AGENDA
CITY OF ST. CHARLES
LIQUOR CONTROL COMMISSION MEETING

TUESDAY, FEBRUARY 21, 2017
CITY COUNCIL CHAMBERS @ 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 Monday, February 6, 2017 Special Liquor Control Commission meeting.

4. Recommendation to approve a proposal for Class E-4 Temporary Liquor License for a Special Event, "Unwind Wednesdays" to be held on the 1st Street Plaza.

5. Recommendation to approve a proposal for a new Class E-1 Temporary Liquor License for a Special Event "Hops for Hope 5K" to be held at Mt. Saint Mary Park on May 20, 2017.

6. Discussion regarding Tobacco Citation and Hearing Notice for Rose Smoke N' Vapor, Inc. 902 S Randall Road, Ste. B, St. Charles.

7. Discussion of Refresher Training for businesses and DSCP, Chamber – Chief Keegan

8. Other Business.

9. Public Comment

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

11. 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 jmcmahon@stcharlesil.gov. 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
CITY OF ST. CHARLES, IL
SPECIAL LIQUOR CONTROL COMMISSION MEETING
MONDAY, FEBRUARY 6, 2017

1. Call to Order.
The meeting was convened by Liquor Commissioner Rogina at 4:32 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, Deputy Police Chief Kintz, and Tina Nilles

3. Motion to accept and place on file minutes of the Liquor Control Commission meetings held on December 19, 2016.

Motion by Ald. Payleitner second by Lewis to accept and place on file minutes of the Liquor Control Commission meeting held on December 19, 2016.

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

4. Recommendation to approve a proposal for a Class E-1 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.

Chief Keegan: Curt Barrett is here tonight from the Breakfast Rotary Club. This is their second annual event and they are a not-for-profit group requesting an E-1 license. As in last year's proposal Brew Avenue Events will be the back end sponsor who puts this event together. It went very smooth last year. The Park District is holding off on their approval until the Liquor Commission acts on approval.

Curt Barrett, 218 Illinois Avenue, St. Charles, Event Coordinator for the Breakfast Rotary Club: Several members of this club are here tonight and we're working with Brew Avenue Events who have the expertise of the logistical side of getting the different brewers lined up. We are taking the same approach as last year for a very successful event. We are looking to grow this event gradually. We had a wall of tents spread out in a semi-circle so there was a nice flow to the event. We got a lot of complements. We have a master map that gives more detail, we

have the hanging lanyards that say how many 3 ounce sample a person gets via a punch on the card.

Bob Gehm: No questions just good to see you trying it again and be successful again. Also in growing it gradually and knowing the space at Lincoln Park may limit you a little bit.

Ald. Payleitner: Ready to approve.

Ald. Lewis: How many people did you end having last year?

Mr. Barrett: We bought 1,000 trial glasses and we had three left. Our paid count was about 960.

Ald. Lewis: How much space does that park hold? How many people can be put in there at one time?

Mr. Barrett: Park District told us that for Thursday Park Concerts they'll get 3,000 to 4,000 people there. And we have other options of other parks if we were to grow too big.

Ald. Lewis: Last year there was some concern about the playground. Is that the same that it's not going to be part of your festival?

Mr. Barrett: It's easier for us to fence off the entire park and this year we already presented before the Park District Board and they agreed for us to be able to close it off since there wasn't much use of it.

Ald. Lewis: Did you have amplification last year?

Mr. Barrett: Yes we do have a DJ for background music and for public announcements in the center of the park.

Ald. Lewis: Is there a rain date if it's pouring down rain?

Mr. Barrett: Last year we got into the 90's and thankfully we had a lot of tree cover, but the majority of our ticket sales are ahead of time; so it's rain or shine.

Chuck Amenta: No questions.

Motion by Ald. Payleitner, second by Mr. Amenta to recommend approval of a proposal for a Class E-1 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. to go before the February 6, 2017 Government Operations Committee.

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

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

Chrmn. Rogina: 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 a or about January 11, 2017 at the establishment of Shangri-La Massage & Spa, 2015 Dean Street, Ste. 7A, St. Charles.

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.

Atty. James Hyun of Hyun Law Group representing Shangri-La Massage & Spa.

Chrmn. Rogina: As part of the packet that was served on Shangri-La; in there was a sheet that asked for a plea. You did not submit that so obviously "plead guilty and do not request a hearing" is off the board and the other two are "plead guilty and request a mitigation hearing" or "not guilty and request a hearing". What are you requesting?

Atty. Hyun: My client contacted our office a couple of weeks ago with the complaint and notice and I did my due diligence and contacted Mr. John McGuirk and we had a conversation a couple of times regarding the procedures because this is the first time I'm here in St. Charles even though I've been an attorney for 28 years, I've done quite a few administrative hearings and I noticed that not all administrative hearings are created equal and all have different procedures.

I spoke with my client about the nature and terms and conditions of this complaint, and I can tell by the body language of my client that she is extremely embarrass about this and I did discuss with Mr. McGuirk there may be some technical legal issue, but the last thing my client wants in this particular complaint is to seek an adversary hearing on this matter. What I plan to do, if it is admissible, is to submit a mitigation packet within the next two weeks and have a hearing. My posture today if you're asking what we want to do today, I was hoping to have some kind of a pre-trial conference if that is allowed in this court of St. Charles. Ideally that is what I would like to do is to put this case in the life of the owner as to what happened from her perspective and what she did subsequently after this incident to mitigate and help any concern that the community may have. But if the Board here cannot accommodate a pre-trial conference because it's not customary policy of St. Charles; and our only option here is to plead guilty and request a mitigation hearing and that is what I certainly will do.

Since my client is here she would like to enter a plea of guilty and I could submit a mitigation package and get it over prior to the hearing so you would have time to review it and then we could set a date. That was the posture that I had today.

Chrmn. Rogina: I have no problem asking my colleagues up here to comment individually if they so desire on your request. The essence of what you have said here today is you are kind of suggesting a plea bargain. If we have a pre-trial conference we'll discuss the issue but at the same time you said my client wants to plead guilty. I've read all these charges and either we admit to the charges or we want to do a process hearing to get to that. That's what our custom

has been here in every case that comes here whether it be massage, liquor, or tobacco violation. Given the fact that this happened on January 11, 2017 and today is almost a month later; I respectfully suggest to ask you to either plead guilty and mitigate or plead guilty and request a hearing. Those are the two options available, but in the interest of fairness I will go to the Commission here.

Robert Gehm: Timing wise it has been out there for almost a month and there is no arraignment form of intention in how they want to move forward. This is the first time we're hearing about it, so I'm not sure how we would balance all that right now. Normally we get that form and they're ready to present mitigation.

Ald. Payleitner: I'm confused to the exact charges. We're not seeing the criminal charges, we're just seeing the violation of the license here?

Chrmn. Rogina: Correct and the word guilty might be a strong word, but liable is fine of a violation or not a violation of the ordinance would be appropriate.

Atty. Hyun: I don't want to deviate away from what is customary of the usual practice of St. Charles – I was not suggesting that. I want to stay within the confines of what is customary and allowed in St. Charles. The reason why I'm requesting this is because I wasn't sure about the procedure. I've been an attorney for 28 years and have done administrative work in Cook County. I've done many types of offenses in many different villages and they all have different terminology and they all start out by sending notices asking for informal conferences, then when the case is not settled it goes up to the hearing court.

Ald. Lewis: We don't do it that way that he is suggesting here in St. Charles. I think we move forward with our options.

Chuck Amenta: At this point we haven't had a precedence to do a pre-trial hearing. I'm not sure it's the right direction to move at this point. If something happens in January and doesn't get heard until December, it keeps getting pushed out.

Chrmn. Rogina: I think we are going to stick to our rules and regulations which suggest they are liable that they broke the offenses of the City of St. Charles ordinance or we didn't and they request a hearing.

Atty. Hyun: We will enter a plea of guilty and request a hearing of mitigation.

Chrmn. Rogina: That hearing would be right now because the form that was submitted is clear on that subject. It says to check one of these boxes and in this particular case you would check guilty and come here today to argue in favor of your client.

Atty. Hyun: If that's the case your Honor, I will have my client sign this form of guilty and will do the mitigation here today.

Chrmn. Rogina: I read the offenses here and if you're saying that they did happen, my question to you would be to argue as to why we should not administered one of the possible punishments that go along with the offenses in question.

Atty. Hyun: I spoke with Ms. Jiang about this matter and she was sick to her stomach when this happened. She called me and said there was woman employee that worked there that she believed to be of prostitution. Ms. Jiang was not at the business establishment. She was at home and had a personal commitment with her son. This happened in the evening hours and the manager was supposed to be at the premises but was not there due to other extraneous circumstances. The manager left an hour earlier than she was supposed to. There is a manager there all the time and I have list of three managers with contact numbers. The fact on that particular night the manager was not there when the police officer arrived is not really a direct intent to breach the requirements as laid out for the business. This was an innocent mistake for the manager. The owner received a call from an employee the next day after he assisted this employee in bonding out because of this incident. First thing Ms. Jiang did was terminate her. There were no three strikes you're out – this was a zero tolerance although there is a technicality of whether this person was an employee but she was working there.

Chrmn. Rogina: You used the word technical of may or may not been technically employed, would you consider her being an agent?

Atty. Hyun: I would say so. At this point I don't want to be technical, the answer is a guilty plea, I was just using a pragmatic approach here. The other thing she has done, I have been to her establishment and was shocked at the size and how immaculate the place was. They spent several hundreds of thousands of dollar on the remodel of this place. I've checked the reviews of this parlor on the internet and the reviews were outstanding on how immaculate it was and in terms of quality it was exceptional.

