|  | Agenda Item ExEcutive Summary |  | Agenda Item Number: IIA |
| :---: | :---: | :---: | :---: |
|  | Title: | Recommendation to approve a Proposal for a D-8 Liquor License Application for Fox Foodie, LLC dba Fox Den Cooking Located at 131 S. First St., St. Charles. |  |
|  | Presenter: | Police Chief James Keegan |  |
| Meeting: City Council Date: March 20, 2023 |  |  |  |
| Proposed Cost: \$ |  | Budgeted Amount: \$ | Not Budgeted: $\square$ |
| Executive Summary (if not budgeted, please explain): <br> Fox Foodie, LLC dba Fox Den Cooking, located at 131 S. First St., is requesting approval of a D-8 liquor license application for their business as a cooking school. The city recently approved this license, but the applicant's LLC had to be dissolved. A new LLC has been formed, and the City waived the licensing fees as an in-kind gesture. Due to timeliness, I am requesting this proceed directly to City Council for approval. |  |  |  |
|  |  |  |  |

Attachments (please list):
Memo, Liquor License Application, Business Plan, Floor Plan, BASSET, LCC Articles, COI is Pending
Recommendation/Suggested Action (briefly explain):
Recommendation to approve a Proposal for a D-8 Liquor License Application for Fox Foodie, LLC dba Fox Den Cooking Located at 131 S. First St., St. Charles.

## Police Department

Date: 03/10/2023
To: Chief Keegan via Chain of Command
From: Commander Drew Lamely \#340 300
RE: Addendum: Liquor License Background / Fox Den Cooking, Fox Foodie, LLC

The purpose of this memo is to outline the steps taken during the background investigation for a Liquor License Application. This investigation was done based on the application submitted for a Class B license for the business, Fox Den Cooking, Fox Foodie, LLC. This business is located at 131 S. 1 ${ }^{\text {st }}$ Street in St. Charles, Illinois 60174.

## Applicant:

Evans, Jessica
DOB: 11/19/1982

$$
1240 \text { Appleton Lane }
$$

Geneva, Illinois 60134


Telephone: 630-715-7397

## APPLICATION:

The initial application was received on or around $12 / 22 / 2022$. Detective Anson completed this initial background for the business, which also included a signed lease agreement, menu, floor plan and Certificate of Insurance. At the time of the initial application, Jessica Evans was listed as the General Manager and Anthony George was listed as the owner. Jessica was fingerprinted by our agency during the initial background investigation and a record check for Jessica conducted by Detective Anson. Detective Anson noted in his initial background investigation that Jessica showed no contacts that would preclude her from obtaining a liquor license.

On $02 / 22 / 2023$, I was informed that there were changes made and that Jessica Evans was re-applying for a Class B Liquor License. I was informed that Jessica Evans was now listed as the owner of the business and that she obtained her own LLC, which is Fox Foodie, LLC. I was informed that Anthony George was no longer affiliated with the business.

On 02/22/2023, I spoke with Jennifer who stated that Anthony was separated from the business and that she took over the business. Jessica stated that she obtained a new Tax ID for the business as well as forming a new LLC, Fox Foodie. Jessica provided copies of her Illinois Secretary of State LLC Articles of Organization. Jessica further advised that Anthony George was taken off of the original lease agreement and that she signed a new lease agreement with the same landlord, T First Street IL., LLC a Texas Limited Liability Company. Jessica provided copies of her new lease agreement and BASSET certification card.

A check of the Illinois Secretary of State showed Fox Foodie, LLC to be in good standing.

Detective Anson documented that on $01 / 04 / 2023$, he conducted a site visit of the business, which showed the business was consistent with the floor plan.

## APPLICANT INTERVIEW:

On 03/10/2023, I met with Jessica at the St. Charles Police Department where she signed a waiver for this background. Jessica confirmed that Anthony George was no longer affiliated with the business. Jessica stated that she did not make any renovations to the original floor plan that was provided to Detective Anson. Jessica stated that the menu has not changed and the business hours have not changed. Jessica stated that her Certificate of Liability Insurance policy is the same and is currently waiting for the updated certificate from Valentine Insurance Agency, Inc. Jessica stated that the only changes to the insurance policy is that she will be insured under Fox Foodie, LLC. Jessica stated that the policy states that she insured for $\$ 1,000,000 / \$ 2,000,000$ in aggregate. Jessica stated that she would forward the policy and or quote to me once she receives it.

