# AGENDA CITY OF ST. CHARLES LIQUOR CONTROL COMMISSION MEETING MONDAY, APRIL 17, 2023, 4:30 PM 2 E MAIN STREET

- 1. Call to Order.
- 2. Roll Call.
- 3. Motion to accept and place on file minutes of the Liquor Control Commission meeting held on March 20, 2023.
- 4. Motion to accept and place on file the executive session minutes of the Liquor Control Commission meeting held on March 20, 2023.
- 5. Recommendation to approve a proposal for a B-1 liquor license application for Dave's Burritos, located at 3677 E Main Street.
- 6. Recommendation to approve a proposal for a massage license application for Zeal Spa Corporation, located at 2015 Dean Street.
- 7. Recommendation to approve an **Ordinance** to Amend Title 5 "Business Licenses and Regulations," Chapter 5.08 "Alcoholic Beverages," Sections 5.08.095 "Late Night Permit," and 5.08.140 "License Renewal Deadline," of the St. Charles Municipal Code.
- 8. Public Comment.
- 9. Executive Session (5 ILCS 120/2 (c)(4)).
- 10. Adjournment.

#### **ADA Compliance**

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the ADA Coordinator, Jennifer McMahon, at least 48 hours in advance of the scheduled meeting. The ADA Coordinator can be reached in person at 2 East Main Street, St. Charles, IL, via telephone at (630) 377 4446 or 800 526 0844 (TDD), or via e-mail at <a href="mailto:imcmahon@stcharlesil.gov">imcmahon@stcharlesil.gov</a>. Every effort will be made to allow for meeting participation. Notices of this meeting were posted consistent with the requirements of 5 ILCS 120/1 et seq. (Open Meetings Act).

### MINUTES

# THE CITY OF ST. CHARLES LIQUOR CONTROL COMMISSION MEETING MONDAY, MARCH 20, 2023, 4:30 PM

#### 1. Call to Order.

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

#### 2. Roll Call.

Present: Mr. Bob Gehm, Ms. Fran Zollers, Ald. Todd Bancroft, Ald. David Pietryla

Absent: None

3. Motion to accept and place on file minutes of the Liquor Control Commission meeting held on February 21, 2023.

Motion by Mr. Gehm, second by Ms. Zollers, to accept and place on file minutes of the Liquor Control Commission meeting held on February 21, 2023.

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

4. 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.

Chief Keegan noted that this item was presented and approved at the LCC meeting on February 21, 2023. However, the original LLC had to be dissolved shortly after being approved. The petitioner refiled, created a new LLC, and plans to refile with the State.

Motion by Ald. Pietryla, second by Mr. Gehm 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.

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

5. Recommendation to approve an Ordinance Amending Title 5 "Business Licenses and Regulations," Chapter 5.08 "Alcoholic Beverages," Section 5.08.090 "License – Classifications," of the St. Charles Municipal Code.

Chief Keegan presented an Ordinance to modify the municipal code to allow Club Arcada to change its license classification from a restaurant to a site license.

Motion by Ald. Bancroft, second by Ms. Zollers to approve an Ordinance Amending Title 5 "Business Licenses and Regulations," Chapter 5.08 "Alcoholic Beverages," Section 5.08.090 "License – Classifications," of the St. Charles Municipal Code.

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

6. Recommendation to approve a liquor license classification change from B-1 to D-5 for Club Arcada Inc., located at 105 E Main St., St. Charles.

Chief Keegan explained that the petitioner is seeking a D-5 site license for Club Arcada, Inc., allowing the incorporation of the second-floor expansion of the Hotel, and the special event room, Studio 64. Chief Keegan recommended that the difference in the fees is waived and that Mr. Onesti should renew his license for the new site license.

It was clarified that a site license includes a 2 am late-night permit.

Motion by Ald. Pietryla, Second by Mr. Gehm to approve a liquor license classification change from B-1 to D-5 for Club Arcada Inc., located at 105 E Main St., St. Charles.

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

7. Recommendation to approve Late Night Permits for Class B & C Liquor Licenses in the City of St. Charles for FY 2023/2024.

Chief Keegan presented the twenty-nine late-night permits he recommends for renewal on May 2, 2023. Thirteen are 1 am permits; sixteen are 2 am permits. Notable changes from last year; Shakou did not request a late-night permit and is planning to close at midnight. There were some violations that the Liquor Commission handled with a fine. Several warning letters were issued. There is one establishment here this evening to address their violations. All businesses are in good standing. There are no other issues to discuss; Chief Keegan recommended the late-night permit renewals.

Motion by Ald. Bessner, second by Mr. Gehm, to approve Late Night Permits for Class B&C Liquor Licenses in the City of St. Charles for FY 2023/2024.

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

Discussion Regarding a Complaint of Violation and Hearing Notice for Alley 64, Inc.,
 West Main Street, St. Charles.

Mayor Vitek read the Complaint of Violation into the record.

City Attorney Nicholas Peppers confirmed that the arraignment form was received. Alley 64, Inc., pleaded guilty and requested a hearing in mitigation.

Jeremy Casiello, the owner of Alley 64, Inc., stated that he got caught up in the moment of his dad's 80th birthday and his parent's 57th anniversary and agreed to the fireworks display. It was 100% his decision; no one else from the restaurant took part. He repeatedly apologized for his poor judgment and for making a false statement to the police.

Mayor Vitek stated that what happened was unacceptable, and she appreciated the apology. However, having a liquor license is a privilege. What happened put everyone at risk, which she is ultimately responsible for.

Jeremy clarified that the false statement made to the officer was that he didn't know who set off the fireworks. Jeremy again said he was 100% at fault.

Jeremy further explained that the fireworks were not done by a professional.

#### 9. Public Comment. – None

Motion by Ald. Bancroft, second by Ms. Zollers, to enter Executive Session at 4:51 PM.

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

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

Motion by Mr. Gehm, second by Ald. Pietryla to exit Executive Session.

#### 11. Adjournment.

Motion by Ms. Zollers, second by Ald. Pietryla to adjourn the meeting at 5:14 PM.

:tc

	AGEN	IDA ITEM	EXECUTIVE SUMMARY	Agenda Item number: 5			
CITY OF	Title:	License .	Recommendation to approve a Proposal for a B-1 Liquor License Application for Dave's Burritos, Located at 3677 E. Main St., St. Charles.				
ST. CHARLES ILLINOIS • 1834	Presenter:	Police Chi	ef Keegan				
Meeting: Lique	or Control Co	mmission	<b>Date:</b> April 17, 20	23			
Proposed Cost	: \$		Budgeted Amount: \$	Not Budgeted:			
TIF District: Cl	hoose an iten	1.					
<b>Executive Sum</b>	mary (if not	budgeted, ¡	olease explain):				
for their busine	ess.	36// E. Ma	in St., is requesting approval of a	B-1 liquor license application			
Attachments (p Memos, Liquor		plication, B	usiness Plan, Floor Plan, Site Plan	n, BASSET			
	on to approv	e a proposa	briefly explain): I for a B-1 Liquor License applica s.	tion for Dave's Burritos			

#### Police Department

# Memo



Date: 4/14/2023

To: Lora Vitek, Mayor-Liquor Commissioner

From: James Keegan, Chief of Police

Re: Background Investigation-Liquor Establishment (Dave's Burritos)

The purpose of this memorandum is to document and forward to your attention the results of the background investigation conducted by members of the St. Charles Police Department concerning the above mentioned establishment.

As is customary procedure, a detective was assigned this investigation and reviewed both the site location/floor plans and the corresponding application material.

We found nothing of a derogatory nature that would preclude either the site location or the applicant from moving forward with on-site consumption and sales, subject to City Council approval.

Thank you in advance for your consideration in this matter.

#### Police Department

# Memo



Date: 04/14/2023

To: Chief James Keegan

From: Detective J. Dony #376 DU#340

Re: Liquor License Background, Daves Burritos

The purpose of this memo is to outline steps taken during the background investigation for a liquor license application. This investigation was done based on the application submitted for Class B-1 for the business, Daves Burritos. This business is located at 3677 E Main St. St. Charles 60174.

#### Applicant:



#### Application:

The application was received on or around 03/24//2023. The application appears to be complete including a signed lease, Certificate of Insurance, a floor plan, and business plan.

Yan David Barrios holds a valid BASSET Certification which is included in the application.

#### Records Checks:

Yan David Barrios was fingerprinted on 02/06/2023. Responses from both the FBI and Illinois Bureau of Identification show nothing that would cause the license to be denied.

A check of St. Charles and Kane County records showed no contacts that would preclude him from obtaining a liquor license from the city.

Yan David Barrios currently resides in Naperville, IL. Records from Naperville Police Department showed no contacts that would preclude him from obtaining a liquor license from the city.



