

AGENDA
CITY OF ST. CHARLES
SPECIAL LIQUOR CONTROL COMMISSION MEETING

MONDAY, FEBRUARY 6, 2017
CITY COUNCIL CHAMBERS @ 4:30 PM
2 E MAIN STREET

1. Call to Order.
2. Roll Call.
3. Motion to accept and approve the minutes of the December 19, 2016 Liquor Control Commission meeting.
4. Recommendation to approve a proposal for a Class E1 liquor license for St. Charles Breakfast Rotary Club to be held at Lincoln Park, St. Charles on June 24, 2017 from 12:00 noon to 5:00 p.m.
5. Discussion regarding Massage Establishment Citation and Hearing Notice for Shangri-La Massage & Spa, 2015 Dean Street, St. Charles.
7. Other Business.
8. Public Comment
9. Executive Session (5 ILCS 120/2 (c)(4)).
10. Adjournment.

**MINUTES
CITY OF ST. CHARLES, IL
LIQUOR CONTROL COMMISSION MEETING
MONDAY, DECEMBER 19, 2016**

1. Call to Order.

The meeting was convened by Liquor Commissioner Rogina at 4:30 p.m.

2. Roll Call

Members Present: Liquor Commissioner Rogina, Robert Gehm, Ald. Payleitner, Ald. Lewis, and Chuck Amenta

Absent:

Others Present: Mark Koenen, Atty. John McGuirk, Police Chief Keegan, Tina Nilles

3. Motion to accept and place on file minutes of the Liquor Control Commission meetings held on November 21, 2016.

Motion by Mr. Gehm second by Mr. Amenta to accept and place on file minutes of the Liquor Control Commission meeting held on November 21, 2016.

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

4. Recommendation to approve a proposal for a new Class B liquor license for Brunch Café to be located at 172 S 1st Street, St. Charles.

Chief Keegan: This is a recommendation for the new Brunch Café to be located along the business district of 1st Street. The proprietor/applicant is here tonight. This is a breakfast/lunch facility that operates currently in Fox River Grove, Huntly, McHenry and Roselle and are looking to expand their operations to their fifth restaurant here in St. Charles. They are not requesting a late night permit but it's a full class B license from 6:30 a.m. to 2:30 p.m. The license approval will be contingent upon Building Code Enforcement and occupancy permit. It's currently being built out with a January 2017 opening.

Andy Zatos, 172 S 1st Street, St. Charles: We are planning to open the week of January 23.

Chrmn. Rogina: We're happy to see a restaurant of your ilk and background come to St. Charles.

Mr. Gehm: Welcome to St. Charles and am awaiting your opening.

Ald. Payleitner: My question is on the Sunday times for the liquor license, that won't be 6:30 a.m.?

Chief Keegan: I haven't talked to the applicant in that regard and will go over that off-line.

Chrmn. Rogina: My recollection is 10:00 a.m. on Sundays with some exceptions that have already been passed by the City Council where you can serve at 8:00 a.m. for Mother's Day and a few other occasions, and during the week it's 7:00 a.m.

Ald. Lewis: I'm curious if you ever see yourself being open later than 2:00 a.m.; if you would have private parties in the evening?

Mr. Zatos: We offer them such as a baby showers. All of my restaurants do.

Ald. Lewis: So even though you close at 2:00 p.m., you could be open for a private party in the evening, or would it be open to the public in the evening?

Mr. Zatos: We book banquets or events – they would be private.

Mr. Amenta: We look forward to see you being here.

Motion by Mr. Gehm, second by Ald. Lewis to recommend approval of a proposal for a new Class B liquor license for Brunch Café to be located at 172 S 1st Street, St. Charles.

Roll Call: Ayes: Gehm, Payleitner, Lewis, Amenta; Nays: None. Chrmn. Rogina did not vote as Chair. **Motion Carried.**

Chief Keegan: A point of clarification that this license is allowed to stay open until midnight if you do have a party to Ald. Lewis' point; seven days a week and I'll discuss with you the Sunday hours.

5. Recommendation to approve a proposal of a Massage Establishment for Spa Elysian located at 457 Dunham Road, Ste. 118, St. Charles, IL.

Chief Keegan: Ashley Pilarski is here for Spa Elysian. This business is looking to occupy a multi-use building at 457 Dunham Road. Ashley currently performs some skin care and ancillary health services. She is looking to bring on a massage therapist. It will be an appointment only type of facility which is exempt from the secondary supervision piece. We vetted her background and site and feel confident in moving this forward to the Government Operations meeting tonight.

Ashley Pilarski, 457 Dunham Road, Ste. 118, St. Charles.

Chrmn. Rogina: How long have you been in business in working with skin related issues and health care?

Ashley: I opened in May, 2016.

Mr. Amenta: If a license is granted, keep in mind you would have to have a license therapist to perform massage therapy. Everything else looks straight forward to me.

Ald. Lewis: I'm confused as to why you're asking for a license if you only do facial treatments and wax?

Ashley: I'm trying to hire a massage therapist to work in the spa.

Ald. Lewis: And when this person is hired, it will be by appointment only?

Ashley: Yes, it's by appointment now and it will be by appointment for them as well.

Ald. Lewis: Then your therapist will be the one that will show up within minutes to do this?

Ashley: I require at least an hour which is posted on my website when people want to book an appointment. If it's going to be the same day they need to call to make sure we're going to be there. They can't just walk in because the door will be locked and it's just one room in a suite.

Ald. Payleitner: I'm questioning the diagram we got.

Chief Keegan: It's a multi-unit building.

Ashley: It's called In-Style Salon & Spa Suite, so everyone in there has their own room. Where it says entry, there are two doors that lock and a number pad that at certain times of day the inner door is also locked and we have to buzz people in and every tenant has their own space with their own locked door. During the rush hours the door is open but automatically locks in the evening and unlocks in the morning.

Chrmn. Rogina: Looking at this diagram there appears to be several similar type businesses; do you cross market with some of your competitors or are they complementary.

Ashley: Everyone else there does hair. I'm the only esthetician. I do have a neighbor that I think does massage, but she is a cosmetologist that does hair and nails. I'm pretty sure I'll be the only one who will have a massage therapist. It's somewhat of a "beauty" facility.

Ald. Lewis: Going back to getting a license for the massage therapist, are you anywhere close to finding one?

Ashley: I've started looking and had a couple of interviews, but told them I had to get approved before they can start working/scheduling appointments.

Ald. Lewis: In your space can you only do one or the other?

Ashley: There is only one client in my space at a time.

Ald. Lewis: So if there is a massage scheduled, you won't be able to have a client there?

Ashley: Correct, only one client allowed in the room at a time.

Ald. Payleitner: You'll be there?

Ashley: Only if I have a client. There's no lobby. There are chairs to wait in the hallway, but our doors are locked.

Mr. Gehm: It will either be yourself doing your work or your massage therapist at any one time.

Motion by Mr. Amenta, second by Gehm to recommend approval of a proposal of a Massage Establishment for Spa Elysian located at 457 Dunham Road, Ste. 118, St. Charles, IL.

Roll Call: Ayes: Gehm, Payleitner, Amenta; Nays: Lewis. Chrmn. Rogina did not vote as Chair. **Motion Carried.**

6. Recommendation to approve a proposal of an event "Wine Down Winter" for Shakou LLC, 112 W Main Street, St. Charles.

Chrmn. Rogina: We have laid the foundation for this for quite a while and it's right that it's finally before us after a lot of conversation among a variety of people.

Chief Keegan: This has been a work in progress for at least a year and a half. Jenna is also here from the Downtown St. Charles Partnership. About a year and a half ago Ed came in and talked to the Special Events Committee and Mayor Rogina and we started looking at this proposal. He has done something similar to this at his Libertyville restaurant location and have expanded to future markets such as Park Ridge, Barington, Arlington Heights and St. Charles.

