

MINUTES
LIQUOR CONTROL COMMISSION MEETING
MONDAY, JUNE 18, 2018

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, Ald. Vitek, Cliff Carrignan, and Robert Gehm

Members Absent: Ald. Silkaitis

Others Present: Police Chief Keegan, Atty. John McGuirk, Mark Koenen, and Tracey Conti

3. **Motion to accept and place on file minutes of the Liquor Control Commission meeting held on April May 21, 2018.**

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

4. **Recommendation to approve a Proposal for a New Class A6 Liquor License for Gordy's Quick Mart located at 101 E Main Street, St. Charles, IL 60174.**

Chief Keegan: Teri Simic from Gordy's Quick Mart and Irene Barr from the Barr Law Firm are here this evening. They are asking for an A6 license, a newly approved license which allows liquor sales for packaged goods only at both gas stations and convenience stores so long as the square footage footprint of liquor sales do not encroach on more than 10% of the overall business square footage. The hours of operation are 7am – 10pm. This is the former Starbucks location. They will offer convenience store items, deli items, and try to cater to a large audience. They have gone through a background with the Police Department. Mrs. Simic is here to speak about her business plan. The applicant and the business have been vetted and we're recommending in favor of the business.

Teri Simic: 410 Woodside Drive, Woodale, IL. This is a convenience store. We wanted to put in force a plan of a store that will benefit St. Charles. My kids went to school in St. Charles, it's a great place to live, historic. I think our plan will benefit the residents. The liquor license we're applying for would be a small part of what we're doing, but would benefit our store. Ninety percent of our store is going to have things like groceries, diapers, food, lunches to go, it's going to be an upscale establishment inside and out, from the customer service to the training of our employees and everything we do.

Chrmn. Rogina: Starbucks did have outdoor seating on Main Street; the reason being is that there was no alcohol served. The A6 doesn't suggest a service of alcohol, just to codify that, if there was outdoor seating on Main St. it would just be for sandwiches.

Teri Simic: Yes, just because we don't have any inside seating. It's going to have a neighborhood feel, upscale, there will be Wi-Fi out there, people can read the paper, grab lunch, etc. It's more of a convenience, but nothing to do with any type of alcohol.

Chrmn. Rogina: With respect to any and all issues regarding electricity. During conversation we've had meeting with the Arcada it has been brought up that there have been issues with the electrical work. The package does say the approval of the liquor license is contingent upon final building inspection. To your knowledge have there been any issues he's brought to your attention regarding the electric?

Teri Simic: There's not going to be any issues moving forward that would stop us from completion of the construction. If there were we would resolve them with our contractor and the landlord, but nothing that would hold us from moving forward.

Chrmn. Rogina: It's been evident to me as the Mayor, meeting with him, he likes to pass some of this stuff off to the tenants. That's why I thought I would ask.

Teri Simic: Everything should be resolved.

Mr. Carrignan: To me an obvious concern is people coming in after or before shows and open containers on the street. I'd be curious on how you intend to monitor that?

Teri Simic: We are going to have more of a family run environment, I and my son don't consume alcohol. We're going to make things as safe as possible. If we think a customer is intoxicated and should not be served we will very easily say that we can't sell to them. Nothing will be opened on our premises, and if anything it's going to be taken home, not consumed at all there. It's a convenience to go. We will be very diligent in monitoring people who come in, because it's our license, our name, our establishment. We want to do the right thing.

Mr. Carrignan: What are your hours of operation?

Irene Barr: Selling liquor is 7am – 10:00pm. They are open later than that but won't be allowing alcohol sales.

Teri Simic: We are going to be investing in a POS system that will allow us to forbid the selling of alcohol before or after those allowed hours.

Chrmn. Rogina: The Arcada will have a shows that start at 7:00pm, and you're allowed to sell alcohol until 10pm. I do know there is door that leads from your establishment to the main floor of the Arcada. With all safeguards in place it wouldn't necessarily stop someone from buying a 6-pack and walking into the theater.

