

**MINUTES
CITY OF ST. CHARLES, IL
LIQUOR CONTROL COMMISSION MEETING
MONDAY, SEPTEMBER 19, 2016**

1. Call to Order.

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

2. Roll Call

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

Absent: None

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

3. Motion to accept and place on file minutes of the Liquor Control Commission meetings held on June 20, 2016 and July 18, 2016.

Motion by Mr. Ghem second by Ald. Payleitner to accept and place on file minutes of the Liquor Control Commission meeting held on June 20, 2016 and July 18, 2016.

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

4. Recommendation to approve a proposal of a Massage Establishment for Tapped in Massage & EFT to be located at 311 S 2nd Street, St. Charles.

Chief Keegan: Item 4 is a recommendation to approve a proposal for a massage establishment for Tapped in Massage & EFT, Emotional Freedom Technique, to be located at 311 S. 2nd Street, St. Charles. The business in question is a multi-purpose facility occupied by Tiffany Lewis Skin Care, from which the petitioner is a sublease as well as American Family Insurance and Claney Photography. We did a site visit, and the applicant was vetted through our background process. This is an appointment only facility that's exempt from the receptionist requirement. If Dana could step forward, state her name and address for the record, and answer any questions the Liquor Control Commission might have.

Dana Seite: 311 S. Second Street, upstairs, I don't have a suite number.

Mr. Ghem: I have no questions. It's nice to see a new establishment come in. I am interested in what the EFT means, can you explain?

Dana Seite: Emotional Freedom Technique (EFT) is the energy healing modality using the meridian line of your body. It's similar to acupuncture, however we use physical tapping on the points while we speak out loud about emotional issues.

Mr. Ghem: Just a different technique.

Dana Siete: Yes, it's different than massage and I have certification in it.

Chrmn. Rogina: There is a distinction between that and acupuncture.

Dana Seite: Yes, no needles, physical tapping on the pain. It works really well if anyone has chronic pain.

Ald. Payleitner: Only because one of my colleagues is going to guarantee ask you this: Will you assure there will be no prostitution?

Dana Seite: Absolutely.

Ald. Payleitner: Will you be doing regular massage?

Dana Seite: Yes.

Ald. Lewis: I'm curious why you're doing appointment only and not walk-in?

Dana Seite: I don't plan to be there for a set amount of hours. I plan to schedule people in groups instead of sitting around for a full empty day.

Ald. Lewis: When you're up there your door is locked?

Dana Seite: Yes, nobody can just come in.

Ald. Lewis: Nobody would know you were there, maybe?

Dana Seite: I work with Tiffany Lewis and she's there quite often, downstairs they are there until 5:00pm, and they are there on Saturdays as well.

Mr. Amenta: No questions from me.

Ald. Payleitner: Chief, because she's by appointment, we don't have to worry about the supervision, correct?

Chief Keegan: That's correct, but it's important to note that there are three other tenants in the building. There is sense of comfort with others in the building.

Ald. Lewis: I was thinking that, for her safety being there, and nobody knows she's there with people coming in.

Motion by Mr. Ghem second by Ald. Payleitner to recommend approval to the Government Operations Committee of a proposal for a Massage Establishment for Tapped in Massage & EFT to be located at 311 S 2nd Street, St. Charles.

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

5. Recommendation to approve a proposal for a class A2 liquor license for CVS Pharmacy, #10660, to be located at 1500 Lincoln Highway, St. Charles.

Chief Keegan: Joining us is John Voight from CVS. The site was formally a bank and it was a tear down. CVS has a very aggressive construction schedule. Our requirements for the A2 are as follows: to sell not only alcohol but joint products, the facility must be 10,000 sq. ft. or more. This facility is 13,000 sq. ft. plus. Of that 10,000 sq. ft. requirement no more than 10% or 1,000 sq. ft., or in this instance 1,300 sq. ft. can be dedicated to alcohol sales.

I've done two site visits. The square footage is probably around 200 sq. ft. It encompasses a long bank of coolers for beer sales and half of an aisle for wine sales. CVS does not intend to sell spirits at this time. They are in compliance with out code. I'd also like to mention that we did not have a Liquor Control Commission meeting in August, and because of that we're a little behind on some of our application processes. CVS is looking to open on September 25. They are seeking a temporary license prior to the approval of City Council. The City code does allow the Mayor to grant up to a 30-day temporary license. CVS is making this request and I'd like to add that to the minutes and the record.