Restaurant Week ends on March 3 and March 4 is the Saturday following Restaurant week and a week before St. Patrick's Day. Ed has been working the local businesses and the Partnership to showcase downtown; not restaurants/taverns but service and retail locations. He is looking to host an event that he will sell in advance similar to what was done for the Craft Beer Festival, advance ticket sales through his portal on his website. There would be a credentialing step on the day of the event where participants would come to Shakou on the west side of St. Charles or Townhouse Books on the east side. We're still working through the details of a passport or what they would actually get when they walk around these local businesses. Shakou in cooperation with these businesses, will serve a small wine portion – 1-1/2 ounces at each location and the folks that sign up/register will visit the locations similar to a passport concept where they'll go business to business for the 4-hour duration. At the end of that which culminates at 5:00 p.m. we hope the people will visit our restaurant/taverns downtown. This has been successful event in Libertyville. We've looked at our liquor code and so long as the indemnification is there for

Dram Shop insurance and BASSET training at all locations, we feel this is an event that will work for us in our downtown business district. Keep in mind this is more of a concept discussion and still working through the details. If as a Commission you do want to move forward with this to approve the concept, we will work out the missing details as not all locations are specified as to who will participate.

Edward Hartigan, 312 W Main Street, St. Charles.

Chrmn. Rogina: I want to emphasize some points: 1) we did start some precedence on this last June at the Craft Beer Festival in Lincoln Park which was a success. 2) You are not looking to make money but talk about the non-profit idea of what you're looking to do here.

Ed: In Lake County we do this in partner with Main Street who purchases the alcohol and gives it to the retail stores who buy it from them. Since this is a new concept here, I was thinking I could endorse the whole thing and cover the majority of the cost through my liquor vendors, purveyors, etc. Rather than showcasing restaurants/taverns which is what restaurant week does; I'm trying to bring focus to downtown St. Charles outside of the bar scene. The restaurants are important to me because we all are trying to grow the restaurant theme in St. Charles. I'm going to look for support from my liquor partners and I will supply and take care of all the overhead, employees will be Shakou BASSET certified and will be at each of the locations. Looking to bring in 1,100 people, which was the number in Lake County, through St. Charles that maybe wouldn't otherwise be visiting St. Charles this time of year.

The blast that I send out through my PR and social media company is not going to center just on St. Charles, but within a radius we come up with based on demographics. A key point is to try to get other people from around the St. Charles area to the marketplace that many not come otherwise. I wanted to focus more on the small shop aspect to give them some awareness and eliminate everyone coming just for the bars. The feedback I've received from people in town is good.

Chrmn. Rogina: In our conversations it would be permitted by a retailer or service provider to give to someone who comes in for a taste of wine a coupon for a future purchase on another date to bring them back.

Ed: The purpose is to give them incentive to come back, so I'm telling them to give people a reason to come back. With a proposed 1,100 people coming, it doesn't give them much time at each location – approximately 25 locations, and it also has to do with the amount of personnel I can provide on a Saturday. I loved to offer it to every retail store but I don't have the staff to cover everyone. I picked a quadrant off and it will be focused on Main Street. To the north I picked State; south Illinois; east Third Avenue; and west Fourth Street.

Chrmn. Rogina: As long as Ed's process is fair with respect of offering the opportunity to be involved in it in some kind of fair fashion, I take that the DSCP endorses this?

Jenna Sawicki, Downtown St. Charles Partnership: Yes, the Partnership is always in favor of any event that will bring people downtown St. Charles to get engaged and we believe that this will accomplish that goal and it also creates cross marketing that goes along with our goals.

Ald. Payleitner: State law prohibits retail and liquor mix; so you cannot sell stuff if you're giving out liquor.

Jenna: Talking to other community groups that we reached out to, it's just a great way to showcase what the downtown has.

Ald. Payleitner: I understand this is a concept right now but will it be beyond that point when it's presented to Council? I would feel more comfortable with more details and a plan laid out and I understand it's a time constraint.

Chief Keegan: If this gets before committee and then Council we will have a delay at that point to get final details worked out before going to Council but we didn't want to move forward if the concept wasn't approved.

Ald. Payleitner: If all 25 stores are serving wine, will each of them need to have a liquor license?

Chief Keegan: There are some variances that are allowed in talking with the State Liquor Control Commission. His employees will be between locations, he is aware that he can't sell retail with liquor, there will be BASSET trained servers, his umbrella of Dram Shop will be for the businesses that will serve, and we'll control the amount of consumption based on the passport system; and each of the consumption points would have a food element. Each of the proprietors would be responsible for some sort of cheese, crackers, or snacks; and as the folks move through the meet & greet there will be a small portion of wine served that is included in the \$20 entrance fee served in a disposable cup and then move onto the next station. The serving amount will vary from 1 to 2 ounces dependent upon the number of service points there will be after the City endorses this.

Chrmn. Rogina: At the craft beer festival there was some sort of food element there?

Chief Keegan: Yes there was and there was a checklist system for a punch card. Will have people check in at the two locations and each wristband will have a sequential number assigned to it and when a person goes into each location, the wristband number will be checked off to ensure there is not an over indulgence of alcohol.

Chrmn. Rogina: Ed is bringing in his own BASSET trained employees to work this event and they can recognize a problem.

Ed: Buying a \$20 band doesn't guarantee you get served the same as the next person. If someone walks in intoxicated at the second stop, they will not be served. They will have to sign a disclaimer stating they are not guaranteed a certain amount of wine.

Ald. Lewis: I'm not at the comfort level I would like to be since I'm just hearing about this now and you all have been talking about it for a year now. I need more time to process this concept before moving forward with it. It will all be retail with no restaurants at all? Twenty-five seems like a large number for downtown. Where would I hit 25 businesses coming through downtown? Are these insurance companies?

Ed: We don't have the list finalized. I did have Jenna provide me with a list of downtown businesses and will use the downtown map as a guideline.

Chrmn. Rogina: To counter that I think your point is 25 equals 25 servings, but the flipside is I think there's heat on the DSCP. They can't support this if we only let 6 or 7 businesses downtown do this. I would hope that 25 businesses would want to do it.

Ald. Lewis: I think you could have a first come, first serve. Maybe there are 50 businesses and we're only letting 25 in.

Chrmn. Rogina: It is going to be limited. He only has so many employees he can make available. You don't agree with the number?

Ald. Lewis: Yes, I think it's too large. I'm trying to see the logistics of getting around on a day like today. Sidewalks aren't even plowed in front of some of these businesses. You would need to make sure these businesses are going to have their sidewalks cleared for this event. I would like to see a lower number than 25; or if you have 25 the ticket could say you are allowed only 15 visits.

Mr. Amenta: How many retailers do you have committed so far conceptually?

Ed: Zero, I've reached out to some of the businesses in town that I know to see if they would be interested. I may end up with five. I don't have anyone committed yet. I know when they first started in Libertyville, it did start out small and has grown over the years in size. I can't answer some of these questions because I'm not at that point yet. I just wanted to make sure this concept was solid and you all were on board so I can start pursuing the businesses. Perhaps this is something that may get tabled until next year because I don't have everything in line yet. To answer the other question about the non-for-profit, the initial idea was to do this through Shakou Parent Program. I would sell the \$20 wristband, get support from liquor vendors, and whatever proceeds I would net, I would then donate to a local charity. I can't promise that until I know if I'll have any profit from this event.

Mr. Amenta: What if any restaurants say they want in on this too; how would that be handled?

Ed: I'm not going to pay for someone else's party. I will be supporting this 100%.

Mr. Amenta: What if they offer to pay into this event? I could see this being a point of contention of not being allowed because you're taking the event on by yourself.

Ed: They could do an event themselves. The idea is to keep this within retail/services. The overlay is going to have a traveler guide from east to west.

Ald. Lewis: Does Libertyville have the same kind of downtown structure with the kind of traffic we have?

Ed: Yes, my restaurant is in on Rt.21 which is a state highway right down the center of downtown.

Mr. Amenta: Will police have extra duty schedule to assist in crossing streets and so forth?

Chief Keegan: Yes, the registration of the number of people will dictate the need of detail for police.

Ald. Lewis: Chief did you contact the State Liquor Commission to get their perspective on something like this?

Chief Keegan: If you look at the language of our E2 license, there is specific language that allows the Liquor Commissioner to do some mandates or provisions up to their discretion.

Ald. Lewis: There is a section that says that even tastings could not be done unless the place has a liquor license, but you're saying because it's going to be a temporary license, that will suffice.

Chief Keegan: Yes.

Ald. Lewis: I just don't want to get into a "Wine Down Something" every weekend. It sounds like a great idea, I like the concept of where this is going, but my concern is that we're going to be wining something down with somebody. I think we need to talk about a limit of how many times we do these kind of things.

