

MINUTES
CITY OF ST. CHARLES
SPECIAL LIQUOR CONTROL COMMISSION MEETING
EXECUTIVE SESSION
WEDNESDAY, JANUARY 19, 2022, 4:00 PM

1. Call to Order.

The meeting was called to order by Mayor Vitek at 4:01 pm.

2. Roll Call.

Present: Bancroft, Gehm

Absent: Pietryla, Zollers

3. Discussion Regarding Massage Establishment Citation and Hearing Notice for Massage World located at 615 South Randall Road, Suite #100, St. Charles.

Attorney Peppers stated that on December 10, 2021, the City of St. Charles served a complaint of violation upon Massage World with a citation and notice of hearing to be set for December 20, 2021 regarding certain violations of the City's massage code. At the December 20, 2021 meeting of the City of St. Charles Liquor Control Commission, the Liquor Commissioner read into the record, with specificity, each and every allegation and factual basis for the violations which allegedly occurred on November 19, 2021. At the December 20, 2021 meeting of the City of St. Charles Liquor Control Commission, the respondent had not yet filed its arraignment form regarding the allegations contained in the complaint. The respondent's attorney appeared on the respondent's behalf, and requested a continuation of the hearing to January 19, 2022, which was granted. The respondent filed its arraignment form on January 15, 2022, pleading guilty and requesting a mitigation hearing for the opportunity to present evidence and mitigate penalties.

Today's hearing is called for the purpose of 2021-LC-14. Peter Buh is present as the respondent's attorney and will represent the business owner at today's hearing.

Attorney Buh shared that Massage World has been in business in St. Charles for 10 years and has had only one minor infraction (surpassed allowable operating hours by 15 minutes) during that time. There have been no other issues. This issue involves a non-employee person who was working at the massage establishment on November 19, 2021 without the prior knowledge of the owner, June Sellers. There are no allegations that anything like this has occurred before or after that date. The owner immediately contacted the unauthorized worker and banned her from the business and advised that the person would need to find her own legal representation for the criminal charges. Ms. Sellers spoke with the other workers present that day and also informed them by formal memo (Exhibit 1 was passed to Attorney Peppers) that if any person who is not a licensed massage therapist, and not registered with the City of St. Charles, is present in the building, the other workers will be immediately terminated. The owner does take responsibility for what happened, and has made a large investment in the current

business location as a long-term entity. The owner has learned from this mistake and will ensure that this will not happen again.

Attorney Buh requests a small fine be imposed and the business be allowed to continue. The owner would appreciate the opportunity to continue the business in St. Charles.

There was no further commissioner or public comment.

Motion by Mr. Gehm, second by Ald. Bancroft at 4:10 pm to adjourn to executive session.

Roll Call Vote: Ayes: Ald. Bancroft, Mr. Gehm, Nays: None; Absent: Ald. Pietryla, Ms. Zollers; Mayor Vitek did not vote as Commissioner. **Motion Carried**

The public session reconvened at 4:21 pm.

4. Public Comment – none.

5. Adjournment.

Motion by Mr. Gehm, second by Ald. Bancroft to adjourn the meeting at 4:22 pm.

Roll Call Vote: Ayes: Ald. Bancroft, Mr. Gehm, Nays: None; Absent: Ald. Pietryla, Ms. Zollers; Mayor Vitek did not vote as Commissioner. **Motion Carried**

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