

**MINUTES
CITY OF ST. CHARLES
GOVERNMENT OPERATIONS COMMITTEE
MONDAY, SEPTEMBER, 2017**

1. Opening of Meeting

The meeting was convened by Chairman Bancroft at 7:45 pm.

2. Roll Call

Members Present: Chairman Bancroft, Turner, Gaugel, Vitek, Bessner, Lewis, Silkaitis, Payleitner, Lemke

Absent: Stellato

3. Omnibus Vote

- a. Budget Revisions – August 2017

Motion by Ald. Turner, second by Bessner to approve the omnibus items as presented.

Roll call: Ayes: Turner, Gaugel, Vitek, Bessner, Lewis, Silkaitis, Payleitner, and Lemke. Nays: None. Chair. Bancroft didn't vote as Chair. **Motion Carried.**

4. Police Department

- a. **Recommendation to approve an application for a new Class A4 liquor license for the Home Brew Shop located at 225 W Main Street, St. Charles.**

Chief Keegan: This is a Recommendation to approve an application for a new Class A4 liquor license for the Home Brew Shop located at 225 W Main Street, St. Charles. Mr. Seaman is here tonight. Mr. Seaman has owned and operated the Home Brew Shop for a little over 15 years. This advanced earlier this evening from the Liquor Control Commission with a favorable 3 – 0 recommendation. Mr. Seaman is not only revamping his business plan he is investing significant capital in his remodel. He's currently in a temporary location on S. 3rd Street. Part of the business plan has Mr. Seaman expanding the winery operations, with the recent addition to our liquor code, the A4 license. In addition to his home brew sales equipment, he would also like to ferment wine and offer some ancillary craft beer and wine services, not only for take-out, but also for tasting and minor consumption. There were some issues that were worked out in the liquor code previous to Mr. Seaman appearing this evening; the modification to the A4, but also the 100 ft. rule that was talked about in a previous Liquor Control Commission, and City Council meeting.

Ed Seaman: I own and operate the Home Brew Shop located at 225 W Main St. St. Charles. I've been there since 2001. Recently with some façade improvements, structural deficiencies were found within the building, and we immediately moved into a complete demolition and reconstruction project. I'm planning on having the back section of the building being used for a winery for cider and fermented grape juices. The center of the building will remain the dry goods shop, as it has been for the last 15 years, and the front section of the building will include a tasting room, and bottle sales of items produced in the winery. Some additional sales may include contract brewing, through possibly Penrose to sell. The main

production of fermented beverages would be wine and cider. The apartments upstairs are being completely refinished; there will be 2 brand new 2 bedroom apartments upstairs.

Chief Keegan: The A4 license is the same hours of operation as packaged liquor, which is 7 days a week from 7:00 am – 10:00 pm.

Motion by Ald., Turner, second by Bessner to approve an application for a new Class A4 liquor license for the Home Brew Shop located at 225 W Main Street, St. Charles.

Roll call: Ayes: Turner, Gaugel, Vitek, Bessner, Lewis, Silkaitis, Payleitner, and Lemke. Nays: None. Chair. Bancroft didn't vote as Chair. **Motion Carried.**

b. Recommendation to approve an application for a new class A4 liquor license for D and G Brewing, LLC to be located at 303 N. 4th Street, St. Charles.

Chief Keegan: Item 4b is also a recommendation to approve an application for a new class A4 liquor license for D and G Brewing, LLC to be located at 303 N. 4th Street, St. Charles. This also advanced forward from the Liquor Control Commission with a 3 – 0 recommendation. This is an A4 license, with the same hours of operation that I previously identified. This is a light industry building on N. 4th Street. This is a growing industry trend; we've seen several breweries coming in to talk to us about concept plans. Mr. Dryer is ahead of the curve, he has his federal information in order, and he's worked closely with the Illinois Liquor Control Commission. Both I and Mr. O'Rourke from Community Development have talked to him a number of times, we feel he has a solid business plan.

Alex Dryer: Alex Dryer, D & G Brewing, 303 N. 4th Street, St. Charles. We are proposing a small craft brewery; the model is similar to Penrose. It's a small mom and pop operation, self-funded, we're hoping to be able to hire some individuals down the line, and be a production part of the community.