This concludes this background investigation.
DL\#340

## 2-23-2023

City of St. Charles, Illinois Liquor Control Commission
CITY RETAIL LIOUOR DEALER LICENSE APPLICATION
Incomplete applications will not be accepted.
Applicallons may be submitted fo: 2 E. Main Sireet, St. Charles, IL 60174-1984
Business Name Fox Foodie LLC dba Fox Den Cooking


APPLICATION CHECKLIST

Copy of Dram Shop Insurance or a letter from insurance agent with a proposed quote.
Copy of Articles of Corporation, if applicable.
Completed B.A.S.S.E.T. (Beverage Alcohol Sellers \& Servers Training) form - filled out for all employees. A copy of the B.A.S.S.E.T. certificate is only needed for each manager. It is the business establishment's responsibility to keep copies of all B.A.S.S.E.T. certificates on file for all of their employees.

Copy of Site Plan for Establishment (Drawn to scale including the parking lot, patio and/or deck, outdoor seating).
Copy of Floor Plan for Establishment (Drawn to scale and must include the layout of the establishment with tables, chairs, aisles, displays, cash register, bar, and lounge area with dimensions, percentage, and square footage noted for each space). Be sure to also include all fixed objects, such as pool tables, bar stools, vending/amusement machines; as well as all exits.

Copy of Business Plan, to include:
Hours of Operation
Copy of Menu
Whether or not live music will be played at this establishment
Will there be outdoor seating and/or outdoor designated smoking area
Do not include a marketing or financial plan with this business plan
Are any building alterations planned for this site? If not sure, please contact Building \& Code

| Enforcement at 630.377.4406 and/or Fire Prevention Bureau at 630.377 .4458 to discuss whether or <br> not a walk-thru and/or permit are necessary. |  |  |
| :--- | :--- | :--- |
| All managers have been fingerprinted who are employed by your establishment. When new <br> management is hired, it is imperative you contact the Mayor's office to be fingerprinted so the City's <br> business files are appropriately updated. | $\square$ |  |
| Alcohol Tax Acknowledgement and Business Information Sheet | $\square$ | $\square$ |

OFFICIAL USE ONL'


Signature of Chief of Polte - Approval NOT Recommended
*ISSUANCE OF THIS LICENSE IS CONTINGENT ON MEETING ALL REQUIRED BUILDING AND FIRE DEPARTMENT REQUIREMENTS.

## LICENSE INFORMATION:

$\square A$ package $\$ 3200-3600 \quad \square \mathrm{~A} 1 \quad \square \mathrm{~A} 2 \square \mathrm{~A} 4 \square \mathrm{~A} 5 \square \mathrm{~A} 6$
㕷 Restaurant \$2400-3600 $\square \mathrm{B} 1 \quad \square \mathrm{~B} 2 \square \mathrm{~B} 3$
-C Tavern \$2400-3600 $\square C 1 \quad \square C 2 \quad \square C 1$

| $\square$ Late Night Permit 1:00am | $\$ 800$ | (B/C only) |
| :--- | :--- | :--- |
| $\square$ Late Night Permit 2:00am | $\$ 2300$ (B/C only) |  |Hotel/Banquet/Arcada/Q Center/Entertainment/Club - \$varies

D-Type $\qquad$
$\square G$ Brewery/Restaurant or Site License - \$varies
-Gl $\square G 2$
$\square H$ Catering License - \$varies

* Initial Liquor License fees for A, B, C, D, G are reduced by $50 \%$ for annual renewals and licenses issued after Nov 1.
${ }^{*}$ Licenses are valid until April 30 following issuance and a renewal application is required for the next year (May 1-April 30) (5.08.040)


## APPLICANT INFORMATION



## ADDITIONAL OWNERS, INVESTORS (greater than 5\% interest), and MANAGER INFORMATION

## NA - No additional Owners/Investors/Managers

Full Name, include middle initial:
Birthdate: Birthplace: Driver's License\#:
Home Address, and all addresses for the last 10 years:

Title:
Home Phone:
Email Address:


CORPORATION / PREMISES QUESTIONS

| 1. | If applicant is an individual or partnership, is each and every person a United States citizen (5.08.070-2)? <br> Is any individual a naturalized citizen? $\square$ Yes $\square$ No If yes, print name(s), date(s), and place(s) of naturalization: |
| :---: | :---: |
| 2. | Is the premises owned or leased (5.08.070-6A)? $\square$ Owned Leased |
| 3. | If the premises are leased, list the names and addresses of all direct owners or owners of beneficial interests in any trusts, if premises are held in trust (5.08.070.68): <br> Name of Building Owner: $\qquad$ FRont STRET DORLopmort, ue Phone Number (630 443-9315 <br> Address of Building Owner: <br> E-mail Address: $50 \text { 5. } 40$ <br> Mailing Address of Building Owner (if different): <br> Name of Building Owner: <br> Phone Number: <br> Address of Building Owner: <br> E-mail Address: <br> Mailing Address of Building Owner (if different): <br> Name of Building Owner: <br> Phone Number: <br> Address of Building Owner: <br> E-mail Address: <br> Mailing Address of Building Owner (if different): |
| 4. | Does the applicant currently operate, or operated in the past, any other establishment within the City of St. Charles that requires a liquor license? $\square$ Yes <br> 1 Ho <br> If yes, please list the business name(s) and address(es): |
| 5. | Does applicant have any outstanding debt with the City of St. Charles, including, but not limited to, utility bills, alcohol tax, and permit fees, for any current or previous establishment owned, operated or managed by the applicant? Yes <br> If yes, please note the City of 5 . Chorles requires all debt to be paid in full before consideration of o new or renewed liquor license is issued. (5.08.050) |
| 6. | Are any improvements planned for the building and/or site that will require a building permit? $\square$ Yes <br> If yes, has a building permit been applied for? $\square$ Yes No <br> Date of permit application $\qquad$ |
| 7. | Has applicant applied for a similar or other license on the premises other than the one for which this license is sought (5.08.070-7)? $\square$ Yes No <br> If yes, what was the disposition of the application? Explain as neces sary: |


| 8 | Has applicant (and all persons listed on page 2 of this application) ever been convicted of a felony under any Federal or State law, or convicted of a misdemeanor opposed to decency or morality (5.08.070-8)? Yes <br> Is applicant (and all persons listed on page 2 of this application) disqualified from receiving a liquor license by reason of any matter contained in Illinois State law and/or City of St. Charles Municipal Ordinances? $\square$ Yes <br> No |
| :---: | :---: |
| 9 | List previous liquor licenses issued by any State Government or any subdivision thereof (5.08.070-9). Use additional paper if necessary. <br> Government Unit: ClT4 <br> Location, City/State: <br> Date: <br> Special Explanations: <br> Government Unit: <br> Location, City/State: <br> Date: <br> Special Explanations: |
| 10. | Have any liquor licenses possessed ever been revoked (5.08.070-9)? Yes <br> If yes, list all reasons on a separate, signed letter accompanying this application. <br> Has any director, officer, shareholder, or any of your managers, ever been denied liquor license from any jurisdiction? Yes No <br> If yes, proceed to Question 15. If more space is needed, please attach a separate sheet of paper with the information. |
| 11. | Complete ONLY if yes was answered to the question above (10): <br> Name: <br> Name of Business: <br> Position with the Business: <br> Date(s) of Denial: <br> Reason(s) for Denial of License: |
| 12. | Date of Incorporation (Illinois Corporations) (5.08.070-10): <br> Date qualified under Illinois Business Corporation Act to transact business in Illino is (Foreign Corporation): |
| 13. | Has the applicant and all designated managers read and do they all understand and agree not to violate any laws of the United States, the State of Illinois, and any of the ordinances of the City of St. Charles in conducting business (5.08.070-11)? $\square \text { ves } \square \text { No }$ <br> Have you, or in the case of a corporation, the local manager, or in the case of a partnership any of the partners, ever been convicted of any violation of any law pertaining to alcoholic liquor? $\square$ Yes No <br> Have you, or in the case of a corporation the local manager, or in the case of a partnership any of the partners, ever been convicted of a felony? $\square$ Yes <br> Have you ever been convicted of a gambling offense? $\square$ Yes partners and the local manager(s).) <br> Will you and all your employees refuse to serve or sell alcoholic liquor to an intoxicated person or to a minor? $\square$ <br> Yes No |


