MINUTES

Liquor Control Board
Wednesday, October 31, 2018 11:00 a.m.
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Room 2750

Members Present: Mayor Stephen H. Hagerty (Local Liquor Control Commissioner); Marion Macbeth; Dick Peach

Members Absent: None

Staff Present: Mario Treto, Jr.

Others Present: Lorraine Dostal & Farrel Wilson (Theo Ubique); Zafer Genc (Tuko Cantina); Diane Petersmarck & Unnamed Resident (City of Evanston Resident); Rajeesh Patel (Evanston 1st Liquors)

Presiding Member: Local Liquor Control Commissioner Stephen H. Hagerty/Mayor

CALL TO ORDER
The Local Liquor Control Commissioner Stephen Hagerty called the meeting to order at 11:00 a.m.

NEW BUSINESS

Theo Ubique Cabaret Theatre, 721 Howard Street
Lorraine Dostal requested consideration of a Class U (Theatre) liquor license. Dostal explained that Theo Ubique is a cabaret dinner theater planning to offer the option to purchase dinner tickets in addition to theatre tickets. Dinners will be provided by a catering service and the theatre will house a catering kitchen. The theatre is negotiating with an Evanston restaurant for catering services. They have 3 shows with around 120 performance dates scheduled for the first year on Thursday, Friday, Saturday and Sunday, and have added a few matinee shows for group sales. They would like to be able to serve during the matinee shows as well. They understand the One Day requirement for special events fundraisers and private party rentals.

Mayor Hagerty raised the previous meeting in which the Class U liquor license was amended and Dostal provided the Local Liquor Control Board with updates regarding the theatre's application.
Marion Macbeth asked about the alcohol service hours on the application. Ms. Dostal and Ms. Wilson explained that shows typically run about two and a half hours, and usually end around 10:15 p.m. – 10:30 p.m., no later than 11:30 p.m. Ms. Dostal discussed wanting flexibility to add shows and extend hours. Mayor Haggerty and Attorney Treto determined that Class U license classifications includes language that only restricts time before, during and, after a show that alcohol may be served but does not have a set time that alcohol service must end by. The Theo Ubique would be permitted to serve alcohol two (2) hours before and after each show, and during intermission regardless of which day of the week or the time of day.

Dick Peach clarified that one of the members who is BASSET trained will have to be present at the establishment. Ms. Wilson stated that she and the theatre manager intend to be present. Ms. Wilson indicated that she is an Evanston resident and will ensure that actors will be asked if they are BASSET trained during their audition application. People who serve will BASSET trained. Mayor Hagerty emphasized his zero tolerance policy for underage drinking.

The Local Liquor Control Commissioner asked the members if there were any further questions or concerns over the request. No further questions from Members. Attorney Treto advised of the separate requirements for warming stations and serving of food. No additional public comment. The Board recommended approval of the liquor license to be introduced at the City Council meeting on November 12, 2018.

**Tuko Cantina, 817 University Place**

Zafer Genc requested consideration of a Class D (Restaurant) license. He has been doing business in Chicago for the last 18 years and has several liquor licenses in the city of Chicago. He currently has a restaurant, Rhyme or Reason, in Wicker Park. He came to the 817 University Place building through his research and found that it previously had a restaurant. He was later notified of concerns raised by neighboring residents and has worked to address them. Mayor Haggerty indicated that he hasn’t heard complaints about the service of liquor, but moreso about noise control. Mr. Genc responded by indicating that he is setting his hours of operation the same as other nearby restaurants.

Mr. Genc indicated that Tuko Canita is a Mexican style restaurant with a smaller menu including tacos, tortas and margaritas. His chef in Wicker Park is assisting him with the menu. He is willing to close earlier to satisfy neighbors.

Mayor Hagerty opened the discussion up to public comment. Diane Petersmarck stated that she is welcoming of a restaurant as long as it is willing to be flexible on hours and expressed gratitude towards Mr. Genc’s agreement not to put seating in the parkway.

Mr. Genc indicated that he plans to have televisions for sporting events and would like to extend hours from 11 p.m. to 12 a.m. to accommodate games. Ms. Petersmarck and Mr. Genc discuss sound control and locations for television. Another resident continued to discuss outdoor seating and noise concerns from her perspective.
Attorney Treto agreed to draft a memorandum of understanding memorializing in writing the agreed upon hours of operation (notating Sunday through Saturday hours to terminate at midnight), HVAC replacement, and noise control with regard to seating and television speakers.

The Liquor Control Commissioner asked the members if there were any further questions or concerns over the request. None were voiced. The board recommended liquor license issuance to be introduced at the City Council meeting on November 12, 2018.

**Evanston 1<sup>st</sup> Liquors**

**Rajeesh Patel**

The mayor directed staff to work with the owners of Evanston 1<sup>st</sup> Liquors with regards to their request to amend their liquor license to allow the sale of different alcoholic containers in comparison to other liquor license classes. Staff will put this item for consideration on its next agenda.

**ADJOURNMENT**

The meeting was adjourned by the Local Liquor Control Commissioner Stephen H. Hagerty, Mayor at 11:35 a.m. October 31, 2018.

Respectfully Submitted,

Mario Treto, Jr.
Deputy City Attorney, Law Department