

**MINUTES
CITY OF ST. CHARLES, IL
LIQUOR CONTROL COMMISSION MEETING
TUESDAY, FEBRUARY 16, 2016**

1. Opening of Meeting

The meeting was convened by Liquor Commissioner Rogina at 4:30 p.m.

2. Roll Call

Members Present: Liquor Commissioner Rogina, Robert Ghem, Ald. Payleitner, Ald. Lewis and Chuck Amenta

Others Present: Police Chief Keegan, Atty. John McGuirk, Mark Koenen, and Tracy Conti

3. Recommendation to accept and place on file minutes of the Liquor Control Commission meeting held on January 19, 2016.

Motion by Robert Ghem, second by Ald. Payleitner to accept and place on file minutes of the Liquor Control Commission meeting held on July 20, 2015.

Voice Vote: Ayes: unanimous, Nays: none. Chrm. Rogina did not vote as Chair. **Motion carried.**

4. Recommendation to approve a proposal for a class B liquor license for Brown's Chicken located at 1910 Lincoln Highway, St. Charles.

Chief Keegan: This is a class B liquor license application for the Brown's Chicken and Pasta located on Lincoln Highway. The applicant is present, Mr. Noel Esbjorn. It's a long standing St. Charles business and he'd like to expand his business model to include wine and beer for consumption on site. There is a drive-thru at the location which is also been discussed in previous applications before the Commission. The petitioner knows that no alcohol can be delivered and or sold through the drive-thru. Down the road he would like to look at offering sporting events via close circuit TV, potentially video gaming. At this point I'd like to ask Noel to step forward to answer any questions the Commission might have. It's important to note that he does have Dram Shop Insurance in place and his BASSET certificate.

Noel Esbjorn: 1910 Lincoln Highway, St. Charles.

Mr. Ghem: Everything looks in pretty good order based on what the Chief has recommended. I have a question about video gaming. What are you thinking about that in addition to serving beer and wine and doing other things? What's your overall vision?

Mr. Esbjorn: I've been there 3 ½ years and I'd like to try to expand. I know other towns are doing gaming. I'm not opposed to it. I'd like to bring in a grill and be able to offer grilled chicken and salads. It's more inviting. Try to generate more of a lunch business. I have the night business, catering is picking up, but I need to get something going with lunch. Down the road if gaming is available, I wouldn't mind looking into it.

Mayor Rogina: It would be fair to say, and you put this in your proposal, but the video gaming ordinance is in a suspended state at the moment. When it was passed it was passed under the condition that it would not go into place until the State passed a budget and that budget includes the City getting its 1/6 share. Additionally, I would tell you that any new liquor licensee has to be in good standing with a liquor license for a full year before they would get video gaming.

Ald. Payleitner: Are you planning on pouring or are you going to have pre-bottled?

Mr. Esbjorn: Just bottles. Bottled beer, small bottles of wine.

Ald. Payleitner: I want to thank the Chief for adding this in (seating plan). It wasn't in our original packets.

A discussion took place between Ald. Payleitner and Mr. Esbjorn regarding the seating plan he submitted.

Ald. Payleitner: My concern in relation to this is where the liquor will be served. It's behind the counter out of a cooler?

Mr. Esbjorn: Behind the counter out of a cooler. I have a cooler with a lock on it.

Ald. Lewis: Is this something you are going to put in place right away if you were to get your license? Are you going to wait for a while?

Mr. Esbjorn: I'd like to get it moving forward. I've been there 3 ½ years. It took me some time to get open. I want to remodel the lobby. Keep moving forward. That's been my plan.

Ald. Lewis: 6 months from now?

Mr. Esbjorn: If it could happen in 2-3 months. The sooner the better.

Ald. Lewis: This may be a question for staff. Are you open until midnight?

Mr. Esbjorn: We're open until 9:00 pm. We're open from 11:00 am – 9:00 pm every day.

Ald. Lewis: This would allow you to serve until midnight. Would you see yourself staying open until midnight?

Mr. Esbjorn: Probably not. I can see 10:00 pm. I'm not going to be a bar. I just want to try to be able to provide a drink to people coming in.

Ald. Lewis: Chief this question might be to you. We've been getting several requests from what were fast food type restaurants for liquor licenses. If they have a midnight license do they have to have people at the door after 11:00 pm? We require that downtown. There are certain restrictions that go in after 11:00 pm. They have to have people at the door carding. Is that the same for these restaurants?