A check of the Illinois Liquor Control Commission showed (0) active license for Daves Burritos. Daves Burritos had no records of license revocations.

A check of TLO and I-Clear (law enforcement databases) showed no concerning information that would prevent Yan David Barrios from obtaining a liquor license.

A check of the Illinois Secretary of State showed Daves Burritos to be in good standing.

#### **INTERVIEW WITH APPLICANT/SITE VISIT:**

On 04/12/2023 at approximately 11:30 am, I met with Yan David Barrios at his restaurant, Daves Burritos. His identification was verified by his Illinois Driver's License which contained his current home addresses listed in the application.

I asked Yan David Barrios why he decided to start serving alcohol at his current business in St. Charles.

Yan David Barrios explained that he has been in the restaurant business for many years. Yan David Barrios wants to offer approximately (6) beer selections to his customers. He plans to build a serving area behind the register which will house his alcohol selections. These beverages will be offered to compliment meals and are not meant to be served independently. The restaurant hours are as follows: Monday-Saturday 10:00AM – 9:00PM, Sunday 11:00AM – 8:00PM. Yan David Barrios will only be selling alcohol during his current hours of operation and will not extend his current open time. Yan David Barrios has no liquor inventory at this time and does not expect to start offering alcoholic beverages to his customers until his liquor license application is approved. There will be no live music of any kind at this location. I found the business lay out to be very similar to the floor plan provided with the application.

This concludes this background investigation.

Detective J. Dony #376

Jr. 7 376

# City of St. Charles, Illinois Liquor Control Commission CITY RETAIL LIQUOR DEALER LICENSE APPLICATION

Incomplete applications will not be accepted.

Applications may be submitted to: 2 E. Main Street, St. Charles, IL 60174-1984



Business Name Dures Burritos			
APPLICATION CHECKLIST  Check items to confirm all are attached to this application		Applicant	Office Use
Application Fee of \$200 (5.08.070C) non-refundable			4
Completed Application for all questions applicable to your business.			
		ᆜ	
Copy of Lease/Proof of Ownership			anita.
Copy of Dram Shop Insurance or a letter from insurance agent with a proposed quote.			70'
Copy of Articles of Corporation, if applicable.			0
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 <b>only</b> needed for <b>each manager</b> . It is the busin establishment's responsibility to keep copies of all B.A.S.S.E.T. certificates on file for all of their employees.	ess		
Copy of Site Plan for Establishment (Drawn to scale including the parking lot, patio and/or declouddoor seating).	۲,		9
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 dimer percentage, and square footage noted for each space). Be sure to also include all fixed objects, as pool tables, bar stools, vending/amusement machines; as well as all exits.	nsions, such		
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 the author permit are necessary.	ner or		9
All managers have been fingerprinted who are employed by your establishment. When new management is hired, it is imperative you contact the Mayor's office to be fingerprinted so the business files are appropriately updated.	City's		Ů (d)
Alcohol Tax Acknowledgement and Business Information Sheet			1
Signature of Investigating Officer  Badge Number &	Rank		
□ Approval Recommended* □ Approval NOT Recommended			
Signature of Chief of Police Date			
*ISSUANCE OF THIS LICENSE IS CONTINGENT ON MEETING ALL REQUIRED BUILDING AND FIRE	DEPARTM	ENT REOU	IREMENTS.

Date Application Received: 3-24-2023

LICENSE INFORMATION:		
□A Package \$3200-3600 □A1 □A2 □	A4 □A5 □A6	
₩B Restaurant \$2400-3600	□B3 □Late	Night Permit 1:00am \$800 (B/C only)
□C Tavern \$2400-3600 □C1 □C2	Night Permit 2:00am \$2300 (B/C only)	
□D Hotel/Banquet/Arcada/Q-Center/Entertainmen	nt/Club - \$varies D-Typ	e
☐ G Brewery/Restaurant or Site License - \$varies	□ <b>G1</b> □ <b>G2</b>	
☐ H Catering License - \$varies	□H1 □H2	
*Initial Liquor License fees for A, B, C, D, G are reduced b *Licenses are valid until April 30 following issuance and d		
APPLICANT INFORMATION		
1. Type of Business: 🔲 Individual 🔲 Partnership	Corporation 🗆 C	Other (explain):
2. Business Name:		
3. Business Address:	0)	4. 20 A 100
3677 E Main St 4. Type of Business 5. Length of Time in this		that normally will be in inventory when in
4. Type of Business 5. Length of Time in this (5.08.070-3): Business (5.08.070-4):	operation (5.08.070-5):	A
		, \$ 3,200
S 607P 09/2014	0.0.0	10: Illinois Tax ID Number:
7. Business Phone: 8. Business E-mail:	9. Business Website:	27845 ANI 2004
630-513-1760 Dyyseriv	25	47-1815963
11. Applicant/Contact Person Name:	12. Title:	David barrios 1110 i cloud.
14. Applicant Home Address, and all addresses for th	e last 10 years:	Davio CB/ 1785 IVE - Claus
15. Ph #: DL#:	16. Date of Birth:	17. Birthplace:
		Joliet IL
18. If Corporation, Corporation Name:	Y1-	
19. Corporation Address (city, state, zip code):		
10		
	(A)	
ADDITIONAL OWNERS, INVESTORS (greater than 5%	(interest) and MANAGER	INFORMATION
		* ***
Full Name, include middle initial:		Title:
Birthdate: Birthplace: D	river's License#:	Home Phone:
Home Address, and all addresses for the last 10 years	5:	Email Address:
	003	
8		
		**

Full N	ame, include	e middle initial:	**	Title:		A CHANGETO PL PL 1
Birtho		Birthplace:	Driver's License#	•	Home Phone:	
Home	Address, an	ed all addresses for the last	t 10 years;		Email Address:	e
Full N	ame, include	e middle initial:		Title:	38	
Birtho	V PRO TO POST PORT AND AND PRODUCTION OF SOME	Birthplace:	Driver's License#	: :	Home Phone:	8
Home	e Address, an	nd all addresses for the las	t 10 years:	-	Email Address:	
BUSI	NESS ESTA	BLISHMENT LOCATION	INFORMATION			~
1. Exa	ct Street Ad	dress for liquor license:	2. # Parking	3. Outside Dining s.f.		
36	17 F M	lain Street	Spaces:	[17.20.020-R]: Ô	350	o
5. Tot	al # Seats:	1.5	6. Live Entertainmen	t Area s.f. [5.08.010-H]:		
The grow Sell	e 'addi w by alcho	Plan description based on the fion of alcohol attracting a land all caused diniv	bevrages would wider range low us to g	of consume	r. Being able	
					75	
224 12 3 3 3 3 3		OR PLAN/LAYOUT OF P pplication a floorplan o		ed facility to includ	e the following:	
		lication a floorplan o				ed premises,
	drawn to s a. Th b. Th re lic c. Th	scale showing the following location of all rooms, some designated use of each strooms, outdoor seating upon may be served or come proposed seating capand/or alcoholic beverage	ng: segregated areas, incluing throom or segregated a g areas, all rooms and s onsumed and all location acity of rooms or segres	ding outdoor seating trea (i.e. dining room, segregated areas, incl ins where live enterta gated areas where the	areas and the square holding bar, service b luding outdoor areas inment may be provi e public is permitted t	footage thereof; par, kitchen, where alcoholic ded);
2.	may impo:	rawing is subject to the a se such restrictions as he r as provided on the face	deems appropriate on			
3.	A copy of	the approved site drawin	g shall be attached to	the approved license	and is made a part of	said license.
4.		unlawful for any licensee pproved site drawing.	e to operate and/or ma	intain the licensed pr	emises in any manne	r inconsistent
THE	FIRE PREVE	NTION BUREAU WILL F	URNISH ALL FINAL, PI	ERMITTED OCCUPAN	NCY NUMBERS FOR T	THIS LICENSE.