Chrmn. Rogina: I have no problem issuing a 30 day temporary license. This request is for the regular license for CVS which will be forwarded to Government Operations.

John Voight: District Manager for CVS Pharmacy in the Chicago market. 1500 Lincoln Highway, St. Charles. I live in Round Lake, Illinois.

Chrmn. Rogina: We are going to take questions with respect to the license being issued after the temporary license expires.

Mr. Amenta: I don't have any specific questions, but I agree with the Mayor with the 30 day temporary license. I think you need to have that license to be competitive.

Ald. Lewis: Is there a cost for the 30-day license?

Tina Nilles: No.

Chrmn. Rogina: This is the second one I've done.

Ald. Payleitner: Under the circumstances, I would concur.

Mr. Ghem: The document covers this very well. I have nothing further.

Motion by Mr. Amenta second by Ald. Payleitner to recommend approval to the Government Operations Committee to approve a proposal for a class A2 liquor license for CVS Pharmacy #10660, to be located at 1500 Lincoln Highway, St. Charles.

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

6. Recommendation to approve a proposal for a new class B3 license for Cooper's Hawk Winery and Restaurant, to be located at 3710 E Main Street, St. Charles.

Chief Keegan: This is a welcome addition to our East Gateway. As you know Cooper's Hawk is under construction as we speak. They are looking to occupy one of the outlets in front of the Quad, near Pheasant Run on the east side. The class B3 licensure was put in place in anticipation for Cooper's Hawk. Cooper's Hawk is a combination restaurant and packaged winery or liquor store. They operate this concept throughout the Midwest. There are a number of stores in Illinois. I'm happy to report that we have three representatives from Cooper's Hawk, Jen, Jenny and Jennifer.

A couple of things to point out, they are asking for a late night permit and in addition the classification of this license, although it's new, recent modifications to our code and the fees associated with that approval didn't accompany the latest approval of our code. The cost is \$1,800 and that splits between the general license of \$1,200 and the secondary license.

Jennifer Gallery: I am an attorney for Cooper's Hawk. We have two Cooper's Hawk representatives in the event you have any questions. I'm looking forward to coming into St. Charles. We're targeted to open the 2nd quarter of next year.

Ald. Payleitner: No questions. We crafted this license with you in mind.

Jennifer Gallery: We worked with the Chief and modeled it after an ordinance we did in another community nearby.

Ald. Lewis: Can you clarify your comment about having two different licenses?

Chief Keegan: The Cooper's Hawk model has a store attached to it. Some people come in to do wine tasting, or come in to buy wine products.

Jennifer Gallery: It's kind of the idea of being in a winery in California. You walk in and there is usually a gourmet retail store with picnic items, glassware, merchandise, food items. In the tasting bar area they sell bottles of the private label wine products to go, wine club members pick up there as well. There is also a full service restaurant attached.

Mr. Amenta: Packaged liquor has to cease sales at 10:00pm. Is that correct or can they sell packaged until 2:00 am?

Chief Keegan: When we crafted the language we looked at what they have done in various municipalities. A lot of the patrons will buy bottles as they leave. We remain silent on that so I believe it will be allowed. I can check with legal counsel, but I believe we were silent for a reason because not only do you see a lot of sales prior to dining, but on the way out.

Mr. Amenta: I guess the worst case scenario would be someone coming in to buy wine at 1:00 am. I know we've tried to avoid that.

Jennifer Gallery: In the other communities it's not something that happens. It's more of a destination location where everything is done at once. The reason you would go there and not dine in is normally if you are a wine club member and you are picking up the stuff you have ordered.

Ald. Lewis: I see what you're saying. It's now midnight or 1:00 am and there is no other place.

Mr. Amenta: I don't think that happens often, and probably not in an establishment like yours.

Jennifer Gallery: We can certainly work with the Chief once that's clarified to figure out if that will work with our business model.

Motion by Mr. Amenta second by Mr. Ghem to recommend approval to the Government Operations Committee a proposal for a new class B3 license for Coopers Hawk Winery and Restaurant, to be located at 3710 E Main Street, St. Charles.

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

7. Recommendation to approve a proposal for a new class C liquor license for Global Craft Tap House, to be located at 2100 Prairie Street, St. Charles.