Teri Simic: That door has been covered. They would actually have to exit our facility to get to the Arcada.

Chrmn. Rogina: That's good.

Mr. Gehm: That wall is going to be sealed off?

Teri Simic: Yes.

Mr. Gehm: Business hours listed on your application are 5am – 11pm Mon. - Thurs.; 7am – 1am Fri & Sat.; Sunday from 7am – 8pm.

Chrmn. Rogina: But the liquor license is 7am – 10pm. Liquor sales stop at 10pm.

Teri Simic: That's correct.

Chrmn. Rogina: You also mentioned about home delivery.

Teri Simic: We thought of that. It won't be in place when we open. It's going to be an online application. We'll have delivery for grocery items, and to go hot foods, no alcohol included.

Motion by Mr. Carrigan, second by Vitek to Recommend approve a Proposal for a New Class A6 Liquor License for Gordy's Quick Mart located at 101 E Main Street, St. Charles, IL 60174.

Roll Call: Ayes: Vitek, Carrigan, Gehm; Nays: None. Chrmn. Rogina did not vote as Chair.
Motion Carried.

5. **Discussion to Consider Plans for the Addition of a Patio for the Alibi Bar & Grill located at 12 N 3rd Street, St. Charles, IL 60174. (Information only)**

Chrmn. Rogina: Chief I don't think you need to make an introduction here. Rich Simpson is here, he and I have talked, his purpose is just to come before the commission looking for input from us about his plans.

Rich Simpson: 1360 Collette, Elmhurst, IL 60126. I'd like to take southwest corner of the building, about 700 sq. ft., and create a patio. I sent some picture, those are not the actual pictures. I didn't want to spend the money are getting an actual picture until I get some indication we can move forward. I met with the Building Department, the Historical Commission and have got their feedback. I'm actually getting ready to get a drawing of what the Historical Commission would like to see. I'd like to see if there are any issues you have and if you could give me feedback and if it's an approvable issue.

Chrmn. Rogina: We have a Civil Engineer here in the form of the City Administrator. We both reviewed the minutes of the Historical Preservation Commission which you attended as a prelude to coming here. They didn't really define anything bud did raise some questions about the roof. Did you talk about that? If you were to take out part of your building, I'm not a civil engineer, but Mark does.

Rich Simpson: Taking out the section of roof is no issue at all.

Mark Koenen: My understanding is that building was originally a car dealership. It has a clear span in the middle where there are not a lot of columns inside the building. The roof structure somewhat spans the building.

Rich Simpson: We have the joists in there, we'll be cutting one of those in half.

Mark Koenen: Okay.

Rich Simpson: It's going to be restructured; the roof is going to be cut back so the weight of that is going to be next to nothing.

Mark Koenen: As long as you cover that. It's a bit of an unusual phenomena in terms of retrofitting a building. You've got that rolled into your thoughts and cost estimate, that's important to be aware of.

Rich Simpson: We've had a structural as well.

Mark Koenen: I think Historic Preservation asked about that as well as I recall.

Rich Simpson: Like I said, we had a discussion, I'm actually having a print drawing made to their discussion.

Chrmn. Rogina: The other thing is the patio. You said you wanted to take some of your indoor space to make the patio. In the winter time possible cover it like the Office does. What's going to be the purpose of the patio beside people sitting outside having a cocktail?

Rich Simpson: That's the main purpose.

Chrmn. Rogina: Is there going food out there and smoking?

Rich Simpson: Yes.

Chrmn. Rogina: Chief can you do both?

Chief Keegan: I think we'd need to get some insight from the Community Economic Development Department. There's the 15ft rule, from an exit or entrance. As far as what the Health Department will allow in conjunction with the City and what the structure is viewed as would be a discussion for another department. We have seen that either at the Office or the Evergreen with a patio where there is food and tobacco use. As long as it's open air.

Mark Koenen: My understanding is a closed environment, as the Office is in the Winter. I don't think you can smoke in there in the Winter Months if they serve food.

Atty. McGuirk: I believe you're correct Mark.