PORATION / PREMISES QUESTIONS
If applicant is an individual or partnership, is each and every person a United States citizen (5.08.070-2)?
Is the premises owned or leased (5.08.070-6A)?   Owned Leased
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):  Name of Building Owner: Gordon Realty LLC  Phone Number: 561 - 667 - 0408  E-mail Address:  Toolog gordon realtyfl.com  Mailing Address of Building Owner (if different):
Name of Building Owner: Phone Number:
Address of Building Owner: E-mail Address:
Mailing Address of Building Owner (if different):
Name of Building Owner: Phone Number:
Address of Building Owner: E-mail Address:
Mailing Address of Building Owner (if different):
Does the applicant currently operate, or operated in the past, any other establishment within the City of St. Charles that
requires a liquor license?
If yes, please list the business name(s) and address(es):
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 PNo  If yes, please note the City of St. Charles requires all debt to be paid in full before consideration of a new or renewed liquor license is issued. (5.08.050)
Are any improvements planned for the building and/or site that will require a building permit?   Yes  No Date of permit application
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)?   Yes   No  If yes, what was the disposition of the application? Explain as necessary:

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)?
	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?
9.	List previous liquor licenses issued by any State Government or any subdivision thereof (5.08.070-9). Use additional paper if necessary.
	Government Unit: Location, City/State:
	Date: Special Explanations:
	Government Unit: Location, City/State:
	Date: Special Explanations:
	Have any liquor licenses possessed ever been revoked (5.08.070-9)?   Yes   No
10.	If yes, list all reasons on a separate, signed letter accompanying this application.  Has any director, officer, shareholder, or any of your managers, ever been denied liquor license from any jurisdiction?
	☐ Yes ☐ No
11.	If yes, proceed to Question 15. If more space is needed, please attach a separate sheet of paper with the information.  Complete ONLY if yes was answered to the question above (10):
	Name: Name of Business:
	Position with the Business: Date(s) of Denial:
	Reason(s) for Denial of License:
(12.)	Date of Incorporation (Illinois Corporations) (5.08.070-10]:
	Date qualified under Illinois Business Corporation Act to transact business in Illinois (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)?
	I® Yes □ No
	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?   Yes   Yes
	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
10	convicted of a felony?
	Have you ever been convicted of a gambling offense?   Yes (If a partnership or corporation, include all partners and the local manager(s).)
	Will you and all your employees refuse to serve or sell alcoholic liquor to an intoxicated person or to a minor?
9	☑xes □ No

14.		c of owners by interest listed on pa	or persons holding directly or beneficially age 2 of this application must be fingerp	
	Has this been done?	☑ Yes ☐ No		
	If yes, date(s):			
15.	Has the applicant atta	ched proof of Dram Shop Insurance	ce to this application or already furnishe	d it to the City of St.
	Charles (5.08.060)?	□ Yes □ No gnote	If already furnished, date of delivery:	
16.			ny church; school; hospital; home for th nd/or any military or naval station (5.08.:	
	□ Yes KONo			
	(A. 3)			
ВЛ	S.S.E.T. TRAINING	\$000		
		ed to have B.A.S.S.E.T training on t	his page – include all managers, assistar	nt managers, bartenders,
and c	lerks who are permitte	d to make alcoholic liquor sales. In	iclude copies of certificates for manage	
if app	dicable. Add another p	age, if needed.	2 6 -12 - 22 -	1(2))
Name	e (First, Middle, Last):	you vavid barris	owner & manager	Birthdate:
	e Street Address, Incl Ci			
Date	of Course:	Place Course was Taken:	Certificate Granted? Y/N	Expiration:
Nam	e (First, Middle, Last):	-		Birthdate:
Hom	e Street Address, Incl C	ty, State, Zip:		
Date	of Course:	Place Course was Taken:	Certificate Granted? Y/N	Expiration:
Nam	e (First, Middle, Last):			Birthdate:
Hom	e Street Address, Incl C	ity, State, Zip:		
Date	of Course:	Place Course was Taken:	Certificate Granted? Y/N	Expiration:
Nam	e (First, Middle, Last):	7		Birthdate:
Hom	e Street Address, Incl C	ity, State, Zip:		
Date	of Course:	Place Course was Taken:	Certificate Granted? Y/N	Expiration:
NEW	MANAGEMENT REQU	REMENTS		
			notified and that person must be finge	
			es of all B.A.S.S.E.T. certificates on file f	or their employees.
COIM	MENTS/ADDITIONAL I	NFORMATION		

Busi	ness Name:	***************************************	
SIGN	NATURES		
1	Applicant's Signa	nture	auchelle C from
Subs	MICHELLE C TROCKI  (Seal) Official Seal  Notary Public - State of Illing My Commission Expires Feb 27,	day of mwch  Dis  2024  Notai	Public 2023
The second second	ENDUM TO RETAIL LIQUOR L	CONTRACTOR OF STATE O	the second of the second
Date	e completed by the City of St.	Name of Applicant:	
Nan	ne of Business:		
Add	ress of Business:		Ward Number:
100000000000000000000000000000000000000			.08, Alcoholic Beverages, the following guide shall be
1.		plicant for a Retail Dealer's Liquor Licer gin selling retail alcoholic liquors at this	
2.		of any church; school; hospital; home for then; or any military or naval station?	the aged or indigent persons; home for veterans,
3.			lace of business a hotel offering restaurant service, a e the sale of alcoholic liquors is not the principal
		plicant began the kind of business name	
		ess designated been established at this ontinuously since such time by either th	location for such purpose prior to February 1, eapplicant or any other person?
*	☐ Yes ☐ No		
4.	If premises for which an alcoho	lic liquor license is herein applied for ar	within 100 feet of a church, have such premises
	been licensed for the sale of alc	coholic liquor at retail prior to the estab	ishment of such church?
	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 issu	ed therefore?	
			-

5.	Is the place for which the alcoholic liquor license is sought a dwelling house, flat, or apartment used for residential purposes?
	□ Yes □ No
6.	Is there any access leading from premises to any other portion of the same building or structure used for dwelling or lodging purposes and which is permitted to be used or kept accessible for use by the public? (Connection between premises and such other portion of building or structure as is used only by the applicant, his/her family and personal guests not prohibited.)   Yes  No
7.	If applicant conducts or will conduct in the same place any other class of business in addition to that of City Retailer of
	Alcoholic Liquor, state the kind and nature of such business:
8.	Are all rooms where liquor will be sold for consumption on the premises continuously lighted during business hours by natural light or artificial white light so that all parts of the interior shall be clearly visible?   Yes  No
9.	Are premises located in any building belonging to or under the control of the State of Illinois or any other political
	subdivision thereof, such as county, city, etc.?
10.	Are the premises for which license is herein applied for a store or place of business where the majority of customers are minors of school age or where the principal business transacted consists of school books, school supplies, food or drinks for such minors?   Yes  No
11.	It is required by the City of St. Charles that all employees undergo BASSET training. Provide a copy of the certificate of
	training completion for each manager. All certificates for managers have been submitted:   Yes  No
12.	From your observation and investigation, has applicant—to the best of your knowledge—truthfully answered all questions?  ☐ Yes ☐ No
	If no, state exceptions:
j	
	Have all persons named in this application been fingerprinted?   Ves   No
13.	Fingerprinted by: Date:
0000	
14.	Other necessary data:

# Dave's Burrito

#### 1st January 2023

#### 2023 Resolution

Attract new customers while still maintaining the reappearing customers that have been with us through the past nine years. Our consistency has been able to keep our customers satisfied but it's time for the quick bite restaurant to shape into a casual dining environment.