Chrmn. Rogina: I heard this in the last two years that we do a great job in bringing lots of people to St. Charles with Riverfest and Scarecrow. Liquor is not the theme to your point and I've heard more from the business side and members of the DSCP have said to me it's nice when you have events where people come downtown and it doesn't include a carnival and mobs of people; just a nice number that we can manage. Our general customers are not stymied or prohibited to come down to our places because of a large mass of people. We do need to find a happy balance.

Ald. Lewis: I listen to the people out in the neighborhoods, the residents, the taxpayers, and I sometimes hear a different opinion.

Chrmn. Rogina: I would like to hear with this commission's thoughts are in at least moving this recommendation to Committee tonight for the purpose of further conversation.

Mr. Gehm: I think a wider audience might help to address some of the concerns. I liked the idea that you have already boxed off the area and these are the boundaries and the concept is now the details on how you make this work.

Motion by Mr. Gehm, second by Ald. Payleitner to recommend approval to go before the Government Operations Committee for a proposal of an event “Wine Down Winter” for Shakou LLC, 112 W Main Street, St. Charles.

Ald. Payleitner: I like the concept but before we issue a license I need details.

Chief Keegan: If we get a recommendation to go to Council this evening, we’ll definitely work out the details before going forward to Council for approval.

Roll Call: Ayes: Gehm, Payleitner, Lewis, Amenta; Nays: None. Chrmn. Rogina did not vote as Chair. **Motion Carried.**

Chrmn. Rogina: For the next two items both parties have entered a plea of guilty and do not request a hearing.

7. Discussion regarding Tobacco Establishment Citation and Hearing Notice for 7-Eleven Store #30153 located at 51 Randall Road, St. Charles, IL 60174.

Chrmn. Rogina: Now comes the petitioner, James Keegan, Chief of Police of the City of St. Charles, Illinois and files this complaint before the Local Liquor Control Commission of the City of St. Charles and states as follows: 1) The petitioner is the duly appointed Chief of Police of the City of St. Charles and as such is charged with the duty of enforcing the laws of the State of Illinois and the ordinances of the City of St. Charles. 2) On or about November 22, 2016, 7-Eleven Store #30153 was operating under a Tobacco License issued by the City of St. Charles. 3) That on or about November 22, 2016, at approximately 4:50 p.m. the licensee, 7-Eleven Store #30153, by and through its employees, officers, and/or agents, committed the following violation of the St. Charles Tobacco code. That offense sold tobacco to a minor in violation of Section 5.16.070 of the St. Charles Municipal Code. 4) The act detail in Section 3 of the Complaint of Violation each are prohibited and are in violation of and contrary to Section 5.16.070 of the St. Charles Municipal Code and the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act. 5) That the licensee, 7-Eleven Store #30153 is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said premises.

Chief Keegan: These were compliance checks. There was nothing that brought our attention to these specific businesses other than the fact that we receive grant money from the State and Illinois Liquor Commission and we do these compliance checks periodically where we send minors into both liquor and tobacco establishments to observe compliances with local laws and ordinances.

Ald. Lewis asked if the City would ever consider raising the age of tobacco sales from 18 to 21 years of age. They have done this in Naperville. Discussion took place and end result was to sit back and wait a while as the City does not get many tobacco violations overall. We have stepped up the fine of this violation from \$25 to \$250 plus legal fees which has made an impact on the few businesses that have undergone these tobacco violations.

8. Discussion regarding Tobacco Establishment Citation and Hearing Notice for 3-Star Oil and Food Mart, Inc. located at 1023 West Main Street, St. Charles, IL 60174.

Chrmn. Rogina: Now comes the petitioner, James Keegan, Chief of Police of the City of St. Charles, Illinois and files this complaint before the Local Liquor Control Commission of the City of St. Charles and states as follows: 1) The petitioner is the duly appointed Chief of Police of the City of St. Charles and as such is charged with the duty of enforcing the laws of the State of Illinois and the ordinances of the City of St. Charles. 2) On or about November 22, 2016, 3 Star Oil and Food Mart, Inc. was operating under a Tobacco License issued by the City of St. Charles. 3) That on or about November 22, 2016, at approximately 5:40 p.m. the licensee, 3 Star Oil and Food Mart, Inc. by and through its employees, officers, and/or agents, committed the following violation of the St. Charles Tobacco code. That offense sold tobacco to a minor in violation of Section 5.16.070 of the St. Charles Municipal Code. 4) The act detail in Section 3 of the Complaint of Violation each are prohibited and are in violation of and contrary to Section 5.16.070 of the St. Charles Municipal Code and the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act. 5) That the licensee, 3 Star Oil and Food Mart, Inc. is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said premises.

7. Other Business

8. Public Comment

Motion by Mr. Gehm, second by Amenta to move into executive session to discuss tobacco violations at 5:27 p.m.

Roll Call: Ayes: Gehm, Payleitner, Lewis, Amenta; Nays: None. Chrmn. Rogina did not vote as Chair. **Motion Carried.**

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

Motion by Mr. Gehm, second by Ald. Payleitner to return out of executive session at 5:30 p.m.

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

10. Adjournment

Motion to adjourn by Mr. Gehm, second by Ald. Payleitner to adjourn meeting at 5:30 p.m.

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

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 4

Title:

Recommendation to Approve a Proposal for a Class E1 Liquor License for St. Charles Breakfast Rotary Club to be held at Lincoln Park, St. Charles on June 24 12:00 noon to 5:00 p.m.

Presenter:

Chief Keegan, Police Chief

Meeting: Liquor Control Commission

Date: February 6, 2017

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted: **Executive Summary** *(if not budgeted please explain):*

The St. Charles Breakfast Rotary Club is requesting to host their second annual Tri-Cities Craft Brew Fest in Lincoln Park on June 24th, 2016, from 12:00 to 5:00 p.m. and obtain an E-1 License (Non-for profit). The event sponsor is currently working with a 3rd party event company to facilitate this event and has experience in dealing with non-for-profit organizations in the western suburbs. Brew Avenue Events managed this event last year. An amplification license is also being requested for this event.

In addition to the aforementioned liquor license request, the event sponsor has been in contact with the Park District and secured the date in question for the event. The Park District is holding off on permitting the applicants request until the City issues the appropriate liquor license. Any street closures, the use of barricades, City electric or City personnel will be absorbed by the Event sponsor. The sponsor has been instructed to be in contact with all the affected businesses in the immediate area as well as area residents. No street closures are being requested for this event.

The Police Department conducted a background investigation and site visit of the event sponsor/event company. Pending City Council approval, the police department found no evidence of derogatory behavior.

Sale of a "punch pass", credentialing the service of alcohol using a regulator (18 3-oz portions are allowed per punch pass) will be employed again this year. A small souvenir type cup will be distributed with the sale of the "punch pass." This is an over age-21 event, expected to draw an adult crowd which should be dispersed well in advance of our evening dinner rush within the downtown area.

Attachments *(please list):*

E-1 Liquor Application
Special Events Application
Amplification Application

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve a proposal for a Class E1 Liquor License for St. Charles Breakfast Rotary Club to be held at Lincoln Park, St. Charles on June 24 12:00 noon to 5:00 p.m.

NON-REFUNDABLE

CITY OF ST. CHARLES

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



For Office Use
Received: 1-17-2017
Fee Paid: \$ 500
Receipt #

CITY LIQUOR DEALER LICENSE APPLICATION
CLASS E1 - NOT-FOR-PROFIT LICENSE
CLASS E3 - KANE COUNTY FAIR

Pursuant to the provisions of Chapter 5.08, Alcoholic Beverages, of the City of St. Charles Municipal Code regulating the sale of alcoholic liquors in the City of St. Charles, State of Illinois and all amendments thereto now in force and effect.

The undersigned hereby makes application for a Liquor Dealer License, Class E1 - Not-For-Profit License or E3 - Kane County Fair
Commencing SAT, JUNE 24 and ending SAT, JUNE 24
Time Starting NOON and ending 5:00 PM
Location of Event LINCOLN PARK 400 W MAIN STREET

Name of Business ST. CHARLES BREAKFAST ROTARY CLUB
Address of Business 218 ILLINOIS AVE, STC (BARRETT HOME ADDRESS) Business Phone (630) 330-2260
Is the Applicant a Not-For-Profit Organization: YES REGISTERED 501(C)3
Authorized Agent CURT BARRETT Title EVENT COORDINATOR
Has Applicant had a Class E1 License in the previous 365 days? YES If YES, on what date: 6/25/16
Does Applicant have Dram Show Insurance? YES If YES, attach evidence of insurance.