Chief Keegan: With the business model that he just explained, I really don't think that would fall into play with closing at 9:00 pm or 10:00 pm.

Ald. Lewis: If he decided to stay open until midnight?

Chief Keegan: If he did then that's something we would address with the applicant.

Ald. Lewis: That would have to be in place?

Chief Keegan: Correct. So far that hasn't been an issue.

Mr. Amenta: I see you doing this to keep up with the neighbors. Everything I've heard sounds good. I think in my opinion it's fair to keep you competitive otherwise it puts you at a disadvantage.

Ald. Payleitner: Enclosed in our packet was a letter from Tim Kennefick. Who is that?

Mr. Esbjorn: He's the president of Brown's.

Mayor Rogina: I would entertain a motion to move this to Government Operations this evening to go before the full City Council.

Ald. Lewis: I will vote to move this to Committee. This does not necessarily mean that I will be voting in favor of a license. I'd like the record to state that.

Mayor Rogina: That's fair. It will reflect statement.

Motion by Mr. Ghem, second by Mr. Amenta to move this request to the February 16, 2016 Government Operations Committee meeting.

Voice Vote: Ayes: unanimous, Nays: none. Chrm. Rogina did not vote as Chair. **Motion carried.**

- 5. Recommendation to approve a class F-1 BYOB liquor license for Liu Brothers Bistro located at 1554 E. Main St., St. Charles.**

Chief Keegan: I don't think the applicant/petitioner is present, Mr. Kai Yen Cheung. We've had some discussions with the applicant. There has been a change in ownership at this location. As you know Liu Brothers was one of the initial license holders in the community to pursue the new F-1 license. It calls for the onsite consumption of wine and beer, without spirits, brought in with certain regulations brought in by the City Council. Liu Brothers is performed very well. It's been a nice addition to our east side. The application is complete. We did a site visit, spoke with the applicant, he has had BASSET training, he's pursuing his Dram Shop. I wish he was here to answer questions.

Ald. Payleitner: In your conversations with the new owner. Do you know if he had a relationship with the previous owner?

Chief Keegan: I don't know specifically.

Ald. Payleitner: The previous owners were top notch.

Chief Keegan: It is important to note that this applicant did purchase the business a few months ago from the previous owner. The material is complete. The packet he put together was comprehensive. We'll definitely try to get a hold of him between meetings if that's the pleasure of the Committee.

Mayor Rogina: That wouldn't be a bad idea. If in fact this Committee recommends moving it to Government Operations and that he's in a position to respond to the full City Council.

Ald. Lewis: I'm not so sure with the applicant not being here that we should move it to Committee. Lately it seems like people are not showing up when they make these applications and I think they should be required to at least come before us. I don't like the road we're going down that people are not showing up. I don't see any reason until we have a chance to talk to the applicant that we would move this on to Committee. There is no guarantee that they would be here in 2 hours.

Mayor Rogina: Is there anything that you need to have a direct conversation with the applicant as opposed to the Chief answering your questions?

Ald. Lewis: I don't know if there is anything I really need to ask them. I think it demonstrates a commitment to what they are applying for by showing up. You can't ask for a driver's license and not show up.

Mayor Rogina: I would agree with you if he doesn't show tonight to respond to questions; I think that otherwise unless there is something egregious missing here, or if the Chief can't provide answers to any of your questions at least to take it to Council Committee. It will be your decision to vote on it. I'm just offering my opinion. I see your point. If he's not here tonight. Then I agree with you.

Ald. Lewis: I think they should be encouraged to show up.

Chief Keegan: I think the Chief does that. I think he made contact with him and for whatever reason he's not here.

Tina Nilles: We did call. Tracey in my absence yesterday called and left a message. Unless by chance he got confused between the 4:30 pm and 7:00 pm.

Mayor Rogina: Maybe perhaps we contact him to make sure he is here.

Chief Keegan: We'll do that right after the meeting.

Mayor Rogina: Any other questions you have for the Chief on the application?

Mr. Ghem: Other than the ownership change everything else would stay the same, correct?

Chief Keegan: Very similar. The inside has not changed. The menu is very similar. Business model has been in place for some time and it works. I don't have any initial concerns.

Mayor Rogina: I would entertain a motion per the recommendation on the Executive Summary to move this application to City Council Committee tonight at Government Operations. If he's not present the Chief or I will come to the microphone and recommend it be postponed until next month.

Motion by Mr. Ghem, second by Ald. Payleitner to move this application to the February 16, 2016 Government Operations Committee meeting.