From the perspective of Ms. Jiang, she has taken all steps as coming here as an immigrant with a family and wanted to make her business successful. She raised money over 2-1/2 years to buy this commercial unit and raise her family in St. Charles. Her original intent was to build a reputable place in St. Charles and not get involve with some bad intent of violation of the law. She has spent hours of resources each day. In addition because she knew of the problem that other people had she made it a point every single morning with every employee and manager to tell them what was appropriate and not appropriate in the business. Because not all employees are good in the English language, she translated her business rules/policies in Chinese to make sure they understand what is expected and they have to sign it. (Read through the extensive lists of rules.) She also has a surveillance camera throughout the spa to make sure the customers are safe and there is nothing happening in violation of the law with the exception of having a camera in the massage parlor rooms. She has taken every step necessary to make her business safe and be in compliance with the law. This incidence obviously doesn't help the reputation of this massage parlor, but I want to keep the perspective of her that she has done everything necessary. She had an employee/agent, call it a bad apple, that decided to do this inappropriate behavior. What could she have done to prevent something like this? Every employee has a massage license and she makes sure they have no background, and they have experience. What happens

behind closed doors which is a massage rule, how could she possibly be in control of that? The company should be penalized but to shut the business down upright would not be pragmatic and would be unfair. From the perspective of the owner and her husband this is an isolated incident, there is no pattern here. This plan for her to open this business was in the making for years and I believe her co-investment is over $750K.

I've talked to her to see if there are some questions she doesn't know legally because I notice with a lot of the Asian clients that I have, they have a habit of just signing a document whereas the Americans in this country like to consult with an attorney before signing any documents. I've asked her how business is going and she said it's slow but it's getting better. Except for this incident that she couldn't control, she has been very compliant with the City of St. Charles and supportive to many of the organizations, such police and fire compliance checks, Chamber of Commerce, etc. because she wants to be a model business citizen to the City. If there was intent for her to do anything like this, she should be punished. But the fact of the matter is she had no idea. One strike she shouldn't be out and this is a strike against her based on the agent's action that is unfortunately tied to the owner. This was not an intent on her part to do anything that was in violation of the law.

The legal precedence that I've research on is revocation and is definitely the most harsh. There are other things such as closure for a few days, a violation fine, or maybe they should have some classes to reassure them that these types of actions are not allowed. But to deprive them after all of their efforts to shut them down would really be cruel and unusual punishment. I wasn't prepare to have copies of everything I have here tonight but can have copies made for you.

Chrmn. Rogina: Your 28 years of experience has certainly risen to the occasion because while you said perhaps you want a mitigation hearing in a couple of weeks, I think you presented that in a very professional manner.

Ald. Payleitner: This situation saddens me as clearly your client is heartbroken. You asked a number of times what could she have done to prevent this? We went to great lengths in sweating out this ordinance and one of the parts of this ordinance has built-in protection against this and that is, which is one of the violations that the Mayor read, was a registered manager needs to be on the premises at all times and that wasn't the case and that was a clear violation of the ordinance. That was written to protect the business, the owners, the clients, so that's a huge violation in my eyes. Secondly, you spoke that the language was an issue but when the owners came before us to get their license, every time I asked Chief Keegan is the language going to be an issue? Do they understand our ordinance and it was assured at that time that they understand the full content of the ordinance. We see the ramifications of that violation of the ordinance.

Chuck: The license to the City of St. Charles shows one manager, is that correct?

Atty. Hyun: Lifa Jiang is listed as the main manager on the license. There are two other managers listed and Zoe is here and is a manager.

Chuck: And is she listed on the City license as a manager?

Atty. Hyun: She started in January 9, 2017.

Ald. Lewis: I agree with Ald. Payleitner when you kept asking what could she have done? She could of locked the door – closed; if there was no manager there they could of left.

Atty. Hyun: The manager at the time this incident occurred was Li Xing and she worked in the morning. We agreed there was no manager there, we're not denying that at all.

Ald. Lewis: I have a police report that says there is only one manager listed and you're telling me you have three.

Atty. Hyun: I agree that Lifa Jiang is listed under the City as the manager, but apparently because of lack of sophistication obviously when there is a change in the business structure, she has to amend it and let the village know. We agree with that.

Robert Gehm: The person in the incident, how long have them been an employee/agent of the Shangri-La up until now.

Atty. Hyun: She started in October.

Robert: The exposure to the work rules that were written and explained were pretty extensive and is part of those work rules also knowing what the city ordinance is about managers being on duty. Are all of those included in the work rules so that every employee, manager is aware of what the city ordinance is to operate that massage business?

Atty. Hyun: Yes.

Chrmn. Rogina: As counsel for the Shangri-La, do you agree that the licensee is responsible for the acts of its employees, officers, and agents and required to ensure that no violation of state law or ordinance of the City of St. Charles takes place on the premises?

Atty. Hyun: Absolutely.

Chrmn. Rogina: The law is clear that the owner/licensee does take responsibility for those actions even in the absence of knowledge under a respondent superior.

Atty. Hyun: It's a street liability type of affect. Based on my legal understanding is that absolutely Shangri-La Massage & Spa is liable for this act.

Chrmn. Rogina: A decision will not be made today. I have 7-10 days to issue a ruling and submit that ruling to Shangri-La and that's what will happen. We'll now go into Executive Session to discuss further and come back to you within 7-10 with a decision.

Atty. Hyun: I will have Ms. Jiang sign this arraignment form for your records.

7. Other Business

8. Public Comment

Motion by Mr. Amenta, second by Gehm to move into Executive Session to discuss massage violations at 5:23 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 Amenta to return out of executive session at 5:43 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 Amenta to adjourn meeting at 5:44 p.m.

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

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	Agenda Item number: 4
	Title:	Recommendation to Approve a Proposal for a New Class E-4 Temporary Liquor License for a Special Event, "Unwind Wednesdays" to be held on the 1st Street Plaza
	Presenter:	Police Chief Keegan

Meeting: Liquor Control Commission	Date: February 21, 2017	
Proposed Cost: $	Budgeted Amount: $	Not Budgeted: ☐

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

This is an application request for a Class E-4 Temporary License, authorizing for consumption of beer, wine or alcoholic liquors on City property, specifically, 1st Street Plaza. This temporary license request is for a series of sixteen (16) events to be held on Wednesdays starting June 14 through September 27, 2017. The event, known as "Unwind Wednesdays", would be held on Wednesday evenings for these listed dates from 5:00 p.m. – Dusk. The businesses involved are Puebla Modern Mexican, Pizzeria Neo, Mc Nally's Traditional Irish Pub. The dates are June 14, 21, 28; July 5, 12, 19, 26; August 2, 9, 16, 23, 30; and September 6, 13, 20, 27.

This event will coincide with St. Charles Live events scheduled for Wednesday evenings in and around the 1st Street Plaza beginning Memorial Day through September 16th, 2017.

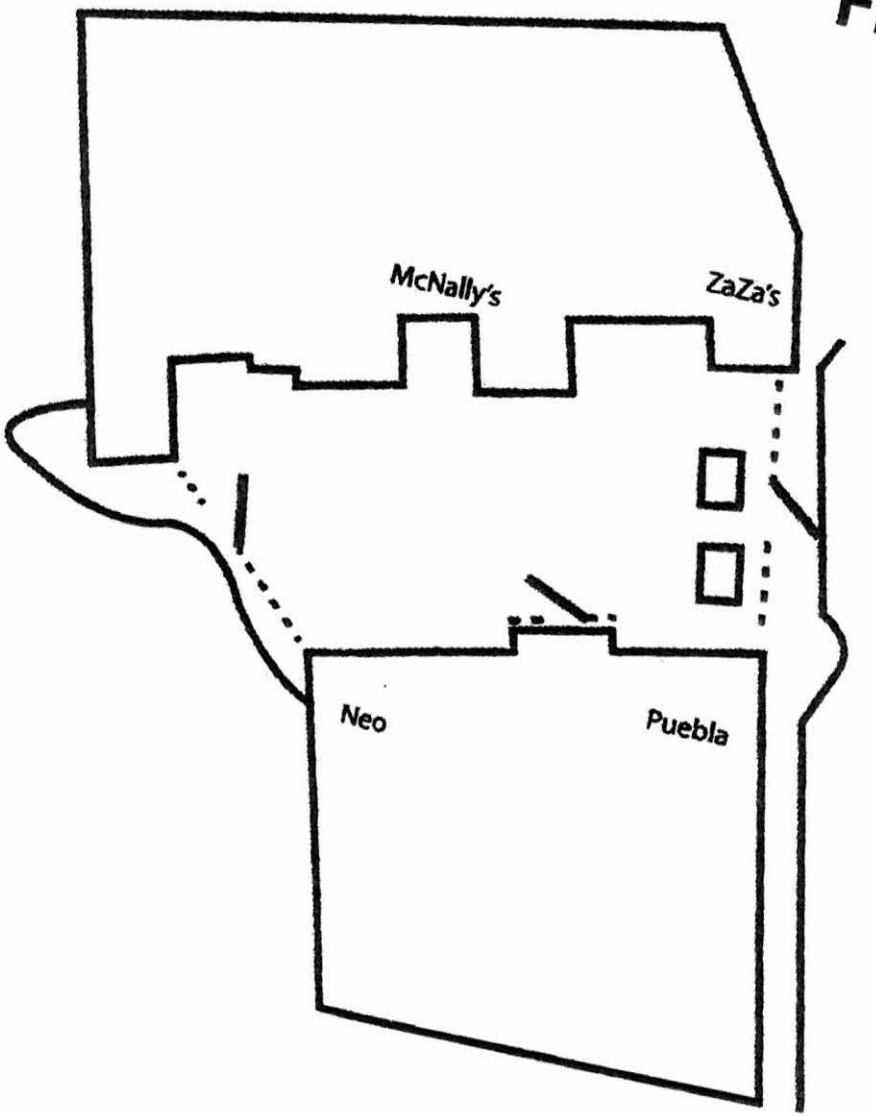
Also the Class E-4 Temporary License will be submitted after the liquor license renewal process and start of the new fiscal year May 1, 2017.

Attachments (*please list*):
Site Plan
Hold Harmless Form
Special Events Application

Recommendation/Suggested Action (*briefly explain*):
Recommendation to approve at proposal for a new Class E-4 temporary liquor license for a special event, "Unwind Wednesdays" to be held on the 1st Street Plaza.