Requirements of a Class E1 / E3 - Not-For-Profit License

- 1. The Class E1 license fee is \$50.00 per day.
2. A minimum of three (3) liquor supervisors shall monitor liquor service during all times of operation. Please provide a list of all supervisors with this application.
3. Liquor supervisors shall be members of the organization holding the license.
4. Beer and/or Wine are the only alcoholic beverages to be sold.
5. Hours are restricted to 12 noon to 11:00 p.m.
6. Licensee must rope/fence off the licensed premises.
7. Are children/minors permitted in the licensed premises? Y/N
8. Each patron must wear a wristband after having identification checked for legal alcohol consumption age.
9. A sign limited beer and/or wine consumption to the roped off area must be conspicuously displayed at all times.
10. Each server of alcohol must be BASSET certified - need copy of BASSET certification.
11. A copy of site plan diagram to include roped area shall accompany this application.
12. All security/police resources needed shall be attached to this application with approval of the Chief of Police before final issuance by Liquor Commissioner.

CURT BARRETT
ANGELO BRAVO'S
ANNA KOEHLER

Affidavit

State of Illinois)
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 are made for the purpose of inducing the City of St. Charles to issue the Liquor Dealer License, Class E1 to me/us for the location hereinbefore indicated; that I/we will not violate any of the laws of the United States, the State of Illinois or the City Ordinances of the City of St. Charles.

Signed: [Signature] Signed:
Sworn to before me this 17th day of January, 2017.

Notary Public [Signature]



ENDORSEMENT OF THE LIQUOR CONTROL COMMISSIONER

Approved: _____ Date: _____ Chief of Police: _____
Approved: _____ Date: _____ Liquor Commissioner: _____

RECEIVED
 JAN 17 2017

Building & Code Enforcement
 St. Charles, IL

**CITY OF ST CHARLES
 SPECIAL EVENT APPLICATION**

**THIS FORM MUST BE COMPLETED IN
 FULL & SUBMITTED 90 or 30 DAYS PRIOR TO THE EVENT**



Permit No. 1724831 Date of Meeting: 1/26/2017 Revised date 01/28/2015
9:45 AM

Name of the Event: TRI-CITY CRAFT BREW FEST Date(s) of Event: JUNE 24 2017

Special Event Application – 90 Days

The Special Event Application is due to the City of St. Charles a minimum of ninety (90) days prior to the event if it requires closure of public streets, use of public parking lots, or the service of alcoholic beverages that requires a liquor license to be granted. The 90-day time period allows sufficient time to evaluate the request and provide a recommendation to the City Council for its consideration.

Special Event Application – 30 Days

The Special Event Application is due to the City of St. Charles, at a minimum, thirty (30) days prior to the event if it does not require closure of public streets, use of public parking lots, or the service of alcoholic beverages that requires a liquor license to be granted.

A copy of the Application and Funding of Special Events is attached for your information.

Special Event Submittal Check List

- **Special Event Application**
 - Section 1 – Task List and Due Dates –90 day or 30 day submittal
 - Section 2 – General Information
 - Section 3 – Permits
 - Section 4 – Site Plan and/or Route Map
 - Section 5– Emergency Phone Tree and Contact
 - Section 6 – Emergency Crisis Management Procedures
 - Section 7 – Retail Merchants
 - Section 8– Hold Harmless Agreement
 - Any outstanding funds owed to the City of St. Charles
- Application(s) for other permit(s) (See answers in Section 3)**
 - Outdoor Sales/Event Permit Application and Submittal Fee
~~100~~ \$65
 - Loudspeaker/Amplifier License Application and Submittal Fee
 - \$5 per day
 - Class E Liquor License Application and Submittal Fee
 - \$50 per day – E-1 (Not-for-Profit)
 - \$100 per day – E-2 (Special Civic Event)
 - Carnival License Application and Submittal Fee
 - \$30 each – Rides
 - \$20 each – Amusement Stands, Food Stands, Entertainment Shows, Other

Received: 1-17-2017 Fee Paid: \$ 55

Receipt # 275001 Check # _____

Copies of application distributed to:

Police: _____ Fire: _____ PW: _____

Electric: _____

SECTION 1 - TASK LIST AND DUE DATES

Use this form to determine the date each of these tasks needs to be completed. For tasks that do not apply, please mark "N/A" in the Due Date column. If the Due Date falls on a weekend or holiday, the Due Date becomes the next normal business day. However, this does not affect the other Due Dates, as they are only dependent on the date of the special event.

Task to be completed for Events that require <u>90 days</u> (All items due to City unless noted)	Days Due Before Event	Due Date
Date of the Special Event	- N/A -	02/24/17
If event takes place in downtown St. Charles you are to complete an application through the St. Charles Downtown Partnership.	120 days	
Submit Special Event Application	90 days	01/17/17
Payment of any outstanding funds due to the City of St. Charles	At time of submittal	
Provide verification of organization legal status, i.e. NFP, Partnership, Corporation A copy of 501(C)3 document is to be submitted with application.	At time of submittal	01/17/2017
Submit Class E Liquor License Application	90-days	01/17/2017
Submit Outdoor Sales Permit Application	90-days	
Submit Loudspeaker/Amplifier License Application	90-days	01/17/2017
Submit Raffle Permit Application (Kane & DuPage County)	At time of submittal	7
Submit Carnival License Application	90 days	N-A
Submit Fireworks Permit Application	60 days	N-A
Submit Original Certificate of Insurance	21 days	need
Submit copies of other required permits	At time of submittal	
Emergency Phone Tree	At time of submittal	01-17-2017
Emergency /Crisis Management Procedures	At time of submittal	01-17-2017
Submit Listing of Participating Retail Merchants/Applicable Food Vendors to Finance Department using Pre-Defined Form in Excel format	14 days	
Notify residents/businesses of special event	14 days	

City Services Requested:			Comments
Police	<input checked="" type="radio"/> Yes	<input type="radio"/> No	1 officer was assigned for the event march.
Fire/EMS	<input type="radio"/> Yes	<input type="radio"/> No	
EMA	<input type="radio"/> Yes	<input type="radio"/> No	
Public Services	<input type="radio"/> Yes	<input type="radio"/> No	
Electric	<input type="radio"/> Yes	<input type="radio"/> No	
Water	<input type="radio"/> Yes	<input type="radio"/> No	
Other:	<input type="radio"/> Yes	<input type="radio"/> No	

SECTION 2 – GENERAL INFORMATION

Permit No. 17-24831

Name of Event: TRI-CITIES CRAFT BREW FESTIVAL

Type of Event: Parade Walk/Run/Bike Festival Other

Location of Event: LINCOLN PARK

Date(s) of Event: JUNE 24, 2017 Hours of Event: NOON to 5:00 AM Estimated Attendance: 1,500

Event Website: TO BE ESTABLISHED THIS WINTER

Purpose of the event: ROTARY CLUB FUNDRAISER

Name of sponsoring organization(s): ST. CHARLES BREAKFAST ROTARY CLUB

Please list the organization's legal status (i.e. NFP, Partnership, and Corporation) : **A copy of the 501(C)3 document is to be submitted with application.**

(Documentation will need to be submitted providing status)

Type of Entity	Check Box that Applies	City Supporting - Existing Event	City Support - New Event
Governmental Entity		100%	100%
Private/For Profit Entity		0%	0%
Non-Governmental/Non-Profit Entity	<input checked="" type="checkbox"/>	50%	0%

Contact person from sponsoring organization: CURT BARRETT

Organizer address: 218 ILLINOIS AVE.

City: ST. CHARLES State: IL Zip: 60174

Home Phone: (630) 587-0748 Cell Phone: (630) 330-2260 E-mail: CBARRETT@VILLAGEOFSTCHARLES.COM

Second contact person (emergency): ANGELO BRAVOS Phone: (312) 810-2004

Is this an annual event? YES NO If yes, please provide event date(s) for next year: JUNE 23, 2018

If the event is a recurring event, please state any problems and/or incidents that have occurred in past years, such as sound amplification, neighborhood parking complaints, etc.

What, if anything, are you doing to rectify the problem(s)?

SECTION 3 - PERMITS

Will you be having a fireworks display are your event? YES NO

If yes, you have to submit a **Fireworks Permit Application** sixty (60) days prior to the event. Please contact the St. Charles Fire Department to complete the application.