Motion by Ald. Turner, second by Bessner to approve an application for a new class A4 liquor license for D and G Brewing, LLC to be located at 303 N. 4th Street, St. Charles.

Roll call: Ayes: Turner, Gaugel, Vitek, Bessner, Lewis, Silkaitis, Payleitner, and Lemke. Nays: None. Chair. Bancroft didn't vote as Chair. **Motion Carried.**

c. Recommendation to approve an Ordinance Amending Title 5, Entitled "Business Licenses and Regulations" Chapter 5.08, "Alcoholic Beverages", 5.08.090, "License - Classifications" of the St. Charles Municipal Code.

Chief Keegan: This a recommendation to approve an ordinance amending Title 5, entitled "Business Licenses and Regulations" Chapter 5.08, "Alcoholic Beverages", 5.08.090, "License Classifications" of the St. Charles Municipal Code. This item was advance forward from the August 21, Liquor Control Commission meeting. Previous to this appearing at the Liquor Control Commission we had updated the liquor code to reflect the expansion of gas stations. In some of the language proposed it talks about gas stations in conjunction with a convenience store. It was brought to our attention after we passed this that we should include stand-alone convenience stores as well. What this would include is the addition of liquor sales at convenience stores, to the same license we already approved for gas stations, as long as the liquor sales don't exceed 10% of the overall floor space.

Ald. Lewis: How does this relate to drive-thru liquor? Will these establishments be able to have drive-

thru liquor?

Chief Keegan: Curbside, delivery or drive-thru would have to be independently approved by City Council. This particular ordinance doesn't take that into account. If an establishment wanted to do that they would have to go before Council again.

Ald. Payleitner: So they could get a drive-thru.

Chief Keegan: In our liquor code it specifically states it's subject to City Council approval.

Ald. Lewis: This goes forward for anyone who defines themselves as a convenience store?

Chief Keegan: Yes, as long as the floor space used isn't above 10%.

Ald. Lewis: We really have no definition for what needs to be in a convenience store?

Chief Keegan: I don't believe so, but if that's the direction the Committee would like, we can define that in greater detail under the definition piece. We looked at some existing models; Geneva, Batavia and South Elgin that allow this. The only one I could find that didn't in our immediate vicinity was West Chicago.

Ald. Lewis: I think it might be helpful to have a definition of a convenience store instead of leaving it up to opinion. I don't know how the rest of the Council feels?

Moved by Ald. Turner, second by Lemke to recommend for approval an ordinance amending Title 5, entitled "Business Licenses and Regulations" Chapter 5.08, "Alcoholic Beverages", 5.08.090, "License Classifications" of the St. Charles Municipal Code.

Roll call: Ayes: Turner, Gaugel, Vitek, Bessner and Lemke. Nays: Lewis, Silkaitis, Payleitner. Chair. Bancroft didn't vote as Chair. **Motion Carried.**

d. Recommendation to approve an Application for a new Massage Establishment License for Lotus Aum, LLC located at 317 S. Second Street, St. Charles, 60174.

Chief Keegan: Item d. is a recommendation to approve an application for a new Massage Establishment License for Lotus Aum, LLC located at 317 S. Second Street, St. Charles. This was also advanced forward from the Liquor Control Commission earlier today. Shirley Voss is here tonight. She is going to sub-lease at a building here on Second Street. The building has a number of different owners who offer a whole array of services, and part of Shirley's services is wellness and the wellbeing of women. We vetted her background, and she has a very nice business plan.

Shirley Voss: 310 E. North Avenue, Bartlett, IL. I'm hoping to open Lotus Aum. I'm leasing the entire first floor. I'm going to hire professional, licensed, massage therapists, we'll have someone doing reiki treatments, I will be giving meditation instruction and stress management workshops for women. All my staff will be women, my clients will be women. This is a place where women can come to relax, recharge, replenish, learn how to manage stress. This is a place for women to go to be taken care of. In addition to the services we offer there will also be a small retail shop.

Ald. Gaugel: How many massage therapists will be employed?