First Street Plaza

Wine Down Wednesday



Temporary Fencing

Entrance/Exit

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.

PLAZA MERCHANTS
(Name of Organization)

1/27/17
(Date)

James Cooke.
by Shay Cooke
Authorized Signatory

Signed and sworn to before me this 27th day of January, 2017.

David J Kelsey
Notary Public

OFFICIAL SEAL
DAVID J. KELSEY
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires Jan 6, 2020

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

RECEIVED
JAN 27 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. 17-2483 **Date of Meeting:** 2/2/2017 9:45 AM Revised date 01/28/2015

Name of the Event: UNWIND WEDNESDAY **Date(s) of Event:** 6/14 thru 9/27 EACH WEDNESDAY

6/14
6/21
6/28
7/5
7/12
7/19
7/26
8/2
8/9
8/16
8/23
8/30
9/6
9/13
9/20
9/27

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
  - ☐ **$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: 1/27/2017	Fee Paid: $
Receipt #	Check #

Copies of application distributed to:
Police: 01/30/2017 Fire: 01/30/2017 PW: 01/30/2017
Electric: 01/30/2017

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 90 days (All items due to City unless noted)	Days Due Before Event	Due Date
Date of the Special Event	- N/A -	SEE OVER 13days
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	1/27/2017
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	
Submit Class E Liquor License Application	90-days	Need for each vendor
Submit Outdoor Sales Permit Application	90-days	
Submit Loudspeaker/Amplifier License Application	90-days	
Submit Raffle Permit Application (Kane & DuPage County)	At time of submittal	
Submit Carnival License Application	90 days	N/A
Submit Fireworks Permit Application	60 days	N/A
Submit **Original** Certificate of Insurance	21 days	need for each vendor
Submit copies of other required permits	At time of submittal	
Emergency Phone Tree	At time of submittal	1/27/17
Emergency /Crisis Management Procedures	At time of submittal	1/27/17
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	Yes	No	
Fire/EMS	Yes	No	
EMA	Yes	No	
Public Services	Yes	No	
Electric	Yes	No	
Water	Yes	No	
Other:	Yes	No	

SECTION 2 – GENERAL INFORMATION Permit No. 17-24803

Name of Event: UNWIND WEDNESDAY

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

Location of Event: FIRST STREET PLAZA

Date(s) of Event: EACH WEDNESDAY 6/14 THRU 9/27 Hours of Event: 5PM to DUSK Estimated Attendance: 200

Event Website: ———

Purpose of the event: TO PROMOTE BUSINESS IN PLAZA AREA AND TO ENCOURAGE AN OUTDOOR DINING CULTURE.

Name of sponsoring organization(s): PLAZA MERCHANTS.

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	X	0%	0%
Non-Governmental/Non-Profit Entity		50%	0%

Contact person from sponsoring organization: SHAY CLARKE

Organizer address: MCNALLYS IRISH PUB, 109 WEST MAIN ST.

City: ST. CHARLES State: IL Zip: 60118

Home Phone: 6305136300 Cell Phone: 847 452 7764 E-mail: SHAY@MCNALLYSPUB.COM

Second contact person (emergency): MAURICE MC NALLY Phone: 630.513.6300

Is this an annual event? ☒ YES ☐ NO If yes, please provide event date(s) for next year: TBD

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.

NO PROBLEMS

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

N/A

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 _____
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	TIMES

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.

See attached

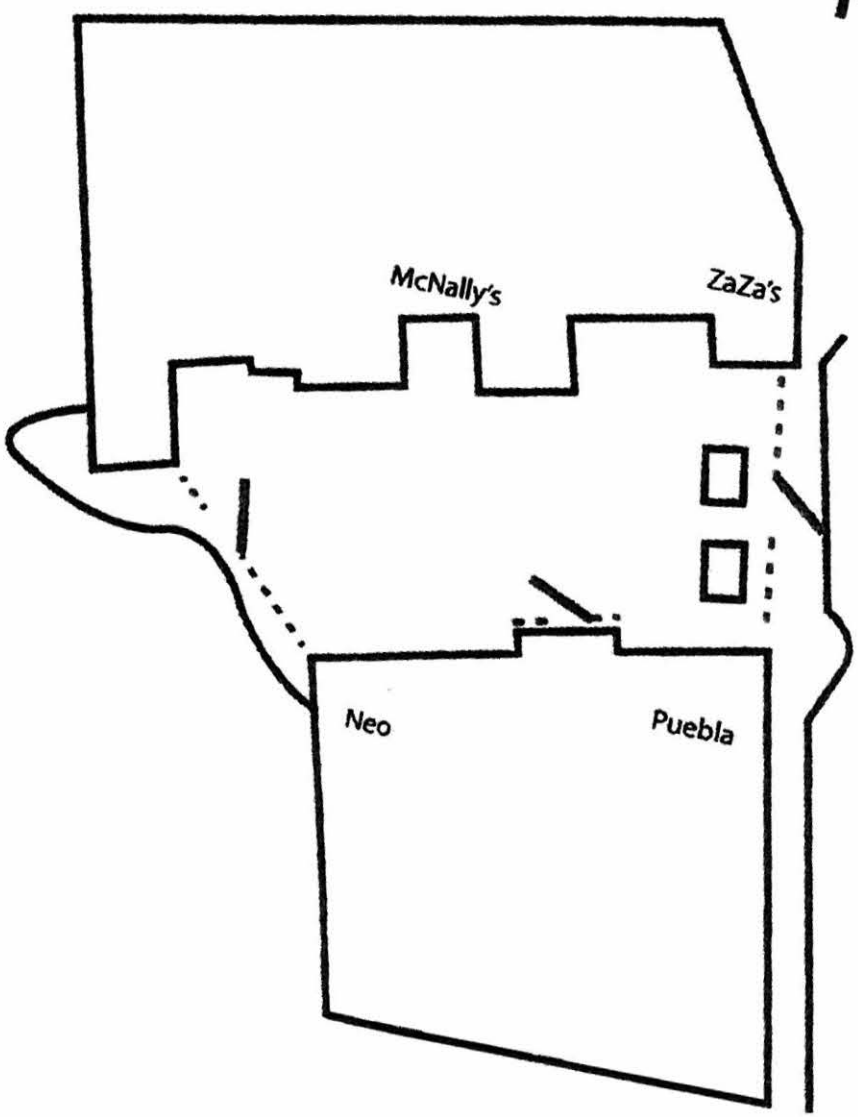
If applicable, the following must be included:

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)

First Street Plaza

Wine Down Wednesday



Temporary Fencing

Entrance/Exit

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 UNWIND WEDNESDAY **Date(s) of Event** EACH WEDNESDAY 6/14 thru 9/27

6/14
6/21
6/28
7/5
7/12
7/19
7/26
8/2
8/9
8/16
8/23
8/30
9/6
9/13
9/20
9/27

Emergency Contact Information

Primary Contact: SHAY CLARKE **Secondary Contact:** _____

Title: GENERAL MANAGER, M'Nally's **Title:** _____

Phone No: 847-452-7764 **Phone no.:** _____

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). PLAZA MERCHANTS has designated SHAY CLARKE with the responsibility of being the CRISIS MANAGER (CM). This position will empower the designated person to make decisions on behalf of PLAZA MERCHANTS 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* PLAZA MERCHANTS *staff will be instructed to:*

   a. *Act as quickly and professionally as possible;*
   b. *To contact their immediate supervisor and/or the on-site*_____ 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 _____ 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

PLAZA MERCHANTS 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 PLAZA MERCHANTS.

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 PLAZA MERCHANTS to discuss alternatives.

6. An official statement will be written and given to the CM as soon as it can be formulated by PLAZA MERCHANTS 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 PLAZA MERCHANTS personnel;
   c. Direct any and all media questions to CM, and only read official statements prepared by PLAZA MERCHANTS 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: X**
- **Food and/or beverages for immediate consumption?** **YES: X 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: Shay Clarke Date: JAN 27, 2017

Name: SHAY CLARKE Title: GENERAL MANAGER
McNALLY'S IRISH PUB.

SECTION 8 – INDEMNIFICATION/HOLD HARMLESS

In consideration of the City of St. Charles permitting the PLAZA MERCHANTS *(name of organization)* ("Organization") to conduct UNWINDWEDNESDAY *(name of event)* ("Event"), the Organization 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

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	Agenda Item number: 5
	Title:	Recommendation to Approve a Proposal for a New Class E-1 Temporary Liquor License for a "Special Event" – "Hops for Hope 5K" to be held at Mt. Saint Mary Park – May 20, 2017
	Presenter:	Police Chief James Keegan

Meeting: Liquor Control Commission	Date: February 21, 2017	
Proposed Cost: $	Budgeted Amount: $	Not Budgeted: ☐

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

This is an application request for a Class E-1 Temporary Liquor License, authorizing dispensing and consumption of craft beer on Park District property, as indicated on a proposed 5K road race route. This temporary license is requested for a single, one-day event to be held on Saturday, May 20th, 2017. The event, known as "Hops for Hope 5K," will be held on Saturday, May 20th between 9:00 am and 3:00 pm. Event registration begins at 9:00 am, with the race starting at 11:00 am. The event is currently expected to bring approximately 100 runners to the City of St. Charles.

The event is being promoted by "Project Mobility", a Non-for-Profit organization in partnership with the Bike Rack of St. Charles, with the goal of raising funds to provide adaptive cycling for subjects with physical disabilities. This will involve a 5K running event that starts and ends in Mt. Saint Mary Park. It will traverse through the park; then south along Rt. 31 to Wheeler Park in Geneva; and back. The St. Charles Police Department will provide staff to facilitate traffic control for runners crossing Rt. 31 and will not require any road closures. The event will incorporate (5) five individual Basset supervised Craft Beer "Sampling" stops. Runners will have the opportunity to "sample" a 3 ounce Craft Beer provided by local craft brewers, for a total of 15 ounces during the course of the run.

