

Minutes of the Liquor Control Review Board
Tuesday, December 3, 2013 - 7:30 p.m.
Village Hall - Room 215

Present: Commissioners John Lipic, Jeanette Mancusi, Jane Miller and Sara Spivy (7:31); Chair Victoria Scaman; Village Clerk Teresa Powell

Absent: None

Also Present: Assistant Village Attorney Simone Boutet; Trustee Adam Salzman; Ashley Wallace, Trader Joe's; Ashley Wright, Hamburger Mary's; Sara Faust, OPDC; Spiro and Sam Papageorge, Papaspiros Agora Bistro

Call to Order: Chair Scaman called the meeting to order at 7:30 p.m.

Agenda Approval

It was moved and seconded to approve the agenda as presented. A voice vote was taken and the motion was approved.

Public Comment

There was no Public Comment.

Approval of Minutes

It was moved and seconded to approve the minutes of the meeting of October 22, 2013. A voice vote was taken and the minutes were approved as presented.

Administrative Report

Village Clerk Powell stated that the liquor license for Dominick's will be cancelled once they close later this month. Fingerprinting is in the process for Trader Joe's. Hamburger Mary's application is ready for review.

New Business

A. Trader Joe's – Cancel C-2/Create C-1

Store Manager Ashley Wallace commented that the Oak Park Trader Joe's is one of two Illinois locations that does not currently sell hard liquor. The employees are experienced in handling liquor but are willing to complete any additional training necessary to acquire a full liquor license.

Assistant Village Attorney Simone Boutet explained that the Village Code currently requires that C-1 (full alcohol) license holders have a minimum of 10,000 square feet of retail space; Trader Joe's has 8,300. She asked the Commissioners to review a proposed ordinance reducing that requirement to 8,000 square feet. If the LCRB recommends that change, it will be presented to

the Village Board for adoption. Trader Joe's application is still being processed as their officers and directors have changed since original issuance of their license. The new officers need to be fingerprinted and their background checked. Once that is accomplished, an ordinance granting Trader Joe's a C-1 license will be presented to the Board, most likely in January.

Commissioner Lipic asked if there was anything in the original Whiteco development documents that limited Trader Joes to selling beer and wine only. Ms. Boutet noted that a review of the Whiteco development documents did not contain any restriction on the type of alcohol to be sold at Trader Joes. Commissioner Lipic also asked what effect decreasing the required square footage will have on other Class C-2 (beer and wine) license holders. Ms. Boutet noted that all other package liquor license holders, with the exception of Trader Joe's and Pan's, already have C-1 liquor licenses. Pan's square footage qualifies it for a C-1 license now with or without the reduction in square footage.

Trustee Salzman added that Trader Joe's just recently began selling sprits nationally and didn't believe there were any issues at the time of the original application.

Chair Scaman asked if the current liquor department will be expanded to accommodate the proposed sale of hard liquor. Ms. Wallace stated that hard liquor will be placed adjacent to the front desk where the manager is located; stock currently shelved there will be filtered in with the other wines. No expansion to the liquor area will be needed.

It was moved and seconded to recommend to the Village Board adoption of an ordinance reducing the required minimum square footage of retail space for C-1 liquor licenses to 8,000 square feet per ordinance.

The roll call was as follows:

AYES: Commissioners Lipic, Mancusi, Miller, and Spivy; Chair Scaman

NAYS: None

ABSENT: None

The motion was approved.

Village Clerk Powell asked Ms. Wallace to appear at the January 28 Liquor Control Review Board for final recommendation of their C-1 license to the Village Board.

B. Hamburger Mary's – Review D-14 License Application

Hamburger Mary's complete liquor license application was presented to the board. The owners are requesting a class D-14 Brew Pub liquor license for premises located at 1111-1113 South Boulevard. Ms. Boutet noted that there was one final element missing from the application which is proof of a property interest in the proposed location. Owner Ashley Wright stated that they have not yet closed on the purchase of the property; they wanted to be certain that they could obtain the liquor license before finalizing the purchase.

Mr. Wright discussed features of the building, which was originally a theater. He answered questions from the LCRB regarding their other locations and menu.

It was moved and seconded to recommend to the Village Board that a Class D-14 Brew Pub Liquor License be issued to HM-OPBC LLC, d/b/a Hamburger Mary's – Oak Park Brewing Company contingent upon proof, sufficient to the Village Attorney, that HM-OPBC has a property interest in the proposed location.

The roll call was as follows:

AYES: Commissioners Lipic, Mancusi, Miller, and Spivy; Chair Scaman

NAYS: None

ABSENT: None

The motion was approved.

Old Business

A. Papaspiros Agora Bistro Update

Sam Papageorge asked about the status of his application.