Does your event include the use of a tent? YES NO

If yes, you must submit an **Outdoor Sales Permit Application** ninety (90) days prior to the event. Please visit www.stcharlesil.gov, or contact Building and Code Enforcement to obtain an outdoor sale permit application.

Will you be using speakers and/or sound equipment at your event? YES NO

If yes, you must submit a **Loudspeaker/Amplifier License Application** ninety (90) days prior to the event. Please visit www.stcharlesil.gov, or contact the Mayor's Office to obtain a loudspeaker/amplifier license application.

Are you holding a raffle at your event? YES NO

If yes, you may have to submit a **Raffle Permit Application**. For the raffle permit application for Kane County, please visit www.co.kane.il.us/COC, or contact the Kane County Clerk's Office at 630.232.5950. For the raffle permit application for DuPage County, please visit http://www.dupageco.org/countyclerk/generic.cfm?doc_id=631 or contact the DuPage County Clerk's Office at 630-407-5500.

Will you serve alcohol at your event? YES NO

If yes, you must submit **Class E Liquor License Application** ninety (90) days prior to the event. Please visit www.stcharlesil.gov, or contact the Mayor's Office to obtain a Class E liquor license application.

Will there be amusement rides at the event? YES NO

If yes, you must submit **Carnival License Application** ninety (90) days prior to the event. Please visit www.stcharlesil.gov or contact the Mayor's Office to obtain a carnival license application.

Will you serve food at your event? YES NO

If yes, please indicate the number of vendors 10

Note: A list of food vendors must be submitted prior to the inspection of your event.

Are you requesting the use of any other city-owned property, i.e. parking lots, etc.? YES NO

If yes, please indicate the property that you are requesting to use.

Would you like to request the closing of city streets? YES NO

If yes, please fill in the following information or submit a route map along with this application:

STREET	FROM	TO	DATES	TIME ^o
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Does your event require the use of city sidewalks? YES NO

Does your event require temporary electric service? YES NO
 - If yes, please indicate location(s) electric is needed on next sheet.

Does your event require temporary water/hydrant meter? ? YES NO
 - If yes, please indicate locations(s) for hydrant meter(s) on next sheet.

SECTION 4 - SITE PLAN AND/OR ROUTE MAP

Please use the space below to illustrate the layout for your event. If you need additional space, please attach a separate sheet.

~ PLEASE SEE ATTACHED

If applicable, the following must be included:

Location of food vendors (FV)
Location of beverage vendors (BV)
Location of garbage receptacles (G)
Location of toilets (T)
Location of hand washing sinks (HWS)
Location of retail merchants (RM)
Location of First Aid (FA)

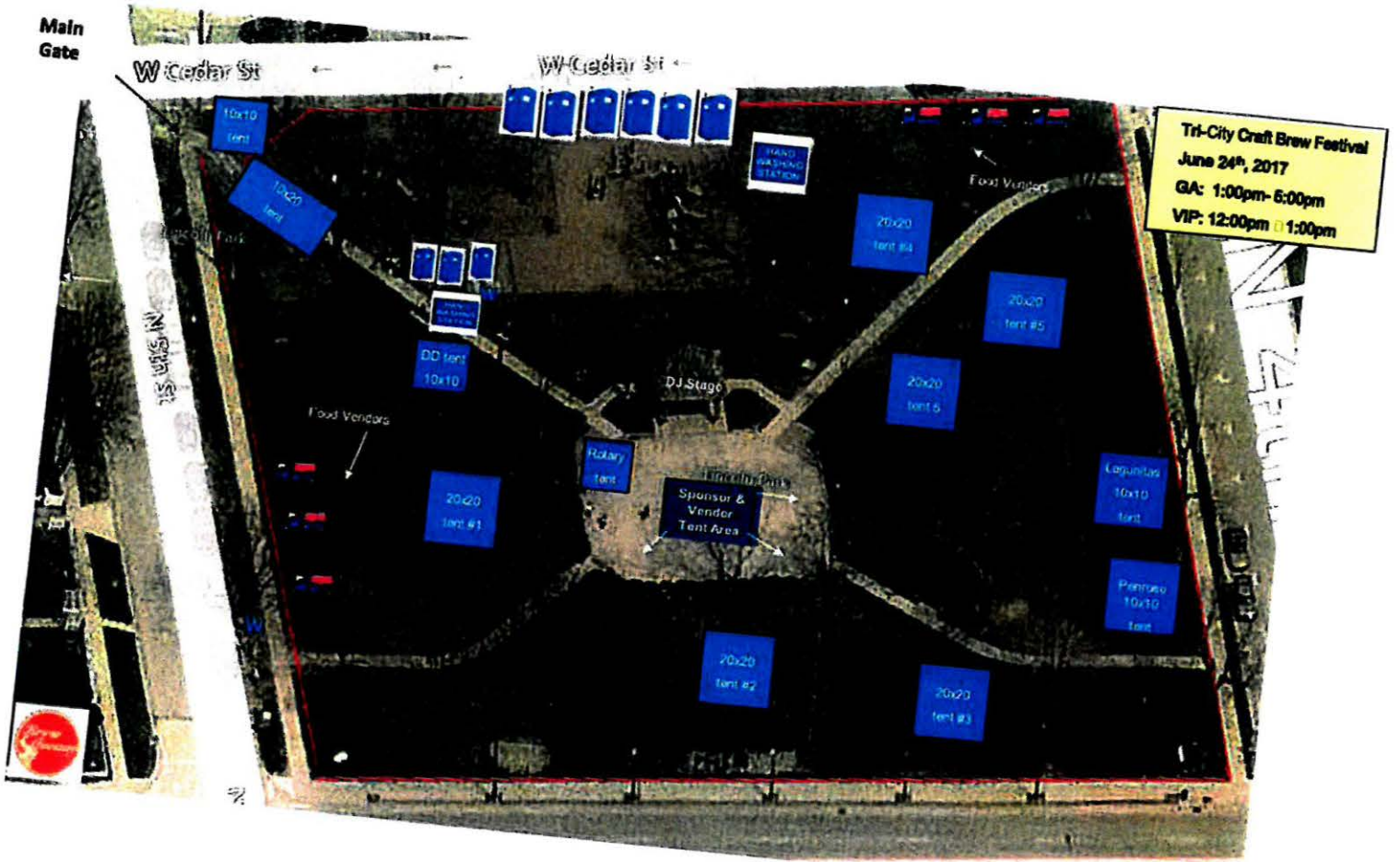
Location and number of barricades (B)
Location of fire lane (FL)
Location of fire extinguishers (FE)
Public entrances and exits (PE)
Location of sound stages and amplified sound (S)
Location of residential streets surrounding events
Electric (E)
(Hydrant Meter (H20)

Main Gate

W Cedar St

W Cedar St

Tri-City Craft Brew Festival
June 24th, 2017
GA: 1:00pm-6:00pm
VIP: 12:00pm-1:00pm



W

Section 5 – Emergency Phone Tree

Please use the space below to illustrate the Emergency Phone Tree for your event or submit a separate form detailing your Emergency Phone Tree. If you need additional space, please attach a separate sheet.

Event Title TRI-CITIES CRAFT BREW FEST Date(s) of Event JUNE 24, 2017

Emergency Contact Information

Primary Contact: CVAT BARRETT Secondary Contact: ANGELO BAAVOS

Title: EVENT COORDINATOR Title: ROTARY CLUB PRESIDENT

Phone No: (630) 330 - 2260 Phone no.: (312) 810 - 2004

Tertiary Contact: _____ Operations Manager: _____

Title: _____ Title: _____

Phone No: _____ Phone no.: _____

Site Managers and miscellaneous contacts

Location: _____ Location: _____

Date(s): _____ Date(s): _____

Name: _____ Name: _____

Phone # _____ Phone #: _____

Location: _____ Location: _____

Date(s): _____ Date(s): _____

Name: _____ Name: _____

Phone # _____ Phone # _____

Location: _____ Location: _____

Date(s): _____ Date(s): _____

Name: _____ Name: _____

Phone #: _____ Phone # _____

Section 6– Emergency or Crisis Management Procedures

Please submit your Emergency or Crisis Management Procedures for your event or use the provided example. If you need additional space, please attach a separate sheet.