Voice Vote: Ayes: unanimous, Nays: none. Chrm. Rogina did not vote as Chair. **Motion carried.**

6. Recommendation to approve a proposal for a Class E1 liquor license for St. Charles Breakfast Rotary club to be held at Lincoln Park, St. Charles on June 25, 2016 – 12:00 noon to 6:00 p.m.

Chief Keegan: Item 6 is a recommendation for an E1 liquor license which is a one-day temporary license issued to a 501c3 or a non-for-profit charitable organization. The St. Charles Breakfast Rotary Club's event is Tri-Cities Craft Brewfest. They have contracted with Brew Avenue Events to host this one-day event. It's important to note during our background of this event and the business model that was proposed; this has gone on in the Western Suburbs for a number of years. We met as a group with not only the non-for-profit group, but also the event organizer to go over site plans and stipulations on how patrons would be vetted. We referenced their age, the amount of alcohol consumed, the size of the glass, which is 3 oz., the lanyard, etc.

They want to do a one-day event from noon to 6:00 p.m. There is a \$45.00 fee and with that fee most of the money will go back to the Rotary Club. The patron would purchase a wrist band and lanyard that will allow the patron up to 18 visits throughout the fest. Each visit at a craft brewery could be poured and consumed in a 3oz. regulator. Over a six hour period the maximum amount

of alcohol they can consume is about 4 ½ beers or 56 oz. This typically draws a mature crowd that are connoisseurs of craft beer. We have been in consultation with the Park District and they are waiting City Council/Liquor Commission action before they rule on a permit. Kirk will step forward and answer any questions or concerns the Commission may have.

Mr. Barrett: Shows sample of the glass and lanyard that will be used at the fest to the Commission.

We're very excited to be here. Thank you for your time. We have several of our board members and club members in attendance. I want to point out Tom Harvess is our current club president, Angel Bravos is our President elect and Alajandro Vasquez is the principle with Brew Avenue Events. We have been working on this for a while and recognize there are many layers as far as getting an approval. We think it looks like a real good match for our club and for the community.

Rotary International has been committed to irradiating Polio across the globe and is very close to that effort, but also has a local nexus where there are several different charities that we support here in town. There is a mix of local in international for third world systems. We're looking for a better fundraiser. That has been a challenge over the years. We really came to support this idea over the past year. The Club and Board have formally endorsed it and we're hoping this can become one of our primary fundraisers.

What we have seen happening in the suburbs, such as, Naperville, Wheaton, Itasca, Lisle, to name a few, are that these craft brew fest events are typically held in the afternoon. They are commonly held in a park location and certainly focus on the secure and safe environment for adults to check out all the different kinds of brews that are out there. It's a 21 and older event. We would have fencing around the park. The corner would be the check point where we will be carding and taking care of the entrance requirements, you would then be in the event inside the fencing. The beverage areas are spread out. There are about 5 different tents that will be set up. Each tent might have 5 or 6 brewers who are invited to bring 2 kinds of beer. We would be recruiting brewers from the Fox Valley area, the Chicagoland region, and maybe a few from out of state. The majority of the \$45 ticket will go to cover cost. There is some profit, but more than half will be to offset the cost. The \$45 ticket would be in advance, the trend is a lot of the sales are in advance online. This helps give us a good idea of what the turnout is going to look like. We would communicate that back to the City. We're projecting 1,000 participants in year one and would perhaps like to do this yearly possibly adding 500 participants per year. The Park District has some interest in considering this type of event and wants to know that the City Council approves it first. There could be a move to another location if that becomes an issue over time. It's \$50.00 at the door and that helps drive those advance sales. It also makes it rainproof because we have a good level of sales, rain or shine we have the event and we still are able to cover our cost.

We would expect it would be an upscale crowd that would be attracted to the event. We would use a variety of means to market it. We had our first sit down with the City representatives and got quite a check list. We were directed to meet with the Downtown Partnership who gave us

some good feedback and tried critiquing ways things could go wrong. They ended up suggesting that maybe we should look at having it at Lincoln Park. We initially thought of First Avenue. As we have looked at Lincoln Park we think it's a great venue. We did get the confirmation from the Park District that they have reserved the site but before they take it to their Board for a vote they wanted us to go through the process here.

Mayor Rogina: I respect the Park District for that and we work well with them. I see no reason why if this meets City Council approval that the Park District won't go along with the program. I would hope they would after going through all this.