| 14. | All individual owners, partners, officers, directors, and/or persons holding directly or beneficially more than five (5) percent in interest of the stock of owners by interest listed on page 2 of this application must be fingerprinted by the City of St. <br> Charles Police Department (5.08.070-A12). <br> Has this been done? <br> $\square$ Yes No <br> If yes, date(s): $12 / 19 / 2022$ |  |  |
| :---: | :---: | :---: | :---: |
| 15. | Has the applicant attached proof of Dram Shop Insurance to this application or already furnished it to the City of St. <br> Charles (5.08.060) ? <br> Yes No <br> If already furnished, date of delivery: |  |  |
| 16. | Is the premises within 100 feet of any real property of any church; school; hospital; home for the aged or indigent persons; home for veterans, their wives/husbands, or children; and/or any military or naval station (5.08.230)? <br> Yes <br> No |  |  |
| B.A.S.S.E.T. TRAINING |  |  |  |
| Please list employees required to have B.A.S.S.E.T training on this page - include all managers, assistant managers, bartenders, and clerks who are permitted to make alcoholic liquor sales. Indude copies of certificates for managers only and mark Manager if applicable. Add another page, if needed. |  |  |  |
| Name (First, Middle, Last): JESSICA EVANS |  |  |  |
| Home Street Address, Incl City, State, Zip: |  |  |  |
|  | $\begin{aligned} & \text { of Cgurse: Place Course } \\ & 1118 / 2022 \quad \text { ONR } \end{aligned}$ |  | $\begin{array}{r} \text { Expiration: } \\ 11 / 12 \\ \hline \end{array}$ |
| Name (First, Middle, Last): |  |  | Birthdate: |
| Home Street Address, Incl City, State, Zip: |  |  |  |
| Dat | of Course: Place Course was Taken: | Certificate Granted? Y/N | Expiration: |
| Name (First, Middle, Last): |  |  | Birthdate: |
| Home Street Address, Incl City, State, Zip: |  |  |  |
| Dat | of Course: Place Course was Taken: | Certificate Granted? Y/N | Expiration: |
| Name (First, Middle, Last): |  |  | Birthdate: |
| Home Street Address, Incl City, State, Zip: |  |  |  |
| Date of Course: Place Course was Taken: |  | Certificate Granted? Y/N | Expiration: |
| NEW MANAGEMENT REQUIREMENTS |  |  |  |
| Whenever a new manager comes on board, the City must be notified and that person must be fingerprinted. |  |  |  |
| It is the business establishment's responsibility to keep copies of all B.A.S.S.E.T. certificates on file for their employees. |  |  |  |
| COMMENTS/ADDITIONAL INFORMATION |  |  |  |

Business Name: FOX FIDOI E, LLC FOX DEN COOIVNG

SIGNATURES


ADDENDUM TO RETAIL LIQUOR LICENSE APPLICATION
To be completed by the City of St . Charles Police Department
Date:
Name of Applicant:

## Name of Business:

## Address of Business:

Ward Number:

Pursuant to the provision of the City of St. Charles Municipal Code, Chapter 5.08, Alcoholic Beverages, the following guide shall be in effect for the investigation of an applicant for a Retail Dealer's Liquor License:

1. Date on which applicant will begin selling retail alcoholic liquors at this location:
2. Is the location within 100 feet of any church; school; hospital; home for the aged or indigent persons; home for veterans, their wives/husbands or children; or any military or naval station? $\square$ yes $\square$ No
3. If the answer to question 2 is yes, answer the following: Is applicant's place of business a hotel offering restaurant service, a regularly organized club, a restaurant, a food shop, or other place where the sale of alcoholic liquors is not the principal business? $\square$ Yes $\square$ No

If yes, answer $\mathrm{a}, \mathrm{b}$ and c :
a. State the kind of such business:
b. Give date on which applicant began the kind of business named at this location:
c. Has the kind of business designated been established at this location for such purpose prior to February 1, 1934, and carried on continuously since such time by either the applicant or any other person?Yes
4. If premises for which an alcoholic liquor license is herein applied for are within 100 feet of a church, have such premises been licensed for the sale of alcoholic liquor at retail prior to the establishment of such church?YesNo If yes, have the premises been continuously operated and licensed for the sale of alcoholic liquor at retail since the original alcoholic liquor license was issued therefore?YesNo

Objectives and Action
Plans for Cooking
Classes and Liquor Consumption

2 DECEMBER 2022

RE-VAMP CLASS SCHEDULES FOR OPTIMAL ATTENDANCE

Thursday $4: 30 \mathrm{pm}-10: 30 \mathrm{pm}$ Friday $4: 30 \mathrm{rm}-10: 30 \mathrm{Pm}$ Saturday $11: 30 \mathrm{Am}-10: 30 \mathrm{Ph}$
*CLASS OPTIONS AVAILABLE AT FOXDENCOOKING.COM PRIVATE EVENTS AVALABLE ANY Y MAKE NEW MARKETING PLAN: SEO CONSTRUCTION, WORK ON WEBSITE, SOCIAL MEDIA PRESENCE

