

**AGENDA
CITY OF ST. CHARLES
LIQUOR CONTROL COMMISSION MEETING**

**MONDAY, DECEMBER 19, 2016
CITY COUNCIL CHAMBERS @ 4:30 PM
2 E MAIN STREET**

1. Call to Order.
2. Roll Call.
3. Motion to approve and accept the minutes of the November 21, 2016 Liquor Control Commission meeting.
4. Recommendation to approve a proposal of a new class B liquor license for Brunch Cafe to be located at 172 S 1st Street, St. Charles.
5. Recommendation to approve a proposal of a Massage Establishment for Spa Elysian located at 457 Dunham Road, Ste. 118, St. Charles, IL.
6. Recommendation to approve a proposal of an event “Wine Down Winter” for Shakou LLC, 112 W Main Street, St. Charles.
7. Discussion regarding Tobacco Establishment Citation and Hearing Notice for 7-Eleven Store #30153 located at 51 Randall Road, St. Charles, IL 60174.
8. Discussion regarding Tobacco Establishment Citation and Hearing Notice for 3-Star Oil and Food Mart, Inc. located at 1023 West Main Street, St. Charles, IL 60174.
9. Other Business
10. Public Comment
11. Executive Session (5 ILCS 120/2 (c)(4)).
12. 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
LIQUOR CONTROL COMMISSION MEETING
MONDAY, NOVEMBER 21, 2016**

1. Call to Order.

The meeting was convened by Liquor Commissioner Rogina at 4:33 p.m.

2. Roll Call

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

Absent: Ald. Payleitner

Others Present: Mark Koenen, Atty. Doug Cuscaden, Police Chief Keegan, Tina Nilles

3. Motion to accept and place on file minutes of the Liquor Control Commission meetings held on October 17, 2016.

Motion by Mr. Gehm second by Mr. Amenta to accept and place on file minutes of the Liquor Control Commission meeting held on October 17, 2016.

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

4. Recommendation to approve a proposal for a massage establishment license for Summer Spa located at 1550 E Main Street, St. Charles.

Chief Keegan: This a recommendation to approve a proposal for a massage establishment for Summer Spa located at 1550 E Main Street which is the Tin Cup shopping center. This business is taking the place of a current spa called Hung Da Spa at the same address. The petitioner also owns and operates a similar facility in Mt. Prospect, IL. We've contacted Mt. Prospect authorities and the business appears to be operating effectively and efficiently without any violations of either local ordinance or state statute. With us this evening is Hong Shen; also attached is a floor plan and we did a site visit. The business that this particular establishment is looking to replace has had no infractions or violations of city code.

Translator from Chicago and for Ms. Hong Shen 426 S Wesley Avenue, Oak Park.

Mr. Gehm: Seeing that you run another spa in Mt. Prospect is there anything with the St. Charles location that you would do different than what you do at the Mt. Prospect location?

Translator: I run the same business as I do in Mt. Prospect and wanted to expand my business here in St. Charles.

Chrmn. Rogina: How long have you been in your business in Mt. Prospect?

Translator: April 2016.

Ald. Lewis: How long was the other business of the one they are taking over there for?

Chief Keegan: A little over a year. Both the petitioner and her manager of record have listed a Department of Professional Regulation Massage Therapy licenses. I did check with the state and both of them are active without any infractions.

Ald. Lewis: And they have had them since April or before April?

Translator: Three years.

Mr. Amenta: No questions, they've already been answered.

Motion by Mr. Gehm, second by Mr. Amenta to recommend approval of a proposal for a massage establishment license for Summer Spa located at 1550 E Main Street, St. Charles to move forward to the Government Operations Committee.

Roll Call: Ayes: Gehm, Lewis, Amenta; Nays: None, Absent: Payleitner. Chrmn. Rogina did not vote at Chairman. **Motion carried.**

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

Chrmn. Rogina: With the Brunch Café still not shown up yet, let me introduce George Ressinger, who is a guest of mine. He is a student of St. Charles North and won an award with Jank Guitar and is shadowing me for today. Let's move on to item 6.

6. Recommendation to approve a proposal of a massage establishment for Mixology Salon Spa, 116 W Main Street, St. Charles.

Chief Keegan: Mixology is present and I will have Sue Henry come forward. This is an ancillary practice that Mixology is going to offer, meaning massage. We've met with both Sue and her partner Phoebe and talked not only about our ordinance but what their business model looks like in moving forward. We did a site visit and conducted a background exam. They will be hiring a massage therapist and know the nuances of our city ordinance. I don't see any issues in moving forward. There was a question off-line whether they would take appointments only or if they do allow walk-ins. I'll put out there on the record that obviously if it's appointment only that you exclude yourself from needing another person act as a supervisor; and if you allow walk-ins you have to have another person in the business at all times. That shouldn't be an issue

with your business or model as far as how busy you've been. In clear language, if you offer appointments only, you're exempt from the requirement of a second party being there; and if you allow walk-ins you have to have someone else in the business at all times as a go between or greeter.

Ms. Henry: So you want a manager in-house at all times.

Chief Keegan: If you are going to allow walk-ins – yes.

Sue Henry, 38W383 Fairway Drive, St. Charles.

Chrmn. Rogina: I've had occasion with my wife to step into their establishment just as a matter of walking through town and they had just opened up. I was so well pleased with the whole décor, there's an art gallery in the back, it's just tastefully done. I think this will become a major asset to downtown. In this field there is a lot of competition and you will have to work against that, but you certainly positioned yourself in a good place.

Mr. Amenta: Did you say you're working to hire a massage therapist currently or do you have one hired already?

Ms. Henry: We just hired another one. We had one that didn't work out and were without for the last month and a half. We do have somebody on staff now.

Ald. Lewis: There are two areas, so they'll be two spas and you can have a massage in either room?

Ms. Henry: We have two spa rooms. We dedicated one for the massage that we have with certain things they use like the hot stones, but if we got busy enough we could hire someone else and use both rooms.

Ald. Lewis: So are they used for facials too?

Ms. Henry: Yes.

Mr. Gehm: I have no questions and your place looks really great from the outside. I've not had the chance to stop in.

Motion by Mr. Amenta, second by Mr. Gehm to recommend approval of a proposal of a massage establishment for Mixology Salon Spa, 116 W Main Street, St. Charles to move forward to the Government Operations Committee.

Roll Call: Ayes: Gehm, Lewis, Amenta; Nays: None; Absent: Payleitner. Chrmn. Rogina did not vote at Chairman. **Motion carried.**

Chrmn. Rogina: Going back to item 5, Brunch Café, they do have to be presence and I hate to postponed but in good conscience have to if they are not here.

Tina: A message was left for the applicant on Friday on the number that is listed on the application.

Ald. Lewis: Who is applying for the license?

Chief Keegan: It's corporate and this is their fifth restaurant. They have hired a local manager and the Zato's are the owners. Let me try and see if I can reach them now. No answer.

Chrmn. Rogina: We'll move this item to the December 19, 2016 meeting.

7. Other Business

8. Public Comment

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

10. Adjournment

Motion to adjourn by Mr. Amenta, second by Mr. Gehm to adjourn meeting at 4:50 p.m.

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



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 4

Title:	Recommendation to approve a Proposal of a New Class B Liquor License for Brunch Cafe to be located at 172 S 1 st Street, St. Charles
Presenter:	Chief Keegan, Police Department

Meeting: Liquor Control Commission Date: December 19, 2016

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

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

This is a request for new class B liquor license for Brunch Cafe to be located at 172 S 1st Street, St. Charles. Operating hours will be from 6:30 a.m. to 2:30 p.m. – not late night permit. This business will be residing in the new building on 1st Street that is currently under construction and is planned for occupancy in the near future. All paper work is in order, background checks have been completed by the Police Department. Fingerprints are still pending but BASSET certification is complete for the manager. The license will not will be issued until a final occupancy permit has been released. Brunch Café also operates in Fox River Grove, Huntley, McHenry, and Roselle.

Attachments *(please list):*

- Liquor License Application
- Background Check
- Site Plan
- Business Plan
- Menu

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve a proposal of a new class B liquor license for Brunch Cafe to be located at 172 S 1st Street, St. Charles.