Mr. Ghem: Lincoln Park, I agree, is probably a great spot. My only question is, being right on Main Street, I see that you have it set up for one entrance. What kind of security would you have on Main Street? You can get into the park anyway you want. How do you guide people to that main entrance?

Chief Keegan: We'll look at what the numbers dictate. It's going to be a fenced in event so we keep the consumption in the park. That will help, but as far as pedestrian traffic, as the event gets closer, we know numbers will dictate if we do a barricade, signage, and even officers hired back on a detail. We'll work out the logistics as it gets closer.

Mr. Ghem: Having a central point makes a lot of sense. That way you're able to vet and make sure that people's ID's are checked, lanyards displayed, and wristbands distributed so that everybody that's been to one of these goes through the same point.

Mr. Barrett: It's going to be the northwest corner, the far corner the backend which might not be the most intuitive, but it's more flat and paved.

Ald. Payleitner: Will there be music that would have to go through the special events process?

Mr. Barrett: We put down for a DJ to have some background music. Part of it is that it's festival; you meet people and talk to the brewers. We want to keep it basic.

Ald. Payleitner: Would that require amplification?

Chief Keegan: City Council action for street closure and amplified sound.

Ald. Payleitner: We will probably see that down the road?

Chief Keegan: We didn't get that far along in the process. He wanted us to approve the liquor license first. If and when it takes place we will make sure to vet that properly.

Ald. Payleitner: Public Works charges will be part of that.

Chief Keegan: Yes.

Ald. Payleitner: It looks like you've had a lot of conversations. Can I ask Mr. Vasquez a question?

Mr. Vasquez: Alajandro Vasquez, 125 Chapin Way, Oswego.

Ald. Payleitner: I heard it mentioned that you worked with the Naperville event. How many events have you worked?

Mr. Vasquez: I've worked 2 of the winter and 1 of the summer events. That's for Naperville. I've also worked the Wheaton Ale Fest and the Cock-a-Doddle-Brew in Aurora. I have a marketing and events background. I've been doing these craft beer festivals for the last 3 years. It's really picked up in this market. I was working all these events for other companies so I started a small business and brought the expertise from all the events. I think this is a perfect market for a craft brew festival. There is really nothing else around here that does this. I know there is Swedish Days and a small event in Elburn, but I think this is a great environment for an event like this.

Ald. Payleitner: I concur. I question your experience only because I know that you would be able to anticipate any causes or concerns depending on numbers. That speaks greatly to the event. I want to compliment the Rotary on taking your time and being thorough. I appreciate that.

Ald. Lewis: I think it sounds like a fun idea and profitable for you, but I hesitate a little bit. Now that we're adding a festival, are there other festivals that will be taking place because there is an ordinance that you can only have so many in a period of time. I don't want that to be an issue.

Mayor Rogina: We have one major festival in this town and that is Scarecrow Fest. We have had a second one Riverfest that is going to be scaled down apparently. Interaction I've had with downtown business owners suggested the following: what can we do as a City on a regular basis to have small little events that do not close streets, take up a lot of resources and yet bring people into St. Charles? It seems to me the Rotary is on to something here. They are one of possibly a variety of people that might try to have little one-day only events for 4 or 5 hours to bring people into the community. In this case they will be confined to Lincoln Park for a good part of the day. That doesn't mean that when they leave they won't go right down the street to one of our restaurants and have a meal.

Ald. Lewis: I don't disagree with you but that's not the way the ordinance is written. That's the problem as I see it.

Mayor Rogina: Do you think this is a fest?

Ald. Lewis: They're calling it a fest. If we have to start closing streets and getting amplification; I just don't want it to be an issue and are there any other ones? Is that the same weekend as the History Center?

Ald. Payleitner: No. That's at the end of July

Ald. Lewis: I just don't want it to be an issue.

Mark Koenen: I think in the past, sometimes we have had multiple festivals particularly, early in the summer, people and transitionaries just outside the downtown area look for street parking, busses, access to parking lots, this is the stuff that would be effected as a result of that. The Council has been more sensitive to how many activities are going on downtown. In my recollection of the code and I haven't read that section recently, but it really related to the parking lot and street closures. This event doesn't include any of those which maybe makes this an opportunity. There are no street closures. It will bring people downtown.

Ald. Lewis: It will be neighborhood parking.

Mark Koenen: It will be neighborhood parking and we do have the parking lot down the street, we also have the St. Pat's parking lot. I'm guessing they wouldn't mind if people park there.