Chief Keegan: With us this afternoon is Geof Newton. He is the franchise operator for the location I just mentioned. Global Craft Tap House on Prairie Street, is looking to occupy the location that housed Bud's Sports Bar and Real Time Sports. It is west of the new cleaner facilities at Prairie and Randall. Global Craft Tap House started in the St. Louis area. This is their 4th location. The applicant is a franchiser of the franchisee. This is something we've seen a number of times in the last few months. We've had a number of applicants come forward looking to open a specialty craft house.

A couple important items to note are they will not be brewing on site, it's not a brewery or a micro-brewery. They have about 250 beers on site, 50 on tap and about 200 in bottle format. The location is about 4,000 sq. ft.; it would be contingent not only on the fire department occupancy, but inspection. It's not a built out space as of yet. The petitioner is still negotiating

with the property owner and hopes to have a lease finalized in the coming days. They are intending on serving light snacks. There is a small patio attached to this location.

Geof Newton: 2100 Prairie Street, St. Charles.

Ald. Lewis: I'm pleased that you've come to the Liquor Commission first before signing a lease because, to me, I'm not sure we've got the right liquor class for what you're wanting. To cut right to the chase, what bothers me the most is that there is no food. Our liquor licenses require food.

Chrmn. Rogina: That's not true. Our C license does not require food. I've gone over this several times before this meeting. The class C license that he's applying for; if you read it, does not require food, except for outside.

Chief Keegan: For an outside C1 it does reiterate food service, but it doesn't define what food service is. We're going to talk about this at the Government Operations Committee meeting, but that's right. There are other establishments within the City that have a light snack menu without a full-service kitchen. I'll talk more about that at 7:00 pm. We have a couple, that because their business models have changed, are licensed B's when in fact they don't have full-service kitchens. It should be C's. It's not an exact science. It's tough to codify each and every nuance.

Ald. Lewis: I don't think you gentlemen really let me finish. I'll pass on to one of my other colleagues.

Mr. Amenta: No questions. I think it's a great concept. As a craft beer enthusiast it's hard to find a place with a great selection where you can discover and learn.

Geof Newton: This is going to be the biggest selection for quite some distance.

Mr. Gehm: Nothing from me your honor.

Ald. Payleitner: Like Alderman Lewis I have a problem that there is no kitchen. Can you explain why you're not having a kitchen?

Geof Newton: The previous models all encourage the customers to patronize the local food establishments to bring in their food and order in. That way they can have the food they like and we aren't trying to tailor to their needs when we want to focus on the best craft beer experience.

Ald. Payleitner: By other locations you mean St. Louis, O'Fallon?

Geof Newton: There are two on the Illinois side of St. Louis. There's one in a St. Louis suburb and the newest one is in Illinois.

Ald. Payleitner: I'm wondering if that model rings true anyplace in our area?

Geof Newton: In Geneva you have the Nobel House and Penrose.

Ald. Payleitner: They have kitchens. Penrose is a brewery.

Chrmn. Rogina: You're right. Penrose is a brewery.

Ald. Payleitner: Much smaller.

Chrmn. Rogina: This establishment is not a brewery. The objective is the same. Serve craft or home brewed beers. The end result is the same. We're serving beer and I tip my hat to these businesses, they are cross marketing so that other businesses, Jimmy Johns, Pizza Places, etc., can bring their food into the establishment. It's pro-business from that standpoint and as I indicated before I see no problem, us making sure that it's run in an organized manor that supports our city ordinances. The Chief indicated early on, this is a trend, and as Mayor I support the trend.

Ald. Payleitner: That's why I'm asking to define trend? A place that seats 200 that's BYOF, I'm looking where that is? When this first came up, I have a built-in focus group in my house. My kids were all born between 1980 and 1993, all total between daughters-in-law and sons I have nine and I tossed this out to them, I said this is before us, what do you guys think? They all could not comprehend a BYOF scenario. One of my sons was like 200 beers only; that might be asking for trouble in our town. My kids aren't aware of this trend, I'm not aware of this trend. That's why I'm asking where this is.

Chrmn. Rogina: You can't deny the fact that he has the opportunity to cross market. That is a gift that he's in a position within his establishment to advertise pizza, or whatever, and it gives a boost to several of our businesses, not just one.

Ald. Payleitner: It's customer option though.

Chrmn. Rogina: You said BYOF. We certainly in this town have BYOB and we don't shirk away from that. For those who did not want to create a liquor license we have 2 or 3 examples of successful businesses that have been in play for a while now that has BYOB.