Ms. Boutet responded that due to numerous factual inconsistencies between the application materials and other publically available information, she recommended that the Board hold a separate hearing to fully investigate the application. She referenced a letter detailing the information Mr. Papageorge needed to provide before the hearing. Chair Scaman asked Mr. Papageorge to follow up with Ms. Boutet. He asked if he could get a partial approval if he produces all required paperwork. Chair Scaman and Ms. Boutet said there is no such thing as a partial approval because liquor licenses are issued by ordinance and the ordinance is either adopted or not. Ms. Boutet urged Mr. Papageorge to provide the documents requested and provide full and accurate information on the officers, directors and owners of the corporation, as well as the manager so they can be fingerprinted and this could move along.

Mr. Papageorge requested a special license in order to serve alcohol over the holidays. Ms. Boutet suggested that they do BYOB. Village Clerk Powell stated that Business License Officer Sunny Choi can provide details in that regard.

Mr. Papageorge asked if this could be addressed sooner than the next meeting in January. Chair Scaman stated that until Mr. Papageorge provides the requested information, the license application cannot be fully investigated or considered.

Chair Scaman complimented staff who have been involved with the Papaspiros license.

Village Clerk Powell announced that she will no longer be the staff liaison to the LCRB; the new liaison will be a staff member from the Legal Department. Trustee Salzman clarified that this change is part of the budget recommendations of the Village Manager; some staff are being moved to different departments. He stated that a new structure will be in place regarding licensing. Currently, an applicant has to go to several different departments regarding various aspects of obtaining a license. Trustee Salzman also explained the rationale behind the Legal Department as liaison to the LCRB. No change will be made to the way the LCRB operates.

Annual Renewals

It was moved and seconded to approve the annual renewals for January and February as presented.

<u>LICENSE HOLDER</u>	<u>CLASS</u>	<u>EXPIRES</u>	<u>TAX STATUS</u>
Select Restaurants Inc. DBA: Winberie's 151 N Oak Park Ave	B-4 Restaurant Lounge	11-JAN-2014	Current
La Cuisine Catering Company DBA: La Cuisine Catering Company	D-8 Park District Catering	01-JAN-2014	No Taxes
Oak Park Restaurants Inc. DBA: Geppetto's Restaurant Inc. 113 N Oak Park Ave	B-1 Restaurant	05-FEB-2014	Current
David Chung 89 Enterprises Inc. DBA: Szechwan Beijing 1107 South Blvd	B-1 Restaurant	09-FEB-2014	Current
Mancini's Pizza & Pasta, Café Inc. DBA: Mancini's Pizza Pasta 1111 Lake St	B-2 Restaurant Beer & Wine	01-FEB-2014	Current
Chipotle Mexican Grill Inc. DBA: Chipotle Mexican Grill 1128 Lake St	B-3 Ethnic Restaurant	01-FEB-2014	Current
Costello's S & S Inc. DBA: Trattoria 225 225 Harrison St	B-4 Restaurant Lounge	01-FEB-2014	Current
MFD Inc. DBA: Avenue Ale House 825 S Oak Park Ave	B-4 Restaurant Lounge	21-FEB-2014	Current
T.G.I. Friday's Inc. DBA: T.G.I. Friday's	B-4 Restaurant Lounge	15-FEB-2014	Current
Oak Park Library 834 Lake St	D-7 Park Dist/Library	07-FEB-2014	No Taxes
Fenwick High School	E-1 Special Event	24-FEB-2014	No Taxes

505 Washington Blvd

Hephzibah Children's Association 1144 Lake St 5FL	E-1 Special Event Special Events	16-Feb-2014	No Taxes
Harlem, Lake, Marion Corp DBA: Downtown Oak Park 1010 Lake St Ste #114	E-1 Special Event	20-FEB-2014	No Taxes
Jambal Inc. DBA: Sagano Sushi 731 Lake St	B-2 Restaurant Beer & Wine	04-FEB-2014	Current
Marion Street Grille Finisterre Inc. DBA: Marion Street Grille 189 N. Marion St.	B-1 Restaurant	05-DEC-2013	Current

Chair Scaman addressed Trustee Salzman regarding discussions that the LCRB has had in terms of delinquent liquor tax payments. She referred to restaurants that are struggling financially. She asked if there was some response the Village could make to this ongoing issue, such as a grant process. She did not want to see businesses leave Oak Park. There was a discussion regarding business retention.

The roll call was as follows:

AYES: Commissioners Lipic, Mancusi, Miller, and Spivy; Chair Scaman

NAYS: None

ABSENT: None

The motion was approved.

Adjournment

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 8:50 p.m. Tuesday, December 3, 2013.

Respectfully Submitted,

MaryAnn Schoenneman, Recording Secretary