Ald. Lewis: I don't want you to think I'm opposed to what you want to do. I just want to get these ironed out so they don't show up farther down the road. Maybe we should revisit that section of the ordinance.

Mr. Amenta: Have you considered, and this is going to come down to numbers, using remote parking and hiring a bus service? Would that help alleviate some of the neighborhood issues?

Mr. Barrett: I don't know if that's terribly expensive. It might be something to consider.

Ald. Lewis: There is 6:00 p.m. mass downtown at St. Pat's.

Mr. Amenta: There are two spots where time is shown. One says 12:00 p.m. – 5:00 p.m. and one says 12:00 p.m. – 6:00 p.m.

Mr. Barrett: We had asked for 12:00 p.m. – 6:00 p.m. to allow extra time. The event would be planned from noon – 5:00 p.m. What we were going to request of the City was to have an extra hour on the permit in the event that we have real bad weather. We have seen on occasion when that happens people come back 90 minutes later and find out it's closing in 30 minutes. I guess if there is a way to work that, subject to approval of the police, if they agree and there is a situation that for emergency reasons we had to clear out for a couple hours. People are there and have paid for their ticket. They are not going to get a refund. Can we potentially get another hour? If that doesn't work we understand.

Mayor Rogina: Alderman Lewis is correct. There is a 6:00 p.m. mass on Saturday night at St. Pat's. I think that the 12:00 p.m. – 5:00 p.m. timeframe is solid. Things should be winding down at that point. I'm also a big supporter of this, but I think we have to show some caution on that as well. Be good neighbors, if you will.

Ald. Lewis: Would there be a notification?

Mr. Amenta: Permission to use their parking.

Mayor Rogina: I think Ald. Payleitner's point is to give notification to the Church that there will be activity out there.

Ald. Payleitner: A lot can be averted if there is a heads up given.

Ald. Lewis: I don't see any problem with 5:00 p.m. closing. An hour gives plenty of time for people to move their cars.

Mayor Rogina: Anything further?

Mr. Barrett: What we're finding out and the Downtown Partnership offered some guidance is that we would like to get local restaurants to provide food. One of the things the event management firm is recommending is that as you look at some of the events around the suburbs, they typically have involvement of at least a couple of food trucks. Certainly, much more prevalent as you get closer to the City, these happen to hit at these types of events. It guarantees you have a core kind of food that is available. We want to have some kind of food offering while people are going to be sampling beer during the day. We would rather know early if that sounds troubling to you.

Mayor Rogina: If it's possible that you can bring in local people. I don't think you need the fancy restaurants, but some of our deli's or a local food truck. If we can get some local vendors in there now you're really going to the next level.

Mr. Barrett: I think we could inventory for you all the businesses we make contact with and which ones are willing. Then we can use that as a basis for discussing how we make sure we have some food offerings there.

Mr. Amenta: You talk about food trucks. That would require people leaving the gated area.

Mr. Barrett: Unless we work it inside.

Ald. Lewis: That's what I was going to say. If I was there at noon and at 2:00 p.m. wanted to go have lunch at the Filling Station and come back. Can I do that?

Mr. Barrett: Re-entry is permitted. They will keep their wristband, lanyard with their samples on it and bring their glass.

The Blue Goose has agreed to cater a VIP kind of ticket for a higher price. It will provide access to a few specialized brews and food that might not be available otherwise.

Ald. Lewis: And you don't care if I give my ticket to my next door neighbor for my last three punches and they go in then?

Mr. Barrett: The wristband will take care of that.

Mayor Rogina: I feel confident that we have an experienced manager here that has come from Wheaton, Naperville, etc. Anything further. Motion to move this to Government Operations Committee tonight with a positive recommendation.

Motion by Mr. Ghem, second by Mr. Amenta to move the application to the February 16, 2016 to Government Operations Committee Meeting for approval.

Voice Vote: Ayes: unanimous, Nays: none. Chrm. Rogina did not vote as Chair. **Motion carried.**

7. Recommendation to approve Class B and C Late Night Permit Requests (1:00 a.m. and 2:00 a.m.) for FY16/17 renewal period.

Chief Keegan: In 2014 just prior to my arrival as Chief of Police. The City enacted an ordinance with a graduated licensing effect on late night permits. All B & C establishments which are restaurants and taverns are given a midnight license. A permit can then be issued based on the conduct of the respective business for either a 1:00 a.m. or 2:00 a.m. designation. Pursuant to that ordinance, in section 5.08 of our liquor code, it says that each and every year the business will be evaluated as to whether or not that permit shall be continued for the coming year.