All participants must be 21 or older and each will receive an event specific wristband confirming their identification and age were verified. Each "beer stop" will be fenced with a single point of ingress and egress. The sample will be issued in a plastic cup which would be disposed of at the stop prior to egress. The event will have a fenced in area in Mt. Saint Mary Park and would incorporate a tent, awards stand, and a dispensing area for craft beer. Event participants will be issued (2) two tickets to exchange for a total of (2) two pints of craft beer following the race, after which they will receive no additional beer service. In the event that event spectators desire to enter the fenced area they would pay an entry fee, be provided a different color wristband, and would also be issued (2) two tickets to exchange for a total of (2) two pints, after which they would receive no other service.

A sound amplification permit has been applied for to accommodate a public address system and a band for event entertainment.

The promoter has advised that they are not conducting a broad advertisement campaign and predict that the anticipated attendance should not exceed 200.

This event is still pending final review and approval by the St. Charles Park District Board.

Attachments (*please list*):

E-1 Liquor License Application; Site Plan; Amplification Application; Special Events Application

Recommendation/Suggested Action (*briefly explain*):

Recommendation to approve a proposal for a new Class E-1 Temporary Liquor License for a Special Event, "Hops for Hope 5K," to be held at Mt. Saint Mary Park – May 20, 2017.

For Office Use
Received: 2/13/2017
Fee Paid: $ 50
Receipt #

NON-REFUNDABLE

CITY OF ST. CHARLES

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

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 5/20/17 and ending 5/20/17.
Time Starting 10 am and ending 3 pm.
Location of Event Mount Saint Mary Park.

Name of Business Project Mobility
Address of Business 2430 Campton Hills Rd. Business Phone 630-464-2991
Is the Applicant a Not-For-Profit Organization: Yes ~ 30-0143832
Authorized Agent Hal Haveyman Title Founder of Project Mobility
Has Applicant had a Class E1 License in the previous 365 days? NO. If YES, on what date:
Does Applicant have Dram Show Insurance? NO. 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.

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: _____ Signed: _____

Sworn to before me this 13th day of February, 2017.
Notary Public Deborah L Graffagna

"OFFICIAL SEAL"
DEBORAH L. GRAFFAGNA
NOTARY PUBLIC, STATE OF ILLINOIS
COMMISSION EXPIRES 10/2/2019

ENDORSEMENT OF THE LIQUOR CONTROL COMMISSIONER

Approved: _____ Date: _____ Chief of Police: _____

Approved: _____ Date: _____ Liquor Commissioner: _____

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 01/17/2017

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 be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER David M. Kulawiak, Inc David M. Kulawiak, Inc 630 Hull Terrace, 3E Evanston IL 60202	**CONTACT NAME:** David Kulawiak **PHONE (A/C, No, Ext):** (844) 828-5576 x **FAX (A/C, No):** (844) 828-5071x **E-MAIL ADDRESS:** david@davidkconsulting.com
INSURED Project Mobility 2930 Campton Hills Rd. St Charles IL 60175	**INSURER(S) AFFORDING COVERAGE** / **NAIC #** **INSURER A :** ANI-RRG / 10023 **INSURER B :** **INSURER C :** **INSURER D :** **INSURER E :** **INSURER F :**

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	V COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [V] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [V] POLICY [ ] PRO-JECT [ ] LOC OTHER:	X		2017-35538	2/8/2017	2/8/2018	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 500,000 $ 20,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
A	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS V HIRED AUTOS SCHEDULED AUTOS V NON-OWNED AUTOS			2017-35538	2/8/2017	2/8/2018	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
	UMBRELLA LIAB [ ] OCCUR EXCESS LIAB [ ] CLAIMS-MADE DED [ ] RETENTION $						EACH OCCURRENCE AGGREGATE	$ $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [ ] N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						[ ] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ $ $
A	Directors & Officers			2017-35538 DO	2/8/2017	2/8/2018	Each Wrongful Act $1,000,000	
A	Liqour Liability			2017-35538	2/8/2017	2/8/2018	Each Wrongful Act $1,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

THe certificate holder is recognized as additional insured.

CERTIFICATE HOLDER

City of St. Charles
2 E Main St.
St Charles, IL 60174

CANCELLATION

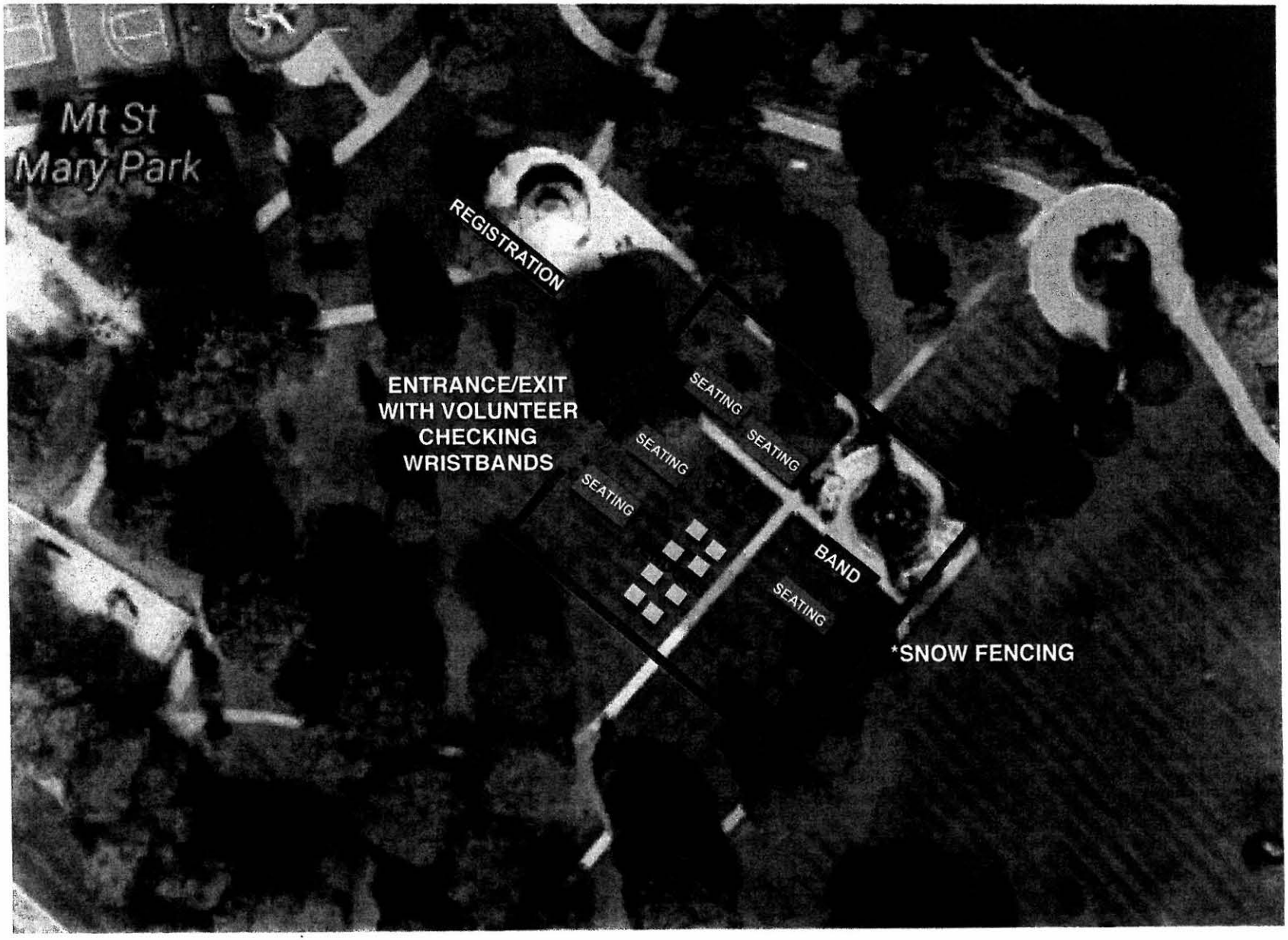
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

David M Kulawiak

N. All rights reserved.

AWARDS CEREMONY

1 PM - 3 PM



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

ST. CHARLES
SINCE 1834

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.

1. License term: FROM 11:00 am TO 3:00 pm Number of Days 1

2. Applicant is: ☑ Corporation ☐ Partnership ☐ Individual

3. Applicant's Name Project Mobility (Catherine Simmons) (Non profit) Telephone # 630-464-2991

   D/B/A _____

   Address 2930 Campton Hills Rd City/State/Zip St. Charles, IL 60175

4. Device Owner's Name _____ Telephone # _____

   Address _____ City/State/Zip _____

5. Device(s) to be used, specific to power amplification (wattage) and output:

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

   Mount Saint Mary Park

7. Amplification system will be used for:
   - ☑ Music ~ Band
   - ☑ Public Speaking ~ Awards ceremony for 5K
   - ☐ Other (describe) _____

8. If used for music, what type (include name of artist/band if applicable):

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. 1724830 **Date of Meeting:** 1/26/2017 9:00AM Revised date 01/28/2015

Name of the Event: Hops for Hope 5K **Date(s) of Event:** 3/20/17

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
  - ☒ **$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: $
Receipt #	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 90 days (All items due to City unless noted)	**Days Due Before Event**	**Due Date**
Date of the Special Event	- N/A -	5/20/17
If event takes place in downtown St. Charles you are to complete an application through the St. Charles Downtown Partnership.	120 days	N/A
Submit Special Event Application	90 days	~~2/20/17~~ 1/17/17
Payment of any outstanding funds due to the City of St. Charles	At time of submittal	1/13/17
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	1/13/17
Submit Class E Liquor License Application	90-days	2/20/17 N/A
Submit Outdoor Sales Permit Application	90-days	2/20/17
Submit Loudspeaker/Amplifier License Application	90-days	N/A
Submit Raffle Permit Application (Kane & DuPage County)	At time of submittal	N/A
Submit Carnival License Application	90 days	
Submit Fireworks Permit Application	60 days	
Submit **Original** Certificate of Insurance	21 days	5/1/17
Submit copies of other required permits	At time of submittal	1/13/17
Emergency Phone Tree	At time of submittal	1/13/17
Emergency /Crisis Management Procedures	At time of submittal	1/13/17
Submit Listing of Participating Retail Merchants/Applicable Food Vendors to Finance Department using Pre-Defined Form in Excel format	14 days	5/8/17
Notify residents/businesses of special event	14 days	5/8/17