#### 2023 Hours

Monday-Saturday 10am-9pm

Sunday 11am-8pm

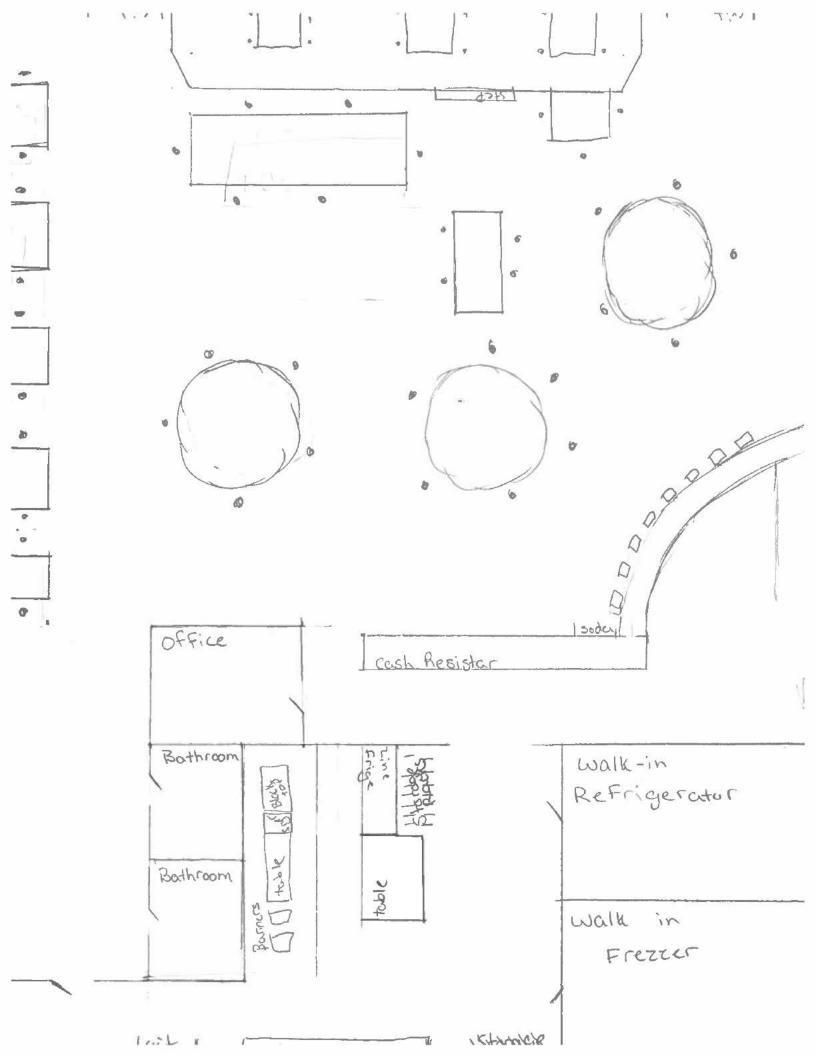
#### **GOALS**

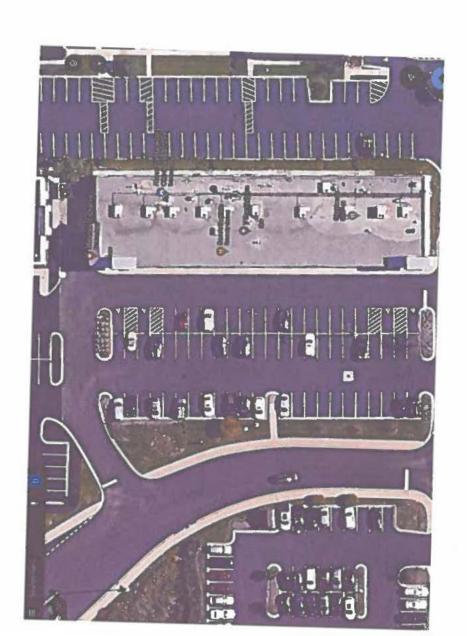
- 1. Liquor License
- 2. Grow social media on all platforms
- 3. Create engaging website
- Modernize delivery service page
- 5. Organized business expenses

#### Action

- Applying for a license within the first month to bring alcoholic beverages to the consumer.
  - Employees must have B.A.S.S.E.T training before serving.
- Facebook, instagram, ect should start posting in order to gain followers which can lead to tags resulting in consumption.
- 3. Contract someone that has understanding and availability to be done quickly.
- Being top sellers on delivery service apps gives customers an easy ordering experience when ordering on the app.
  - a. Provide Photos on all the dishes that are available on the app.
- 5. Using applications like Quickbooks to organize and record all expenses.

#### **Location Layout**







## **YAN BARRIOS**

Has diligently and with merit completed the

#### **On-Premise BASSET Alcohol Certification**

from the American Safety Council.

**GRADUATION DATE** 

BASSET Student ID Number 24098063

2/3/2023

CEO, American Safety Council



### Illinois BASSET Training

This card certifies that:

#### **YAN BARRIOS**

has completed the On-Premise BASSET Alcohol Certification

CEO American Safety Council

3/5/2023

Exp. Date:

	AGEN	IDA ITEM	EXECUTIVE SUMMARY	Agend	a Item number: 6	
	Title:	Recommendation to Approve an Application for a Massage Establishment License for Zeal Spa Corporation at 2015 Dean St., Suite 7A, St. Charles, IL				
ST. CHARLES ILLINOIS • 1834	Presenter:	Police Chi	ef Keegan			
Meeting: Lique	or Control Co	mmission	<b>Date:</b> April 17, 202	23		
<b>Proposed Cost</b>	: \$		Budgeted Amount: \$	ı	Not Budgeted:	
TIF District: Cl	noose an iten	1.				
<b>Executive Sum</b>	mary (if not	budgeted,	olease explain):			
Zeal Spa Corpo	oration, locat	ed at 2015	Dean St., Suite 7A, applied for a m	nassage	license.	
The backgroun information.	d investigation	on has been	completed. Please see the attached	d packe	et for further	
Attachments (	ologeo list):					
Massage Estab		olication				
Background Ch						
Site Plan						
Business Plan						
Recommendat	ion/Suggest	ed Action (	briefly explain):			

Recommendation to approve an application for a Massage Establishment License for Zeal Spa located

at 2015 Dean St., Suite 7A, St. Charles, IL.

#### Police Department

# Memo



Date: 4/7/2023

To: Lora Vitek, Mayor-Massage Commissioner

From: James Keegan, Chief of Police

Re: Background Investigation: Massage (Asian Essence Spa-2015 Dean Street, Suite 7A)

The purpose of this memorandum is to document and forward to your attention the results of the background investigation conducted by members of the St. Charles Police Department concerning the above-mentioned establishment. Asian Essence.

This site was the former location of Shangri-La Spa, which had its Massage License revoked for cause of January 2<sup>nd</sup>, 2018. City ordinance prohibits another massage location for occupying this space for a period of 5-years. That being said, the moratorium has since expired and Asian Spa is seeking to occupancy this space

As is customary procedure, a detective was assigned to this investigation and reviewed not only the site location via an inspection, but also the corresponding application and applicants. Our overall background investigation was very thorough and comprehensive. We found nothing of a derogatory nature that would preclude either the site location or the applicants from moving forward with a massage license, subject to Council/Commission approval.

Thank you in advance for your consideration in this matter.

#### Police Department



Date: 04/05/2023

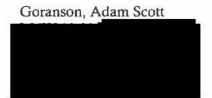
Chief Keegan via Chain of Command

From: Commander Drew Lamela #340 DL\*340 M 31

RE: Massage Establishment Background / DanDan Li and Adam Goranson - Asian Essence Spa

The purpose of this memo is to document the background investigation of DanDan Li and Adam Goranson pursuant to her application for Massage Establishment License for Asian Essence Spa.

#### APPLICANT:



Adam stated that he has resided at his address for approximately 2 years. Adam has no contacts through the Chicago Police Department's I-CLEAR system.

Adam has no contacts through our department's New World System.

According to the Kane County and Cook County Circuit Clerk's Office, Adam Goranson has no current or prior cases.

A check through TLOxp shows Adam Goranson has never had any bankruptcies, liens, criminal or civil case judgments against him. (TLOxp is a law enforcement search engine)

Adam is a U.S. Citizen and was born in Chicago, Illinois. possesses valid Illinois Driver's License (See attached copy of driver's license)

Adam does not possess a State of Illinois Massage Therapist License.

I logged onto the Illinois Department of Financial & Professional Regulations web site. I ran Adam, which indicated that he was "No Record".

#### APPLICANT:

Li, DanDan

DanDan resides at the above address

Illinois. The DuPage County Sheriff's Department records do not contain any criminal/conviction information for DanDan.

DanDan attended Estelle Medical Academy in 2019 where she completed the 610 hour course for Massage Therapist. (See attached certificate)

DanDan possesses a valid State of Illinois Massage Therapist License #227.021522.

I logged onto the Illinois Department of Financial & Professional Regulations web site. I ran DanDan's Massage Therapist License, which came back "Active" with "No Discipline". (See attached IDFPR document)

DanDan has no contacts through the Chicago Police Department's ICLEAR System.

DanDan has no contacts through our department's New World System.

DanDan has no contacts through the Kane County Aegis system.

A check through TLOxp shows DanDan Li has never had any bankruptcies, liens, criminal or civil case judgments against her. (TLOxp is a law enforcement search engine)

According to the Kane County, DuPage County and Cook County Circuit Clerk's Office, DanDan has no current or prior cases.

I logged onto <a href="www.google.com">www.google.com</a> and did not locate any negative articles or police / arrest reports for DanDan Li.

DanDan Li was born in the People's Republic of China and moved to the United States in 2017.

DanDan provided me with a copy of her United States of America Permanent Resident Card

DanDan provided me with a copy of her Illinois Driver's License (See attached documents)

I logged onto TLOxp, which is a Law Enforcement Data Base. I ran DanDan's Social Security number, which registered to her. TLOxp did not list any additional licenses registered to DanDan.

On 03/27/2023, DanDan and Adam submitted fingerprints to the City of St. Charles.

On 03/30/2023, I met with DanDan Li and Adam Goranson at the St. Charles Police Department where they signed waiver allowing me to conduct this background investigation. Adam stated that he and DanDan will be co-owners of Asian Essence Spa. Adam stated that he and DanDan formed Zeal Spa Corporation and their incorporation date was on 03/16/2023. Adam and DanDan stated that Asian Essence Spa will be located at 2015 Dean Street "7A" in St. Charles, Illinois.

Adam stated that he would be the on-site manager and would not be preforming massages. DanDan advised that she would also be listed as a manager. DanDan stated that she would be the only employee conducting massages. DanDan and Adam stated that once their business begins to grow, they will be hiring more massage therapists and possibly another manager. Adam and DanDan stated that as of now, they will be the only employees.