With a May 1 budget year forthcoming we try to do this in advance hence we are in front of you this evening and will take it to Committee in a few weeks then on to Council. 21 respective applicants submitted paperwork to either renew or initiate a new late night permit. 8 of those were for 1:00 a.m., 13 were for 2:00 a.m.

I asked one of crime prevention officers to give me a detailed report of all the police related responses to the 21 establishments that I mentioned. I put together a packet, which you have, that reiterates the ordinance that was passed in 2014 and goes into some of the different things I looked at. This year I took it further than I did last year. I looked to see if the Liquor Commission had issued any warning letters, citations, if there was any arrest activity at those establishments or any ordinance violations such as, public urination, public intoxication or fighting in public.

I brought in some outreach training through Mr. Lee Roupas from the Illinois liquor commission. If there have been issues I've got in front of them and met with the establishment owners. In my first 18 months here I'm happy to report that I have a pretty good relationship with all bar owners and managers. I know them by first name, we've exchanged numbers, and it's not uncommon if I read a report, that I actually go speak with them face to face and or call them. I also adjusted my schedule and go out with the officers and look at our bar activity. I've not only seen progress

since I've been here, but I've also seen a willingness to cooperate and learn from either mistakes in the past or criticism on behalf of the Police Department.

When you look at the material I presented coupled with each of the bars willingness to cooperate; I encourage the bar and tavern owners to call 911 before an issue gets out of hand. I never want to get into a position where the bar owner or manager thinks there is a tally mark system and every time they call it's a check mark against their business. That's how issues get out of hand. I think you've seen a lot of proactive measures.

I see things such as Alley 64 purchased a bar code reader that not only scans the ID to make sure it's valid, it also auto-populates information into a database to let the bar staff know what time they arrived. It will also let them know if someone has been kicked out or banned in the past. Our outreach with the bouncers, bar owners and managers has led to a lot of fake ID's being confiscated in the last year. The bars are taking a proactive measure to confiscate those ID's and alert the Police Department.

I'm recommending that all the permits that were requested, the 21 mentioned, be granted by City Council at a future date. I know there is a lot of material, the packet specifically tells the City Council what tenants they need in order to suspend, revoke or not re-issue a permit. I think that each of the establishments that have submitted an application has met their burden and I think we are seeing success. I'm happy to report that I think our bars and restaurants are cooperating with us and being good neighbors not only to one another but adjoining businesses and residences. With that I'll answer any questions that the Liquor Commission may have.

Mayor Rogina: To your point about Alley 64 and the device they bought, which I think is a nice initiative on their part, do you foresee if we had a situation by a licensee, and we had some incidents that could be prevented by having such a machine, that we could make a strong recommendation by staff that it would be in their best interest to purchase this machine? Do you see that as a possibility if the situation warrants?

Chief Keegan: I do. When we've done the outreach training with Lee Roupas and he's been out 3 or 4 times in my 18 months here in office. I see the collaboration amongst the bar owners. One establishment I saw a sharp decrease from incidents we responded to in 2014 fast forward to 2015; that particular establishment was sited in front of the Liquor Commission. We sat down and created an abatement plan. I'm happy to report that abatement plan worked. You'll see as indicated in the memo that the establishment barely had any police activity to speak of. I think that's what impresses me the most. Just a couple weeks ago I worked a Friday night and was out there for 3 hours going bar to bar. Each and every bar and establishment, the doormen, the managers and bouncers knew the officers and greeted them very warmly. I think if there was an issue and we brought that to the attention of the respective bar they would take that advice and implement the device if need be.

Mr. Amenta: I'd like to say in the past couple of years since you have joined on the Police Department have been seen more as an asset to the bars rather than the enemy. I think a long time ago it was seen as the police are a problem for the business. That's what the businesses

thought. Under your guidance it's really changed 180 degrees and I commend you for that. Also, looking at some of the number of police incidents in some of these establishments, seeing how many citations and how many problems there actually were, I think it speaks to the fact that you guys got there, solved the problem before it got out of hand. Again, I commend you and your staff for that. When you talk about police incidences what does that mean specifically – when you were called to the establishment?