City Services Requested:			**Comments**
Police	(Yes)	No	Assistance Crossing one Street (Rt 31)
Fire/EMS	Yes	(No)	
EMA	Yes	(No)	
Public Services	Yes	(No)	
Electric	Yes	(No)	
Water	Yes	(No)	
Other:	Yes	No	

SECTION 2 – GENERAL INFORMATION **Permit No.** 17-24830

Name of Event: Hops for Hope 5K

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

Location of Event: Mount Saint Mary Park

Date(s) of Event: 5/20/17 Hours of Event: 9 to 3:30 Estimated Attendance: 100

Event Website: www.projectmobility.org

Purpose of the event: To bring AWARENESS to Community on adaptive cycling and raise funds towards our mission

Name of sponsoring organization(s): PROJECT MOBILITY

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) NFP

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	✓	**50%**	**0%**

Contact person from sponsoring organization: Katherine Simmons (the Bike Rack)

Organizer address: 2930 Campton Hills Rd

City: St Charles State: IL Zip: 60175

Home Phone: 6304642991 Cell Phone: 6304642991 E-mail: Katherine@projectmobility.org

Second contact person (emergency): Tammy Simmons Phone: 3314420179

Is this an annual event? ☒ YES ☐ NO If yes, please provide event date(s) for next year: Around May 20, 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.
This will be an annual event, but this will be our first year.

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

N/A

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 unsure right now
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.
Side walk along river in front newer townhomes off Brownstone / parking garage
parking lot off 2nd & Illinois for extra spaces on 1st St.

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	TIMES

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.

See Attached

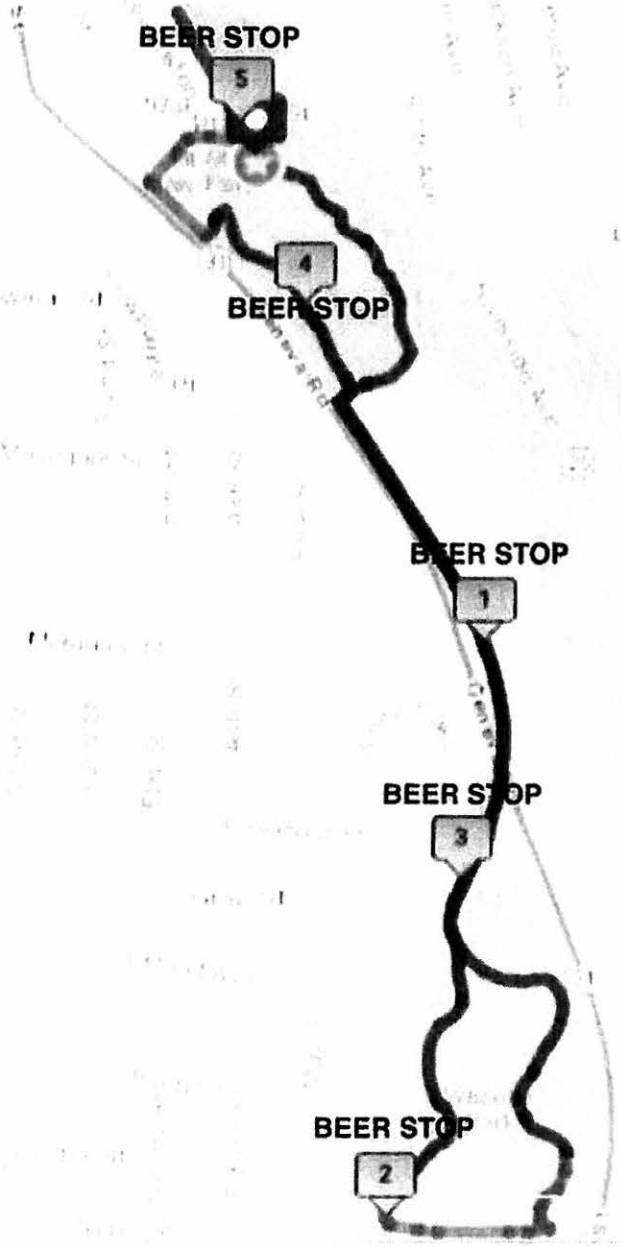
If applicable, the following must be included:

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)

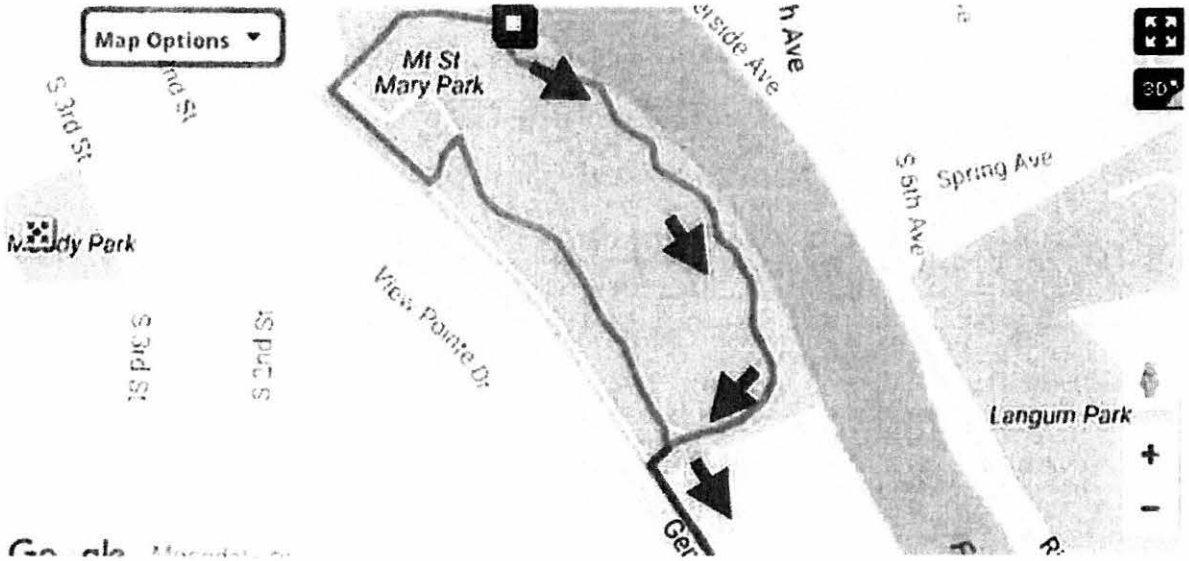
5K

Start at Mount Saint Mary Park Head South to Wheeler Park in Geneva



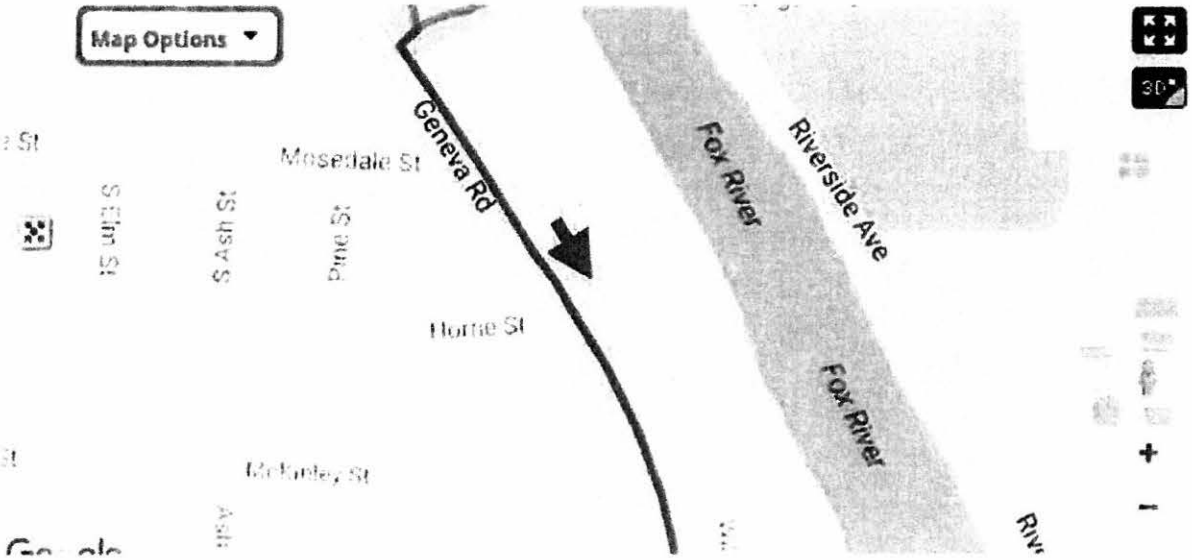
Map #1

Start at green square (start line, directly behind red square)
head southeast on path



