

# **City of Naperville**

*400 S. Eagle Street  
Naperville, IL 60540*



## **Naperville**

### **Meeting Minutes - Final**

**Thursday, June 4, 2020**

**3:00 PM**

**On Zoom - Open agenda to see phone & webinar options**

### **Liquor Commission**

**A. CALL TO ORDER:**

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

**B. ROLL CALL:**

**Present** 11 - Marc Blackman, Mayor Steve Chirico, Pam Davis, Charles Maher, Paul O'Toole, Mitch Stauffer, Joe Vozar, Scott Wehrli, Kimberly White, Anthony Signorella, and Karyn Charvat

Staff Present: Miranda Barfuss, Assistant to City Council; Jennifer Lutzke, Senior Assistant City Attorney; Rachel Pruneda, Administrative Assistant

**C. PUBLIC FORUM:**

None

**D. OLD BUSINESS:**

None

**E. NEW BUSINESS:**

Consider restarting the 2020-2021 liquor license renewal process

Mayor Chirico gave an overview of actions taken during the Governor's Stay-at-Home Order and local state of emergency to allow restaurants and bars to continue to operate. Lutzke reviewed the Mayoral Executive Orders issued to date: suspending the liquor license and tobacco renewal processes; allowing for off-premise package sales of beer, wine, spirits and mixed drinks; extending deadlines for Food and Beverage Tax payments; and relaxing restrictions on outdoor seating permits to allow restaurants and bars to offer temporary outdoor seating.

The Commission discussed the merits of changing the renewal date for licenses, reducing or waiving liquor license fees for the year and which licensees have been negatively impacted by the COVID crisis.

Lutzke clarified that the license year of May 1st to April 30th is codified in our municipal code. She went on to say that the current Executive Orders expire at a date decided by the Mayor, as Liquor Commissioner. The Liquor Commission can make a recommendation to reduce or waive liquor license fees and the City Council will have to approve.

**Commissioner Davis made a motion to waive the liquor license fees for 2020-2021 for all existing liquor licensees excluding Class D and Class G, seconded by Commissioner White. The motion was approved and carried by the following vote:**

**Aye:** 10 - Blackman, Davis, Maher, O'Toole, Stauffer, Vozar, Wehrli, White, Signorella, and Charvat

**Excused:** 1 - Mayor Chirico

#### Discuss COVID-19 executive actions and reopening of restaurants and bars

Lutzke explained that the Illinois Liquor Control Commission has indicated that once the state of emergency is over, they will no longer allow off-premise package sales. The legislation allowing to-go mixed cocktails, however, is in place until the end of the calendar year.

Mayor Chirico reviewed how the City of Naperville is currently allowing temporary outdoor seating without a permit and without a fee. Commissioners discussed extending the temporary outdoor seating permissions, those with existing outdoor seating permits and capacity limits when restaurants are allowed to do indoor dining. The Commission agreed that the simplest action would be to extend the temporary outdoor seating permissions for the balance of the calendar year and waive all outdoor seating fees for 2020-2021.

Lutzke raised the issue of the to-go mixed cocktails and whether we need to take action. Mayor Chirico mentioned establishments that have a large inventory for sangria to-go. Davis recommended that we allow the restaurants to continue to manage this within limits of the state liquor law. Wehrli agreed that we should do all we can to allow restaurants to continue to operate. The existing Mayoral executive order will allow the to-go cocktails until an end date decided by the Mayor.

Lutzke reported that tobacco establishments were closed until the time when curbside pick up was allowed for retail locations. The Commission discussed tobacco establishments and recommended waiving those license fees as well. Lutzke will follow the recommendation of the Commission for tobacco establishments.

Wehrli asked if the state has altered the training standard for BASSET and recommended taking action to make this easier for businesses as they rehire or hire new staff. Lutzke clarified that we have switched to online BASSET training, required within 60 days of employment. The Illinois Liquor Control Commission also made Zoom trainings permissible. The Commission discussed whether it is in our power to extend the 60 day requirement or otherwise assist businesses with BASSET training requirements. Staff was directed to come back with a recommendation for BASSET training adjustments for the next meeting. All agreed by show of hands.

**Commissioner Maher made a motion to waive outdoor seating permit fees for 2020-2021, seconded by Commissioner Signorella. The motion was approved and carried by the following vote:**

**Aye:** 10 - Blackman, Davis, Maher, O'Toole, Stauffer, Vozar, Wehrli, White, Signorella, and Charvat

**Excused:** 1 - Mayor Chirico

## **F. REPORTS:**

Approve the regular Liquor Commission meeting minutes of February 6, 2020

**Attachments:** [DRAFT-Liquor Commission Minutes 020620](#)

**Commissioner Maher motion to approve the Liquor Commission meeting minutes of February 6, 2020, seconded by Commissioner Davis. The motion was approved and carried by the following vote:**

**Aye:** 10 - Blackman, Davis, Maher, O'Toole, Stauffer, Vozar, Wehrli, White, Signorella, and Charvat

**Excused:** 1 - Mayor Chirico

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

No Report

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

No Report.

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

No Report.

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

No Report. Mayor Chirico commented that the DUI's have been very low this year as a result of the Governor's Stay-at-Home Order.

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

Barfuss reported that the Liquor Concept Committee met on March 19, 2020 and the following concepts were discussed:

Mall of India at 776 Route 59

New business seeking Class C- Tavern License for a bar adjacent to the food court. We are seeking further information regarding the mall floor plan.

Zazu Salon at 135 S. Washington

Existing business requesting Class M Lifestyle Amenities license. The application is in process.

Niki Moon Salon at 1100 N. Sherman #108

Existing business requesting Class M Lifestyle Amenities license. The application is in process.

Food Truck Fest, originally scheduled for May 2 at Naper Settlement. The charity is Community Access Naperville. They will serve beer, wine and hard cider.

The event is approved, but the new date is tentatively September 19.

Mayor Chirico reviewed the Class M Lifestyle Amenities action which lowered the fee to \$500 and increased the cap, enabling these salons to apply for the new license class.

Mayor Chirico explained the Mall of India concept, which is for a food court where alcohol is allowed. Lutzke reported that there is a Class C Tavern license available. The Commission discussed the location of the daycare facility within the Mall of India, the location of the alcohol service area, and similarity to the Class M Recreational licenses. Lutzke clarified that the item is not on the agenda for this meeting and advised placing it on the agenda for the next meeting.

Commissioner Maher made a motion to direct staff to place the Mall of India on the July Liquor Commission Meeting. All agreed by a show of hands.

## **G. EXECUTIVE SESSION:**

None

## **H. ADJOURNMENT:**

**Commissioner Maher made a motion to adjourn the Liquor Commission Meeting of June 4, 2020 at 4:09 PM, seconded by Commissioner Signorella. The motion was approved and carried by the following vote:**

**Aye:** 10 - Blackman, Davis, Maher, O'Toole, Stauffer, Vozar, Wehrli, White, Signorella, and Charvat

**Excused:** 1 - Mayor Chirico