Chief Keegan: Not necessarily. What we look at is a direct nexus to something that transpired. Not so much in the 4 walls of the business. Often times and I'll use Ally 64 and the Alibi as an example, where they are located adjacent to the public parking lots, when the taverns close if someone left the Beehive, Filling Station, Dawn's Beach Hut, or even farther east or west. If they are walking down into that City parking lot and there's an incident, if it happens near or at those locations we need a point of origin. Sometimes it's not fair to the business. You might see Ally 64 address in a police report but when you read it there is no direct nexus to the bar. The ones I have sited here have a direct nexus to the tavern or establishment. It's also important to note that it's not necessarily all bad. If a bar confiscates an ID, which happens quite a bit, and they call us they are being proactive in their measures to keep their liquor license. I don't want that to be used against the establishment, so we encourage them to call us with an ID.

Two Friday's ago when I rode we had two fake ID citations written from two respective bars. Their bouncers were trained. They went through the Lee Roupas "We Card Hard" training. One of them was swiped through a machine and the barcode reader instead of populating the driver's license number, it read I paid 10 bucks for this. That's how good these readers are. We're getting that level of cooperation. The nexus to the ones I've indicated, yes there is a nexus to the four walls, the parking lot or the outside of the establishment, but it's not always necessarily negative.

Mr. Amenta: It's more for location.

Chief Keegan: Correct.

Ald. Lewis: In the Alibi and Ally 64, because they are quite high in their incidents, that could also include card confiscations?

Chief Keegan: Correct. Those two establishments are probably two of the busier downtown locations as far as numbers and also they probably confiscate fictitious ID's more than anybody.

Ald. Lewis: The way it appears when I read it, I guess I looked at it as negative incidents, not positive.

Chief Keegan: The two most important columns for the Liquor Commission and even the City Council to look at is if there are warning letters issues by the Liquor Commission or violations. I watch this like a hawk, as well as my staff does too. I've been a command officer for 19 years, two police departments. The St. Charles Police Department, and I don't want to take credit for this, does a very good job at policing our liquor establishments. If there are issues, we get out in

front of it, meet with the bar management and if it's something we want to address, we take it to the Liquor Commission.

Ald. Lewis: It would be great if you could have this at the Committee meeting comparing to last year. This is the second year this has been in place. How did we do compared to last year with what we did? We went up in the number of police incidents in two of these establishments.

Chuck Amenta: To be fair police incidents doesn't necessarily mean that it was because of those two establishments.

Ald. Lewis: I know. That's why I want to finish my question. What we'll see as the years go on is those numbers continue to go up? They won't ever go down?

Chief Keegan: I think it's a double edged sword. We're trying to invoke a mind set with our establishments that you're not going to be penalized for calling us. The reason I didn't draw the influence back to last year is because I don't want to put the Council and the Liquor Commission in the mindset that even though I'm not using a tally system, I don't want the City Council perceived as doing the same thing. In other words, last year they had 17 responses and this year you're at 21; that means you're not doing a good job at managing your bar. I'll give you that material Alderman Lewis. The two most important columns are if the Liquor Commission authored anything and if we've written letters. All the other stuff is important but doesn't tell the whole story.

Ald. Lewis: If we're trying to measure success, I think somehow the good stuff that's happening in that incident needs to be brought out more. I'm in agreement with you. You don't want to penalize people, you want them to call you, but if that continually raises the number you look at and ask what's going on? I don't know if there is a different way to present that positive information.

Chief Keegan: I really have encouraged people to call us.

Ald. Lewis: I think to the reporters here that's the information we want to get out. It's positive information, even though these numbers go up.

Chief Keegan: If there is an issue at an establishment. It's going to come before this body. That I promise you.

Ald. Lewis: What are local order citations?

Chief Keegan: Local order citations would be something we would take to local judication, the Clerk's office or the Branch Clerk. That would be things such as fighting in public, fictitious driver's license, a bad ID, public intoxication, public urination. A Liquor Commission violation would come to this body. An ordinance that's not against the business, it's against a person, would go to ordinance court or the Clerk's office or the Branch Clerk.

Mayor Rogina: For example, the Alibi, the number is 2. It could have been 2 fake ID's for which the kid was caught. Now they appear in Branch Court. That's not a negative on the Alibi.

Ald. Lewis: That's the message I want to get out.

Ald. Payleitner: I would concur that a positive relationship can make all the difference. My one and only ride along I did, I can speak what an experience that was. The police are there as partners and to assist the businesses. I want to commend the Mayor. You've had conversations and relationships with the business owners, and you Chief, and your staff. It's made a huge difference.

Secondly, on page 2, item i. I love having something tangible and measurable. It's not a gut feel you are going on. There is something we can go back to and I appreciate that as well.