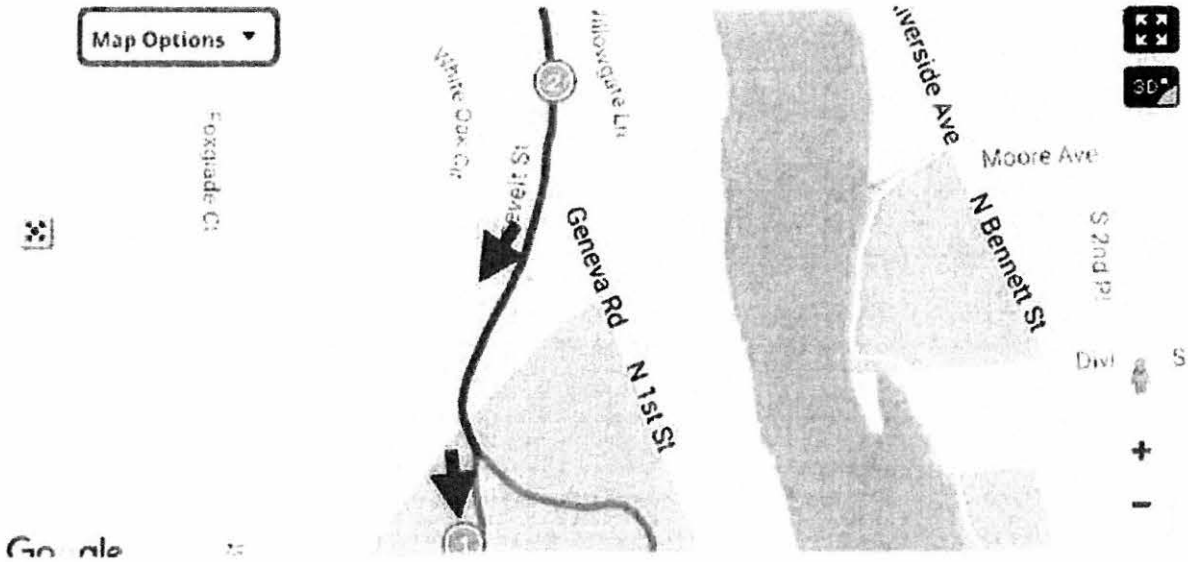
Map #2

Continue on path heading south towards Wheeler Park



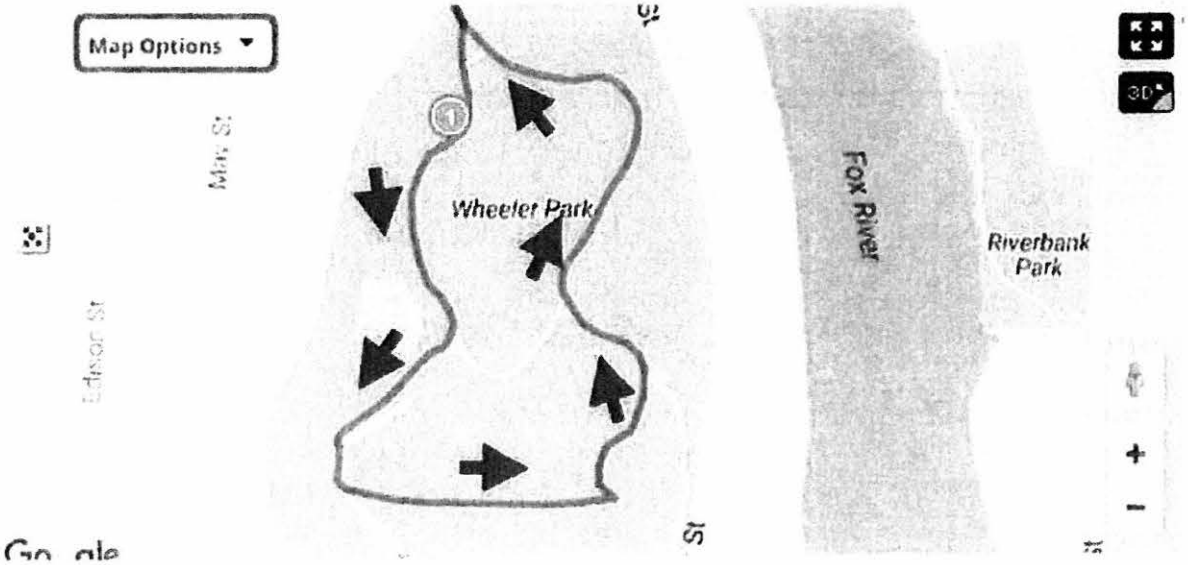
Map #3

Continue on path heading south and veering west on path



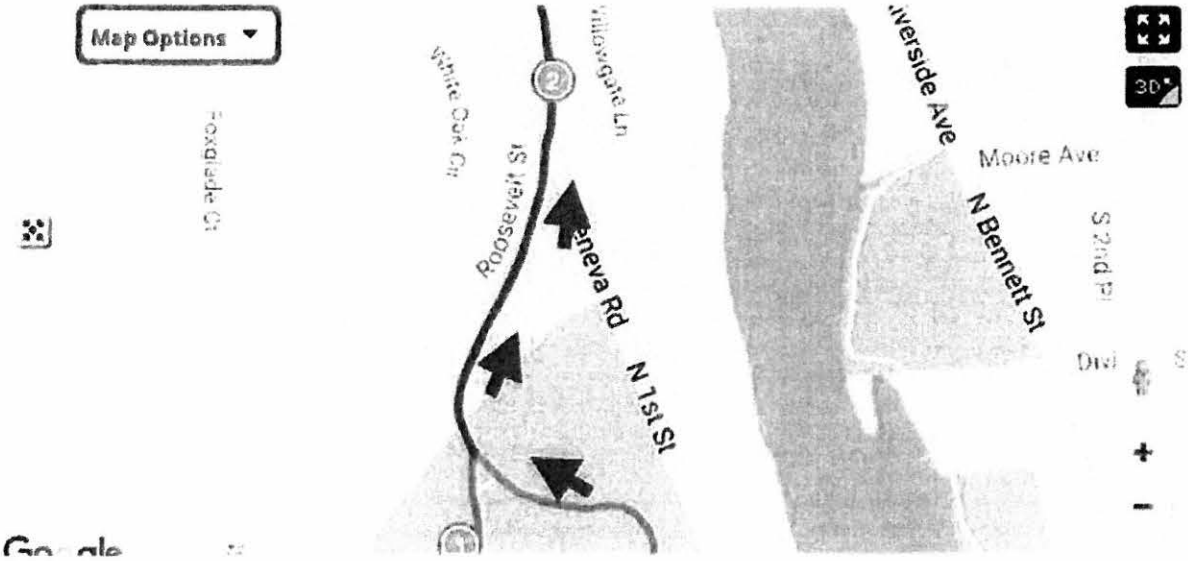
Map #4

Continue following path



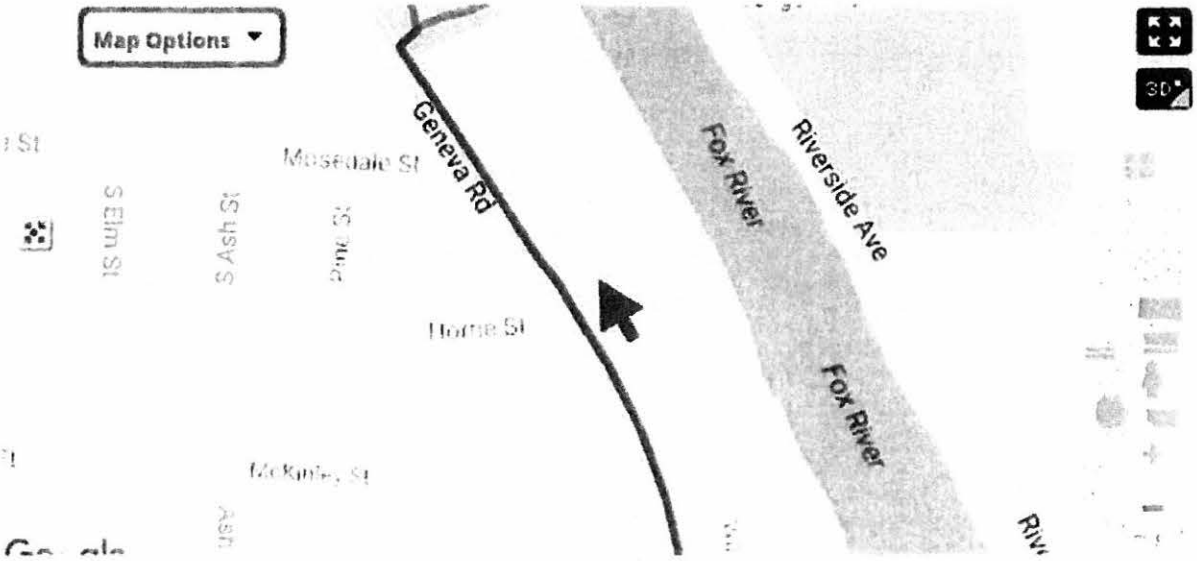
Map #5

Continue on path heading north towards Mount Saint Mary Park



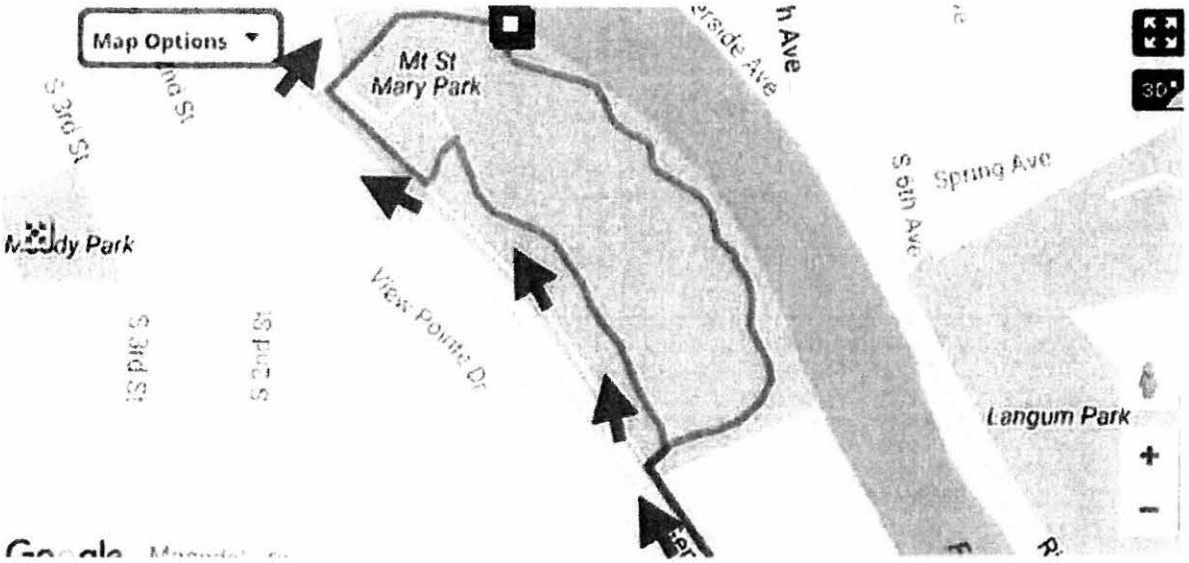
Map #6

Continue on path heading north towards Mount Saint Mary Park



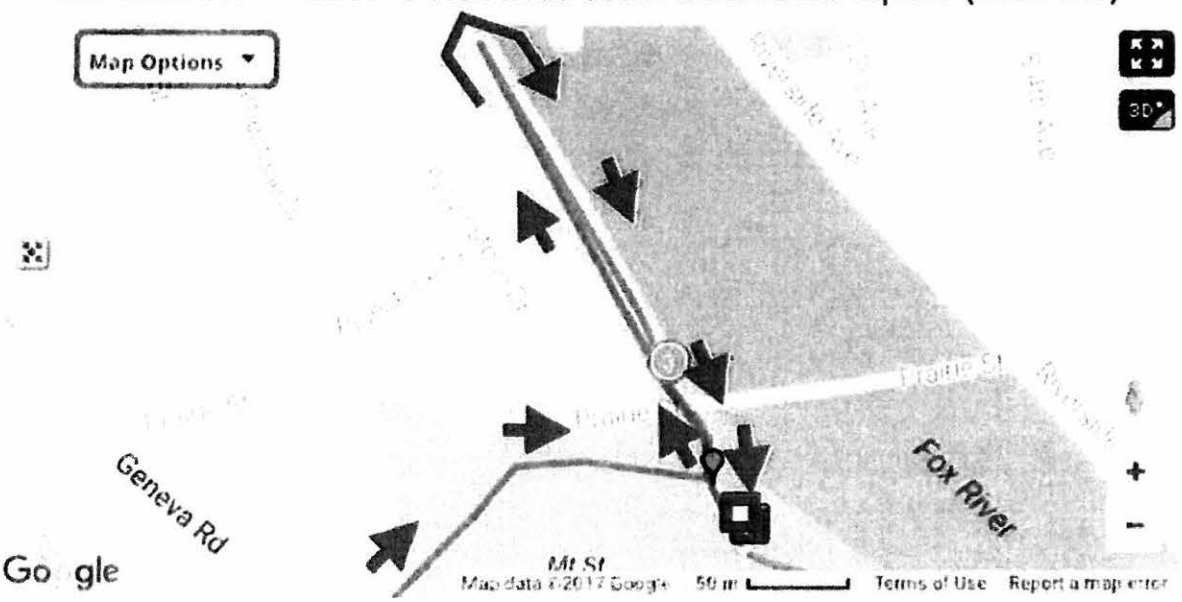
Map #7

Continue on path heading north towards Mount Saint Mary Park
then veer west on path



Map #8

Continue on path heading east towards the river then veer north on path.
IMPORTANT turnaround then head south towards red square (finish line)



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 Hops for Hope 5K **Date(s) of Event** 5/20/17

Emergency Contact Information

Primary Contact: Katherine Simmons **Secondary Contact:** Tammy Simmons

Title: Fundraising / Event Director **Title:** Director of Development

Phone No: 630 464 2991 **Phone no.:** 331 442 0179

Tertiary Contact: Melissa Burke **Operations Manager:** _____

Title: Event Coordinator **Title:** _____

Phone No: 630 488 7313 **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). Katherine Simmons has designated Melissa Burke with the responsibility of being the CRISIS MANAGER (CM). This position will empower the designated person to make decisions on behalf of Project Mobility, 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* Project Mobility *staff will be instructed to:*

   a. *Act as quickly and professionally as possible;*
   b. *To contact their immediate supervisor and/or the on-site* Melissa Burke 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 Melissa Burke 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

Melissa Burke 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 Melissa Burke.

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 Melissa Burke to discuss alternatives.

6. An official statement will be written and given to the CM as soon as it can be formulated by Project Mobility 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 Project Mobility personnel;
   c. Direct any and all media questions to CM, and only read official statements prepared by Project Mobility 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: X**
- **Food and/or beverages for immediate consumption? YES:_____ NO: X**

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:_____ Date:_____

Name:_____ Title:_____

SECTION 8 – INDEMNIFICATION/HOLD HARMLESS

In consideration of the City of St. Charles permitting the Project Mobility (name of organization) ("Organization") to conduct Hops for Hope 5K (name of event) ("Event"), the Organization 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.

Project Mobility
(Name of Organization)

1/13/17
(Date)

by _____
Authorized Signatory

Signed and sworn to before me this 13th day of January, 2017.

Peggy Montgomery
Notary Public

PEGGY L. MONTGOMERY
OFFICIAL SEAL
Notary Public - State of Illinois
My Commission Expires
May 01, 2018

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: JAN 31 2008

Employer Identification Number:
30-0143832
DLN:
17053005704048
Contact Person:
SHAWNDRA KREBS ID# 31072
Contact Telephone Number:
(877) 829-5500
Public Charity Status:
170(b)(1)(A)(vi)

PROJECT MOBILITY CYCLES FOR LIFE INC
2930 CAMPTON HILLS RD
ST CHARLES, IL 60175-0000

Dear Applicant:

Our letter dated April 2003, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

If you have general questions about exempt organizations, please call our toll-free number shown in the heading.

Please keep this letter in your permanent records.

Sincerely yours,

Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Letter 1050 (DO/CG)

Downtown Events Review Process & Evaluation

1) **Please describe the purpose of your event including proposed date(s)/time(s).**
    a. Hops for Hope 5K will be a timed and certified 5K on Saturday, May 20th with registration beginning at 9:00 am and the 5K beginning at 11:00 am and the event concluding at 3:30 pm. Throughout the course of the 5K there will be beer stops (every kilometer) to enjoy a 3 ounce sample of beer from local breweries. All participants will be required to show a valid ID and all participants must be 21 years or older. All participants will receive a wristband confirming ID was checked. Hops for Hope 5K is a fundraiser meant to bring awareness to the community on adaptive cycling and raise funds towards Project Mobility's mission.