Ald. Payleitner: I just worry the trend thanks to our Liquor Commissioner and thanks to our Police Chief, we are desperately on a positive losing our reputation as a bar town. I worry that this will put us behind the 8 ball again, reputation wise. When you say bring your own food in, that's great, that's still customer option. That's not requiring there be food as an option there. They have to make the choice to order out or bring in. That's way different I think.

Mr. Amenta: Several years ago I was in Dallas on business, my boss at the time who was in his early to mid-fifty's and I was in my late twenties. We went to an establishment similar to this and the crowd was not in their 20's or for lack of a better term frat boy party. The establishment was very subdued, the environment was fairly quiet, laid back, people were trying different things. You weren't there to get drunk, you weren't there to get hammered and stumble out. It

wasn't a party atmosphere, like going downtown and having a good time with your buddies at a bachelor party. It was more like let's go try 3 or 4 beers and move on to the next establishment. I don't know if that's your model, but it wasn't meant to go there to get drunk and cause trouble.

Ald. Payleitner: I applaud his model. Is it a fit for the neighborhood he's in, literally in a neighborhood backing up to an apartment building?

Mr. Amenta: It's also right on top of Randall Road. It's a huge commerce area.

Ald. Payleitner: I don't think that there are other establishments that are liquor only in proximity to there.

Chrmn. Rogina: We can go back to a least two, and I agree with you they have a kitchen, two establishments in that building, they appealed to a sports crowd and they were drinking beer, ordering hamburgers, screaming for the Bears or the Cubs or whoever on any given evening.

Ald. Payleitner: I think that's different. You can go to that place and have a full experience without ordering a beer, that's not the case here. If you go in there and you're not ordering a beer you're the exception to the rule.

Chrmn. Rogina: It's not like ordering a beer is illegal.

Ald. Payleitner: I'm saying that it's a different venue than what you're describing in Bud's. I'm not saying it's illegal. I'm saying its comparing apples to oranges.

Chrmn. Rogina: I'm addressing the fact that you mentioned that it butts up to a neighborhood.

Ald. Payleitner: That it's a liquor only establishment backing up to a neighborhood. Yes.

Chrmn. Rogina: So does the liquor store down...

Ald. Payleitner: Right and you all know that has been grandfathered in since I was in high school.

Chrmn. Rogina: We don't have any problems over there.

Ald. Payleitner: Yeah we do.

Chrmn. Rogina: Oh, I didn't know.

Mr. Amenta: Is your bar going to just be beer? Is there going to be wine?

Mr. Newton: Beer and craft wine, no spirits.

Chief Keegan: He is asking for a 1:00 am late night permit, although we do grant it for 7 days a

week his business model indicates he wants to stay open until midnight Sunday – Thursday and 1:00 am Friday and Saturday.

To Alderman Lewis's point, we do have at least two other locations in town that I know of that don't have kitchens and allow patrons to bring food and those are the House Pub and the Arcada Theatre. Often times they do catering deals with other local restaurants so it's not a concept we haven't seen before. It does not require a Health Department inspection because there isn't a kitchen present. They aren't making food they are just allowing it to be consumed on site.

Ald. Lewis: Other establishments that do have kitchens they will be able to close their kitchens and still maintain a license?

Chief Keegan: I'll use Dawn's Beach Hut as an example. Dawn had a kitchen when she was a sandwich shop. She's a B license. Once her business model changed from a sandwich shop to a bar/tavern, probably one of the smallest in St. Charles, and does not have a kitchen any longer. That was under a B, so yes.

Ald. Lewis: This is the direction that if establishments want to come to us and close their kitchens and still have licenses that will be acceptable in the City of St. Charles according to our code. What would be the reason we would say no?

Chief Keegan: As a staffer I would politely bounce that back on you as a Council or Liquor Control Commission. If that's the will of the Council and the Commission I'll follow your lead as a staffer. You ask me for a recommendation, I look at our business models, our code, and I try to make sure they marry one another.

Ald. Lewis: I appreciate that and I understand it's not your decision, but when other places that have the expense of liquor licenses and have the expense of food and a kitchen and managing all that goes with that, maybe they just want to be a place that serves alcohol. I think that's the wrong road to go down.

Chief Keegan: What we've seen as of late, whether it's the winery, or Dawn's VooDoo Room that's going to serve craft cocktails, or Dawn's Beach Hut that serves specialty drinks, this particular applicant has craft beers; what we're seeing as of late is we've even had a few breweries come and talk with me about micro brewing. We have a winery that's going to present next on 1st street, so we're starting to see more of a specialty concept. I understand where you are coming from Ald. Lewis.