Emergency/Crisis Management Procedures

1. In the case of any incident, accident or anything deemed “out of the ordinary” (including inclement weather and its potential affects on patrons, property and/or equipment).
STC BREAKFAST ROTARY CLUB has designated CUAT BARNETT with the responsibility of being the CRISIS MANAGER (CM). This position will empower the designated person to make decisions on behalf of THE BREW PUB coordinate with local authorities for an action plan and to make any statements to the press (if applicable).

2. In the case of any incident, accident or anything deemed “out of the ordinary” (including inclement weather and its potential affects on patrons, property and/or equipment) ALL EVENT staff will be instructed to:
 - a. Act as quickly and professionally as possible;
 - b. To contact their immediate supervisor and/or the on-site MANAGER management representative;
 - c. Have as much factual information available as possible – not to speculate as to the cause of the incident, accident, etc., unless requested by the CM;
 - d. Follow the directions of the immediate supervisor and/or the on-site EVENT management representative explicitly;
 - e. Recommend that people leave the area first, or at the very least go to their vehicles. If unable to evacuate (staff, disabled, families, etc.) use the lower levels of the parking decks. (West Side, Walnut Street & 1st Street), (East Side, Walnut Avenue & 3rd Avenue). In the event of Tornado Warnings on Saturday and Sunday, Park District staff will open the Pottawatomie Park Community Center so people can seek shelter there, if desired;
If at a location with food, vendors and/or ride operators: turn off all power, gas and grills so unattended energy sources do not catch on fire.

3. These steps should be taken immediately following any incident/accident:
 - a. Get medical help to the parties involved (if applicable);
 - b. Work with sound/announcer, lighting, etc. to inform the patrons of necessary information and/or divert the patron’s attention;
 - c. Resume scheduled activity as soon as possible (subject to #5 below);
 - d. Call the police or other authorities and report any accident;
 - e. Identify witnesses to the incident to obtain statements if necessary;
 - f. Contact a Site Manager for an Incident Report.

4. The CM will communicate to all staff, volunteers, and other personnel that all communication with the press, police, or any other authority will be handled solely by the CM. Police may request information from event personnel and everyone associated with

EVENT MGMT. will cooperate with the police department. We will not interfere with police investigations and/or action plans and we will provide the police with materials available upon their request. Any and all materials requested should not be given out until copies of all information can be reproduced for _____.

5. The CM will consult with the local authorities. If it is determined conditions are so extreme the festival cannot continue, the CM will consult with _____ to discuss alternatives.
6. An official statement will be written and given to the CM as soon as it can be formulated by EVENT management. No personnel or staff should offer any information to any media other than the provided statement. No media questions should be answered unless otherwise instructed.
7. Always remember to follow these guidelines:
 - a. Keep as cool and calm as possible;
 - b. Cooperate fully with the authorities. Be as accurate as possible, don't speculate with anyone, including _____ personnel;
 - c. Direct any and all media questions to CM, and only read official statements prepared by _____ Management;
 - d. Use common sense. Think before you act, and always be professional;
 - e. Fill out a Festival Incident Report as accurately as possible;
 - f. Get a copy of the Incident Report from the police and a report from the hospital (if applicable).

Additional Notes:

SECTION 7 – RETAIL MERCHANTS

It is the responsibility of the event organizer to ensure that all participating retail merchants are properly collecting, reporting and filing City sales taxes from sales generated at the event, in accordance with State Statutes. The City’s current sales tax rate is 8%. Sales tax collections and forms are to be submitted to the State and not the City. For further information on how and where tax payments are to be submitted, please contact the Illinois Department of Revenue Registration Office at 1-800-732-8866.

Please answer the following question regarding the use of retail merchants in conjunction with your event:

Will your event include:

- Merchants selling retail merchandise? YES: ✓ NO:
- Food and/or beverages for immediate consumption? YES: ✓ NO:

If no, no further action is necessary.

If yes to either, you must provide a list of all participating vendors, including business name, address and State IBT number to the City’s Finance Department within 14 days of the event. A sample form in Excel format will be emailed to the event organizer’s email address. In addition, you must read and sign the following certification:

I understand that it is my responsibility to ensure that all retail merchants and/or food and beverage vendors participating in this event are aware of the rules and requirements for properly collecting and remitting any City sales taxes generated from sales at this event. I will provide the City with a complete listing of all merchants, including their name, address and State IBT number, within 14 days of the event.

Signature: Cuatli J. Barrett

Date: 1/11/17

Name: CUATLI J. BARRETT

Title: EVENT COORDINATOR

SECTION 8 – INDEMNIFICATION/HOLD HARMLESS

In consideration of the City of St. Charles permitting the STC BREAKFAST ROTARY CLUB
(“Organization”) to conduct TRI-CITIAL CRAFT BREW ^{FEST} (“Event”), the Organization
(name of organization)
(name of event)
recognizes, acknowledges and assumes any and all risks arising from or in any way
related to the Event.

To the fullest extent permitted by law, the Organization hereby agrees to defend,
indemnify and hold harmless the City of St. Charles, its officers, officials, employees and
agents from and against all injuries, deaths, losses, damages, claims, suits, liabilities,
judgments, cost, and expenses (including all attorney’s fees and costs), arising from, or
resulting from or in any way related, directly and/or indirectly to the Event, except that
arising out of the sole legal cause of the City of St. Charles, its officers, officials,
employees and agents.

The Organization shall, at its own expense, appear, defend and pay all charges of
attorneys and all costs and other expenses arising there from or incurred in connection
therewith, and, if any judgment shall be rendered against the City of St. Charles, its
officers, officials, employees and/or agents, in any such action, the Organization at its
own expense shall satisfy and discharge same.

The invalidity of any provision(s) of this INDEMNIFICATION/HOLD
HARMLESS or unenforceability of any of its provisions shall not affect the validity or
enforceability of the remainder of this INDEMNIFICATION/HOLD HARMLESS.

The Organization and the authorized signatory below warrant and represent that
the authorized signatory below has full authority to execute and submit this application,
including, but not by way of limitation, the INDEMNIFICATION/HOLD HARMLESS

provisions contained herein.

The Organization and the authorized signatory below agree to inform the City of St. Charles of any changes in the application at least thirty (30) days prior to the event.

STC BREAKFAST ROTARY
(Name of Organization)

1/17/17
(Date)

by Curtis J. Barnett
Authorized Signatory

Signed and sworn to before me this 17th day of January, 2017.

Deborah L. Graffagna
Notary Public



All applications must be signed and notarized.

After submitting all forms, your application will be reviewed by City staff. All departments that will be involved in providing services or permits for the event will be notified. **Please do not assume that all aspects of the event will be approved. You may be asked to make some changes to your plan based on the availability of services and scheduling of other events.**

The City of St. Charles reserves the right to cancel any event at any time for reasons deemed necessary by the City Council and/or City Administrator.

Deliver All Completed Items to:
City of St. Charles
Attn: Building & Code Enforcement
2 E. Main Street
St. Charles, IL 60174

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **JUN 30 2014**

ST CHARLES BREAKFAST ROTARY
FOUNDATION
C/O TASSIE BRAUTIGAM
3N677 HERMAN MELVILLE LN
ST CHARLES, IL 60175

Employer Identification Number:
26-3859562

DLN:
17053092322003

Contact Person:
CUSTOMER SERVICE ID# 31954

Contact Telephone Number:
(877) 829-5500

Accounting Period Ending:
June 30

Public Charity Status:
509(a)(2)

Form 990 Required:
Yes

Effective Date of Exemption:
November 15, 2011

Contribution Deductibility:
Yes

Addendum Applies:
Yes

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 947

ST CHARLES BREAKFAST ROTARY

Sincerely,

Tamera Rippanda

Director, Exempt Organizations

Enclosure: Publication 4221-PC

Letter 947

ADDENDUM

Based on the information submitted with your application, we approved your request for reinstatement under Revenue Procedure 2014-11. Your effective date of exemption, as shown in the heading of this letter, is retroactive to the date of revocation.

Letter 947

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



DEPARTMENT: BUILDING & CODE ENFORCEMENT

PHONE: 630.377.4406

FAX: 630.443.4638

LOUDSPEAKER/AMPLIFIER LICENSE APPLICATION

Important: this application must be fully and accurately complete.