Shirley Voss: I'll have 2 therapy rooms; we'll be open 6 days a week, possibly a total of 4.

Ald. Gaugel: Will you be there supervising?

Shirley Voss: I will be there 6 days a week.

Ald. Gaugel: Are you aware of the issues we've had recently?

Shirley Voss: That particular issue is one of the reasons why all of my clients will be female and all of my therapists will be female. That makes it a bit more difficult.

Ald. Payleitner: You're clear on the management aspect. That's where the problems occur, when there is no manager there, gender aside.

Shirley Voss: Yes. There will always be a manager there. There will be a manager from open to close. Even if I have to hire another manager; there will always be a manager there.

Ald. Payleitner: They would have to be on the license as well, you do realize that.

Shirley Voss: Yes.

Motion by Ald. Turner, second by Vitek to recommend the approval of an application for a new massage establishment license for Lotus Aum, LLC, located at 317 S. Second Street, St. Charles.

Roll call: Ayes: Turner, Gaugel, Vitek, Bessner, Lewis, Silkaitis, Payleitner, and Lemke. Nays: None. Chair. Bancroft didn't vote as Chair. **Motion Carried.**

e. Recommendation to approve an Application for a new Massage Establishment License for Annie Nail Spa located at 546 S. Randall Road, Unit C, St. Charles, IL 60174.

Chief Keegan: This is a recommendation to approve an application for a new massage establishment license for Annie Nail Spa located at 546 S. Randall Road, Unit C, St. Charles. Laura Willing is a sub-contractor and will be seeking the license. She will be sub-contracting her services through the location identified. This also advanced forward from the Liquor Control Commission; the hours of operation that Laura will be looking to sub-contract would be Monday and Tuesday from 3:00 pm – 7:00 pm, and Friday from 10:00 am – 3:00 pm. We talked at great length about our philosophy and our ordinance on supervision. The majority of her clients would be booked in advance, but she will accept walk-ins. Because of that there must be another manager on site. It was vetted pretty extensively at the Liquor Control Commission.

Laura Willing: 208 N. 6th Street, Geneva. Annie Nails is 546 S. Randall Road, Unit C, St. Charles. I'm a licensed massage therapist and have been for almost 9 years.

Ald. Payleitner: You're part of the nail salon?

Laura Willing: I would be working within the nail salon as an independent contractor.

Ald. Payleitner: Chief, does that count as supervision if there is somebody in the nail salon?

Chief Keegan: We haven't had this scenario. We've had some sub-contractors and sub-leases. This is in place not only to protect the business and the City, but to protect the massage therapists, more so than anything. The hours of operation she would be working would be at a time when the nail salon would be open. Mr. Lee would be there at all times. There are some things in our code that she is responsible for; the registration material, each and every person that would have access to her room has been vetted with the police department. We vetted her background extensively. I feel comfortable with the recommendation and that she understands our ordinance and regulations.

Motion by Ald. Turner, second by Bessner to recommend approval of an application for a new massage establishment license for Annie Nail Spa located at 546 S. Randall Road, Unit C, St. Charles.

Roll call: Ayes: Turner, Gaugel, Vitek, Bessner, Lewis, Silkaitis, Payleitner, and Lemke. Nays: None. Chair. Bancroft didn't vote as Chair. **Motion Carried.**

Voice Vote: Ayes: Unanimous; Nays: None. Chair Bancroft did not vote as Chair.

Motion Carried

5. Executive Session

- Personnel – 5 ILCS 120/2(c)(1)
- Pending Litigation – 5 ILCS 120/2(c)(11)
- Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
- Property Acquisition – 5 ILCS 120/2(c)(5)
- Collective Bargaining – 5 ILCS 120/2(c)(2)
- Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

Motion by Ald. Stellato, second by Silkaitis to come out of Executive Session at 7:40 pm.

6. Additional Items from Mayor, Council, Staff, or Citizens.

7. Adjournment

Motion by Ald. Bessner, second by Gaugel to adjourn meeting at 8:07pm

Voice Vote: Ayes: Unanimous; Nays: None. Chair Stellato did not vote as Chair.

Motion Carried.

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