Ald. Lewis: Its 200 people.

Chief Keegan: And I did tell the applicant that occupancy will be determined by the Fire Department based on square footage and the multipliers they use. I know he submitted drawings, but they are just drawings. The final certificate of occupancy will be determined by their square footage and what the Fire Department wants. Right now the drawings depict 177 seats.

Mr. Newton: That includes a patio.

Ald. Lewis: They can consume beverages on the patio also.

Ald. Payleitner: If we can set the food aside for a minute. It is stated in our ordinance we cannot have an outdoor patio without food service. Where are we going with that? Are we going to get a kitchen for food service or not have a patio?

Chrmn. Rogina: The Chief said earlier, the definition of food service isn't clearly defined. He may not need a kitchen to provide food service of some sort on the patio.

Chief Keegan: What I'm finding, with all due respect in my 24 plus years in police work, I use this term a lot. There is the spirit of law and there is the letter of law. Whether it's the winery that allows them to go out to the small patio and they have cheese and crackers with a glass of wine, or Dawn's VooDoo Room that has a small 12 x 15 patio, or this concept. What we've seen is especially as smoking has become prohibited inside establishments that often times the patios are used as the smoking area. We're starting to see some different trends. Most if not all of the applications that we see coming forward have some sort of outside component. Most of the time that's to satisfy the smokers.

Ald. Payleitner: With that in mind, and I said this to you last week, the fact that Dawn's had a patio surprised me. It isn't in her business plan or drawing, she's illegally serving cocktails outside. This is an issue my constituents see, I can speak for my ward, that they take pretty serious. We've done a good job of cleaning up our town so far. Again, I love your business, I think it's great, I just wish you had a kitchen. You're size I have no issue with it except that it doesn't have a kitchen. I worry that we're going to have precedent and all of a sudden our whole ordinance is going to have asterisks here and there showing exceptions to this business and that business.

I joked with the Chief, saying it's all their fault for swearing me in, to say I will abide by all the ordinances of the City of St. Charles and I will. That's not my prerogative, that's my job, my sworn duty. Letter of the law or not, there is a reason it was there.

Chrmn. Rogina: I just want to say for the record that I don't think the application its self is asking us, and we have legal counsel here as well; if he tells me I'm wrong in interpreting it that's fine. As I read the C license and I see his application sans the patio, which I think is open to some degree of debate; I personally don't see any violation. I was sworn in as well to abide by the ordinances of the City of St. Charles.

Ald. Payleitner: That's a good point and maybe I will ask our attorney. In our code it says our definitions. Are we bound by our definitions?

Attny. McGuirk: We usually set out the definitions to make some sense as to what's in the text. To the extent there is some conflict. It just depends on the context. I haven't totally studied this issue so I don't know if I can comment.

Ald. Payleitner: Generally speaking, are we bound by our definitions as part of our ordinance? I would say yes.

Attny. McGuirk: I think the definitions typically are used to interpret other provisions. In this case a class A, B, C, whatever it is to the extent the definition appears in there. I think you have to see if it has some context and see if it gives you any guidance. I think there are multiple interpretations you can ascribe to a lot of these things. Then there is the history of what we've done in other instances that also bear on it.

Ald. Payleitner: Some of that was unaware of this alderman anyway. It says clear by defined, no tavern, bars, saloons shall sell alcoholic liquor unless food and menu items are offered to its guests. In the event a full menu is not provided, a reduced menu, and that's where you say it gets fuzzy, shall be available. There not available. They can bring them, but they are not available.

Attny. McGuirk: Aren't you providing some snack foods?

Mr. Newman: Yes, prepackaged snacks.

Chrmn. Rogina: Do those prepackaged snacks by any chance include sandwiches that could be microwaved?

Mr. Newman: The franchise is working on a test program to accommodate a more expanded menu beyond the snacks. It's still in the test phase right now.

Chrmn. Rogina: I was asking theoretically.

Mr. Newman: It could, yes.

Ald. Payleitner: It could, but right now it's packaged, a bag of pretzels or something. Is that what it is?

Chrmn. Rogina: To add to that, that's what we've seen in several other establishments. To quote, support the letter of the law of the word tavern, back to your point about the definition of the word tavern and food service. The House Pub is a good example of that and that's been going on since 2009. Minimally, if not before that, alcohol was served with a popcorn machine there. That goes back before any of our times on City Council.