City of St. Charles, Illinois Liquor Control Commissioner
 CITY RETAIL LIQUOR DEALER LICENSE APPLICATION
 APPLICATION FEE IS NON-REFUNDABLE



Incomplete applications will not be accepted.
 Completed applications may be submitted to:
 Two East Main Street, St. Charles, IL 60174-1984

B-Class

Date Application Received: 11/2/16 New Application Renewal Application

APPLICATION CHECKLIST

Check items to confirm all are attached to this application	Applicant	Office Use Only
Application Fee	<input type="checkbox"/>	<input type="checkbox"/>
Completed Application for all questions applicable to your business.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Lease/Proof of Ownership	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Dram Shop Insurance or a letter from insurance agent with a proposed quote.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Articles of Corporation, if applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Completed B.A.S.S.E.T. (Beverage Alcohol Sellers & Servers Training) form – filled out for all employees. A copy of the B.A.S.S.E.T. certificate is only needed for each manager. It is the business establishment's responsibility to keep copies of all B.A.S.S.E.T. certificates on file for all of their employees.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Site Plan for Establishment (Drawn to scale including the parking lot, patio and/or deck, outdoor seating).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Floor Plan for Establishment (Drawn to scale and must include the layout of the establishment with tables, chairs, aisles, displays, cash register, bar, and lounge area with dimensions, percentage, and square footage noted for each space). Be sure to also include all fixed objects , such as pool tables, bar stools, vending/amusement machines; as well as all exits .	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Business Plan, to include: <input type="checkbox"/> Hours of Operation <input checked="" type="checkbox"/> Copy of Menu <input type="checkbox"/> Whether or not live music will be played at this establishment <input type="checkbox"/> Will there be outdoor seating and/or outdoor designated smoking area <input type="checkbox"/> Do not include a marketing or financial plan with this business plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are any building alterations planned for this site? If not sure, please contact Building & Code Enforcement at 630.377.4406 and/or Fire Prevention Bureau at 630.377.4458 to discuss whether or not a walk-thru and/or permit are necessary for this business. <i>new building / construction</i>	<input type="checkbox"/>	<input type="checkbox"/>
All managers have been fingerprinted who are employed by your establishment. When new management is hired, it is imperative you contact the Mayor's office to be fingerprinted so the City's business files are appropriately updated.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

OFFICIAL USE ONLY

Approved* Denied Date Approved/Denied: _____ Customer Number: _____

Signature of Mayor, Liquor Control Commissioner

Date Issued

*ISSUANCE OF THIS LICENSE IS CONTINGENT ON MEETING ALL REQUIRED BUILDING AND FIRE DEPARTMENT REQUIREMENTS.

07.05.2016

Date: _____
() New Application
() Renewal Application

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



City Retail Liquor Dealer License Application (rev. 12/13) Non-Refundable

Ordinance 5.08.050.A1 Application must be completed in full Incomplete applications will be rejected

Business Type: Circle one Individual Partnership Corporation Other _____

Business Name Brunch Cafe Sales Tax # 4225-6321

Business Address 172 S. First St St. Charles IL 60174 Business Phone # Applied

Contact Person Andy Title Pres Phone # _____

If Corporation, Corporate Name BNL, St. Charles Corp

Corporation Address 1110 W. Lake Cook Rd, Buffalo Grove IL 60089

Corporate Officers, plus Manager of Establishment, Officers must include President, Vice President, Secretary and Treasurer Or Sole Proprietor

Have you had a business within the City of St. Charles under any other corporate name: Yes No
If yes, list address of business _____

Full Name, include Middle Initial Andy D Zatos Title Pres

Birth Date _____ Birthplace IL Driver's License # _____ Home Phone # _____

Home Address 121 _____ Addison IL 60101

Full Name, include Middle Initial Ted Zatos Title VP

Birth Date _____ Birthplace IL Driver's License # _____ Home Phone # _____

Home Address _____ Bloomington IL 60108

Full Name, include Middle Initial Peter Revel Title Sec

Birth Date _____ Birthplace IL Driver's License # _____ Home Phone # _____

Home Address _____ Palatine 60067

Type of Establishment: () Package () Restaurant () Tavern () Hotel/Banquet/ Arcada/Q-Center () Other _____

Check as Applicable to () Holding Bar [5.08.010-F] () Service Bar [5.08.010-O] () Live Entertainment [5.08.010-H]
Type of Establishment: () Outside Dining [17.20.020-R]

Brief Business Plan Description based on type of establishment listed above:
Breakfast & Lunch Restaurant serving Bloody Marys and Mimosas

George Revelatos (Treas) IL _____ Initial: Liq Comm _____
Elk Grove Village IL 60007 Police Chief _____

APPLICANT INFORMATION

A. Type of Business: Individual Partnership Corporation Other (explain):

B. Business Name: Brunch Cafe

C. Business Address: 172 S. First St. St. Charles IL 60174

D. IL Tax ID Number: <u>4005-6301</u>	E. Business Phone: <u>847-312-5460</u>	F. Business E-mail: <u>stcharles@brunchcafe.com</u>	G. Business Website: <u>BrunchCafe.com</u>
H. Contact Person: <u>Andy Zatos</u>		I. Title: <u>Pres</u>	J. Phone No.: [REDACTED]

K. If Corporation, Corporation Name: BUL St. Charles Corp.

L. Corporation Address (city, state, zip code): 1110 W. Lake Cook Rd Buffalo Grove IL 60089

BUSINESS ESTABLISHMENT LOCATION INFORMATION

A. Type of Establishment: Package Restaurant Tavern Hotel/Banquet/Arcada/Q-Center Other

B. Address applying for liquor license (exact street address): <u>172 S. First St St. Charles IL 60174</u>	C. Number of Parking Spaces: <u>110</u>	D. Outside Dining s.f. [17.20.020-R]: <u>N/A</u>	E. Holding Bar s.f. [5.08.010-F]: <u>N/A</u>
F. Total Building s.f.: <u>5100</u>	G. Total Number of Seats: <u>150</u>	H. Number of Bar Seats: <u>N/A</u>	I. Sale Counter s.f.: <u>N/A</u>
J. Live Entertainment Area s.f. [5.08.010-H]: <u>N/A</u>	K. Kitchen s.f.: <u>2700</u>	L. Cooler s.f.: <u>Part of Kitchen</u>	M. Dry Storage s.f.: <u>Part of Kitchen</u>
N. Seating Area s.f.: <u>2400</u>	O. Retail/public Area s.f.:	P. Service Bar s.f. [5.08.010-O]:	

Q. Brief Business Plan description based on type of establishment listed above:
Breakfast and Lunch Restaurant.

MANAGER INFORMATION

Full Name, include middle initial: <u>Kyle Pepich</u>	Title: <u>Manager</u>
Birthdate:	Birthplace: <u>IL</u>
Driver's License#:	Home Phone: [REDACTED]
Home Address: [REDACTED]	<u>Carpentersville IL 60110</u>

Full Name, include middle initial:	Title:
Birthdate:	Birthplace:
Driver's License#:	Home Phone:
Home Address:	

Full Name, include middle initial:	Title:
Birthdate:	Birthplace:
Driver's License#:	Home Phone:
Home Address:	

PROPOSED FLOOR PLAN/LAYOUT OF PROPERTY

Mandatory: attach to this application a floorplan or layout of the proposed facility to include the following:

CLASS B LICENSES


1.	Every application for a Class B license, whether an initial application or a renewal application, shall have attached thereto a site drawing of the proposed licensed premises, drawn to scale showing the following (<i>check off once complete</i>): a. The location of all rooms, segregated areas, including outdoor seating areas and the square footage thereof; b. The designated use of each room or segregated area (i.e. dining room, holding bar, service bar, kitchen, restrooms, outdoor seating areas, all rooms and segregated areas, including outdoor areas where alcoholic liquor may be served or consumed and all locations where live entertainment may be provided); c. The proposed seating capacity of rooms or segregated areas where the public is permitted to consume food and/or alcoholic beverages and/or live entertainment may be provided.**
2.	The site drawing is subject to the approval of the Local Liquor Control Commissioner. The Local Liquor Commissioner may impose such restrictions as he deems appropriate on any license by noting the same on the approved site drawing or as provided on the face of the license.
3.	A copy of the approved site drawing shall be attached to the approved license and is made a part of said license.
4.	It shall be unlawful for any Class B licensee to operate and/or maintain the licensed premises in any manner inconsistent with the approved site drawing.

CLASS C LICENSES

1.	Every application for a Class C license, whether an initial application or a renewal application, shall have attached thereto a site drawing of the proposed licensed premises, drawn to scale, showing the following (<i>check off once complete</i>): a. The location of all rooms, segregated areas, including outdoor seating areas and the square footage thereof; b. The designated use of each room or segregated area (e.g. dining room, holding bar, service bar, kitchen, restrooms, outdoor seating areas, all rooms and segregated areas, including outdoor areas, where alcoholic liquor may be served or consumed and all locations where live entertainment may be provided); c. The proposed seating capacity of rooms or segregated areas where the public is permitted to consume food and/or alcoholic beverages and/or live entertainment may be provided.**
2.	The site drawing is subject to the approval of the Local Liquor Commissioner. The Local Liquor Commissioner may impose such restrictions as he deems appropriate on any licensee by noting the same on the approved site drawing or as provided on the face of the license.
3.	A copy of the approved site drawing shall be attached to the approved license and is made a part of said license.
4.	It shall be unlawful for any Class C licensee to operate and/or maintain the licensed premises in any manner inconsistent with the approved site drawing.

