

**MINUTES
CITY OF ST. CHARLES, IL
LIQUOR CONTROL COMMISSION MEETING
MONDAY, OCTOBER 17, 2016**

1. Call to Order.

The meeting was convened by Liquor Commissioner Rogina at 4:33 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 September 19, 2016.

Motion by Ald. Lewis second by Mr. Amenta to accept and place on file minutes of the Liquor Control Commission meeting held on September 19, 2016.

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

4. Recommendation to approve a proposal for a class B liquor license for Lin's Garden located at 2400 E Main Street, St. Charles.

Chief Keegan: This a recommendation to approve a proposal for a class B liquor license for Lin's Garden located at 2400 E Main Street. Mr. Jorge Mendez, the owner, is here tonight. Mr. Mendez has been a long standing employee of Lin's Garden for 20 years and is now the new owner and is here tonight if you have any questions.

Mr. Mendez, 29W764 Continental Drive, Warrenville, IL.

Ald. Lewis: You didn't have a BYOB before?

Mr. Mendez: No.

Mr. Amenta: I've known Mr. Mendez for every year that he has worked at Lin's Garden and the previous owners were family friends of ours. I'm excited to see that you have this opportunity with everything going on with Mrs. Lin. It's exciting for me because it's my

favorite establishment. Even when I lived out of town, I would come back in to have dinner and take out. Congratulations!

Ald. Payleitner: I ditto that as well.

Chrmn. Rogina: Prior to living on the west side of town, Lin's Garden was at least twice a month for me, when I lived three blocks away from it on the east side. I shall return at some point in the future to sample your wares.

Motion by Mr. Gehn, second by Mr. Amenta to recommend approval of a proposal for a class B liquor license for Lin's Garden located at 2400 E Main 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 an Ordinance Amending Title 5 "Business License Regulations," Chapter 5.08 "Alcoholic Beverages," Section 5.08.090 "License – Classifications, Item 5 Paragraph E3" of the St. Charles Municipal Code.

Chief Keegan: As mention in your packet, the Kane County Fair Board is here. They run the annual Kane County Fair which is a 5-day event every summer. Typically any events outside of that 5-day window they bring in an outside vendor with a liquor license to host the events. I was approached by Larry of the Kane County Fair Board about expanding that model.

Some of the items in front of you are twofold. First, they would like to expand the number of days that the license carries from the 5 days they have to a maximum of 20 days, similar to the Harley Davidson business model right next to them. Secondly some of the events that have approach the Fair Board are events that not only would do consumption on sight but also a retail component. That would be an event such as wine tasting where they could have an event at the fair and folks could come in and sample wine and have the availability to buy the wine, and in addition craft beer festivals which are becoming more popular. We hosted the one this summer in Lincoln Park where proprietors would come in and sample the product and have the availability to buy the product. This is also a similar business model that we recently approved for Coopers Hawk on the far east side where there's a restaurant/consumption on site component along with a retail component. The Kane County Fair is a 501c3 organization, a non-for-profit. We currently codify them as a \$50 per day license and Mr. Breon would like to keep that same mode moving forward. He doesn't anticipate using the full 20 days but would like the availability to expand the five days he has now to a few more events per year.

Larry Breon, President of the Kane County Fair, Batavia, IL and what the chief said is what we would like to do.

Ald. Payleitner: Any time anything has come before us with a request from this group, there hasn't been issues – correct?

Chief Keegan: Correct and I also would like to point out to you that we wouldn't have any of the events that would be scheduled to be in conflict with other events nearby, a.k.a. Harley Davidson.

Mr. Gehm: Any specific plans? You had mentioned a wine tasting or craft beer festival.

Mr. Breon: We've had inquiries about wine tastings and we would like to have the license in place so that we could go to them and say yes we can do that. I didn't realize how many local wineries there were in the state of Illinois and they're an active group and are trying to get more known and out there to the public.

Ald. Lewis: I don't see any problem with this but I do have a few questions. Designated areas, are there several areas or is it just in one location?