SATURDAY
JUNE 24, 2017

1. License term: FROM NOON TO 5:00 P.M. Number of Days 1

2. Applicant is: Corporation Partnership Individual

3. Applicant's Name CURT BARRETT Telephone # (630) 330-2260

D/B/A ROTARY EVENT COORDINATOR

Address 218 ILLINOIS AVE. City/State/Zip ST. CHARLES, IL 60174

4. Device Owner's Name _____ Telephone # _____

Address _____ City/State/Zip _____

5. Device(s) to be used, specific to power amplification (wattage) and output:
DJ FOR BACKGROUND MUSIC AT TRI-CITY BREW FEST

6. Area where device(s) is/are to be used:
LINCOLN PARK

7. Amplification system will be used for:
 Music
 Public Speaking
 Other (describe) _____

8. If used for music, what type (include name of artist/band if applicable):
DJ FOR POP/ROCK BACKGROUND MUSIC

9. Time of day device(s) is/are to be used: NOON - 5:00 A.M.

By signing this application, the applicant agrees to all the provisions of Chapter 9.24 of the City of St. Charles Municipal Code.

Applicant Curtis J. Banitt
Signature

The fee for such a license will be \$5.00 per day, payable when the application is submitted for review. The city's police chief will reserve the right to review the application, and in conjunction with the Public Health and Safety Committee, either approve or deny the license request.

Approved: _____

Denied: _____

by: _____
Chief of Police

For Office Use			
Date Received	<u>1-17-2017</u>	Fee Paid	<u>5.00</u>
Receipt No.	_____	Permit No.	<u>1724831</u>



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 5

Title: Discussion Regarding Massage Establishment Citation and Hearing Notice for Shangri-La Massage & Spa, 2015 Dean Street, St. Charles

Presenter: Chief Keegan, Police Department

Meeting: Liquor Control Commission Date: February 6, 2017

Proposed Cost: \$ Budgeted Amount: \$ Not Budgeted:

Executive Summary (if not budgeted please explain):

This is a complaint of violations being brought before the Liquor Control Commission to determine whether the St. Charles Local Liquor Control Commission, pursuant to this authority, shall revoke or suspend the local massage establishment license or impose a fine upon by reason of the Complaint of Violation filed by the Police Department of multiple offenses happening on or about January 11, 2017 at the establishment of Shangri-La Massage & Spa, 2015 Dean Street, Ste. 7A, St. Charles.

Attachments (please list):

Citation and Notice of Hearing
Complaint of Violation

Recommendation/Suggested Action (briefly explain):

Discussion regarding massage establishment Citation and Hearing Notice for Shangri-La Massage & Spa, 2015 Dean Street, St. Charles.

STATE OF ILLINOIS)
) SS
COUNTIES OF KANE AND DU PAGE)

**BEFORE THE LOCAL LIQUOR CONTROL COMMISSIONER OF
THE CITY OF ST. CHARLES, ILLINOIS**

IN THE MATTER OF THE MESSAGE)
ESTABLISHMENT LICENSE OF:)
) Case Number 2017-LC-01
SHANGRI-LA MASSAGES & SPA)

CITATION AND NOTICE OF HEARING

TO: SHANGRI-LA MASSAGES & SPA
2015 Dean Street, Suite 7A
St. Charles, IL 60174

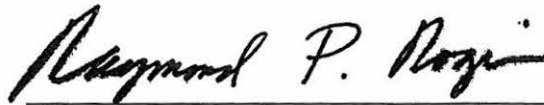
PLEASE TAKE NOTICE THAT on February 6, 2017 at the hour of 4:30 p.m., in the City Council Chambers at the St. Charles City Hall, 2 East Main Street, City of St. Charles, Illinois, the St. Charles Local Liquor Control Commission shall conduct a hearing pursuant to Chapter 5.20.150 of the Municipal Code of the City of St. Charles.

The purpose of said hearing shall be to determine whether the St. Charles Local Liquor Control Commissioner, pursuant to this authority, shall revoke or suspend the local massage establishment license issued to you or impose a fine upon you, or both, by reason, by reason of the Complaint of Violation filed by the Chief of Police, James Keegan, a copy of which is attached.

AT WHICH TIME AND PLACE YOU MAY APPEAR AND DEFEND. YOU MAY BE REPRESENTED BY AN ATTORNEY IF YOU SO CHOOSE. ATTACHED HERETO IS AN ARRAIGNMENT FORM, WHICH IS INCORPORATED HEREIN. THE ARRAIGNMENT FORM SHOULD BE COMPLETED AND FILED WITH THE CITY CLERK WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE HEARING. IF YOU FAIL TO FILE THE ARRAIGNMENT FORM WITHIN THREE (3) CALENDAR DAYS PRIOR TO THE HEARING AND IF YOU FAIL TO APPEAR AT THE HEARING, YOU WILL BE FOUND GUILTY OF THE VIOLATION BY DEFAULT AND THE ST. CHARLES LOCAL LIQUOR CONTROL COMMISSIONER WILL DETERMINE THE APPROPRIATE PENALTY.

YOU ARE ADVISED THAT IF A HEARING IS HELD AND YOU ARE FOUND GUILTY AFTER THE HEARING, THEN, IN ACCORDANCE WITH SECTION 5.20.150(E) OF THE ST. CHARLES MUNICIPAL CODE, YOU WILL BE REQUIRED TO REIMBURSE THE CITY FOR ANY AND ALL OUT OF POCKET EXPENSES, INCLUDING REASONABLE ATTORNEYS' FEES, COURT REPORTER APPEARANCE FEES AND THE COST OF HAVING POLICE OFFICERS AND WITNESSES PRESENT TO TESTIFY. ANY AND ALL QUESTIONS MUST BE DIRECTED TO THE CITY ATTORNEY, JOHN MCGUIRK, AT 630/513-8700 OR TO THE DEPUTY CITY CLERK, TINA NILES, AT 630/377-4422.

DATED this 24th day of January, 2017.



Raymond Rogina
Local Liquor Control Commissioner
City of St. Charles

cc: Mark Koenen, City Administrator
Chief of Police, James Keegan

STATE OF ILLINOIS)
) SS
COUNTIES OF KANE AND DU PAGE)

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and states that he did service a copy of the Citation and Notice of Hearing upon the person to whom it is directed by leaving a copy with said individual as follows: SYZHEN JIANG at 2015 DEAN
ST SUITE 7A on the 25 day of January, 2017.



SUBSCRIBED AND SWORN TO
before me this 25 day of January, 2017.

France Cevallos
NOTARY PUBLIC



STATE OF ILLINOIS)
) SS
COUNTIES OF KANE AND DU PAGE)

**BEFORE THE LOCAL LIQUOR CONTROL COMMISSIONER OF
THE CITY OF ST. CHARLES, ILLINOIS**

IN THE MATTER OF THE MASSAGE)
ESTABLISHMENT LICENSE OF:)
) Case Number 2017-LC-01
Shangri-La Massage & Spa)
2015 Dean Street, Ste. 7A)
St. Charles, IL 60174)

COMPLAINT OF VIOLATION

NOW COMES the Petitioner, James Keegan, Chief of Police of the City of St. Charles, Illinois and files this complaint before the Local Liquor Control Commission of the City of St. Charles, Illinois, and states as follows:

1. The Petitioner is the duly appointed Chief of Police of the City of St. Charles and as such is charged with the duty of enforcing the laws of the State of Illinois and the ordinances of the City of St. Charles.

2. That on or about January 11, 2017, at approximately 7:41 p.m., the Licensee, Shangri-La Massage & Spa, by and through its employees, officers and/or agents, committed the following violations of the St. Charles Massage Establishment Code:

OFFENSES

Violated Section 5.20.130(G) of the Massage Establishment Code which states:

“No person, knowingly, in a massage establishment, shall place his or her hands upon, to touch with any part of his or her body, to fondle in any manner, or to massage, a sexual or genital area of another person.”

Violated Section 5.20.130(H) of the Massage Establishment Code which states:

“No massage therapist or employee shall perform or offer or agree to perform any act, whether or not for compensation of any form, which would require the touching of the patron’s sexual or genital area.”

Violated Section 5.20.180(B)(10) of the Massage Establishment Code which states:

“The license holder permits acts of prostitution or solicitations for acts of prostitution to be performed within the premises ...”

Violated Section 5.20.110(A) of the Massage Establishment Code which states:

“Supervision. A licensee of a licensed massage establishment shall have the premises supervised at all times when open for business. Any business rendering massage services shall have at least one person who is a licensed massage therapist on the premises at all times while the establishment is open. The licensee shall personally supervise the business, or shall delegate such supervisory responsibility to a manager whose name is listed on the massage business license and shall not violate, or permit others to violate, any applicable provisions of the chapter. The violation of any provision of this chapter by any agent or employee of the licensee shall constitute a violation by the licensee.”

