

AGENDA
CITY OF ST. CHARLES
LIQUOR CONTROL COMMISSION MEETING
MONDAY, NOVEMBER 18, 2019, 4:30 PM
2 E MAIN STREET

1. Call to Order.

The meeting was called to order by Liquor Commissioner Rogina at 4:30 p.m.

2. Roll Call.

Members Present: Ald. Pietryla, F. Zollers, Ald. Vitek

Absent: R. Gehm

3. Motion to accept and place on file minutes of the Liquor Control Commission meeting held on October 21, 2019.

Motion by Ms. Zollers second by Ald. Vitek to accept and place on file minutes of the Liquor Control Commission meeting held on October 21, 2019.

Voice Vote: Ayes: Unanimous; Nays: None. Commissioner Rogina did not vote as Commissioner. **Motion Carried**

4. Recommendation to approve An Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”; Sections 5.08.090 “License Classifications”; 5.08.100 “License Fees; Late Night Fees; Fees Established”. And 5.08.130 “License – Hours of Sale” of the St. Charles Municipal Code. (D-11 Theater License)

Chief Keegan explained that he and the Mayor met with Chris Johnson (603 Rogers Street, Downers Grove, IL) to discuss Classic Cinemas obtaining a liquor license. Chris Johnson owns and operates several other locations in the area that have liquor licenses. Chief Keegan reached out to other communities with similar licenses; he spoke with the City of Elgin and modeled the Ordinance after what Elgin did as it was most applicable. The hours of sale would coincide with the rest of the licenses in St. Charles, 7:00 a.m. – midnight. Because it’s a theater they will only be able to sell 1 hour prior to their first movie showing and would cease sales after the start of their last movie. Alcohol sold at the theater would be in different cups than non-alcoholic beverages and there will be no glassware. Only 2 drinks can be purchased at a time, and in anyone’s possession at any time, and must be 21 and over to purchase.

Motion by Ald. Vitek, second by Ald. Pietryla to recommend the approval of an Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”; Sections 5.08.090 “License Classifications”; 5.08.100 “License

Fees; Late Night Fees; Fees Established”. And 5.08.130 “License – Hours of Sale” of the St. Charles Municipal Code. (D-11 Theater License)

Roll Call: Ayes: Pietryla; Zollers; Vitek. Nays: None. Commissioner Rogina did not vote as commissioner. **Motion Carried.**

5. Recommendation to approve a Proposal for a D-11 Liquor License Application for Tivoli Enterprises, Inc. dba Charlestowne Theatre Located at 3740 E. Main St., St. Charles.

Chief Keegan explained that he met with the petitioner/applicant discussed best practices which have been identified in the ordinance. The application documents are in order, a background investigation was conducted and a site visit was done. Chief Keegan indicated that he recommends in favor of the license.

Commissioner Rogina stated that with all the challenges had with the Charlestowne Mall the theater has been a shining light. He highly recommends this license.

Mrs. Zollers asked if lighting in the theater is an issue and wanted to know if the lighting from the screen is sufficient. Mr. Johnson said that there is a certain amount of light from the screen, and you can see what’s happening in the auditorium. Commissioner Rogina said that the Arcada and Steele Beam both have liquor licenses and the Paramount in Aurora does as well.

Ald. Vitek stated it’s a great addition and she has no concerns.

Mrs. Zollers asked about the employees serving alcohol. Mr. Johnson indicated that everyone selling alcohol will be BASSET trained, and over 21. There is going to be a specific area in the lobby to purchase drinks, drinks will be poured and then patrons will bring into the auditorium.

Motion by Mrs. Zollers, second by Ald. Pietryla to recommend the approval of a Proposal for a D-11 Liquor License Application for Tivoli Enterprises, Inc. dba Charlestowne Theatre Located at 3740 E. Main St., St. Charles.

Roll Call: Ayes: Pietryla; Zollers; Vitek. Nays: None. Commissioner Rogina did not vote as commissioner. **Motion Carried.**

6. Recommendation to approve a Proposal for a new Class B1 Liquor License Application for House of Tokyo Two Corporation dba House of Tokyo, located at 2762 E Main St., St. Charles.

Chief Keegan mentioned that the applicant Sera Choi took over the business from her brother who recently fell ill. Sera has a business in Buffalo Grove that she has operated for the last 6 years, she is BASSET certified and her Dram Shop insurance is in order. She has been running the House of Tokyo business for the past few months without a liquor license and is seeking a liquor license at this time. A background investigation was completed, and there have been no issues with House of Tokyo. Chief Keegan stated that he recommends the license.

Motion by Ald. Pietryla second by Ald. Vitek to recommend the approval of a proposal for a new Class B1 Liquor License Application for House of Tokyo Two Corporation dba House of Tokyo, located at 2762 E Main St., St. Charles.

Roll Call: Ayes: Pietryla; Zollers; Vitek. Nays: None. Commissioner Rogina did not vote as Commissioner. **Motion Carried.**

7. Discussion Regarding an Tobacco Citation and Hearing Notice for Smokin Ace, located at 210 W Main St., St. Charles.

Commissioner Rogina read the Citation and Hearing Notice for Smokin Ace into the record.

Siad Ahmed (210 W Main Street, St. Charles) was present and did not request a mitigation hearing and admitted guilt. Commissioner Rogina explained that the fine will be discussed in executive session. Commissioner Rogina then explained that there is a vaping crisis, and it's an issue in the community both at the Middle School and High Schools, and it's taken very seriously by the Commission. Commissioner Rogina told Mr. Ahmed that if a second violation were to occur it could result in the suspension of their license. The Commissioner said that this is the first violation and there will be a fine but not in excess of what is allowed by the city code.

Mr. Ahmed explained that he has several stores and this has never happened. They have a new strategy he hopes will help prevent this from happening again. It includes an additional employee at the location as well as implementing a system that tracks ID's, and customers.

Commissioner Rogina said that the Chief of Police is willing to work with the staff at Smokin Ace to assist and ensure the product is sold legally. Commissioner Rogina told Mr. Ahmed that he will receive an order in the next 10 – 15 days with what the fine will be.

8. Public Comment.

Commissioner Rogina announced that Ald. Vitek is resigning from the Liquor Control Commission and thanked her for her hard work and dedication.

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

Motion by Mrs. Zollers, second by Ald. Vitek to enter executive session to discuss the penalty for Smokin Ace stemming from the Citation and Hearing Notice.

Roll Call: Ayes: Pietryla; Zollers; Vitek. Nays: None. Commissioner Rogina did not vote as Commissioner. **Motion Carried.**

10. Adjournment.

Motion by Ald. Vitek, second by Mrs. Zollersk to adjourn the meeting at 5:02 pm.

Voice Vote: Ayes: Unanimous; Nays: None. Commissioner Rogina did not vote as Commissioner. **Motion Carried**

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