Ald. Payleitner: So all we can do now is just deal with what's before us.

Chrmn. Rogina: There will be a full vetting tonight at the full City Council prior to any presentation of this particular license and discussion as the Chief has indicated on the total class C package. What you'll be voting on here, if we entertain a motion, would be to move this to Government Operations tonight on the agenda after a discussion of C licensing. Not to sway your vote, but the motion should be made to move this item to Government Operations for discussion, without necessarily showing your view one way or the other.

Ald. Payleitner: If I vote no it means I don't approve of this application.

Chrmn. Rogina: You as an alderman can express that tonight.

Ald. Payleitner: I can express that now and looking forward so that all my colleagues can weigh in the verbiage in our C license; yes or no on this issue.

Chrmn. Rogina: That's what I'd like the motion to be, and move this to the Government Operations Committee and do exactly what you're talking about.

Motion by Mr. Amenta second by Mr. Gehm to recommend approval to the Government Operations Committee of a proposal for a new class C liquor license for Global Craft Tap House, to be located at 2100 Prairie Street, St. Charles to be considered after the discussion of Class C liquor licenses.

Roll Call: Ayes: Gehm, Amenta; Nays: Payleitner, Lewis. Chrmn. Rogina did not vote at Chairman. **Motion carried.**

Chrmn. Rogina: I suggest as a tie break that we move it forward to the Government Operations Committee tonight. Thank you. You'll be back here at 7:15 pm tonight and this will be discussed after we discuss the C license.

Ald. Payleitner: In conclusion, it's the kitchen and the patio.

Chrmn. Rogina: I see that our friends from Cooper's Hawk are still here. I failed to mention the fact that same thing happens tonight. We are going to have the same discussion of your license at Government Operations tonight.

Ald. Lewis: I don't believe you broke a tie. We're advisory only. I'd just like to point that out. We're an advisory board.

Chrmn. Rogina: Yes, that's correct.

8. Discussion and presentation of a new business, Vintage 53, to be located on 1st Street.

Chief Keegan: This is a discussion and presentation of a new business to be located on 1st Street. Mario is here to talk about Vintage 53.

Chrmn. Rogina: I'd like to give you some context on this with respect to time. Mario came to see me and we discussed his concept. I'm bringing this to your attention because you have nothing in your packets on this.

Ald. Lewis: There's nothing online.

Chrmn. Rogina: That's correct. Mario came in to discuss this. He wants to join or as close as possible join Kilwin's and the Brunch Café on 1st Street. He is here for the purposes of explaining to you what he wants to do. I have a copy of the full plan and the Chief can talk to you about what he wants to do. He turned this in late last week. I asked him to come to the Liquor Commission this month because if we did not he'd be pushed back to October 17th, and after that, assuming we did approve his license, he would not get approval on a license until the early part of November. He's working on a timeframe to have us say yes or no earlier than that so he can move into another slot on 1st Street. That's why I asked him to come here to tell the Commission his plan. He will not be going tonight before Government Operations. You as council members will have his complete packet by the time we get to Government Operations on October 3rd. I think I've explained the time frame as to why we're doing what we're doing. I'm going to let him talk. I find him to be enlightening and a very interesting individual. I want him to tell you his story.

Mario Grado: I want to open a wine bar as part of the 1st Street Redevelopment Project. My space is right next to Brunch Café and Kilwin's. I have about 2,000 sq. ft. and will have about 80 – 100 wines. It's an on premise only, there are no retail sales, nobody can come in and purchase wine and leave. If they do decide to take wine home it would have to be opened on premise recorked and then put in a tamper proof bag. There is a food menu, some flat breads, gourmet popcorns, caprese salad, large selection of cheese and charcuterie, full service kitchen, no outdoor seating or patio, there is also live music. I have about an 8x8 ft. stage where I will have a piano and every weekend we'll be doing different live music, guitarist, pianists; some really unique things. We'll be open until 11:00 pm during the week and 11:30 pm or midnight during the weekends, closed on Monday's.

Chrmn. Rogina: That's an overview. Before I go to questions I'd like you to tell one more thing.

Mario Grado: What's that?

Chrmn. Rogina: You talked about your commitment to St. Charles and you mentioned the fact, you're originally from Geneva.

Mario Grado: We moved here from Geneva and I live one block away and can walk to work.