2) **Explain how your event will comply with the evaluation criteria, as described in Downtown Events Evaluation summary.**
    a. Benefit to Downtown Business – The event will create a positive image of downtown. The event is a fundraiser and will help promote a positive giving image for the downtown area.
    b. Ease and Ability of Production – The Project Mobility event staff has the capacity and past experience with creating, planning and hosting endurance fundraisers (2017 will be our 5th year hosting a bike ride and 2nd year hosting a golf outing).
    c. Broad Popularity – The event has a minimal admission fee and appeals to runners of all speeds while appealing to those who like to experience the local craft-brewing scene.
    d. Coordination and Collaboration – We are going to collaborate with all parties necessary and meet all City and DSCP guidelines.
    e. Expansion and Diversity of The Downtown Event Calendar – The event is so unique and no other events is the Fox Valley area have been similar to a beer run for charity. It will draw in people from all over!
3) **What distances will people travel to participate in the event? Please justify.**

a. Since there is no other event similar to Hops for Hope 5K within at least a 30 mile radius, that will be a draw to attract people to attend Hops for Hope 5K. Beer runs are a fun, new and exciting type of 5K that is becoming very popular. This will help draw in a large number of people willing to travel to this new type of event. This being our first year for this event I cannot estimate the distance traveled from the event but I can express the uniqueness and the limited number of this type of event. Plus the event being a fundraising will draw in more people with them knowing their money is going to a good cause.

4) **What is the estimated number of event A) Participants B) Attendees? Please justify.**
   a. The estimated number of participants/attendees is at least 100. We just hosted a bike ride at James O. Breen Park this past September and had over 200 riders. We have yet to host a 5K but I am confident in at the very least 100 people attending.
5) **Safety and the impact on downtown businesses, residents and the City are major priorities. Please describe what street closures, detours and parking you would request and how you could address concerns from these stakeholders?**
   a. We have no need to close any streets or have any detours. Our 5K will be on the bike path and part of the sidewalk along the river. This will cause no inconvenience to businesses, residents and the City. We would like to request additional parking for the parking garage off of First Street and the public parking lot off of Second Street and Illinois. We have the parking lot at Mount Saint Mary (holds approximately 50 cars) but may need additional parking spaces. We will have signs and volunteers guiding cars to reduce any congestion or issues that may arise.
6) **Please describe what makes this event unique to Downtown St. Charles.**
   a. Hops for Hope 5K is unique to Downtown St. Charles because there is no other beer run held in the city or any of the neighboring towns. It encourages local small businesses (breweries), physical activity and support for a local charity.
7) **How will you measure success?**
   a. We will send out a post run survey to all participants asking what things they enjoyed about the event and things they wish we could improve upon for the following year. Following up with participants is very important and we will not miss out on this valuable information. Also, the amount of money raised for Project Mobility and the number of children, adults and wounded soldiers we can give the freedom of mobility through adaptive cycling will be a huge measure of success!!
8) **If successes, as you have defined it, is reached. Please describe future plans for this event.**
   a. We plan on making the event larger and reaching people from further distances to travel to St. Charles and participate in a charity run.

9) **Attach he business and marketing plans with expected revenue, expenses and sponsors secured.**
   a. We are currently working on this aspect of the event.
10) **How will your organization secure funding for any requested or required resources?**
   a. We already have established funds in place from previous fundraisers we have had.
11) **Provide a list of downtown businesses that will be affected?**
   a. No businesses will be affected since our 5K is going through a bike path towards Wheeler Park and the post run celebration will be held at Mount Saint Mary Park which is away from the businesses.