Adam and DanDan stated that they will be signing a one-year lease with the owner of 2015 Dean Street "7A", Nicole "Lifa" Jiang. Adam stated that if the business continues to grow within the one-year of signing the lease, they will have an option to extend their lease to three years. Adam and DanDan stated that once their license is approved, they would sign the lease for the business. (See attached copy of lease)

2015 Dean Street "7A" is the former site of Shangri La Massage and Spa. Adam and DanDan stated that they will not be making any restorations to the business. Adam and DanDan provided me with a floor plan of the business. (See attached floor plan in lease agreement) Adam and DanDan advised that there are ten rooms designated for massages, two dry sauna rooms and a men's and women's restroom. Adam and DanDan stated that table showers will not be offered. Adam and DanDan stated that there is a fully equipped laundry room and a kitchen area for employees only that will be used as a break room.

Adam and DanDan stated that the business will be open from Monday – Sunday from 10:00 am – 9:00 pm. DanDan stated that they would be advertising on Groupon.com and on Google Ad. Adam and DanDan stated that they anticipate opening the business in early to middle of June, 2023.

Adam and DanDan provided me with a copy of their Certificate of Liability Insurance through PCF Insurance Services of the West, LLC DBA Total Insurance Services. (Policy #BZS62579634) The insurance coverage is for \$1,000,000.00 for each occurrence and \$2,000,000.00 in aggregate. The insurance binder is compliant with the Massage Establishment License, Local Ordinance 5.20. (See attached copy of insurance policy)

I logged onto the Illinois Secretary of State website and ran Zeal Spa Corporation. The search revealed that the corporation is in Good Standing. Adam provided me with a copy of the Articles of Incorporation. (See attached document)

DanDan and Adam stated that they have reviewed the definitions and requirements of Massage Therapist License, Local Ordinance Chapter 5.20.

On 04/05/2023, at 1200 hours, I went to 2015 Dean Street "7A" in St. Charles, Illinois to conduct an inspection of the business. (Formally known as Shangri La Spa) The business is located in a strip mall on the south side of Dean Street. There is a large white address sign at the private drive with the numbers "2015" on the top. Located on the sign are names of other businesses within the strip mall. Shangri La Spa is still listed on the sign as one of the businesses.

Asian Essence Spa will be located in suite "7A". There is one door for the establishment that face east. The business is in clear view from Dean Street. The Shangri La Spa sign is currently posted above the main door. There is a Remax sign in the front window advertising the office space for rent.

I met with the owner / manager, DanDan Li. DanDan was wearing a work smock uniform. Asian Essence Spa is not open for business at this time. DanDan and I were met by a male Asian subject who had the keys for the business. DanDan and I entered the business where I began the inspection.

As you enter the establishment there is a front lobby area with a large desk. DanDan advised that this would remain as the reception area. As you pass the front desk there is a long hallway. The first room just beyond the reception area is an office. Along the south side of the hallway I noticed two rooms designated for showers. The first shower room was a unisex shower room and just south of that room was a handicap shower room. On each side of the shower rooms were large saunas. As you pass this area, there are two massage rooms and a women's and men's restroom. The restrooms had locking mechanisms and were clean.

Along the north side of the hallway, I observed two suite areas. As you walk into the suite areas, there are four separate rooms designated for massages. As you pass the suites, there are two more rooms designated for massages. DanDan stated that she has a total of ten rooms designated for massages. I noticed that none of the rooms designated for massages had locks on them.

All of the massage rooms appeared neat and clean. Some of the rooms had massage tables and furniture and others did not. DanDan stated that she would not be using the furniture or massage tables that were left behind by the previous owner. DanDan stated that she would be placing her own massage tables in the rooms.

Located on the far west end of the business, I noticed a room with a large washer and dryer. DanDan stated that she would be cleaning the linens and uniforms at the business. Across from the laundry room was a kitchen. DanDan stated that this area would only be allowed for employees to take their breaks in. The kitchen contained a refrigerator, sink and counter space.

I informed DanDan that once Asian Essence Spa is open, she would have to post her Massage Therapist License in the lobby area. I asked DanDan if she would be hiring staff. DanDan stated that she no plans on hiring anyone else at this time. DanDan stated that once her business begins to grow, she will hire more massage therapists. I informed DanDan that she will have to post all of their Massage Therapist Licenses in the lobby as well. DanDan stated that she understood and would post all message therapist license in the front lobby/reception area.

I informed DanDan that once Asian Essence Spa is open, she will have to post the hours of operation along with a menu of the massages with the prices at the front desk. DanDan stated that she would post the signs once she opens the business. DanDan stated that the signs would be ready in early June of 2023. DanDan stated that she plans on opening her business at that time.

I asked DanDan if she had signs made for the business. DanDan stated that she and Adam are in the process of having new signs made for Asian Essence Spa. DanDan stated that she along with any and all new employees would be issued a uniform in the form of a medical smock. DanDan stated that there would be no renovations made to the business.

During the inspection, I informed DanDan that she could not serve any alcohol at the business and she stated that she understood and would not be offering alcoholic beverages. At this time, the business meets the Massage Inspection Requirements. The layout of the business matches the floor plan that was provided during this background investigation.

I received a response from the Illinois State Bureau of Identification reference Adam's fingerprints, which indicated one arrest by Chicago Police Department in 2006 for Permit DUI to Operate Motor Vehicle.

I received a response from the Illinois State Bureau of Identification reference DanDan's fingerprints, which indicated no arrests.

This concludes this background investigation.

Commander Drew Lamela #340

#### CITY OF ST. CHARLES TWO EAST MAIN STREET ST. CHARLES, ILLINOIS 60174-1984



**DEPARTMENT: MAYOR'S OFFICE** 

PHONE: 630.377,4422

#### MASSAGE ESTABLISHMENT LICENSE APPLICATION

NON-REFUNDABLE

Application must be some		
Application must be comp	oleted in full and notarized before it	will be accepted.
All fees must be paid at the be included with this apple		and a current certificate of insurance must
NOTE: Applicant must b passport-size photograp	the fingerprinted by the St. Charles the (2 x 2 inches, head and shoulders	s Police Department and must provide two sarea, facing forward) with this application
. New License Applicati	ion ORenewal Appl	ication
. Please select the option th	at best describes your business:	
● Corporation	O Partnership	O Individual
. Business Name: Zeal S	Spa Corporation	Sales Tax#
Business Address: 2015 D	ean Street, St. Charles, IL 60174	Business Phone: (773) 704-0801
. Name of Applicant:		Home Phone:
Home Addres		City/Zip: Chicago/60613
Email Address:	_Social Security	/ #: Date of Birth
Driver's License #		Issuing State: IL
**Must include a photocop	y of government issued identification	an indicate and a second
. Have you ever been convi	cted of a criminal or ordinance viol	ation? (other than minor traffic offences):
OYes	<b>⊙</b> No	
. If yes, explain in detail:		

7. Days/Hours of Operation: Mon-Sun 10am-9pm

12. Will you operate by appointment only? Yes/No No

Will the business be supervised and conducted by a manager?:  If no, please explain:	Yes/No_1 &S
Name of Manager: DanDan Li  Home Address Social Security	Home Phone:  City/Zi  Date of birth
List as indicated previous three years' employment history:  Employer: Zenest Corp DBA Asian Essence Spa  Address: 801 E Butterfield Rd Ste 102 Lombard, IL 60148	Phone: (630) 999-9099 Occupation: Owner/Manager
Dates of employment: From: 02/2021 To: 03.2023  Employer: Asian Royal Spa  Address: 2021 N Milwaukee Ave. Riverwoods, IL 60015	Phone: (847) 808-0062  Occupation: Massage Therapist
Dates of employment: From: 03/2020 To: 12/2020  Employer:	_ Occupation:
Address:  Dates of employment: From: To:	Occupation:
Has the manager ever been convicted of a criminal or ordinance violation of the second	olation (other than minor traffic

13. If you answered Yes to #12, will walk-ins be accepted?	Yes/No Yes	
14. License and/or permit history. List all prior Massage Licen sheet if needed):	,	
Issuing authority: State of Illinois Dept of Financial and Professional Regu	Status: Expires 12/31/2024	
Issuing authority:	Status:	
15. Have you or any of your licensed massage therapists been s Professional Regulation concerning your licensure? As a re Therapists practicing inside the State of Illinois must be licensees are NOT valid in Illinois. Yes/No No	eminder and per Illinois law, all Massage licensed by State of Illinois. Out of state	
16. If any prior licenses/permits have been revoked/suspended, state the reason and disposition:		
Reason:	Disposition:	
Reason:	Disposition:	
17. Describe the building and specific location within the building where the Massage business will be conducted:  **ATTACH A FLOOR LAYOUT/DIAGRAM OF THE BUSINESS**  Approx sq ft of principal business: **SOO Massage stations **Premises**  18. Describe other activities or business conducted at this location:  There are (2) dry saunas for use in the building		
19. List as indicated all massage therapists and employees. This list must be updated with the office of the Liquor Commissioner within 10 days of any employment change.		
Name: DanDan Li	Home phone:	
	City/Zip:	
Position employed: Owner/Manager/Massage Therapist		
State of Illinois Massage License Number: 227.021522		
Name:	Home phone:	

