

**MINUTES
CITY OF ST. CHARLES, IL
LIQUOR CONTROL COMMISSION MEETING
MONDAY, MARCH 21, 2016**

1. Opening of Meeting

The meeting was convened by Liquor Commissioner Rogina at 4:32 p.m.

2. Roll Call

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

Absent: Ald. Lewis

Others Present: Police Chief Keegan, Atty. John McGuirk, Mark Koenen, Tina Nilles

3. Motion to accept and approve the minutes of the February 16, 2016 Liquor Control Commission meeting.

Motion by Ald. Payleitner, second by Gehm to accept and approve the minutes of the February 16, 2015 Liquor Control Commission meeting.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Rogina did not vote as Chair. **Motion Carried.**

4. Recommendation to approve a Massage Establishment License for LeVisage Spa, LLC located at 475 Dunham Road, Ste. 2A, St. Charles.

Chief Keegan: Elizabeth Feltes is the petitioner for the business LeVisage Spa. Pursuant to our ordinances we conducted a background and site inspection and her application material was very comprehensive and everything is in order. I talked to her about what the City's expectations are with massage licensing and I'm confident she can answer any questions you might have.

Elizabeth Feltes, 475 Dunham Road, Ste. 2A, St. Charles.

Ald. Payleitner: I did have a couple of questions but they've been answered regarding your services and floorplan.

Mr. Gehm: I compliment you on your business and information packet. It's by far one of the better ones we've seen with the layout and what your expectations are in our business community.

Mr. Amenta: Very comprehensive packet.

Chrmn. Rogina: We'll take a motion here and once approved for recommendation it will move forward tonight to our Government Operations Committee and, after approved there, it will move forward to the April 4 City Council for final approval.

Motion by Mr. Gehm, second by Ald. Payleitner to recommend approval of a Massage Establishment License for LeVisage Spa, LLC located at 475 Dunham Road, Ste. 2A, St. Charles.

Roll Calls: Ayes: Gehm, Payleitner, Amenta; Nays: None; Absent: Lewis. Chrmn. Rogina did not vote as Chair. **Motion carried.**

5. Discussion regarding Tobacco Citation and Hearing Notice for STD Enterprises, Inc., d/b/a 7-Eleven.

Chrmn. Rogina: Now comes the petitioner, James Keegan, Chief of Police of the City of St. Charles, Illinois and files this complaint before the Local Liquor Control Commission of the City of St. Charles, Illinois, and states as following that on or about February 22, 2016, at approximately 4:40 p.m., the licensee, STD Enterprises, Inc., d/b/a 7 Eleven, by and through its employees, officers and/or agents, committed the following violation of the St. Charles Liquor Code; the offense being sold tobacco to a minor in violation of Sections 5.16.070 and 5.16.100 of the St. Charles Municipal Code.

Chrmn. Rogina: You've received a copy of the complaint and form and the way this works under the Liquor code if the citation is issued, you have three choices to plead not guilty and request a hearing and we would have a hearing next month at this time. You can plead guilty and not request a hearing or you can plead guilty and make a statement for the record.

Steve Davison, 1705 W Main Street, St. Charles: I will plead guilty. I've been at that establishment since 1992, formerly White Hen Pantry. I put all my employees through the tobacco and liquor 7 Eleven training program before they start on the register. In this particular instance I happened to be out of town, but I let the employee go as soon as I found out he sold to a minor.

Chrmn. Rogina: I do appreciate your honesty and sincerity of explanation. Simply put these things can happen and it did happen and you certainly have a right to explain yourself. We still respect the fact that you have been a long standing establishment in our community and for the most part things have run smoothly over there. We will go into executive session to discuss the penalties under the City ordinances. I will take their input under consideration and move forward in a positive sense. The City Council, committees and commissions are not happy about minors being served tobacco underage. A lesson is learned.

Ald. Payleitner: I appreciate it that you've already taken matters in hand.

6. **Other Business-** none

7. **Public Comments – none.**

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

Motion by Ald. Payleitner, second by Amenta to enter into Executive Session at 4:41 to discuss tobacco violation.

Roll Call: Ayes: Gehm, Payleitner, Amenta; Nays: None; Absent: Lewis. Chrmn. Rogina did not vote as Chairman. **Motion Carried.**

Motion by Payleitner, second by Amenta to come out of Executive Session at 4:47.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Rogina did not vote as Chair. **Motion Carried.**

9. **Adjournment**

Motion to adjourn by Ald. Payleitner, second by Amenta at 4:48 p.m.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Rogina did not vote as Chair. **Motion Carried.**