****THE FIRE PREVENTION BUREAU WILL FURNISH ALL FINAL, PERMITTED OCCUPANCY NUMBERS FOR THIS LICENSE.**

CORPORATION / PREMISES QUESTIONS

1.	<p>If applicant is an individual or partnership, is each and every person a United States citizen (5.08.070-2)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Is any individual a naturalized citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, print name(s), date(s), and place(s) of naturalization:</p>
2.	<p>List the type of business of the applicant (5.08.070-3): <u>Restaurant</u></p>
3.	<p>Number of years of experience for the above listed type of business (5.08.070-4): <u>20</u></p>
4.	<p>Amount of merchandise that normally will be in inventory when in operation (5.08.070-5): \$ <u>300-500</u></p>
5.	<p>Location/address and description of business to be operated under this applied for license (5.08.070-6): <u>172 S. First St</u> <u>St. Charles II 60174</u></p>
6.	<p>Is the premises owned or leased (5.08.070-6A)? <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Leased</p>
7.	<p>If the premises are leased, list the names and addresses of all direct owners or owners of beneficial interests in any trusts, if premises are held in trust (5.08.070-6B):</p> <p>Name of Building Owner: <u>First Street Development II, LLC</u></p> <p>Address of Building Owner:</p> <p>Mailing Address of Building Owner (if different):</p> <p>Phone Number: <u>630-363-7270</u> E-mail Address: </p> <p>Name of Building Owner:</p> <p>Address of Building Owner:</p> <p>Mailing Address of Building Owner (if different):</p> <p>Phone Number: E-mail Address:</p> <p>Name of Building Owner:</p> <p>Address of Building Owner:</p> <p>Mailing Address of Building Owner (if different):</p> <p>Phone Number: E-mail Address:</p>
8.	<p>Does the applicant currently operate, or operated in the past, any other establishment within the City of St. Charles that requires a liquor license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please list the business name(s) and address(es):</p>

15.	<p>Complete ONLY if yes was answered to the questions above (14):</p> <p>Name: _____ Name of Business: _____</p> <p>Position with the Business: _____</p> <p>Date(s) of Denial: _____</p> <p>Reason(s) for Denial of License: _____</p>
16.	<p>Date of Incorporation (Illinois Corporations) (5.08.070-10): <u>8/2016.</u></p> <p>Date qualified under Illinois Business Corporation Act to transact business in Illinois (Foreign Corporation): <u>Nov/2016.</u></p>
17.	<p>Has the applicant and all designated managers read and do they all understand and agree not to violate any liquor laws of the United States, the State of Illinois, and any of the ordinances of the City of St. Charles in conducting business(5.08.070-11)?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Have you, or in the case of a corporation, the local manager, or in the case of a partnership any of the partners, ever been convicted of any violation of any law pertaining to alcoholic liquor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Have you, or in the case of a corporation the local manager, or in the case of a partnership any of the partners, ever been convicted of a felony? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Have you ever been convicted of a gambling offense? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If a partnership or corporation, include all partners and the local manager(s).)</p> <p>Will you and all your employees refuse to serve or sell alcoholic liquor to an intoxicated person or to a minor?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
18.	<p>Mandatory: All individual owners, partners, officers, directors, and/or persons holding directly or beneficially more than five (5) percent in interest of the stock of owners by interest listed on page 1 of this application must be fingerprinted by the City of St. Charles Police Department (5.08.070-A12).</p> <p>Has this been done? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, date(s): <u>with schedule completed 11/9/16</u></p>
19.	<p>Mandatory: Has the applicant attached proof of Dram Shop Insurance to this application or already furnished it to the City of St. Charles (5.08.060)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If already furnished, date of delivery: _____</p> <p>NOTE: Insurance must be issued from May 1, 20XX – April 30, 20XX in accordance with City code 5.08.060. Request a prorated rate from your insurance company if you are applying for a new license during this timeframe.</p>

20.

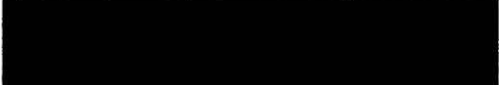

Mandatory: Is the premises within 100 feet of any real property of any church; school; hospital; home for the aged or indigent persons; home for veterans, their wives/husbands, or children; and/or any military or naval station (5.08.230)?

Yes No

COMMENTS/ADDITIONAL INFORMATION

B.A.S.S.E.T. TRAINING

Please list employees required to have B.A.S.S.E.T training on this page – include all managers, assistant managers, bartenders, and clerks who are permitted to make alcoholic liquor sales. **Include copies of certificates for managers only and mark Manager if applicable. Add another page, if needed.**

Name: Kyle Pepich (First) (Last) (Middle) M Manager
Home Street Address: 
City, State, Zip: Carpentersville
Date of Course: 10/5/15 Place Course was Taken: #SA-0105312
Birthdate:  Certificate Granted: yes Expiration: 10/5/18

Name: (First) (Last) (Middle) Manager
Home Street Address:
City, State, Zip:
Date of Course: Place Course was Taken:
Birthdate: Certificate Granted: Expiration:

Name: (First) (Last) (Middle) Manager
Home Street Address:
City, State, Zip:
Date of Course: Place Course was Taken:
Birthdate: Certificate Granted: Expiration:

Name: (First) (Last) (Middle) Manager
Home Street Address:
City, State, Zip:
Date of Course: Place Course was Taken:
Birthdate: Certificate Granted: Expiration:

NEW MANAGEMENT REQUIREMENTS

**Whenever a new manager comes on board, the City must be notified and that person must be fingerprinted.
It is the business establishment's responsibility to keep copies of all B.A.S.S.E.T. certificates on file for their employees.**

APPLICATION FOR LATE NIGHT PERMIT

SUPPLEMENTAL TO LIQUOR LICENSE FOR CLASS B/C

To: St. Charles Liquor Control Commission

Date:

I now possess or have applied for a liquor license Class

Applicant's Name:

Name of Business:

Business Address:

Business Phone:

SUPPLEMENTAL PERMIT APPLIED FOR

Payment of Late Night Permit fee is required at the time the permit is issued.

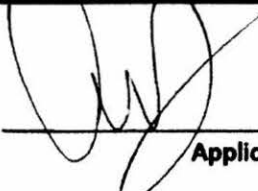
1:00 a.m. Late Night Permit – fee of \$800.00

2:00 a.m. Late Night Permit – fee of \$2,300.00

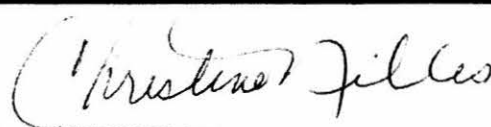
NOTE: Other permits that may be available upon request include:

- Class E – Special Event License (1 to 3-day event @ \$100.00 per day)
- Outdoor Dining Permit (Contact Community & Economic Development @ 630.377.4443)

SIGNATURES



Applicant's Signature



Liquor Commissioner hereby directs City Clerk to issue permit indicated above.

Liquor Commissioner's Signature

Date



Memo

Date: 11/15/2016
To: The Honorable Ray Rogina, Mayor-Liquor Commissioner
From: James Keegan, Chief of Police
Re: Background Investigation-Brunch Cafe

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

As is customary procedure, a detective was assigned this investigation and reviewed both the site location/floor plans and the corresponding application. In addition, the application material was reviewed by our Fire Department, Finance Department and Community/Economic Development. Each department reviewed the information submitted subject to their purview and area of responsibility; no issues were noted.

We as a police department found nothing of a derogatory nature that would preclude either the site location or the applicant from moving forward with both liquors sales and on-site consumption, subject to City Council approval with the following contingency:

This site is not yet built out but building plans and seating plans appear to adequate and sufficient (see attachment). The Liquor license would be contingent upon an occupancy permit being issued from the Fire Department and final inspection by the Building Department.

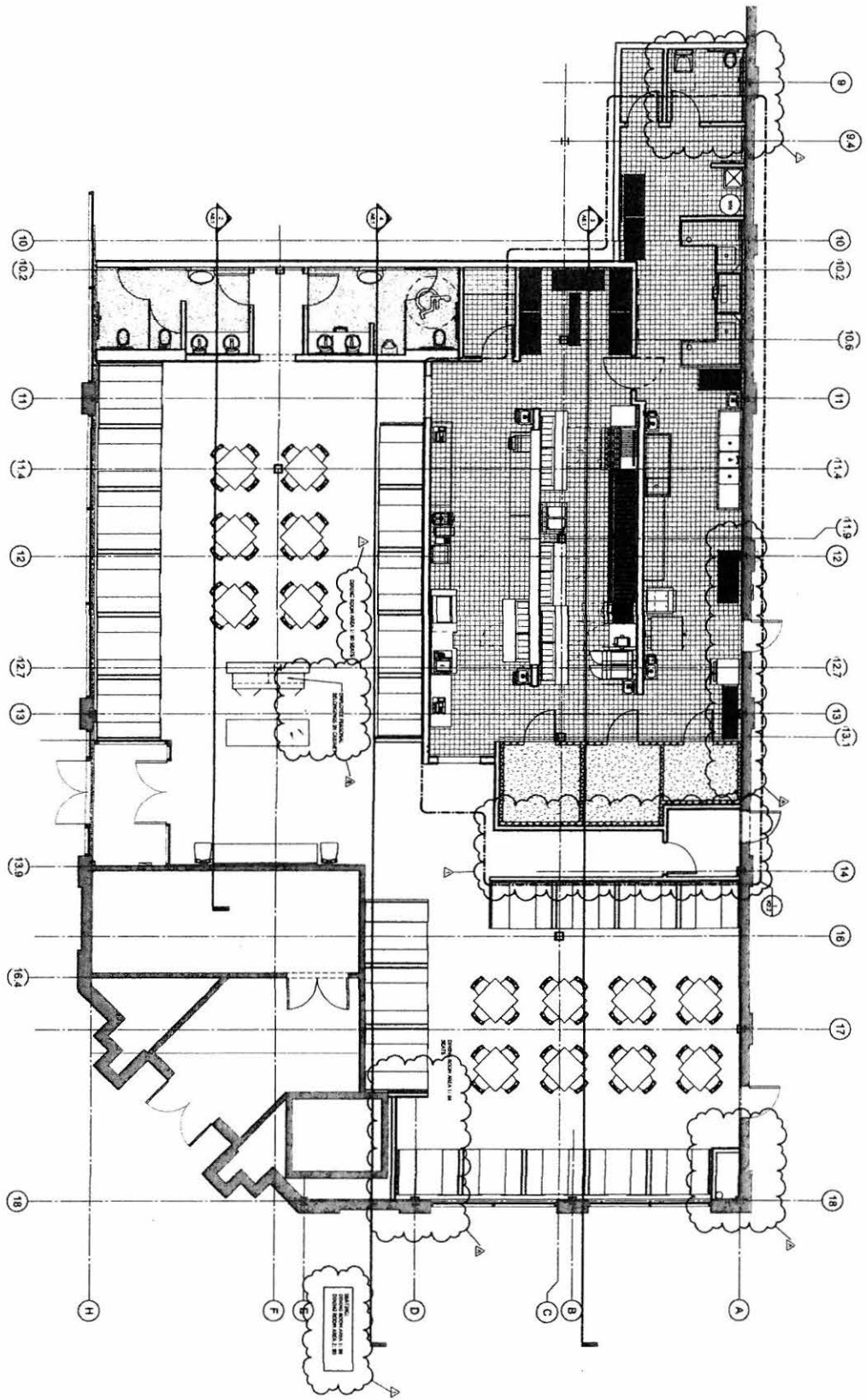
This is a Class B request. The hours of operation are from 6:30 a.m. to 2:30 p.m.; 7-days a week. The petitioner also operates Brunch Café's in Fox River Grove, Huntley, McHenry and Roselle.

