor Sports Center. They were seeking a Class M - Recreational license. Their request was approved. The application is in process.

**Cracker Barrel**, 1855 West Diehl Rd.

Existing business seeking a Class A - Restaurant license with outdoor seating and inquiring about a Class G - Beer and Wine Package Sale license. They

were approved for the Class A license. The application is in process. They may revisit the Class G at a later time.

Mayor Chirico asked if we had received a Concept Application for the boutique grocer going in at Naper Blvd. and Ogden Ave. Barfuss confirmed we have not.

## **H. ADJOURNMENT:**

**Commissioner Davenport motioned to adjourn the Liquor Commission Meeting of March 4, 2021 at 4:04 PM, seconded by O'Toole. The motion was approved and carried by the following vote:**

**Aye:** 6 - O'Toole, Vozar, Wehrli, White, Charvat, and Davenport

**Excused:** 1 - Mayor Chirico

**Absent:** 4 - Davis, Maher, Stauffer, and Signorella

/S/ Miranda Barfuss  
Miranda Barfuss  
Assistant to City Council