Chief Keegan: That's a good question, in talking with Larry and the fair we look at a site plan of each specific event, even at the Harley Davidson dealership. If Mr. Breon would come in and want to do a wine tasting event, as part of that process he would fill out an application with the Mayor's office and I would look at it and make sure that consumption, retail sales would take place in predesignated areas. The entire site would not be subject to consumption. We might rope a certain area for consumption on site and there might be a separate area for retail component.

Ald. Lewis: So you would have three different consumptions sites?

Chief Keegan: At the fair we do allow consumption in the Grand Stand for Demolition Derby, etc. We do allow it near some of the food vendors.

Mr. Breon: We have the Beer Garden with live entertainment and the Grand Stand – that's two different places at the fair. We would go through the same process with the Chief. Here is where it's going to be, not there. It will be cordoned off and controlled, etc. Not the whole place.

Chrmn. Rogina: For example you have this beautiful indoor facility, there would be some wine tastings inside. To Ald. Lewis' question we would have the tasting, sales...

Mr. Breon: We would have three different locations if it was at the fair. Where the entertainment is we would only have the Grand Stand on certain nights.

Chrmn. Rogina: I'm talking a different time outside of the fair like in November a winery wants to come in and do a wine tasting/sales; that would be conducted solely and inclusively within the confines of the indoor facility.

Mr. Breon: Yes.

Ald. Lewis: For the event of 60 Men Who Can Cook, you would use one of these days for that event?

Mr. Breon: We could, but they furnish their own. We would put on our own events as the Fair Board. These 60 Men Who Could Cook came to the City and got a license to sell beer and wine; that's how a lot of that would still go on. If we had an event that we, the Fair, wanted to put on, we would use these extra days for us.

Ald. Lewis: So this is in addition to those other events that come in with their own liquor licenses?

Mr. Breon: This would be events that just the Fair produces.

Ald. Lewis: So the 20 days include the 5 fair days?

Chief Keegan: Yes, this would only be an expansion of 15 days.

Ald. Lewis: And the festivals that the City has, the Fair would not be eligible?

Chief Keegan: We would make sure there wouldn't be a conflict as far as traffic and other city sponsored events; even at the Harley Davidson dealership.

Mr. Breon: We don't want to fight each other in trying to make it work.

Ald. Payleitner: You're not doing it as the property owner but as the event planners of the Fair.

Mr. Amenta: My questions have all been answered.

Ald. Lewis: The mixed martial arts, is something like that to be an event you might use a liquor license for?

Mr. Breon: We had that previously, but if they wanted to do anything, it was them who came in and you had the opportunity to deal with them. We rent the facility to many things and if they want to have liquor to sell, it is their job to do it. They're producing the show; we're just renting the facility. We are going to use our license to produce the shows we want to do. Many of the things that go on at the Fair, obviously have the Kane County Fair in their name but we aren't putting it on – we just rent the facility.

Chief Keegan: Just to note the that this Commission and Council approved the 20 days for Harley Davidson and each time an event takes place, there's a vetting process that starts with Tina, goes to me and I look at it and work with the petitioner.

Mr. Breon: We are still going to have come in and tell you what we're going to do, how we're going to do it, the same routine; we just don't need to come back and ask for a few more days every time. That's the basics of this.

Chief Keegan: If it involves amplified sound, street closures or city services, I'd take it to Council but if it's a standard liquor license or E3 which is what Mr. Breon is applying for, you

approve X number of days and I would vet each individual event; and if one of those triggers happen than I bring it in front of Council.

Chrmn. Rogina: But not in front of Liquor Commission?

Chief Keegan: You're approving 20 total days and it's up to me as staff to make sure that what he's asking for meets the criteria of the policy that's set.

Chrmn. Rogina: It will be vetted at Council as you stated; so this body has recommended the 20 days. I would entertain a motion on this item.

Motion by Ald. Payleitner, second by Lewis to recommend approval of an Ordinance Amending Title 5 "Business License Regulations," Chapter 5.08 "Alcoholic Beverages," Section 5.08.090 "License – Classifications, Item 5 Paragraph E3" of the St. Charles Municipal Code.

Roll Call: Ayes: Gehm, Payleitner, Lewis, Amenta; Nays: None. 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 Ald. Payleitner, second by Lewis to adjourn meeting at 4:55 p.m.

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