Thank you in advance for your consideration in this matter.

↑
Z

1 RESTAURANT EQUIPMENT PLAN
1/8" = 1'-0"

← 1ST STREET →



K2.1

DDCA
architects
Direct Design Ltd
C/O 101-1111 101st Ave

DATE	NO.	DESCRIPTION

DATE	NO.	DESCRIPTION

DATE	NO.	DESCRIPTION

DATE	NO.	DESCRIPTION

DATE	NO.	DESCRIPTION

DATE	NO.	DESCRIPTION

brunch
Breakfast + Lunch
Cafe
St Charles, IL

Brunch Café
172 S 1st Street
St. Charles, IL 60174

- Family business serving breakfast and lunch
- Hours of operation will be 6:30 a.m. to 2:30 p.m.
- All service will be held in doors and will not have any music entertainment.

Have several other locations with the first one established in Fox River Grove in 2008, Roselle in 2009, McHenry in 2010, and Huntley in 2014.

entrée salads

stuffed avocado

fresh fruit, scoop of chicken salad and sliced avocado 9.99

chicken bruschetta salad

grilled chicken breast over romaine, diced tomatoes, feta cheese and olives tossed in our vinaigrette and garnished with our pita croutons 9.99

cobb

romaine topped with grilled chicken breast, bacon, tomatoes, avocado, egg, bleu and cheddar cheese 10.99

berry chicken

spring mix greens topped with a generous scoop of chicken salad, raspberries, strawberries, blueberries, pecans, and blueberry pomegranate vinaigrette 10.99

southwest

romaine, black beans, corn, diced tomatoes, cucumbers, bacon, cajun dusted grilled chicken, and shredded cheddar garnished with tortilla strips and served with chipotle ranch dressing 10.99

chopped

romaine, green onion, diced tomatoes, diced cucumbers, bacon, diced chicken, bleu and cheddar cheese, egg and pasta 10.99

paninis

all paninis are served with homemade potato chips or french fries and a pickle

caprese chicken

grilled chicken, provolone cheese, oven roasted tomatoes, basil and balsamic mayo 9.99

turkey avocado

oven roasted turkey, bacon, avocado, swiss cheese and chipotle mayo on focaccia 9.99

wraps

all wraps are served with homemade potato chips or french fries and a pickle

baja steak

skirt steak, corn, black beans, cheddar cheese, lettuce, tomato, and chipotle ranch dressing 10.99

grilled veggie

portobello mushrooms, roasted red peppers, spinach, red onion, tomato, provolone and balsamic mayo 9.99

kickin' chicken

crispy chicken smothered in spicy buffalo sauce, ranch dressing, romaine lettuce, tomatoes, and bleu cheese crumbles wrapped in a flour tortilla 9.99

chicken blt

crispy chicken, bacon, lettuce, tomato, cheddar cheese and ranch dressing 9.99

gourmet sandwiches

all sandwiches are served with homemade potato chips or french fries and a pickle

apple gouda melt

sliced ham off the bone, gouda cheese, cranberry mayo on grilled apple bread 9.99

manhattan

warm roast beef, grilled red onions, swiss cheese, garlic mayo on grilled marble rye bread 9.99

the brunch chicken

grilled chicken breast, sliced apple, avocado, bacon, swiss cheese, leaf lettuce, and french dressing on ciabatta 9.99

reuben new yorker

thinly sliced corned beef, sauerkraut, thousand island dressing, and swiss cheese piled high on grilled marble rye 10.99

chicken salad

white meat chicken salad mixed with pecans, diced apples and dried cranberries served on multigrain bread 9.49

turkey club

turkey, bacon, lettuce, tomato, american cheese, and mayo on toasted white bread 9.99

tuna melt

white albacore tuna salad, grilled tomatoes and mozzarella cheese on grilled multigrain bread 9.99

turkey california

slices of turkey, swiss cheese, guacamole, lettuce, tomatoes, on whole wheat toast 8.99

burgers (certified angus)

all burgers are served with homemade potato chips or french fries and a pickle

burger 8.99

add american, swiss, mozzarella, or cheddar .75
add bacon 1.00

patty melt

american cheese and caramelized onions on marble rye 9.99

kick my angus

onion ring, sliced jalapenos, cheddar cheese, chipotle ranch on a gourmet bun 10.99

turkey burger ♡

a seasoned lean turkey burger topped with swiss cheese, honey mustard, lettuce, tomato and red onion, served on a pretzel bun 9.99

brunch burger

(low carb...high protein)
8 oz. burger, grilled onion, tomato, swiss cheese, and topped with a fried egg, served on a bed of baby spinach leaves and a side of cottage cheese 9.99

brunch

Breakfast • Lunch

Cafe

12270 princeton dr
(frontage rd on route 47)

huntley il 60142

847.669.8437 • fax 847.669.8583

hours: 6:30 a.m. - 2:30 p.m.

take out • dine in • catering
Deliveries mon-Fri to any
Huntley location

Visit us at brunchcafe.com for our
complete catering menu, banquet
services and contact information



Visit us at brunchcafe.com for our complete catering menu and banquet services.

prices subject to change without notice. if you like us, tell others, if you don't tell us!

good morning

quality, freshness, and exceptional service

hey batter, batter

our pancakes are dusted with powdered sugar and served with warm syrup and whipped butter

original buttermilk pancakes

plain and simple! 6.49

add: strawberries, blueberries, or raspberries 1.50

shorty

eating light? have a short stack, two moist buttermilk pancakes 5.49

chocolate bacon

sweet and savory! diced bacon and chocolate chips baked inside our buttermilk pancakes and drizzled with chocolate syrup 8.99

blueberry bliss cakes

our fluffy blueberry infused hot cakes layered with a creamy cheese filling then topped with plump blueberries and vanilla bean glaze 8.99

carrot cake

multigrain cakes topped and filled with pecans and shredded carrots layered with brunch cream and vanilla bean glaze 8.49

black & white

for the chocoholics! milk chocolate and white chocolate chips drizzled with chocolate and vanilla glaze 8.49

multigrain

heart healthy multigrain pancakes 7.49

add: strawberries, blueberries, or raspberries 1.50

gluten-free pancakes

add: strawberries, blueberries, or raspberries 1.50

belgian waffles

the original

served with warm maple syrup, whipped butter and dusted with powdered sugar 6.99

add: strawberries, blueberries, or raspberries 1.50
add: ice cream 1.75

churro

original waffle tossed in cinnamon sugar 7.49

berry explosion

raspberries, strawberries, blueberries... enough said! 8.99

stuffed waffle

our crispy belgian waffle stuffed with strawberries, bananas, and our strawberry cream cheese filling topped with whip cream 8.99

french toast frenzy

thick french toast

dusted with powdered sugar and served with warm syrup 6.99

apple bread french toast

two slices of our fresh baked apple bread with a vanilla bean glaze, and pecans 8.99

red velvet french toast

red velvet cake filled with cream cheese icing and topped with strawberries and whip cream 8.49

banana bread

one of our favorites! three slices of our banana bread french toast topped with slices of banana and pecans 8.49

cinnamon roll

three slices of our fresh baked cinnamon french toast topped with our vanilla bean glaze 8.49

sides

sausage 2.99

turkey sausage patties 2.99

bacon 3.99

ham off the bone 3.99

canadian bacon 3.99

corned beef hash 3.99

brunch potatoes 2.49

toast 1.99

brunch cafe is committed to providing our guests with what we feel are the most important aspects of the breakfast and lunch experience our professional and courteous staff is dedicated to providing you with an enjoyable and tasty dining experience

enjoy your meal!

french toast frenzy

stuffed french toast

cream cheese filling, fresh strawberries, and topped with whipped cream 8.49

signature brunch french toast

slices of french bread soaked in our vanilla bean custard, baked, and topped with kiwis and strawberries 8.99

whole grain french toast

three pieces of whole grain french toast topped with fresh strawberries, blueberries, and raspberries 8.99

crepe expectations

plain crepes

dusted with powdered sugar and served with warm syrup 6.49

add: strawberries, blueberries, or raspberries 1.50

lemon poppyseed

topped with fresh blackberries, kiwi, and vanilla bean glaze 8.49

strawberry banana crepes

topped with strawberries, ripe bananas and served with strawberry glaze and vanilla bean glaze 8.49

berry berry crepe

filled with strawberry cream cheese filling and strawberries, topped with blueberries, raspberries, and strawberries 8.99

ham & swiss

our delicious crepes filled with swiss cheese and ham off the bone, topped with hollandaise sauce 9.99

california

scrambled eggs, avocado, spinach, bacon, jack and cheddar cheese, and topped with hollandaise sauce 9.99

