

Minutes of the Liquor Control Review Board
Tuesday, January 28, 2014 - 7:30 p.m.
Village Hall - Room 130

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

Absent: None

Also Present: Village Attorney Paul Stephanides; Loretta Daly, Business Service Manager; Victor Schrader, OPDC; Jim Cagle, Mike Kahn and Paul Kreiner, Noon Whistle Brewing Company; Sam Papageorge, Nafpaktos, Inc. d/b/a Agora Bistro; Bill Rakes

Call to Order: Chair Scaman called the meeting to order at 7:31 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 December 3, 2013. A voice vote was taken and the minutes were approved as presented.

New Business

Noon Whistle Brewing Company

Noon Whistle Brewing Company (“Noon Whistle”) has requested the creation of a craft brewery liquor license classification. Oak Park Development Corporation (“OPDC”) started working with Noon Whistle about 8-10 months ago and assisted Noon Whistle in finding a proposed location at 18 W. Chicago Avenue. Noon Whistle has discussed its proposed location with persons living in the area and has agreed to hold a neighborhood meeting at the location. Noon Whistle believes Oak Park would be an ideal location for its business.

Paul Kreiner of Noon Whistle stated he has been in the beer business for 10 years and he has an associate degree in brewing technology from Siebel Institute in Chicago and has been brewing for 5-6 years. Jim Cagle of Noon Whistle is the nuts and bolts of the company. Mike Kahn of Noon Whistle stated his background is in sales and marketing.

The draft ordinance creating the classification places a limit per consumer of the number of servings a person may have and on the hours of operation. Patrons can taste samples and 90-95% of the craft beer produced by Noon Whistle will be sold to distributors.

Noon Whistle plans to brew session beer which is 5% alcohol or less, and most craft beers are 8-10% alcohol. Noon Whistle hopes to initially manufacture 2,000 barrels per year with projections up to 15,000 barrels per year by 2015. They have discussed offering some kind of food including dried food or packaged pretzels, and the possibility of food trucks to operate outside the facility and bringing in food from local restaurants.

The brew house would be positioned closer to the front of the facility. There will be a stack that goes directly up and out and it would be 150 feet from the nearest home. In the summer, there may be an odor for about an hour when they are boiling/brewing which would occur between 8:00 a.m. to 9:00 a.m.

There are approximately 56 parking spaces in the area – 30 parking spots from the Village, 17 parking spots on side streets, and the owner of a building kiddy corner to the proposed location has 9 parking spots.

A question was raised about the waste water impact. Noon Whistle responded that in a perfect world, they would never have to dispose of a batch but might have to in certain cases such as bacterial infection or if the craft beer does not meet quality requirements. Before they would dispose a batch, they would be in contact with the local water department so they can test the PH balance.

Chairman Scaman summarized the following recommended changes to the draft ordinance creating the liquor license classification:

- (1) Licensees can offer for off-premises consumption six (6) twelve (12) ounce bottles in one package or a single (40) forty ounce (1.18 liter) container;
- (2) Hours of 11:00 a.m. to 10:00 p.m.;
- (3) The maximum number of servings for any one customer shall be five (5);
- (4) The total gross square footage for sales shall be no more than 25%;
- (5) Packaged food shall be provided whenever craft beer is available for onsite consumption;
and
- (6) The maximum annual craft beer production shall be limited to 15,000 barrels.

It was moved and seconded to recommend to the Village Board adoption of an ordinance approving a liquor license classification for Noon Whistle Brewery with the above-referenced changes to the draft ordinance.

The roll call was as follows:

AYES: Commissioners Lipic, and Miller; Chair Scaman

NAYS: Mancusi and Spivy

ABSENT: None

The motion was approved.

Old Business

Papaspiros Agora Bistro

Sam Papageorge has filed an application for a Restaurant Class B-4 liquor license which contains new material submitted to the Village on December 30, 2013 for 728 Lake Street that was previously discussed by the Board. Nafaktos, Inc. is the applicant, which is owned and operated by Sam Papageorge. Papageorge is the President as well as the sole owner of the corporation. The name of the business will be Agora Bistro. The two issues remaining with regard to the application are: (1) have all required materials been provided to the Village; and (2) ownership of the proposed business.

Peter Stroth, a longtime Oak Park resident, expressed support for the business. Bill Rakes, a local resident and accountant who has invested in the proposed business also expressed his support. The Board then discussed the Applicant's business proposal and questioned the Applicant.

If the Board recommends approval, an agenda item would appear at the February 3, 2014 Village Board meeting to add by an ordinance an additional B-4 liquor license to the Village Code for Agora Bistro and the Local Liquor Control Commissioner would then issue the license.

It was moved and seconded to recommend to the Village Board adoption of a B-4 liquor license for Agora Bistro with the above-referenced conditions.

The roll call was as follows:

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

NAYS: None

ABSENT: None

The motion was approved.

Administrative Report

1. Loretta Daly, Business Service Manager, stated that all licensing has been moved under her division. Daly informed the Board of a request from Downtown Oak Park ("DTOP") for a Thursday Night's Out Program. DTOP would like to allow on a rotating basis one of their member restaurants to serve alcohol on the street during the event.

There are two special event license categories. One of which special event license is valid for events on premises owned and leased by the operator and the other is to sell inventory for all offsite for special events. These are limited to two events a year and the

event must be Village sponsored or co-sponsored. Daly informed the board of a program that was authorized that provides for Village sponsorship grants for events in the business area and DTOP's proposal could be part of the program.

Chair Scaman stated certain questions that would be asked of DTOP: How would it verify that no one underage is being served? How would it control attendance at the event and the purchase of alcoholic liquors?

This item will be placed on the February 25, 2014 agenda.

2. Daly discussed the liquor license process. Business Service will be the central location for all business community needs, including liquor license applications.
3. Village Attorney Paul Stephanides discussed some liquor amendments he would like to bring to the Board such as eliminating the bond requirement for applicants. Not many communities have a similar bond requirement.

Annual Renewals

None.

Adjournment

It was moved and seconded to adjourn. A voice vote was taken and the motion was approved. The meeting adjourned at 9:52 p.m. Tuesday, January 28, 2014.