

**MINUTES**  
**THE CITY OF ST. CHARLES**  
**LIQUOR CONTROL COMMISSION MEETING**  
**MONDAY, AUGUST 15, 2022, 4:30 PM**

**1. Call to Order.**

The meeting was called to order by Commissioner Vitek at 4:30 pm.

**2. Roll Call.**

**Present:** Bancroft, Zollers, Gehm

**Absent:** Pietryla

**3. Motion to accept and place on file minutes of the Liquor Control Commission meeting held on June 20, 2022.**

Motion by Mr. Gehm, second by Ms. Zollers to accept and place on file minutes of the Liquor Control Commission meeting held on June 20, 2022.

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

**4. Motion to accept and place on file minutes of the Liquor Control Commission executive session meeting held on June 20, 2022.**

Motion by Ms. Zollers, second by Mr. Gehm, to accept and place on file minutes of the Liquor Control Commission executive session meeting held on June 20, 2022.

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

**5. Recommendation to approve a Massage License Application for Fox Valley Massage Therapy located at 115 S. Second Street, Upper Unit, St. Charles.**

The petitioner Alicia Roman is an IL State licensed massage therapist. Ms. Roman has been employed with Massage Envy for the last nine years. A background check and site visit were conducted with no issues. The massage business will be by appointment only by booking appointments on the business website.

Motion by Mr. Gehm, second by Ald. Bancroft to recommend the approval of a Massage License Application for Fox Valley Massage Therapy located at 115 S. Second Street, Upper Unit, St. Charles.

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

**6. Recommendation to Approve a Proposal for a New Class E-1 Temporary Liquor License and Road Closure for St. Patrick's Church for September 10, 2022.**

St. Patrick Church is having a Parish Picnic and would like to dispense craft beer. The event is on September 10, 5 pm – 8:30 pm. A request has been made to close Cedar St. from 4<sup>th</sup> St. to 5<sup>th</sup> St. in front of the church. Dram shop insurance is in order. Pollyanna will be at the event and their Basset trained staff will serve.

Motion by Ald. Bancroft, second by Ms. Zollers to recommend the approval of a Proposal for a New Class E-1 Temporary Liquor License and Road Closure for St. Patrick's Church for September 10, 2022.

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

**7. Recommendation to Approve a New Class E-1 Liquor License and an Amplification Permit for the St. Charles Moose Lodge for August 27, 2022.**

The Moose Lodge is going to be using their parking lot and green space for a family festival on August 27, 2022. They will utilize their Basset trained servers to dispense alcoholic beverages. They have also applied for a loudspeaker license for a live band. The Basset certificates have been verified by the PD.

Motion by Mr. Gehm, second by Ms. Zollers to recommend the approval of a New Class E-1 Liquor License and an Amplification Permit for the St. Charles Moose Lodge for August 27, 2022.

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

**8. Recommendation to approve a Proposal for an A-1 Liquor License Application for Mac's Beer Wine Spirits Located at 201 W. Main St., St. Charles.**

The petitioner, Ankurkumar Chaudhari, is going to purchase the inventory from Pratik Patel, the current business owner at the location. Mr. Chaudhari manages 2 facilities one in Streamwood and one in Arlington Heights, he resides in Schaumburg. There have been no issues at the establishments he manages. Mr. Chauudhari has not held a liquor license previously but did work as a manager at Esplande Wine and Spirits. Due to illness he took an extended absence and did not go back to work.

Motion by Ald. Bancroft, second by Mr. Gehm to recommend the approval of a Proposal for an A-1 Liquor License Application for Mac's Beer Wine Spirits Located at 201 W. Main St., St. Charles.

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

**9. Recommendation to approve a Proposal for a B-1 Liquor License Application for Mr. Hibachi Express & Sushi, Located at 2762 E. Main St., St. Charles.**

Mr. Hernandez the owner of Mr. Hibachi applied for a liquor license in February 2022. The application was revised and several meetings were had with the applicant to ensure compliance with applicable codes. An extensive background was completed. Mr. Hibachi has no alcohol inventory at this time, but if granted a license they will carry \$5,000 - \$6,000 of inventory. They have been in business for several months without selling alcohol. When the license is approved they plan to sell bottled beer and mix drinks. They do not plan to seek a late-night license or have beer on tap.

While the licensing process was pending there was a local ordinance violation for saké. Saké was dispensed to a St. Charles Police Officer by a hibachi chef after the Police Department received a tip

that Saké was being dispensed. The business was cited and a liable finding was entered in local adjudication. The fine was paid, and there have been no other issues.

Mr. Hernandez has a previous conviction that doesn't prohibit the possession of a liquor license. It has been 15 years since the incident occurred, the applicant was assigned probation and completed the probation term with no incidents. The applicant is married with five children and has been living at the same address for ten years with no reported criminal activity. The applicant has worked in the restaurant industry for 12 years with no liquor violations. The applicant verified he tried to expunge or modify his conviction, but he is ineligible for expungement. Per the State's Attorney Jamie Mosser, he is not eligible for SB 2129 because he was not incarcerated. The applicant reached out to Senator Villa's office and the Senator sent a letter.

The applicant needs alcohol service as a part of his business to remain competitive in the industry. The applicant met with the Mayor and Chief and was remorseful and learned from his mistakes. Our liquor code states:

**5.08.080 – License – Restriction on Issuance**

No such license shall be issued to:

- D. A person who has been convicted of a felony under any Federal or State law, unless the Local Liquor Control Commissioner determines that such person has been sufficiently rehabilitated to warrant the public trust after considering matters set forth in such person's application and the investigation. The burden of proof of sufficient rehabilitation shall be on the applicant;

Chief Keegan recommends Mr. Hernandez for a liquor license based on his being transparent and believes he should be able to lawfully hold a license. Mayor Vitek stated that she has confidence in the Chief and his staff, and if the license is awarded, the business will be monitored as they do with other businesses.

Ms. Zollers is concerned by the saké and asked if it was being used in cooking or if it was being served. Chief answered that it was being used in cooking, but a tip was received that it was squirted into the mouth of a customer by a hibachi chef. An officer went in and made the same request and it happened again. Sake has been removed from the restaurant.

Motion by Mr. Gehm, second by Ald. Bancroft to recommend the approval of a Proposal for a B-1 Liquor License Application for Mr. Hibachi Express & Sushi, Located at 2762 E. Main St., St. Charles.

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

**10. Public Comment** – no comments were raised.

**11. Additional Items from Mayor, Commission Members, or Staff.**

**12. Adjournment.**

Motion by Ms. Zollers, second by Ald. Bancroft to adjourn the meeting at 4:48 pm.

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

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