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	Agenda Item number: 6
	Title:	Discussion Regarding Tobacco Citation and Hearing Notice for Rose Smoke N' Vapor, Inc, 902 Randall Road, Ste. B, St. Charles
	Presenter:	Chief Keegan, Police Department

Meeting: Liquor Control Commission	Date: February 21, 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 cigarette license issued or impose a fine upon by reason of the Complaint of Violation filed by the Police Department of an offense happening on or about February 9, 2017 at the establishment of Rose Smoke N' Vapor, Inc. at 902 Randall Road, Ste. B, St. Charles.

Attachments (*please list*):
Citation and Notice of Hearing
Complaint of Violation

Recommendation/Suggested Action (*briefly explain*):

Discussion Regarding Tobacco Citation and Hearing Notice for Rose Smoke N' Vapor, Inc, 902 Randall Road, Ste. B, 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 TOBACCO LICENSE OF:)
)
) Case Number 2017-LC-02
Rose Smoke N' Vapor, Inc.)

CITATION AND NOTICE OF HEARING

TO: Rose Smoke N' Vapor
902 S. Randall Road, B
St. Charles, IL 60174

PLEASE TAKE NOTICE THAT on February 21, 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 5.08.320, 5.16.070 and 5.16.080 of the Municipal Code of the City of St. Charles and the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act 720 ILCS 675/1 et seq.

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 cigarette license issued to you or impose a fine upon you, or both, 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 5.16.180(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 14th day of February, 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: ABDULLAH, BAIG at 702B S. RANDALL Rd _____ on the 14 day of February, 2017.

SUBSCRIBED AND SWORN TO
before me this 14th day of February, 2017.

NOTARY PUBLIC

"OFFICIAL SEAL"
SARA K. CASS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/29/2019

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)
TOBACCO LICENSE OF:)
) Case Number 2017-LC-02
Rose Smoke N' Vapor, Inc.)
902 S. Randall Road, B)
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. On or about February 9, 2017, Rose Smoke N' Vapor, Inc., was operating under a Tobacco License issued by the City of St. Charles.

3. That on or about February 9, 2017, at approximately 6:34 p.m., the Licensee, Rose Smoke N' Vapor, Inc., by and through its employees, officers and/or agents, committed the following violation of the St. Charles Tobacco Code:

OFFENSE

Sold tobacco to a minor in violation of Section 5.16.070 of the St. Charles Municipal Code.

4. That the act detailed in Section 3 of this Complaint of Violation each are prohibited and are in violation of and contrary to Sections 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, Rose Smoke N' Vapor, 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.

WHEREFORE, the Petitioner, James Keegan, Chief of Police requests pursuant to Section 5.08.320, 5.16.170 and 5.16.180 of the St. Charles Municipal Code that the Local Liquor Control Commission, a/k/a the tobacco Commission, hold a hearing on this matter and take such action against Rose Smoke N' Vapor, Inc., as the Commission 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 14th day of February, 2017.

NOTARY PUBLIC

"OFFICIAL SEAL"
SARA K. CASS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11/29/2019

LICENSE

Granting this license does not entitle the licensee to operate or maintain a business in violation of any other law or ordinance

CITY OF ST. CHARLES MUNICIPAL LICENSE

KEEP POSTED IN PUBLIC VIEW

LICENSE NO: **8344-1**

VALID FROM 05 01 2016 TO 04 30 2017

CIG SPECIALTY STORE LICEN

UNDER THE MUNICIPAL CODE OF THE CITY OF ST. CHARLES, THIS CERTIFCATE WHEN PROPERLY VALIDATED, AFFIRMS THAT THE APPROPRIATE LICENSE FEE HAS BEEN PAID

ACCOUNT NUMBER
44226

SEAL

COPY

LICENSEE: **Rose Smoke n Vapors Inc**
902 S Randall Road, Ste B
St. Charles IL 60174

MAYOR Raymond P. Rogina

ROSE SMOKE N VAPOR INC

CITY CLERK Nancy Garrison

ANNUAL	QUARTER	DAILY
☒	☐	☐

DATE ISSUE		
MONTH	DAY	YEAR
05	01	2016

DATE DUE		
MONTH	DAY	YEAR
04	30	2016

DATE EXPIRES		
MONTH	DAY	YEAR
04	30	2017

AMOUNT DUE
$100.00

Case Report

Summary

Print Date/Time: 02/10/2017 15:36
Login ID: kschult
Case Number: 2017-00003225

ST CHARLES POLICE DEPARTMENT
ORI Number: IL0451400

Case

Case Number: 2017-00003225
Location: 902 S RANDALL RD B
SAINT CHARLES, IL 60174
Reporting Officer ID: 0107 - Anson

Incident Type: 1715 SALE OF TOBACCO/MINORS
Occurred From: 02/09/2017 18:34
Occurred Thru: 02/09/2017 18:34
Disposition:
Disposition Date:
Reported Date: 02/09/2017 18:35 Thursday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	IL0451400	1715	5-16-070	SALE OF TOBACCO TO MINOR	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
ARRESTEE	1	BAIG, ABDULLAH	197 DUBLIN CT V1 SCHAUMBURG, IL 60194		ASIAN/PACIFIC ISLANDER	MALE	46
COMPLAINANT	1	STEVEN			WHITE	MALE	57
MENTIONED BUSINESS	1	ROSE SMOKE N' VAPOR	902 S RANDALL RD B SAINT CHARLES, IL 60174	(630)797-5848			
VICTIM	1				WHITE	MALE	14

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
21216 A	BAIG, ABDULLAH	902 S RANDALL RD B SAINT CHARLES, IL 60174	02/09/2017 19:50	CITED/SUMMONED	46

Property

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

Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State

OfficerID: nanson, Narrative

On 020917 at 1834 hours, I was dispatched to Rose Smoke N' Vapor, 902 S. Randall Rd., #B for an assist a citizen call. Tricom advised that the caller wanted to speak with an officer about the store selling an item to his 14 year old son.

Upon arrival, I spoke with my complainant, Steven in the parking lot. Steven advised the following information to me in summary but not verbatim;
Steven advised that his 14 year old son, came home from school today and he discovered a vape pen and e-juice container in his school bag. Steven advised that he had a long discussion with his son on where he got the items in his bag and his son told him that he purchased the vape pen and container of e-juice from another student at . Steven advised that he had his son tell him more about where the other student purchased the two items and he was informed that all the students at purchase these items at a smoke shop in St. Charles. Steven advised that his son told him that the store does not card anyone and seems to sell to minors. Steven advised that he was pretty upset with what he was hearing so he decided to find out more. Steven advised that he had his son point out the store, Rose Smoke N' Vapor, 902 S. Randall Rd. Steven stated that he drove his son to the store and parked out front of the front entrance. Steven advised that he could see inside the business and there was an older customer inside. Steven stated that he waited until the older customer had left the business and provided his son $20 dollars and instructed him to go and see if he could purchase his e-juice. Steven advised that he waited in his car and watched his son walk up to the male clerk behind the counter. Steven stated that his son asked for a bottle of E-Juice Rise. Steven advised that his son was told that they did not have that brand of e-juice and supplied him with a 30ml bottle of Valgous Strawberry/Banana flavored e-juice. Steven advised that his son provided the clerk the $20.00 dollar bill and was able to purchase the e-juice for about $12.00 dollars. Steven advised that his son returned to the car and that was when he decided to call the police.

I spoke with Steven's son who was sitting in the vehicle. advised that when he made his purchase of the e-juice, the clerk told him not to tell his parents or the police. I informed both Steven and to remain in their vehicle and that I would be right back.

I walked into the Rose Smoke N' Vapor store and spoke with the male clerk and only employee in the store, Abdullah Baig. I asked Abdullah if he knew why I was at his business and he advised that he had no idea. I asked Abdullah if he had just sold a bottle of e-juice to someone and he stated that he did. I asked Abdullah if he asked the subject for identification and he stated that he did not and explained that there was other people in the business that appeared to be older with the subject. I explained to Abdullah that the subject who had just purchased the e-juice was only 14 years old. I collected Abdullah's information and informed him that I would be back to speak with him at a later time.

I returned to speak with Steven and again. I asked both subjects if there was anyone else in the store when entered and they both advised that it was only and the clerk. I collected the bottle of e-juice that had purchased for evidence. I informed both subjects that the clerk would be issued a citation for selling tobacco products to a minor.

I later returned to the business and issued Abdullah a local ordinance citation for Sale of Tobacco Products to a Minor (5.16.070/Citation #208319). I issued Abdullah a NTA court date of 030217 at 0900 hours, located at the KBC, 530 S. Randall Rd., St. Charles, IL 60174. I asked Abdullah if he understood the citation and if he had any questions for me. Abdullah just shook his head and stated that this was ridiculous.

The bottle of e-juice was later entered into evidence locker #3.

It should be noted that during my conversation with Steven and I had step out of the vehicle. was approximately 5'00 and less than 100 pounds. appeared to be very young and did not at all appear to be of age.

TOA-1950 hours

Cleared By Adult Arrest/Local,
NJA 356
JES 325

ARRAIGNMENT FORM

I, ABDULLAH BAIG, as agent for Rose Smoke N' Vapor, Inc., being a licensee charged with a violation of Chapter 5.16 of the Municipal Code of the City of St. Charles and the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, et seq. at **902 S. Randall Road, B, St. Charles, Illinois 60174**, do hereby enter a plea of:

☐ Guilty, but request a hearing in mitigation in which I will be given an opportunity to present evidence in support of my position to minimize any penalty.

☐ Guilty, I do not request a hearing.

☑ Not Guilty. I request a hearing.

Rose Smoke N' Vapor, Inc.

Signature: By: _____

Date: 02/17/2017

Subscribed and sworn to before me

This 17th day of February, 2017.

_____
Notary Public

OFFICIAL SEAL
STEVEN R DOUGLASS
NOTARY PUBLIC, STATE OF ILLINOIS
KANE COUNTY
MY COMMISSION EXPIRES 07/06/2020

Form can be faxed to 630~~/377-4440~~
or e-mailed to the attention of Tina Nilles
at tnilles@stcharlesil.gov
Hard copy must follow by U.S. Mail