"route 47"

spinach, mushrooms, onions, and cheddar cheese stuffed in our crepes and topped with hollandaise sauce 8.49

egg-ceptional

all eggs served with our brunch potatoes and your choice of toast or pancakes

just two eggs (any style) 5.99

with bacon, sausage, or ham 7.99

with canadian bacon 7.99

with corned beef hash 7.99

substitute egg beaters or egg whites for an additional 1.00

scramblers

served with brunch potatoes, and your choice of toast or pancakes

south beach

scrambled eggs, bacon, spinach, avocado, and monterey jack cheese 9.99

nacho

scrambled eggs, chicken, tortilla chips, tomatoes, green onion, pepperjack cheese, salsa verde, and sour cream 9.99

mardi gras

scrambled eggs, andouille sausage, spinach, oven roasted tomatoes, provolone cheese 9.99

health club

egg whites, turkey sausage, oven roasted tomatoes, mushrooms and pepper jack cheese (served with fruit) 9.99

brunch omelets

all omelets served with our brunch potatoes and your choice of toast or pancakes

baked potato

diced potato, bacon, cheddar cheese, sour cream and green onions, served with fruit 9.99

ham & cheese

ham off the bone with your choice of cheese 9.49

garden

mushrooms, onions, spinach, asparagus, tomatoes and green peppers 9.49

mile-high

green peppers, onions and ham 9.49

spinach & feta

sautéed baby spinach and feta cheese 9.49

butchershop

ham, bacon and sausage 9.99

mediterranean

oven roasted tomatoes, feta cheese, onions and basil 9.99

caliente

chorizo sausage, jalapenos, diced tomatoes, onions and cheddar cheese, served with salsa and sour cream 9.99

brunch favorites

breakfast burrito

scrambled eggs, diced potatoes, chorizo, tomatoes, onions, jalapenos and cheddar cheese wrapped in a warm flour tortilla 9.99

south of the border

we've taken the traditional quesadilla and given it a new look! our breakfast quesadilla starts with a delicious combination of scrambled eggs, melted cheddar cheese, green onions, tomatoes and bacon, folded in a large tortilla and topped with sour cream and avocado slices 8.99

stuffed potato pancakes

scrambled eggs, bacon, and cheddar cheese stuffed in our potato pancakes 9.99

country fried steak and eggs

topped with our delicious sausage gravy 9.99

breakfast sliders

made small for just the right bite! three mini breakfast sandwiches with scrambled eggs, sausage patties, and american cheese, served with brunch potatoes 8.99

biscuits & gravy

fluffy biscuits smothered with our rich sausage gravy, always a favorite! 6.99

panini

scrambled eggs, tomatoes, american cheese, and bacon and served with brunch potatoes 8.99

stuffed portobello

portobello mushroom stuffed with scrambled egg whites, spinach, red peppers, green onions, and low fat mozzarella cheese, served with a scoop of cottage cheese 9.99

little brunchers

12 years old and younger includes soft drink or milk, add 1.00 for juice

chocolate chip cakes 4.99

baby cakes with fruity pebbles 4.99

two eggs with bacon 4.99

french toast sticks 4.99

dippin' chicken fingers 5.99

cheeseburger 5.99

grilled cheese 5.99

mac-n-cheese with fruit 5.49

brunch bennies

all benedicts are made with two poached eggs

original

canadian bacon and hollandaise sauce served on an english muffin 8.99

veggie potato pancake

sautéed spinach, mushrooms, tomato, onion, green pepper, Monterey Jack cheese and hollandaise sauce. Served on two potato pancakes with fresh fruit 9.99

florentine

sautéed spinach, mushrooms, oven roasted tomatoes, and hollandaise sauce served on an english muffin 9.49

portobenny

fresh asparagus, goat cheese, and hollandaise sauce served on portobello mushroom caps 9.99

eggsquisite skillet

made with two eggs any way you like and served over our brunch potatoes with toast or pancakes

sweet potato

sweet potato tots, apples, ham, and smoked gouda cheese 9.99

irish

corned beef hash & swiss cheese 8.99

meat & potato

ham, bacon, sausage, and cheddar cheese 9.99

ay carambal

chorizo sausage, onions, tomatoes, jalapenos and cheddar cheese, served with salsa and sour cream 9.99

veggie

mushrooms, onions, spinach, green peppers, tomatoes, and monterey jack cheese 9.49

steak

sliced skirt steak, mushrooms, onions and provolone cheese 10.99

oatmeals

old fashioned oatmeal 4.49

apple cinnamon oatmeal

with brown sugar 5.99

cranberry pecan oatmeal with honey 5.99

berry bowl

strawberries, blueberries, raspberries served with our signature brunch cream 6.49

yogurt parfait

blueberries, strawberries, raspberries, granola and low fat yogurt 5.99

smoothies

banana strawberry 4.99

berry berry 4.99

juice

orange, apple, cranberry, tomato, and grapefruit sm. 2.49 | lrg. 2.99

strawberry orange juice sm. 2.99 | lrg. 3.99

specialty drinks

espresso 2.50 americano 3.25

cappuccino, latte 3.50

make it hazelnut, caramel, vanilla, sugar free vanilla or peppermint add .50

mocha 3.50 chai 3.50

hot chocolate 2.79

raspberry or pomegranate

flavored lemonade 2.85

raspberry or pomegranate

flavored iced tea 2.85

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 5

Title:

Recommendation to Approve a Proposal of a Massage Establishment for Spa Elysian, 457 Dunham Road, Ste. 118, St. Charles

Presenter:

Chief Keegan, Police Department

Meeting: Liquor Control Commission

Date: December 19, 2016

Proposed Cost: \$

Budgeted Amount: \$

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

This is a request for a Massage Establishment license for Spa Elysian located at 457 Dunham Road, St. Charles. Background investigation was conducted by a detective of the St. Charles Police Department as well as the site inspection. Through this investigation, we determined that all the requirements have been met and the applicant, Ashley Elysian, is eligible for a licensing subject to City Council approval. This business will be an appointment only facility.

Attachments *(please list):*

Massage Establishment Application
Background Check
Site Plan

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve a proposal of a massage establishment for Spa Elysian, 457 Dunham Road, Ste. 118, St. Charles.



City of St. Charles

Office of the Mayor

Two East Main Street
St. Charles, Illinois 60174-1984

Phone: 630-377-4445 • Fax: 630-377-6034

Office Use Only	
Received:	_____
Amount Paid:	_____
Receipt:	_____

MASSAGE ESTABLISHMENT LICENSE APPLICATION

IMPORTANT: Application must be completed in full and notarized before it will be accepted.
All fees must be paid at the time the application is submitted.

Annual License Application Fee: \$250.00

Fingerprint Fee: \$50.00 (if new owner)

NOTE: Applicant must be fingerprinted by the St. Charles Police Department and must provide two passport-size photographs (2 x 2 inches, head and shoulders area, facing forward) with this application.

1. New License Application Renewal Application Application Change

2. Please select the option that best describes your business:

Corporation

Partnership

Individual

3. Business Name: Spa Elysian Sales Tax#: _____

Business Address: 457 Dunham Road Business Phone: 847-385-1210
Suite 118

4. Name of Applicant: Asnely Pilarzski Home Phone: _____

Home Address: _____ City/Zip: West Chicago 60185

Social Security #: _____ Date of Birth: _____

Driver's License #: _____ Issuing State: Illinois

****Must include a photocopy of government issued identification card.**

5. Have you ever been convicted of a criminal ordinance violation (other than minor traffic offences):

Yes

No

6. If yes, explain in detail:

7. Days/Hours of Operation: Monday - Saturday - By Appointment

8. Will the business be supervised and conducted by a manager:

Yes

No

If no, please explain:

I am the owner and will also be the one managing the spa. Right now I am the only person working in the spa.

9. Name of Manager: Ashley Pilarski Home Phone: [REDACTED]
Home Address: [REDACTED] City/Zip: WST Chicago 60185
Social Security #: [REDACTED] Date of birth: [REDACTED]

10. List as indicated previous three years' employment history:

Employer: Beaute By Sylvie Phone: N/A

Address: N/A Permanently closed Occupation: Esthetician

Dates of employment: From: 8/15 To: 5/16 Boutique Manager

(I had 2 very part time, brief jobs while in school during this gap)

Employer: Elgin Community College Phone: 847-497-1000

Address: 1700 Spartan Drive Occupation: Food Service Employee
Elgin IL 60123

Dates of employment: From: 8/13 To: 8/14

Employer: Giananos Pizza Phone: 630-465-6000

Address: 27 W 193 Geneva Road Occupation: Front Desk
Winfield IL 60190

Dates of employment: From: 4/15 To: Current (take orders, ring customers)
Part time evening job

11. Has the manager ever been convicted of a criminal or ordinance violation (other than minor traffic offenses): Yes No

If yes, explain in detail:

12. Will you operate by appointment only? Yes No

13. If you answered Yes to #12, will walk-ins be accepted? Yes No

Kind of yes, kind of no. clients must request an appointment at least one hour in advance.