Rich Simpson: I checked with the State and was told I must have 2 walls open.

Mayor Rogina: I've been to Evergreen and see people smoking and they serve food, but it's an open space. It's not confined, no smoking going on where there is a roof over someone.

Rich Simpson: We're not going to have a roof.

Chrmn. Rogina: If you were to enclose it in the Winter; there would be no smoking.

Rich Simpson: Yes. I would just put heaters out.

Chrmn. Rogina: At the Evergreen they don't use the outdoor space in the Winter.

Ald. Vitek: There is an actual bar out there too?

Rich Simpson: No. No bar, they would come inside get the drinks and go out.

Mr. Gehm: The smoking has to be 15 ft. away from the door. There is a door getting into the establishment even though you're outside at an open patio. I see signs on the buildings where I work and its 15 – 25 ft. Unless you're going to designate a section of your proposed patio to allow for the 15 ft. I assume the trellis is open at the top.

Rich Simpson: Yes, that's all open. I'm trying to cover all bases before I move forward and start spending money.

Mr. Gehm: With people outside being able to consume alcohol, what about security?

Rich Simpson: The way my door comes and where we're putting the door to the patio; there will be a security guy on both doors.

Mr. Gehm: There is no exit out onto Third St.?

Rich Simpson: No.

Mr. Carrignan: You've been sited before for having liquor outside the building. Looking at this I'm assuming there are tables against that wall?

Rich Simpson: Actually my handicap ramp is against that wall and we're going to leave that in place. The chairs and table will be around that ramp.

Mr. Carrignan: How do you plan to stop people from passing beer out that wall?

Rich Simpson: The wall will be 42" high and the railings will be tight so they can't get anything through.

Mr. Carrignan: How high is that wall going to be?

Rich Simpson: Six feet.

Chrmn. Rogina: The City Council, based upon a variety of factors, can go up or down on a liquor license. I think it should be handled in fairness to the other outdoor patios we have. I don't think we're looking to say if you should or should not have patio. I think the proof is going to be in the design that will be put in place. All those questions we pose will probably be asked by the City Council as well. And any questions by the Historic Preservation Commission. Because it's a historic building and it's in a historic district, and because they didn't give a final ruling; it's possible you're going to have to spend some money on a design.

Rich Simpson: That's what I'm doing now, and I'll go back and have it approved by the Historic Preservation Commission.

Chrmn. Rogina: You'd then come back here for a vote to recommend it to Council Committee. As far as having a patio you're looking at cutting your space down inside.

Rich Simpson: I have so many people coming in asking.

Chrmn. Rogina: You plan on having a band outside, or music?

Rich Simpson: No bands, there will probably be music out there.

Chrmn. Rogina: Chief do you have any thoughts?

Chief Keegan: I've talked to Mr. Simpson quite a bit over the last number of years. We've made a lot of strides together. I think we're progressing. We did talk about the location. I'm more in favor about moving forward here as opposed to Cedar based on the parking lot, and I know there are a lot of patios in and around there. To the Simpsons benefit they have made a lot of progress, we've worked on lighting, provisions to make sure alcohol stays inside, security plans, I think progress is being made. I want to make sure i's are dotted and t's are crossed with Community Development through the proper permitting.

Chrmn. Rogina: Before you begin construction on this you are probably going to have to spend a little money on a drawing of some sort.

Rich Simpson: Okay. I work with the Historic Preservation Commission to get this approved and go to the next step. I just wanted to get some feedback and information so whatever I do moving forward I do correctly.

Chrmn. Rogina: I think simply adopting best practices of the establishments that do have a patio and not get into trouble.

Chief Keegan: You will have to up your game with your security plan. We don't want liquor reaching over and getting out. If that means another security guard at the gate or an ingress, egress so be it. As a matter of fact I'd mandate it because we don't want alcohol going out, especially bottles.

Rich Simpson: Thank you.

9. Public Comment.

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

11. Adjournment.

Motion by Mr. Carrigan, second by Gehm to adjourn the meeting at 4:56 pm.