Violated Section 5.20.130(E) of the Massage Establishment Code which states:

“A patron’s sexual and genital areas, as defined herein, must be covered by towels, cloths or similar nontransparent garments, including undergarments, when in the presence of a massage therapist or employee.”

Violated Section 5.20.130(F) of the Massage Establishment Code which states:

“No person, knowingly, in a massage establishment, shall expose or fail to conceal his or her sexual and genital parts, or any portion thereof, to any other person. It shall also be unlawful for any person, knowingly, in a massage establishment, to expose the sexual or genital parts, or any portion thereof, of any other person.”

3. On or about January 17, 2017, at approximately 9:35 p.m., the Licensee, Shangri-La Massage & Spa, by and through its employees, officers and/or agents committed the following violation:

Violated Section 5.20.110(A) of the Massage Establishment Code which states:

“Supervision. A licensee of a licensed massage establishment shall have the premises supervised at all times when open for business. Any business rendering massage services shall have at least one person who is a licensed massage therapist on the premises at all times while the establishment is open. The licensee shall personally supervise the business, or shall delegate such

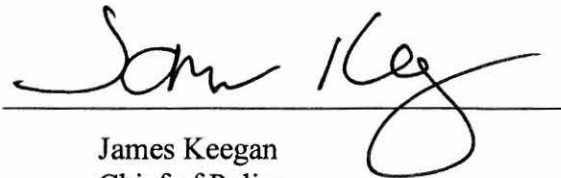
supervisory responsibility to a manager whose name is listed on the massage business license and shall not violate, or permit others to violate, any applicable provisions of the chapter. The violation of any provision of this chapter by any agent or employee of the licensee shall constitute a violation by the licensee.”

4. On or about January 11, 2017 and January 17, 2017, Shangri-La Massage & Spa was operating under a Massage License issued by the City of St. Charles.

5. That the acts detailed in Section 2 and Section 3 of this Complaint of Violation each are prohibited and are in violation of and contrary to Sections 5.20.130(G), 5.20.130(H), 5.20.180(B)(10), 5.20.130(E), 5.20.130(F) and 5.20.110(A) of the St. Charles Municipal Code.

6. That the Licensee, Shangri-La Massage & Spa, is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said premises.

WHEREFORE, the Petitioner, James Keegan, Chief of Police requests pursuant to Section 5.20.150 of the St. Charles Municipal Code that the Local Liquor Control Commission, a/k/a the Massage Business Commission, hold a hearing on this matter and take such action against Shangri-La Massage & Spa as the Massage Business Commissioner shall deem appropriate under the circumstances.



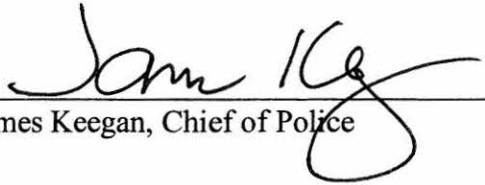
James Keegan
Chief of Police
City of St. Charles, Illinois

John M. McGuirk
Attorney for the City of St. Charles
Hoscheit, McGuirk, McCracken
& Cuscaden, P.C.
1001 East Main Street, Suite G
St. Charles, IL 60174
630/513-8700

STATE OF ILLINOIS)
) SS
COUNTIES OF KANE AND DU PAGE)

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and, as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true.


James Keegan, Chief of Police

SUBSCRIBED AND SWORN TO
before me this 24 day of January, 2017.


NOTARY PUBLIC





Case Report Summary



Print Date/Time: 01/20/2017 15:56
 Login ID: kschult
 Case Number: 2017-00000870

ST CHARLES POLICE DEPARTMENT
 ORI Number: IL0451400

Case

Case Number: 2017-00000870 Incident Type: 1505 PROSTITUTION
 Location: 2015 DEAN ST 17A Occurred From: 01/11/2017 20:54
 SAINT CHARLES, IL 60174 Occurred Thru: 01/11/2017 20:54
 Reporting Officer ID: 0053 - Grove Disposition:
 Disposition Date:
 Reported Date: 01/11/2017 20:54 Wednesday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	1505	720 ILCS 5.0/11-14	PROSTITUTION	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
ARRESTEE	1	CUI, HONGBO	43W399 LAKEWOOD CIR		ASIAN/PACIFIC ISLANDER	FEMALE	
OTHER PERSON	1	JIANG, LIFA	SUGAR GROVE, IL 60554 509 CONSERVATORY LN Aurora, IL 60502		ASIAN/PACIFIC ISLANDER	FEMALE	47 40

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
21145 A	CUI, HONGBO	2015 DEAN ST 17A SAINT CHARLES, IL 60174	01/11/2017 21:37		47

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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OfficerID: cgrove, Narrative

On 011117 at approx. 2054 hrs I responded to Shangri La spa located at 2015 Dean St unit 17A to assist the State Police Task Force. See State Police report #16-14623NE. I took Hongbro Cui,FA, , for 1 class A misdemeanor count of Prostitution. Cui was transported to the PD where she was charged with the offense of Prostitution. Cui was processed and released with a court date of 020917 after being released on her personal recognizance.

Cleared by adult arrest.

CG 314
RC#321

OfficerID: alamela, Narrative**Prostitution**

On 01/12/2017, I was informed of this incident and requested to conduct follow up investigation regarding possible violations of the City of St. Charles Massage Establishment License. At 1100 hours, I went to Shangri La to meet with the owner and sole manager of the establishment, Lifa Jiang. I was met by the receptionist, Li Jiexing. Li informed me that Lifa was not at the business. I asked Li when Lifa would be arriving to work and she stated that she did not know. I left my contact information for Li and requested that Lifa contact me when she arrives.

At 1230 hours, I received a call from the owner and manager of Shangri La, Lifa Jiang. I asked Lifa if she was aware of what occurred at her establishment and she stated that she was. I asked Lifa if she was working at the time of this incident and she stated that she was not. Lifa stated that she was not at work on that date. Lifa stated that she was called and informed of what occurred and responded out to the establishment. At that point, I ended my conversation with Lifa.

On this date (01/16/2017), I spoke James Hyun, (773-720-2500) who advised that he was an attorney that was contacted by Lifa. I informed James that I had contacted Lifa to verify if she was working at the time of the arrest. James stated that he spoke with Lifa who informed him that she was not working at the time of the incident and that her son had a Table Tennis Tournament. James stated that one of the employees contacted Lifa after the arrest. James stated that Lifa informed him that she responded to the St. Charles Police Department and picked up the arrestee, Ms. Cui. Besides confirming that Lifa Jiang, the owner and sole manager of Shangri La was not working on the date of this incident, James could not provide me with any further information.

****NOTE**** It should be noted that on 10/25/2016, Lifa contacted me and requested to update her employee roster. Lifa advised that she hired Hongbo Cui as a new massage therapist. Lifa provided me with all of Ms. Cui's information including her Massage Therapist License #227.011914. I ran Ms. Cui's Massage Therapist License through the Illinois Department of Financial & Professional Regulation website, which came back "Active" with no record of discipline. I reviewed Lifa's Massage Establishment application and file and she only listed herself as the manager. Lifa did not hire anyone else as a manager for the establishment.

After obtaining the above information, it has been determined that the following violations have occurred:

5.20.110 - Conditions and Restrictions of Licenses

1. Supervision - A licensee of a licensed massage establishment shall have the premises supervised at all times when open for business. Any business rendering massage services shall have at least one person who is a licensed massage therapist on the premises at all times while the establishment is open. The licensee shall personally supervise the business, or shall delegate such supervisory responsibility to a manager whose name is listed on the massage business license and shall not violate, or permit others to violate, any applicable provisions of the chapter. The violation of any provision of this chapter by any agent or employee of the licensee shall constitute a violation by the licensee. This requirement does not apply to premises in which massage services are performed by a licensed massage therapist by appointment only.

5.20.130 - Prohibited Acts and Conditions

G. No person, knowingly, in a massage establishment, shall place his or her hands upon, to touch with any part of his or her body, to fondle in any manner, or to massage, a sexual or genital area of another person.

H. No massage therapist or employee shall perform or offer or agree to perform any act, whether or not for compensation of any form, which would require the touching of the patron's sexual or genital area.

This case remains cleared by adult arrest.

Cleared by Adult Arrest

DL#340