14. License and/or permit history. List all prior Massage Licenses/Permits and current status (use additional sheet if needed):

N/A

Issuing authority: _____ Status: _____

Issuing authority: _____ Status: _____

15. Have you or any of your licensed massage therapists been sanctioned by the Illinois Department of Professional Regulation concerning your licensure? **As a reminder and per Illinois law, all Massage Therapists practicing inside the State of Illinois must be licensed by State of Illinois. Out of state licensees are NOT valid in Illinois.** Yes No

16. If any prior licenses/permits have been revoked/suspended, state the reason and disposition:

Reason: _____ N/A _____ Disposition: _____

Reason: _____ Disposition: _____

17. Describe the building and specific location within the building where the Massage business will be conducted:

****ATTACH A FLOOR LAYOUT/DIAGRAM OF THE BUSINESS****

Approximate floor area devoted to the principal business: _____

Approximate floor area devoted to Massage stations: _____

Approximate total floor area of premises: _____

18. Describe other activities or business conducted at this location:

I am an esthetician and currently the only person working in the spa. I perform facial treatments and waxing services. Looking to hire massage therapist.

19. List as indicated all massage therapists and employees. This list must be updated with the office of the Liquor Commissioner within 10 days of any employment change.

N/A - I haven't hired one yet.

Name: _____ Home phone: _____

Address: _____ City/Zip: _____

Position employed: _____

State of Illinois Massage License Number: _____

Name: _____ Home phone: _____

Address: _____ City/Zip: _____

Position employed: _____

State of Illinois Massage License Number: _____

Name: _____ Home phone: _____

Address: _____ City/Zip: _____

Position employed: _____

State of Illinois Massage License Number: _____

Name: _____ Home phone: _____

Address: _____ City/Zip: _____

Position employed: _____

State of Illinois Massage License Number: _____

This Section for Corporate or Partnership Applications Only

1. List each officer, director or shareholder owning 20% or more stock or controlling interest of the corporation/partnership:

Name	Address	Home Phone #	Date of Birth

2. Has any officer, manager, director or shareholder owning 20% or more of the stock of the corporation ever been convicted of a criminal or ordinance violation (other than minor traffic offenses)?

Yes No

3. If yes, explain in detail:

Affidavit

State of Illinois)
) SS
 County of Kane)

I/We, the undersigned, being first duly sworn, say that I/we have read the foregoing application and that the statements therein are true, complete, and correct and are upon my/our personal knowledge and information and that I/we will not violate any of the ordinances of the City of St. Charles or the laws of the State of Illinois or the laws of the United States of America, in the conduct of the place of business described herein.

Signature of Applicant *Ashley Pilarske*

Signature of Applicant _____

I, *CHRISTINE NILLES*, a Notary Public in and for said county in the state aforesaid, do hereby certify that the applicant(s), appeared before me this day in person and acknowledged that he/she/they signed the foregoing application as his/her/their free and voluntary act for the use and purposes therein set forth.

Given under my hand and notarial seal this *15th* day of *November* 20*16*.

Christine Nilles
 Notary Public



ENDORSEMENT OF THE CHIEF OF POLICE

Recommend Issuing: Yes No Date: _____

Comments: _____

Signature

ENDORSEMENT OF BUILDING & CODE DIVISION/DIRECTOR OF COMMUNITY DEVELOPMENT

Recommend Issuing: Yes No Date: _____

Comments: _____

Bob Vann, Building & Code Enforcement Division Manager

Rita Tungare, Director of Community Development

ENDORSEMENT OF THE DIRECTOR OF FINANCE

Recommend Issuing: Yes No Date: _____

Comments: _____

Signature

ENDORSEMENT OF THE MAYOR

Recommend Issuing: Yes No Date: _____

Comments: _____

Signature



Memo

Date: 11/18/2016
To: The Honorable Ray Rogina, Mayor-ATM Commissioner
From: James Keegan, Chief of Police
Re: Background Investigation: Spa Elysian-475 Dunham Road, Suite 118

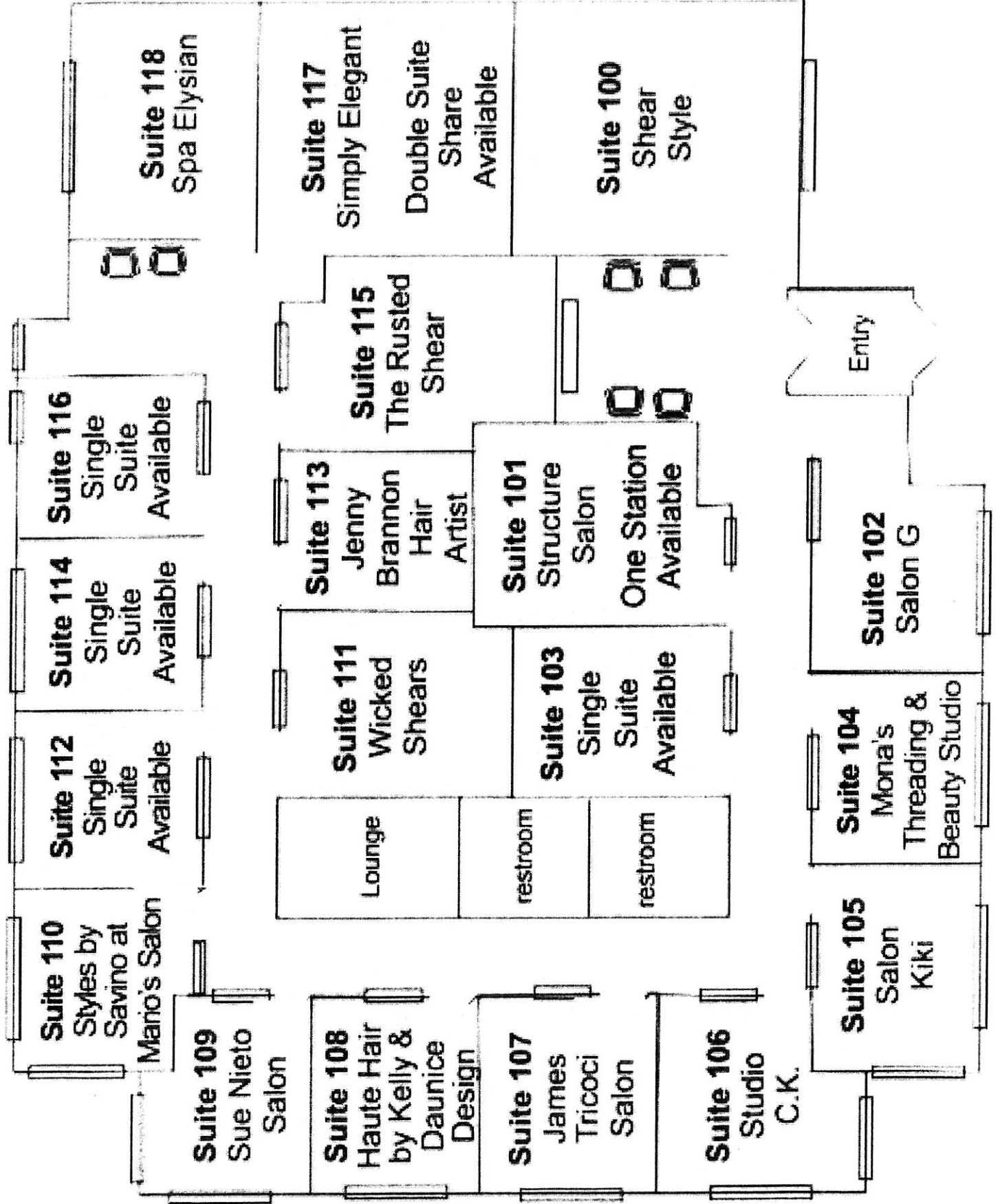
The purpose of this memorandum is to document and forward to your attention the results of the background investigation conducted by members of the St. Charles Police Department concerning the above mentioned establishment.

As is customary procedure, a detective was assigned to this investigation and reviewed not only the site location via an inspection, but also the corresponding application and applicant.

We found nothing of a derogatory nature that would preclude either the site location or the applicant from moving forward with a massage license, subject to Council/Commission approval.

The owner and operator, Ashley Elysian, only offers facials and waxing treatments as of right now. She plans on hiring a massage therapist once she is licensed by the City. This will be an appointment only facility.

Thank you in advance for your consideration in this matter.



**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 6

Title:	Recommendation to Approve a Proposal of an Event “Wine Down Winter” for Shakou LLC, 112 W Main Street, St. Charles
Presenter:	Chief Keegan, Police Department

Meeting: Liquor Control Commission Date: December 19, 2016

Proposed Cost: \$ Budgeted Amount: \$ Not Budgeted: **Executive Summary** *(if not budgeted please explain):*

Shakou, LLC located at 112 W Main Street, St. Charles would like to originate an event in St. Charles referred to as “Wine Down Winter”. This will be a retail showcase where Shakou, in cooperation with the Downtown St. Charles Partnership and about 25 other local retailers/service locations, would facilitate a community walking tour in conjunction with the serving of both wine and light snacks (cheese, sausage, crackers, etc.). This is being planned for Saturday, March 4, 2017 from 1:00 – 5:00 pm. and requires an E2 application and there will be Shakou BASSET trained employees posted at each location dispensing the wine.

This event has been carried out at their legacy restaurant in Libertyville, and in reaching out to Libertyville officials this event has become a downtown staple and is very well attended with little if any problems associated with this event.

For more additional detailed information, please refer to that attached memo.