# City of St. Charles Massage Establishment License Page 4

	City/Zip:	
Position employed:		17/ 3 - 15/2
State of Illinois Massage License Number:	997 . <del> </del>	450
Name:	Home phone:	
Address:	City/Zip:	<u> </u>
Position employed:	3 <u>%</u>	
State of Illinois Massage License Number:	- 194	
Name:	Home phone:	AND DESCRIPTION
Address:	City/Zip:	(4)
Position employed:		
State of Illinois Massage License Number:	obj.	
This Section for Corporate or F	Partnership Applications O	nlv
List each officer, director or shareholder owning 2		
corporation/partnership:	to work of controlling	interest of the
Name Address	Home Phone #	Date of Birth
Adam Goranson		
DanDan Li		
2. Has any officer, manager, director or shareholder	owning 20% or more of the stock	of the corporation
	- [	: [1] [1] 1 (1) (1) [1] (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)
ever been convicted of a criminal or ordinance vic		
ever been convicted of a criminal or ordinance vio	)	
□ Yes ■ No		
□ Yes ■ No		

Affidavit

# City of St. Charles Massage Establishment License Page 5

State of Illinois)		
) SS County of Kane)		
I/We, the undersigned, being first duly sworn, say that I/we have read the foregoing application and that the statements therein are true, complete, and correct and are upon my/our personal knowledge and information and that I/we will not violate any of the ordinances of the City of St. Charles or the laws of the State of Illinois or the laws of the United States of America, in the conduct of the place of business described herein.  Signature of Applicant  Signature of Applicant  A Notary Public in and for said county in the state aforesaid, do hereby certify that the applicant(s), appeared before me this day in person and acknowledged that he/she/they signed the foregoing application as his/her/their free and voluntary act for the use and purposes therein set forth.		
Given under my hand and notarial seal this	day of March . 2023.	
SEAL  "OFFICIAL SEAL"  SHARON J BRINGELSON NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 12/5/2026	Grann J Brings Son	

# Estelle Medical Academy

This Certifies That Dan Li

has satisfactorily completed the Course of Study prescribed in



and is awarded this

# Diploma

Given at Skokie, Illinois this 9th day of October 2019

Director

# European Massage Therapy School DBA Estelle Medical Academy

4905 Old Ochard Shopping Center #710 Skokie, IL 60077

CE Service Registration # 245000074

All hours or classroom instruction held on premise at European Massage Theraps School. 1995 Old Orchard Shopping Conter. Saite 710 in Shokie, 11, 60077.

Certificate of Attendance

Student's Name

DAN DAN

IL License Number

227.021522

Title of C.E. Program

Advanced Nameze Techniques, Professional Ethics

Course Description

Advanced Massaga Techniques, 20.0 hours

Professional Lines 3.0 hours

Sexual Hagasment Prevention 1.0 hours

Date of Attendance

December 3, 8, 10, 2022

Number of C.E. Hours'

24.0 hour

Director's Signature

Date 12/15/2022



Cut on Dotted Line %

For future reference, IDFPR is now providing each person/business a unique identification number, 'Access ID', which may be used in lieu of a social security number, date of birth or FEIN number when contacting the IDFPR. Your Access ID is: 4298967





# Illinois Department of Financial and Professional Regulation

## **Lookup Detail View**

#### Contact

Contact Information

Name	City/State/Zip	DBA / AKA
DAN DAN LI		

#### License

License Information

License Number	Description	Status	First Effective Date	Effective Date	Expiration Date	Ever Disciplined
227021522	Licensed Massage Therapist	ACTIVE	11/13/2019	12/16/2022	12/31/2024	N

Generated on: 3/27/2023 2:04:23 PM

# FORM BCA 2.10 ARTICLES OF INCORPORATION Business Corporation Act

Filir	ng Fee: \$150			
File	#:			
1.	Corporate Name: ZEAL SPA CORPORATION			
ē.		-		
2.	Initial Registered Agent: DANDAN LI First Nam	ne Middle In	iitial	Last Name
	Initial Registered Office:	300000000000000000000000000000000000000		
	Number	Street	Suite No.	
	Cit	IL.	ZIP Code	DU PAGE County
3.	Purposes for which the Corporation is Organize The transaction of any or all lawful businesses Corporation Act.		may be incorpora	ated under the Illinois Business
4.	Authorized Shares, Issued Shares and Conside	eration Received:	*	
	Number of Shares	Number of	of Shares	Consideration to be
	Class Authorized COMMON 1000	Proposed to	o be issued 000	Received Therefor \$ 1000
	1000			V 1000
	NAME 8	ADDRESS OF INCOR	PORATOR	1
5.	The undersigned incorporator hereby declares Articles of Incorporation are true.	, under penalties of perj	ury, that the state	ements made in the foregoing
	Dated MARCH 16 202	23		
	Month & Day Yea	<del></del>		
	DANDAN LI			
	Name	9		<del></del>
	Street		<b>—</b> u	
	oueet	C <sup>e</sup>		

This document was generated electronically at www.ilsos.gov

State

City/Town

ZIP Code



## Corporation/LLC Search/Certificate of Good Standing

## Corporation File Detail Report

File Number	74178286	
Entity Name	ZEAL SPA CORPORATION	
Status		
Otatao		

## **Entity Information**

Entity Type CORPORATION

Type of Corp DOMESTIC BCA

Incorporation Date (Domestic) Thursday, 16 March 2023

State ILLINOIS

Duration Date PERPETUAL

## **Agent Information**

Name DANDAN LI

Change Date Thursday, 16 March 2023

## **Annual Report**

Filing Date 00/00/0000

For Year

#### Return to Search

File Annual Report

**Adopting Assumed Name** 

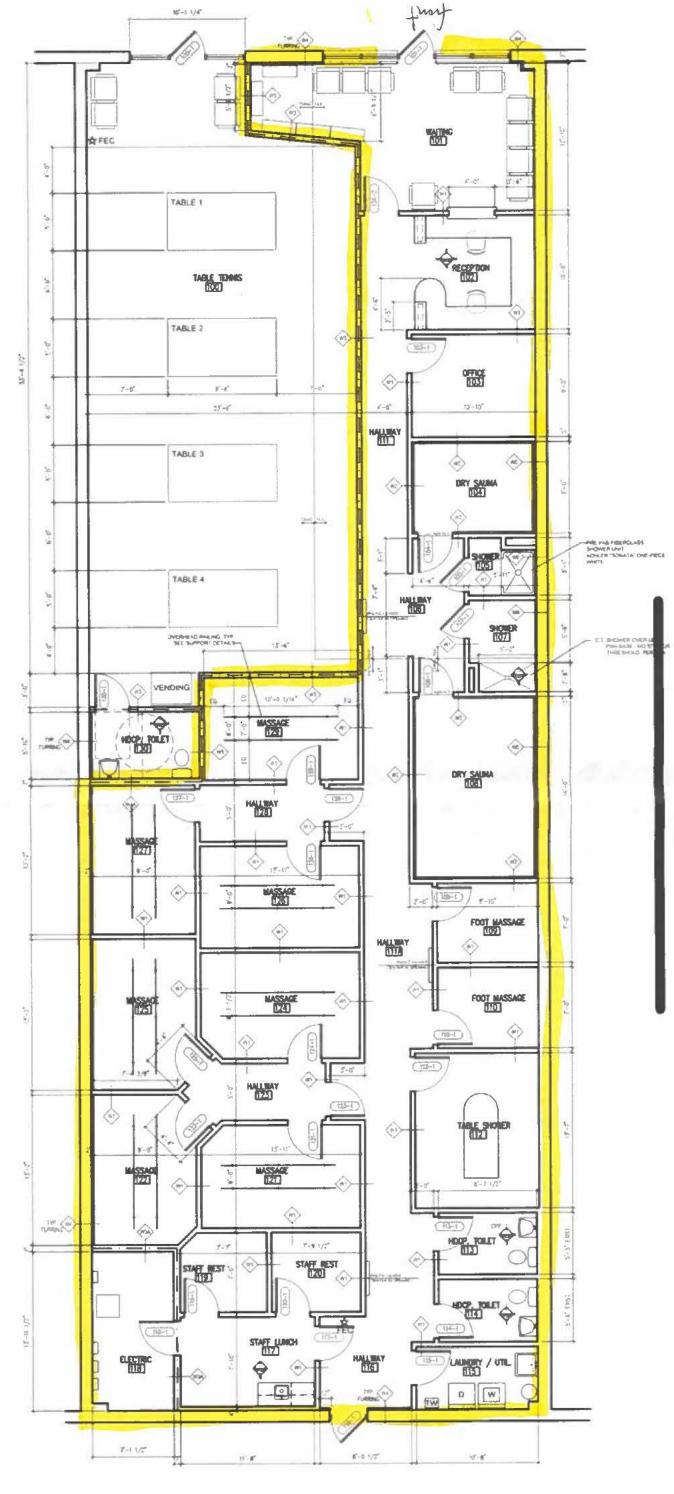
Articles of Amendment Effecting A Name Change