Chrmn. Rogina: That's right. I thought that was interesting as well.

Ald. Payleitner: You moved to St. Charles.

Mario Grado: I've lived in St. Charles for a couple of years. An apartment in milestone row came open, I said if I can hit the coffee store and then my bar in one block, I can't beat that.

Mr. Gehm: I think it's a great idea for that location. It's something a little different. If people can have a little wine tasting and then go get ice cream if they desire, it sounds like a great concept. Sounds like the type of activities we're trying to develop around 1st Street.

Ald. Payleitner: Synergy. I agree. Fabulous, thank you. You answered all our questions right out of the gate.

Mario Grado: I've been working on the business plan for about 5 years all through college.

Ald. Payleitner: I don't know what 2,000 sq. ft. means. What's the seating capacity?

Mario Grado: Roughly about 70 seats, including couches and things in the front. A little more casual and relaxed in the front by the piano.

Ald. Lewis: I believe we're going too far down the path without this being an agenda item so I have no questions.

Mr. Amenta: No questions.

Chrmn. Rogina: How do you feel you stack up against a place in Geneva as far as business plan is concerned, they have hard liquor there and you don't, I'm talking about Barrel and Rye on 3rd Street in Geneva.

Mario Grado: I'm not sure I'm familiar with them.

Ald. Payleitner: They are probably similar size.

Chrmn. Rogina: That's what I'm thinking.

Ald. Payleitner: There's no entertainment there and no couches.

Mr. Amenta: They are more like craft bourbon, where you are a craft wine.

Chrmn. Rogina: Okay, discount my question.

Mr. Gehm: Back to Geneva would be Preservation Red Wine be similar to that? They are really small; I don't know how many square feet that is.

Mario Grado: They are really small. I visited there doing market research to get myself a glass of wine. My two person table, we were having waitresses knocking into us, it was a very small place.

Chrmn. Rogina: This motion that you would be making...

Ald. Lewis: We can't vote. It's not on the agenda.

Ald. Payleitner: He's looking for feedback.

Ald. Lewis: I don't think we can vote on something that's not on the public agenda.

Mr. Amenta: The flip side of this is does it need our approval to be presented to Government Operations on October 3rd?

Chrmn. Rogina: You said earlier as well we're an advisory. All we're doing is providing advice in a motion.

Ald. Lewis: We have an agenda that's been published on the website 3 days in advance. We're doing the public's business and I don't think that we can take the vote.

Chrmn. Rogina: His item is on here for discussion and presentation. It's not like it wasn't on the agenda.

Ald. Lewis: It wasn't posted.

Chrmn. Rogina: Yes it was.

Ald. Lewis: It's not on the website agenda.

Mr. Amenta: It's not on the website.

Ald. Payleitner: It's not?

Chrmn. Rogina: What does item 8 say?

Mr. Amenta: there is no item 8 on the public agenda.

Chrmn. Rogina: I'm looking at it right here.

Ald. Payleitner: It's there. Discussion.

Chrmn. Rogina: Yes, that's on the website.

Mr. Amenta: Item discussion and presentation. We thought it showed packet items and item 8 is excluded from packet items. If we're being very technical about it.

Tina Nilles: It's a line item on the agenda.

Mr. Amenta: It is on the agenda, but it's not shown as a packet item attachment.

Tina: That's because there is no packet. The item reads as a discussion and presentation.

Chrmn. Rogina: You're correct about that. We said at the beginning there are no attachments. All I'm trying to see is if there is flavor here that this is a worthy item, as an advisory group, for discussion at the Government Operations Committee on October 3rd?

Ald. Payleitner: Yes. I would say it's a worthy item for Government Operations, October 3rd.

Ald. Lewis: I don't think it needs anything from us; I think you can put it on there.

Mr. Amenta: I think the motion, as an advisory group, to have it discussed in Government Operations is a good motion. I would move that motion.

Motion by Mr. Amenta second by Ald. Payleitner to recommend for discussion to the Government Operations Committee a proposal for a new class C liquor license for Vintage 53, to be located on 1st Street, St. Charles.

Roll Call: Ayes: Gehm, Payleitner, Amenta, Nays: None; Present: Lewis. Chrmn. Rogina did not vote at Chairman. **Motion carried.**

9. Other Business

10. Public Comment

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

12. Adjournment

Motion to adjourn by Mr. Gehm, second by Mr. Amenta to adjourn meeting at 5:25 p.m.

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