Attachments *(please list):*

E-2 Liquor Application
Memo

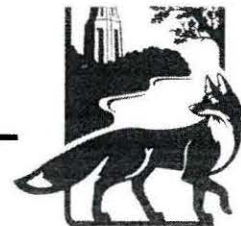
Recommendation/Suggested Action *(briefly explain):*

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

Received:
Fee Paid: \$
Receipt #

CITY OF ST. CHARLES

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



CITY LIQUOR DEALER LICENSE APPLICATION CLASS E2 – SPECIAL EVENTS

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 E2

Commencing TBD and ending TBD
Time Starting 1 PM and ending 5 PM
Location of Event RETAIL STORES - SHAKOU

Name of Business SHAKOU
Address of Business 312 W. MAIN ST Business Phone 630.444.0650
Has Applicant had a Class E2 License in the previous 365 days? NO. If YES, on what date:
5.08.050A1 Circle Choice to Show: Individual Partnership Corporation Other: _____

Requirements of a Class E2 – Special Event License for B & C Liquor License Holders

1. The Class E2 license fee is \$100.00 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. Beer and/or Wine are the only alcoholic beverages to be sold.
4. Hours are restricted to 12 noon to midnight.
5. Licensee must rope/fence off the licensed premises.
6. Each patron **must wear a wristband** after having identification checked for legal alcohol consumption age.
7. Are children/minors permitted in the licensed premises? NO
8. A sign limiting beer and/or wine consumption to the roped off area must be conspicuously displayed at all times.
9. **Each server of alcohol must be BASSET certified – need copy of BASSET certification.**
10. A copy of site plan diagram to include roped area shall accompany this application.
11. All security/police resources needed shall be attached to this application with approval of the Chief of Police before final issuance by Liquor Commissioner.

1. Name of Class B, Class C Liquor License: SHAKOU
2. Has the applicant had a Class E2 license in the previous 365 days? NO If Yes, on what date? _____
3. Is license to be used in conjunction with a special event approved by the City Council? YES
If yes, provide name of event: WINE DOWN WINTER
4. Is license to be used in conjunction with a picnic, bazaar, fair or similar assembly with food dispensing and/or sale the predominate purpose of the event? YES
5. Location/address of event. Important: Attached drawing of location to this application. DOWNTOWN AREA
6. Important: If location is out of doors, attach proof of liability insurance (photocopy) from an approved insurance agency.

Affidavit

State of Illinois)
County of Kane)

I/We, being duly sworn, that information contained in this application is true to my/our own knowledge and that the statements set forth are of my/our own free will. I/We solemnly swear that I/we will not violate any of the laws of the United States, the State of Illinois or the City Ordinances of the City of St. Charles.

Signed: [Signature] Signed: _____

Sworn to before me this 5th day of Dec., 2016.

Notary Public _____

ENDORSEMENT OF THE LIQUOR CONTROL COMMISSIONER

Approved: [Signature] Date: 12-7-16 Chief of Police: [Signature]

Approved: _____ Date: _____ Liquor Commissioner: _____



Memo

Date: December 5, 2016
To: Raymond Rogina, Liquor Commissioner
From: James Keegan, Chief of Police
CC: Mark Koenen, City Administrator
Re: Shakou - "Wine Down Winter"

We have had a series of meetings over the course of the last year or so concerning an annual event that Shakou would like to originate in St. Charles referred to as "Wine Down Winter". This is a retail showcase where Shakou, in cooperation with the Downtown St. Charles Partnership and about 25 local retailers/service locations, would facilitate a community walking tour in conjunction with the serving of both wine and light snacks (cheese, sausage, crackers, etc).

This is something Shakou has done at their legacy restaurant (Libertyville) and wants to expand to their St. Charles, Park Ridge, Barrington, and Arlington Heights locations. Please see this article <http://www.dailyherald.com/article/20130204/news/702049823/> for further information.

Listed below are some key facts in reference to the proposed event:

- Event will take place on Saturday, March 4, 2017 from 1-5pm. This is the day following Restaurant Week and a week prior to our St. Patrick's Day Parade.
- Shakou is setting up a website portal for advanced ticket purchasing.
- The cost of the event is \$20.00 for the 4 hours.
- 25 retail/service establishments will be chosen as "meet and greets". Once these locations have been selected, the petitioner will work with both the Police Department and the Downtown Partnership to refine a site map. These stops are usually about 5-10 minutes in duration and often times include handouts and literature from the featured business. As of right now, the ring of businesses is bordered by Shakou, Town House Books, and Cedar and Illinois Streets.
- Each stop will have a food offering and will provide one 2oz wine sample. A checkoff list and numbering system will ensure the consumption of wine is limited to one serving at each location. This mirrors what was mandated at our recent Craft Beer Festival.

- Servings are in disposable plastic cups. Cups will be collected at the door of each service point. No alcohol will be permitted outside of any of the establishments.
- “Shakou Cares” would like to partner with Generation Rescue to offer a donation and some sort of VIP experience should initial pre-sales dictate a strong St. Charles interest in this event.
- Each stop will have a Basset certified Shakou employee serving the wine.
- Credentialing and registration will take place at two points (Shakou – west side and Town House Bookstore - east side). A detailed numbering system and ID check will accompany tamper-proof wristbands.
- Over 500 participants will require one police officer on a hire back detail. Over 1,000 participants will require two police officers. These officers will be billed to Shakou. Should a VIP element be included in this event, the Police Department will work with Shakou on a security plan.
- The event will be capped at 1,100 participants.
- Ed from Shakou will be increasing his Dram Shop insurance coverage to an umbrella type policy rider and work with Finance to ensure adequate coverage.
- They have applied for an E-2 license. You have the ability to modify some of the mandates/requirements to meet the aforementioned plan per our Liquor Code.
- I am currently working with the Downtown Partnership and Shakou to develop a “passport”. This passport is a placard type system that will be utilized by the participants and businesses alike to ensure checks and balances system in regards to site visits and overall alcohol consumption of the participants. This is an on-going discussion that will be approved by the police department prior to the actual event.

As part of my due diligence and research, I reached out to Libertyville officials and spoke with their Chief of Police, Clint Herdegen. The Chief stated that the Libertyville event has become a downtown Libertyville staple and is very well attended. He said there has been little if any problems associated with this event.

I would recommend in favor of this event with the stipulations as outlined above. I have also had several conversations with not only the Downtown Partnership, but also the Special Events team. We feel this has the possibility to become a great event for our business community.

Thank you for your consideration in this matter.

Daily Herald

Lake County updated: 2/4/2013 5:28 PM

Wine about Winter in downtown Libertyville is Feb. 16



Libertyville's Wine about Winter is celebrating its eighth year.

Courtesy MainStreet Libertyville

MainStreet Libertyville submission

Spend a wintry afternoon browsing the stores and enjoying the company of other wine lovers at the eighth annual Wine About Winter wine tasting from 1 to 4 p.m. Saturday, Feb. 16, in downtown Libertyville.

A \$25 commemorative wineglass will be your "ticket" to this event. A \$10 merchant coupon will be provided to each participant who purchases a glass. The coupon is redeemable at stores that participate in the event and is valid through April 30.

The wineglass can be purchased that day at any one of five distribution sites: North Shore Pro Active Health, 112 W. Lake St.; Curtis Frame/Back Alley Gallery, 543 N. Milwaukee Ave.; Petranek's Pharmacy, 426 N. Milwaukee Ave.; Parkview Gourmet, 121 E. Cook Ave.; and Christine Anne Couture, 324 N. Milwaukee Ave. Glasses will only be sold at the distribution sites.

Advance reservations are not required. A wine menu and map listing the participants will be available at the stores, restaurants and distribution sites. Participating stores and restaurants will display a pink sign in their windows.

Drop off your budding artists at Artist @ Heart Studio for a fun and creative time while you enjoy the wine. Kids ages 5 and older are welcome. Cost is \$7 an hour per child. Call the studio to reserve your child's spot at (847) 816-4865. Ten percent of all sales on Feb. 16 will go to MainStreet Libertyville.

"We are very excited about this year's event," said Fred Schneider of the MainStreet Libertyville promotions committee. "We have done many things to improve the overall experience, including a broader and improved selection of wine, increased participation from the MainStreet restaurants and a menu to guide our guests."

Lara Ariazi of Ariazi Salon and Spa said Wine about Winter is the salon's favorite event of the year, and with the best crowd.

"We loving picking out unique wines with great flavor that are affordable for all people. We love to surprise people with raffles, entertainment, and deals of the day. The energy doesn't stop until the wine runs out," she said.

Free parking is available at the parking garage on Lake Street, or consider taking the train as the downtown Metra station is a short walk to participating stores and restaurants.

For information or a list of participating businesses, visit www.mainstreetlibertyville.org, friend them on Facebook or call (847) 680-0336.

MainStreet Libertyville is a downtown volunteer-based nonprofit organization that hosts more than 50 days of events during the year. Its mission is to enhance the community identity and heritage, to foster a center of activity and to ensure economic stability in the heart of Libertyville through concentrated efforts of design, promotion, organization and economic revitalization.

Winner - 2015 Best Website



**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 7

Title:

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

Presenter:

Police Chief Keegan

Meeting: Liquor Control Commission

Date: December 19, 2016

Proposed Cost: \$

Budgeted Amount: \$

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

This is a complaint of violation 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 for St. Charles Shell or impose a fine upon by reason of the Complaint of Violation filed by the City of St. Charles Liquor Control Commission and the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act 720 ILCS 675/1 et seq. of an occurrence on or about November 22, 2016 .