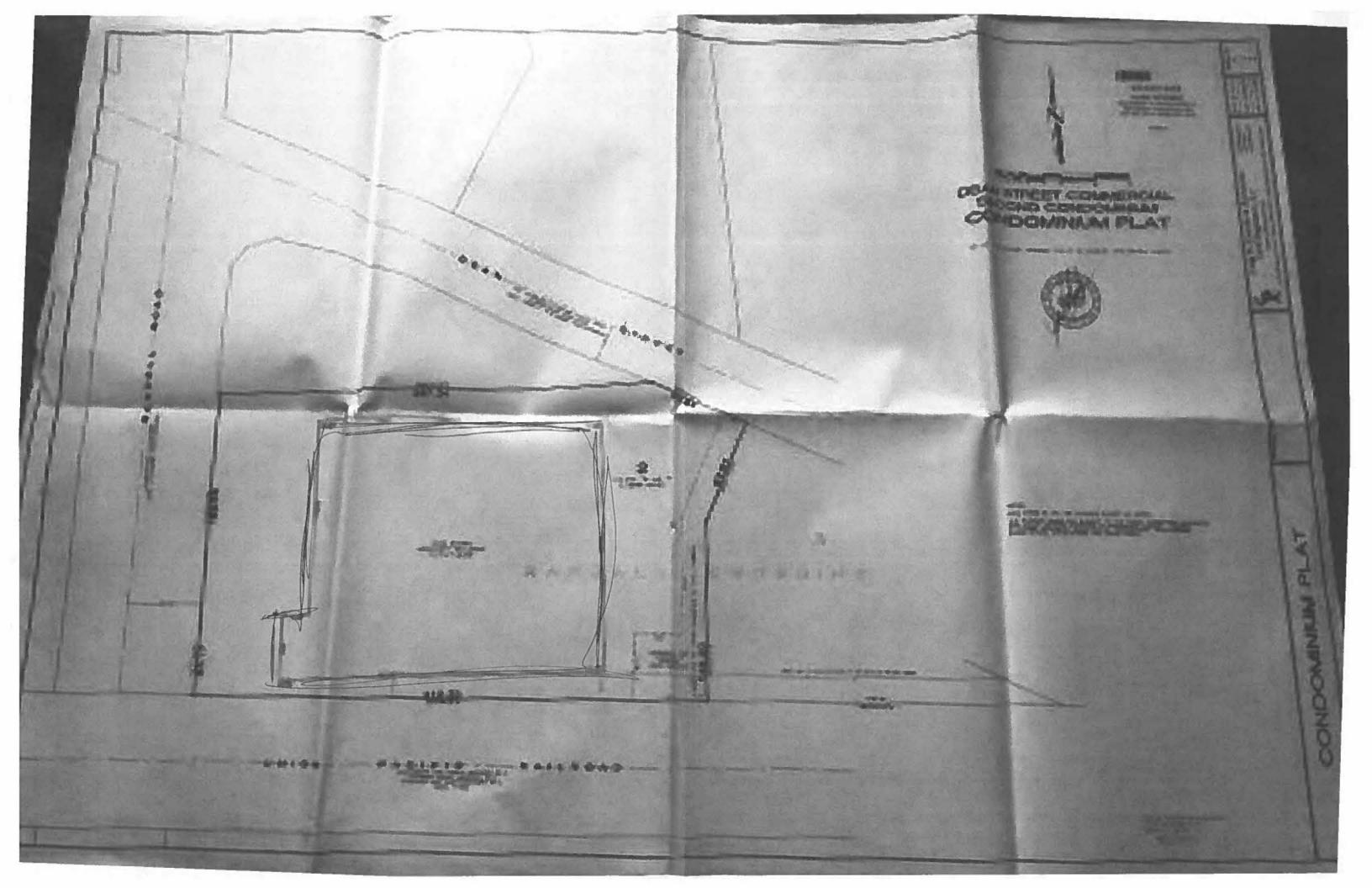
Change of Registered Agent and/or Registered Office

(One Certificate per Transaction)

This information was printed from www.ilsos.gov, the official website of the Illinois Secretary of State's Office.

Mon Mar 27 2023





ANORS CONDITIONS OF THE STATE O				PEAN BRIEET COMMERCIA MECOLO COMPONICAL CONDOMENTAN PLAT
SWILLIAM AREA	CARAGONA	7 3		
			COMMON AREA	NI LOW P. P. C.





CATHLEENB



#### CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 3/24/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed.

lf th	SUBROGATION IS WAIVED, subjectible conferrights to confer rights to confer rights.	ct to o the	the	terms and conditions of ificate holder in lieu of si	uch end	lorsement(s).	policies may	require an endorsemen	t. A :	statement on
	DUCER				CONTACT NAME:					
PCF Insurance Services of the West, LLC DBA Total Insurance Services 3175 Commercial Ave, Suite 200 Northbrook, IL 60062					PHONE (AC, No, Ext): (847) 205-1777 FAX (AC, No): (847) 205-1919 E-MAIL SS:					205-1919
1011101					ADDRE		IIDED/S) ACCOU	IDING COVERAGE		NAIC #
					INCHIDE	F1-00000 555				24082
INSU	RED				The state of the s	INSURER A : Ohio Security Ins. Co. 24082 INSURER B : Lloyds of London 15792 INSURER C :				
	Zenest Corp									
	801 E Butterfield Road				INSURE	A CONTRACTOR OF THE PARTY OF TH				
	Lombard, IL 60148				INSURE			<u> </u>		
					INSURE					
CO	VERAGES CER	TIFIC	CATE	NUMBER:	11100112			REVISION NUMBER:		
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	CLAIMS-MADE OCCUR			BZS62579634		1/26/2023	1/26/2024	DAMAGE TO RENTED PREMISES (Ea occurrence)	ş.	
								MED EXP (Any one person)	S	15,000
								PERSONAL & ADV INJURY	s	1,000,000
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	POLICY PRO LOC							PRODUCTS - COMP/OP AGG	5	2,000,000
	OTHER:							PRODUCTS COMPTOR AGG	S	
AUTOMOBILE LIABILITY								COMBINED SINGLE LIMIT (Ea accident)	s	20
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	[ [							BODILY INJURY (Per accident) PROPERTY DAMAGE	\$	
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						į į		AGGREGATE	\$	
	DED RETENTION \$			30-				PER OTH-	\$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE									
	OFFICER/MEMBER EXCLUDED?	N/A						E.L. EACH ACCIDENT	\$	
	If yes, describe under DESCRIPTION OF OPERATIONS below							E.L. DISEASE - EA EMPLOYEE	\$	78-0-1
В	Errors & Omissions			MEO5048591		1/10/2023	1/10/2024	E.L. DISEASE - POLICY LIMIT	\$	
nco	COUNTAN OF OBERATIONS (1 OCATIONS (VENIC	F0 (	1000			W 1 44				
UESU	CRIPTION OF OPERATIONS / LOCATIONS / VEHIC	LES (	LOUNI	/ IVI, Additional Remarks School	ure, may b	re attached if mor	a abaca is reduli	40)		
CEI	RTIFICATE HOLDER				CAN	CELLATION				
	PROOF OF INSURANCE				THE	EXPIRATION	N DATE TH	ESCRIBED POLICIES BE C IEREOF, NOTICE WILL CY PROVISIONS.		
					232,000	RIZED REPRESE				
				Ch	down CHIA	proces				

	AGEN	IDA ITEM	EXECUTIVE SUMMARY	Agenda Item number: 7					
Recommendation to approve an Ordinance to Amend Title 5 "Business Licenses and Regulations," Chapter 5.08 "Alcoholic Beverages," Sections 5.08.095 "Late Night Permit," and 5.08.140 "License – Renewal Deadline," of the St. Charles Municipal Code									
IDDITO IS TOST	Presenter:	Police Chi	ef Keegan						
<b>Meeting:</b> Liqu	or Control Co	ommission	<b>Date:</b> April 17, 20	23					
Proposed Cost	:: \$		Budgeted Amount: \$	Not Budgeted:					
TIF District: C	hoose an iten	n.							
Attachments (			please explain):						
Memo, Propos	. ,	;							
Recommendate Regulations",	ion to modify Chapter 5.08	City Code "Alcoholic	briefly explain): with the listed revisions to Title 5 Beverages", Sections 5.08.095 "I " of the St. Charles Municipal Co	Late Night Permit" and					

## Police Department



# Memo

Date: 4/13/2023

To: Lora Vitek, Mayor/Liquor Commissioner

From: James Keegan/Chief of Police

Re: Late Fees (Liquor License & Late-Night Permit Renewals)

It has come to my attention that the renewal processes for both liquor licensing and latenight permitting is rather cumbersome and labor-intensive for staff. Not so much in the processing of applications and back-end book keeping, but rather in the payment of fees and the timeliness of invoice payments. That being said, I took the opportunity to review our liquor code, and as a frame of reference, our alcohol-tax code where similarly, some of the same problems persist.