No Live music
No outodor seating No OUTDODR Sinqung

## Addition of Alcohol sales



Knead, Ilc. to complete Bassett certification- Complete

Bassett certified employee to be on-site during alcohol consumption

Beer and wine sales during cooking class hours
optional additional alcohol sales outside of class hours

# ESTIMATED CLASS INCOME 



# 4 CLASSES PER WEEK WITH 12 ATTENDEES PER CLASS 

TICKET COST: \$65 PER ADULT
CLASS
\$3120 PER WEEK
$\$ 12.480$ PER MONTH

ESTIMATED ALCOHOL SALES:

COST OF BEER: ~\$6
COST OF WINE: ~ 8

ESTIMATED: $\$ 1000$ PER MONTH IN ALCOHOL SALES

$\boxed{\square}$


Your "Student ID number" is: 12260
Your "Trainer's ID number" is: 5A-1141597
Your BASSET Card is located BELOW

## DO NOT throw away this letter as you will need your "Student ID number" directly above to re-print your card.

IMPORTANT:
To re-print your card, visit the Mlinois Liquor Control Commission website at ILCC.jllinois.gov. (dick on the RESOURCES tab to access the "BASSET Card Lookup" page).


## Verify that all of your Mlinots Business Authorization information ts correct.

If not, contact us immediately.
If all of the information is correct, aut along the dotted line (fits a standard $5^{\prime \prime} \times 7^{\prime \prime}$ frame). Your authorization must be visibly displayed at the business listed. Your !llinois Business Authorization is an important tax document that indicates that you are registered or licensed with the Illinois Department of Revenue to legally do business in Mlinois.


# Illinois Secretary of State LLC Articles of Organization 

## 1 message

BusinessServices@ilsos.gov [BusinessServices@ilsos.gov](mailto:BusinessServices@ilsos.gov)
Tue, Jan 10, 2023 at 4:52 PM
To: PAYROLL@ferberincometax.com

## Proposed Name: FOX FOODIE LLC

Thank you for using https://link edgepilot.com/s/571026e»11E_OOHIcKkue1c_NFz-NsQ?u=http://www.ilsos.gov/! Your application to file Limited Liability Company Articles of Organization has been received and payment processed.

You can check the status of your submission at https://ink .edgepilot.com/s/ee55fb94/G-03ZPO1LUajrpMIZnxxkA? $u=h t t p s$ :/lapps.ilsos.govillcarticlesistatus.jsp by using the Packet Number provided below. If you experience any difficulty in obtaining the status of your application, please contact the Web Master at webmaster@Ilsos.gov

Packet Number: 1673390658389428
Authorization Number: 25435968
File Date: 01-10-2023
Total Amount: \$153.38

Disclaimer - This email and any files transmitted with it are confidential and contain privileged or copyright information. You must not present this message to another party without gaining permission from the sender. If you are not the intended recipient you must not copy, distribute or use this email or the information contained in it for any purpose other than to notify the Office of the Hlinois Secretary of State.

If you have received this message in error, please notify the sender immediately, and delete this email from your system. Any views expressed in this message are those of the individual sender, except where the sender specifically states them to be the views of the Office of the Illinois Secretary of State.
$\qquad$

Links contained in this email have been replaced. If you click on a link in the email above, the fink will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

## OFIICE OF THE MIUNOIS SECRETARY OF STATE

## Jmsse Wing SECRETARY OF STATE:

## LLC Articles of Organization

## Receipt page

Please print this receipt for your records.

Your application to file limited liability company Articles of Organization has been received and payment processed.

You can check the status of your submission at https:llapps.ilsos.govillcarticlesisialus.isn by using the Packet Number provided below. If you experience any diffialty in obtaining the status of your application. please contact Business Services at BusinessServices $<$ ilsos.gov,

| Proposed Name: | FOX FOODIE LLC |
| ---: | :--- |
| Packet Number: | 1673390658389428 |
| Authorization Number: | 25435968 |
| Payment Date: | January 10, 2023 |
| Total Fee: | $\$ 153.38$ |
| Payment Type: | CREDIT CARD |



