

Minutes
City of St. Charles
Liquor Control Commission Meeting
Monday, April 15, 2024, 4:30 p.m.
Council Chambers, 2 E. Main Street, St. Charles, IL

1. Call to Order.

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

2. Roll Call.

Present: Spellman, Pietryla, Gehm

Absent: Zollers

3. Motion by Aldr. Gehm, second by Aldr. Pietryla, to accept and place on file minutes of the Liquor Control Commission meeting held on March 18, 2024.

Roll Call Vote: Ayes: Gehm, Spellman, Pietryla; Nays: None. Absent: Zollers.

Abstain: None. Mayor Vitek did not vote as Commissioner.

Motion Carried

4. Recommendation to approve a proposal for a B-1 liquor license application for Chums Shrimp Shack, located at 2115 W. Main Street.

Chief Keegan introduced the application and indicated this was a recent asset sale of the business and contents to Mr. Luis Rodriguez. Mr. Rodriguez owns and operates taquerias in Algonquin, Crystal Lake, and Woodstock. There was one sale to a minor at the Algonquin location and two underage sales at the Crystal Lake location during police compliance checks, which resulted in fines. Mr. Rodriguez was not present when the underage sales took place, but he does maintain operational control of his businesses. One of the underage sales was a miscalculation of the age by the server. Aside from the violations, all three businesses are in good standing with the state and the respective municipalities.

Chief Keegan recommended approval of the B-1 liquor license with two stipulations. First, a manager must be on site at all times. Second, they must purchase and use an ID reader for all liquor sales. The ID reader would scan the drivers' licenses, auto-fill the birth dates, and provide the ages of the individuals. This would automate the age calculation and ensure accuracy.

Aldr. Pietryla complimented Chief Keegan for his recommendations. He expressed concern regarding the recent violations and would like to see St. Charles maintain high standards. He asked if Chief Keegan anticipates any administrative or compliance burden.

Chief Keegan noted that the business is not a tavern, it has a small footprint, and he does not expect a high volume of liquor sales or for the establishment to become a place where minors would seek to be served. These details informed his recommendation. He has had some conversations with Mr. Rodriguez and has no concerns about policing this location or added risk of underage sales.

Aldr. Pietryla noted that Mr. Rodriguez stated he is paying the Crystal Lake Police Department to conduct compliance checks and asked about the program.

Mr. Luis Rodriguez stated that Crystal Lake has a program where restaurants can pay the Police Department \$100 to conduct compliance checks once every two months. His staff is aware of the paid compliance checks and is more cognizant of the importance of checking IDs and strict enforcement.

Aldr. Pietryla stated that he appreciates Chief Keegan's recommendation; however, as a policymaker, he does not want to burden police officers with potential compliance issues and will not support the liquor license.

Aldr. Gehm asked if other local establishments use the ID readers.

Chief Keegan said a number of local downtown taverns use them. Some larger establishments like Target and Meijer automate age checks for liquor sales through their point-of-sale system. The ID machines work very well for the establishments that use them and even warn of fake IDs and bans.

Aldr. Gehm asked if a probationary period could be considered as an additional stipulation.

City Attorney Nick Peppers noted that we have not in the past issued new licenses with a probationary period. It is typically used in the case of violations.

Ms. Spellman asked if the ID machine would be used with every transaction and about the degree of confidence in the ID machine's reliability.

Chief Keegan responded that the expectation is that the ID machine would be used on every transaction and therefore remove the element of human error when determining validity of the ID and age. The business must use the ID machine on all transactions as a condition of the license. Should the Police Department conduct a compliance check and the location fails to use the ID machine, the business will be in violation and their liquor license could be taken away.

Mayor Vitek expressed appreciation for the work Chief Keegan and the Police Department staff did conducting the extensive background check and working with business owners.

Motion by Aldr. Gehm, second by Ms. Spellman, to recommend a proposal for a B-1 liquor license for Chums Shrimp Shack, located at 2115 W. Main Street.

Roll Call Vote: Ayes: Gehm, Spellman; Nays: Pietryla. Absent: Zollers. Abstain: None. Mayor Vitek did not vote as Commissioner.

Motion Carried

5. Recommendation of late-night permit applications for Class B and C liquor licenses in the City of St. Charles for fiscal year 2024/2025.

Chief Keegan noted that the applications for late-night permits are reviewed by the other City departments to ensure there are no outstanding issues, safety violations, or debts. We have 27 late-night permit applications, 18 of which are Class B restaurant licenses and 9 of which are Class C tavern licenses. Of the 27 late-night permit applications, 13 would like to stay open until 1 a.m. and 14 would like to stay open until 2 a.m. We have approximately 268 City licenses, and he is very happy with the relationships built with those license holders. The City has good rapport, communication, and outreach with all of the license holders, and as a result, there has been a consistent reduction in police activity. There were no violations in front of the Liquor Control Commission in 2023 on any of the 27 late-night permit applicants.

Motion by Aldr. Gehm, second by Ms. Spellman, to recommend the late-night permit applications for Class B and C liquor licenses in the City of St. Charles for fiscal year 2024/2025.

Roll Call Vote: Ayes: Gehm, Spellman, Pietryla; Nays: None. Absent: Zollers. Abstain: None. Mayor Vitek did not vote as Commissioner.

Motion Carried

6. Public Comment - none

7. Executive Session (5 ILCS 120/2 (c)(4)) - none

8. Adjournment.

Motion by Aldr. Gehm, second by Ms. Spellman, to adjourn the meeting at 4:46 p.m.

Roll Call Vote: Ayes: Gehm, Spellman, Pietryla; Nays: None; Absent: Zollers; Abstain: None. Mayor Vitek did not vote as Commissioner.

Motion Carried