As a means to incorporate consistency in our collection efforts of payments owed to the City, I recommend consistency in our approach in passing along late-payments to those disregarding deadlines and pushing staff to chase down late-payments and paperwork. Obviously, we reserve the right to deny any licensing renewal application with due process for outstanding debt owed to the City but in many cases, it's late-payments we are constantly chasing down; often times by the same few outliers.

Nonetheless, please see the appropriate code amendments I am recommending in regards to late-payments as a means to ensure the timely collection of licensing fees owed to the City.

#### 5.08.140 – License – Renewal Deadline

Any licensee may renew hisits local liquor license at the expiration thereof; provided, that he it is then qualified to receive a local liquor license and the premises for which such renewal local liquor license is sought are suitable for such purpose; provided further, that the renewal privilege provided for in this section shall not be construed as a vested right which shall in any case prevent the City Council from decreasing the number of local liquor licenses to be issued within the City. A liquor licensee shall file an application for renewal of a local liquor license, accompanied by the applicable local liquor license fee and all required documentation, including dram shop insurance coverage, on or before April 1 the date set in the application renewal process; in any given year. There shall be a late payment fee of fifty one-hundred dollars (\$50-100) for failure to comply with the foregoing -for the first offense, two-hundred fifty dollars (\$250) for the second offense and for the third and subsequent offenses, five-hundred dollars (\$500.00).

### Content with recommended changes incorporated:

#### 5.08.140 - License - Renewal Deadline

Any licensee may renew its local liquor license at the expiration thereof; provided, that it is then qualified to receive a local liquor license and the premises for which such renewal local liquor license is sought are suitable for such purpose; provided further, that the renewal privilege provided for in this section shall not be construed as a vested right which shall in any case prevent the City Council from decreasing the number of local liquor licenses to be issued within the City. A liquor licensee shall file an application for renewal of a local liquor license, accompanied by the applicable local liquor license fee and all required documentation, including dram shop insurance coverage, on or before the date set in the application renewal process in any given year. There shall be a late payment fee of one-hundred dollars (\$100) for failure to comply with the foregoing for the first offense, two-hundred fifty dollars (\$250) for the second offense and for the third and subsequent offenses, five-hundred dollars (\$500.00).

#### 5.08.095 – Late Night Permit

3. —Annually, the liquor license late-night permit renewal process shall commence on the first city business day in February. Current license late-night permit holders shall submit a renewal application and include any requested changes. For those License holders applying for a new or renewing a late-night permit, they are required to specify whether they are applying for the 1:00 a.m. or the 2:00 a.m. permit. In addition, any new or renewal applications shall include a current business concept outlining the operations intended during the late-night permit term of one year, in conjunction with the liquor license to be issued on May 1 of the same year. Failure to provide a timely renewal application or late-night permit application on or before the date set in the application renewal process may result in a delay in issuing said license and permit by May 1 of that year. There shall be a late payment fee of one-hundred dollars (\$100) for failure to comply with the foregoing for the first offense, two-hundred fifty dollars (\$250) for the second offense, and five hundred dollars (\$500) for the third and subsequent offenses.

## Content with recommended changes incorporated:

### <u>5.08.095 – Late Night Per</u>mit

3. Annually, the late-night permit renewal process shall commence on the first city business day in February. Current late-night permit holders shall submit a renewal application and include any requested changes. License holders applying for a new or renewing a late-night permit, they are required to specify whether they are applying for the 1:00 a.m. or the 2:00 a.m. permit. In addition, any new or renewal applications shall include a current business concept outlining the

operations intended during the late-night permit term of one year, in conjunction with the liquor license to be issued on May 1 of the same year. Failure to provide a timely late-night permit application on or before the date set in the application renewal process may result in a delay in issuing said license and permit by May 1 of that year. There shall be a late payment fee of one-hundred dollars (\$100) for failure to comply with the foregoing for the first offense, two-hundred fifty dollars (\$250) for the second offense, and five hundred dollars (\$500) for the third and subsequent offenses.

## For reference regarding the alcohol code:

#### 3.42.090 – Late payment and/or filing; failure to pay and/or file

A. If for any reason a tax return required by this chapter is not filed, or a tax imposed under this chapter is not paid when due, a penalty shall be added and collected as follows. For the first offense, \$50.00 or five percent (5%) on the amount of tax which remains unpaid, whichever is greater; for the second offense, \$100.00 or five percent (5%) on the amount of tax which remains unpaid, whichever is greater; and for the third and subsequent offenses, \$150.00 or five percent (5%) on the amount tax which remains unpaid, whichever is greater.

Whenever any person shall fail to pay any tax as provided in this chapter, the City Attorney, upon the request of the Finance Director, shall bring or cause to be brought an action to enforce the payment of the tax on behalf of the City and reasonable attorney's fees incurred in bringing such action in any court of competent jurisdiction.

## City of St. Charles, Illinois Ordinance No. 2023-M-

An Ordinance Amending Title 5 "Business Licenses and Regulations", Chapter 5.08 "Alcoholic Beverages"; Sections 5.08.095 "Late Night Permit" and 5.08.140 "License – Renewal Deadline" of the St. Charles Municipal Code

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION ONE: That Title 5 "Business Licenses and Regulations", Chapter 5.08 "Alcoholic Beverages", Section 5.08.095 "Late Night Permit" of the St. Charles Municipal Code, be and is hereby amended by replacing the existing portion of the section with the following:

3. Annually, the late-night permit renewal process shall commence on the first City business day in February. Current late-night permit holders shall submit a renewal application and include any requested changes. License holders applying for a new or renewing a late-night permit, they are required to specify whether they are applying for the 1:00 a.m. or the 2:00 a.m. permit. In addition, any new or renewal applications shall include a current business concept outlining the operations intended during the late-night permit term of one year, in conjunction with the liquor license to be issued on May 1 of the same year. Failure to provide a timely late-night permit application on or before the date set in the application renewal process may result in a delay in issuing said license and permit by May 1 of that year. There shall be a late payment fee of one-hundred dollars (\$100) for failure to comply with the foregoing for the first offense, two-hundred fifty dollars (\$250) for the second offense and five hundred dollars (\$500) for the third and subsequent offenses.

<u>SECTION TWO</u>: That Title 5 "Business Licenses and Regulations", Chapter 5.08 "Alcoholic Beverages", Section 5.08.140 "License – Renewal Deadline" of the St. Charles Municipal Code, be and is amended by replacing the entire section with the following:

Any licensee may renew its local liquor license at the expiration thereof; provided, that it is then qualified to receive a local liquor license and the premises for which such renewal local liquor license is sought are suitable for such purpose; provided further, that the renewal privilege provided for in this section shall not be construed as a vested right which shall in any case prevent the City Council from decreasing the number of local liquor licenses to be issued within the City. A liquor licensee shall file an application for renewal of a local liquor license, accompanied by the applicable local liquor license fee and all required documentation, including dram shop insurance coverage, on or before the date set in the application renewal process in any given year. There shall be a late payment fee of one-hundred dollars (\$100) for failure to comply with the foregoing for the first offense, two-hundred fifty dollars (\$250) for the second offense, and for the third and subsequent offenses, five-hundred dollars (\$500.00).

<u>SECTION THREE</u>: That, after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council of the City of St. Charles, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

<u>SECTION FOUR</u>: This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this, 2023.	day of
PASSED by the City Council of the City of St. Charles, Illinois this day of, 2023.	
APPROVED by the Mayor of the City of St. Charles, Illinois, this day of, 2023.	
Lora Vitek, Mayor	
ATTEST:	
City Clerk	
COUNCIL VOTE:	
Ayes :	
Nays :	
Absent:	