Mr. Ghem: I think the effort you guys have put out to create the positive relationship has probably helped them to understand we want them to be here, but you need to be citizens in good standing. The effort of all you guys, not only the police staff being the first ones out there, but all the other ones checked. Making sure their finances and taxes are paid and all the other things are in order to be able to create a recommendation that says yes to approve the late night permits. That's a lot of leg work that most people don't see. I appreciate that.

Chief Keegan: I'd like to give a shout out to Deputy Chief Dave Kintz and Commander Steve Bedell. It's probably been the most impressive thing I've witnessed since coming to St. Charles is how well we do. Often times we do have a lot of special events and we do have a very populated downtown. It's wonderful we're very business friendly and we enjoy it. The same token, it does require our staff to be very attentive and to be responsive to people's needs, not only our customers, bar owners and managers, but also the area residents. The guys back there they both run the patrol division. I've been on them like white on rice since I've been here because I know it's important. We've done a good job. Kudo's to them.

Mayor Rogina: The effort on working with the licensees has been a joint effort with a lot of people. To Alderman Lewis's comment about the press picking up on what I think to be the big picture here in St. Charles and that is; as an alderman you hear people coming to the microphone 4 or 5 years ago screaming and hollering that they are embarrassed about St. Charles. How often, I don't know, but we heard it. Do we have a lot of bars in our community compared to others? One may argue we do, there are certainly a substantial amount downtown. They provide entertainment for our citizens. When they get out of line we have an obligation to stop it. I think all of us agree to that. I want to reiterate something that I told my predecessor several years ago. I think as Liquor Commissioner its fine that you make these decisions but it should be a little bit more. To that extent I looked at the Liquor Commission model as a means of doing a few things. Look how much time we spent today picking through the applications. That's good, a lot of good dialogue, good questions. On the citations side, you've heard several citations since you've been on board here. The licensees know that if they really step out of line they are going to come here for all to see, for the press to cover, and that's not good PR. They know that. I can assure you that when those reports come in many times I will dial up the Chief, the City

Administrator and legal counsel as to whether or not this is a raised level of citations versus a warning letter because of the issues of proof. When working as a Commission together I think we have made a difference. We'll continue to do that and those who step across the line will be cited and an appropriate penalty given. I'm not concerned about our Police Department and us, as elected officials, keeping control of the situation. I feel very positive about St. Charles being a solid nightlife entertainment town as much as anything else. We have a lot of other positives, but that's one of our features.

This is a recommendation by the Chief and the staff to move forward at a future date with this list of 1:00 a.m. and 2:00 a.m. late night permits applications with his recommendation of a yes on all, both 1:00 a.m. and 2:00 a.m. Motion would be to take that to Council Committee at a future date within the next couple of months.

Motion by Mr. Amenta, second by Mr. Ghem to move the 1:00 a.m. and 2:00 a.m. late night permit applications to Council Committee.

Voice Vote: Ayes: unanimous, Nays: none. Chrm. Rogina did not vote as Chair. **Motion carried.**

8. Discussion regarding Citation and Hearing Notice for Acquaviva Winery LLC.

Mayor Rogina: Regarding item 8. The penalty to that matter has been paid today. I see no need other than for your information that the fact that I discussed with the licensee the ramifications of such. I think Alderman Lewis correctly pointed out that we have a zero tolerance policy. Sometimes we show some sympathy. What happened here was a three month fall back on the Alcohol Tax and that's been paid with the appropriate penalties per the ordinance.

Ald. Lewis: What are the penalties?

Mayor Rogina: The first month: \$50.00, the second month: \$100.00, the third month: \$150.00 for a total of \$300.00 in penalties beside the tax that was paid.

Ald. Lewis: I really do feel strongly that an applicant should come before this committee when they are applying for this license; especially when the want it rushed through and it's going on to the next meeting. Maybe in this case there was confusion as to which one he was supposed to attend, but I feel strongly that an applicant for massage, tobacco, they should be here.

Ald. Payleitner: I agree because I think Council trusts us to vet a lot of this.

Mayor Rogina: That's a good point.

9. Other Business

10. Executive Session (5 ILCS 120/2 (c)(4)).

11. Adjournment

Motion to adjourn by Ald. Payleitner, second by Mr. Amenta at 5:40 p.m.

Voice Vote: Ayes: Unanimous; Nays: none. Chrmn. Rogina did not vote as Chairman. **Motion carried.**