The owner of 7-Eleven has submitted an arraignment for with a plead of "Guilty – not requesting a hearing".

Attachments *(please list):*

Citation Notice of Hearing
Complaint of Violation
Arraignment Form

Recommendation/Suggested Action *(briefly explain):*

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

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 2016-LC-10
7-Eleven Store #30153)

CITATION AND NOTICE OF HEARING

TO: 7-Eleven Store #30153
51 Randall Road
St. Charles, IL 60174

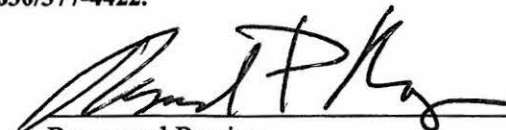
PLEASE TAKE NOTICE THAT on December 19, 2016 at the hour of 4:30 p.m., in the City Council Chambers at the St. Charles City Hall, 2 East Main Street, City of St. Charles, Illinois, the St. Charles Local Liquor Control Commission shall conduct a hearing pursuant to Chapter 5.08.320, 5.16.070 and 5.16.080 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 6th day of December, 2016.


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: VAQAR AHMAD at 1010
_____ on the 8 day of December, 2016.

Matthew Hinde #311

SUBSCRIBED AND SWORN TO
before me this 9th day of December, 2016.

Sara K. Cass
NOTARY PUBLIC



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

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

IN THE MATTER OF THE)
TOBACCO LICENSE OF:)
) Case Number 2016-LC-10
7-Eleven Store #30153)
51 Randall Road)
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 November 22, 2016, 7-Eleven Store #30153, was operating under a Tobacco License issued by the City of St. Charles.

3. That on or about November 22, 2016, at approximately 4:50 p.m., the Licensee, 7-Eleven Store #30153, by and through its employees, officers and/or agents, committed the following violation of the St. Charles Liquor Code:

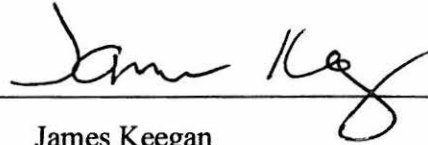
OFFENSE

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, 7-Eleven Store #30153, is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said premises.

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 7-Eleven Store #30153, as the Commissioner shall deem appropriate under the circumstances.

A handwritten signature in black ink, appearing to read "James Keegan", written over a horizontal line.


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 8th day of December, 2016.



NOTARY PUBLIC





Case Report Summary



Print Date/Time: 12/12/2016 11:28
Login ID: kschult
Case Number: 2016-00026984

ST CHARLES POLICE DEPARTMENT
ORI Number: IL0451400

Case

Case Number: 2016-00026984	Incident Type: 7325 OTHER ORDINANCE VIOLATIONS
Location: 51 S RANDALL RD SAINT CHARLES, IL 60174	Occurred From: 11/22/2016 16:50
Reporting Officer ID: 0080 - Bauwens	Occurred Thru: 11/22/2016 16:50
	Disposition:
	Disposition Date:
	Reported Date: 11/22/2016 16:54 Tuesday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	IL0451400	1715	5-16-060	SALES OF TOBACCO TO MINOR	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
ARRESTEE	1	FENIL, SURTI	600 E BLAIR ST WEST CHICAGO, IL 60185		ASIAN/PACIFIC ISLANDER	MALE	19

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
21047 A	FENIL, SURTI	51 S RANDALL RD SAINT CHARLES, IL 60174	11/22/2016 16:54	CITED/SUMMONED	19

Property

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

Vehicles

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

OfficerID: ebauwens, Narrative

On 11/22/16 Det. Ketelsen and I conducted tobacco compliance checks for businesses located on the west side of St. Charles. A Civilian Special Agent (CSA) was utilized for this operation. Before the start of the operation, the CSA was instructed on the proper procedures. The CSA did not have any type of identification or monies on her person prior to the operation. The CSA was provided funds to use as she attempted to purchase Tobacco products from the business checked for compliance.

The CSA was able to purchase a pack of Newport Box cigarettes from the 7-11 located at 51 S Randall Rd. The clerk was identified as Fenil, Surti. He was the only employee working during this time. Upon speaking with Fenil, I advised him that he just sold a pack of cigarettes to a minor. He advised me that he was sorry and that he forgot to ask to see her ID. I did issue him an NTA on a Uniform Traffic Citation for prohibited sales of tobacco to a minor. He was given a court date of 12/15/16 at 0900 at the Kane County Branch Court and was released at the scene. The pack of Newport cigarettes were collected and will be entered into evidence.

The CSA also purchased a pack of Newport Box Cigarettes from the 3 Star Oil and Food Mart located at 1023 W. Main St. The clerk, only employee on scene, was identified as Hyder, Syed A. Upon entering the store, I advised Syed that he just sold a pack of cigarettes to a minor. He was very apologetic and requested a warning. He did advise me that he never requested to see the CSA's identification. I did issue Syed a NTA on a Uniform Traffic Complaint for prohibited sale of tobacco to a minor. He was given a court date of 12/16/16 at 0900 hours at the Kane County Branch Court and was released on scene. The pack of Newport Cigarettes was collected and will be entered into evidence.

The following locations refused to sell tobacco to the CSA:

7-11, 1705 W Main St.
BP GAS, 1505 Lincoln Hwy.
BP GAS, 1660 W. Main St.
J&S World Liquors, 311 N 2nd St.
LaVita Cigar, 2015 Dean St.
Liquor N Wine, 2460 W Main St.
Lundeens Liquor, 1315 W Main St.
Meijer, 855 S. Randall Rd.
Meijer Gas, 865 S Randall Rd
One Stop Liquor, 1401 Prairie St.
Osco Drug, 2038 Prairie St.
St. Charles Shell, 307 W Main St.
St. Charles Min Mart, 710 S 3rd St.
Tobacco Square, 2075 Prairie St.
Walgreens, 3351 W Main St.

This case is closed, adult arrest - Local Ordinance
EB 316
JLG315

OfficerID: ebauwens, Arrest Narrative

JLG315

ARRAIGNMENT FORM

I, SAJID AHMED, as agent for 7-Eleven Store #30153, 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 **51 Randall Road, 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.

7-Eleven Store #30153

Signature: By: S. AHMED

Date: 12 - 9 - 16

Subscribed and sworn to before me

This 9th day of December, 2016.

Elsa Schultz
Notary Public



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



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: **8**

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

Presenter: Police Chief Keegan

Meeting: Liquor Control Commission Date: December 19, 2016

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

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

This is a complaint of violation 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 for St. Charles Shell or impose a fine upon by reason of the Complaint of Violation filed by the City of St. Charles Liquor Control Commission and the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act 720 ILCS 675/1 et seq. of an occurrence on or about November 22, 2016 .

Attachments (*please list*):

Citation Notice of Hearing
Complaint of Violation

Recommendation/Suggested Action (*briefly explain*):

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

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 2016-LC-11
3 Star Oil and Food Mart, Inc.)

CITATION AND NOTICE OF HEARING

TO: 3 Star Oil and Food Mart, Inc.
1023 West Main Street
St. Charles, IL 60174


PLEASE TAKE NOTICE THAT on December 19, 2016 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 6th day of December, 2016.


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: JAFAR JAFFARI at 0956
_____ on the 8 day of December, 2016.

Muhammad Hussain #311

SUBSCRIBED AND SWORN TO
before me this 8th day of December, 2016.

Sara K. Cass
NOTARY PUBLIC



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

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

IN THE MATTER OF THE)
TOBACCO LICENSE OF:)
) Case Number 2016-LC-11
3 Star Oil and Food Mart, Inc.)
1023 West Main Street)
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 November 22, 2016, 3 Star Oil and Food Mart, Inc., was operating under a Tobacco License issued by the City of St. Charles.

3. That on or about November 22, 2016, at approximately 5:40 p.m., the Licensee, 3 Star Oil and Food Mart, Inc., by and through its employees, officers and/or agents, committed the following violation of the St. Charles Liquor Code:

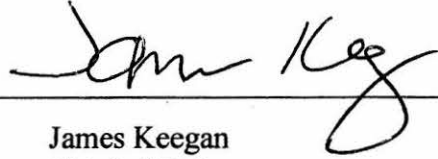
OFFENSE

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, 3 Star Oil and Food Mart, Inc., is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said premises.

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 3 Star Oil and Food Mart, Inc., as the Commissioner shall deem appropriate under the circumstances.

A handwritten signature in black ink, appearing to read "James Keegan", is written over a horizontal line.

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 8th day of December, 2016.



NOTARY PUBLIC





Case Report Summary



Print Date/Time: 12/12/2016 11:26
 Login ID: kschult
 Case Number: 2016-00026988

ST CHARLES POLICE DEPARTMENT
 ORI Number: IL0451400

Case

Case Number: 2016-00026988
 Location: 1023 W MAIN ST
 SAINT CHARLES, IL 60174
 Reporting Officer ID: 0080 - Bauwens

Incident Type: 7325 OTHER ORDINANCE VIOLATIONS
 Occurred From: 11/22/2016 17:45
 Occurred Thru: 11/22/2016 17:45
 Disposition:
 Disposition Date:
 Reported Date: 11/22/2016 18:18 Tuesday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	IL0451400	1715	5-16-060	SALES OF TOBACCO TO MINOR	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
ARRESTEE	1	HYDER, SYED A	1130 ANNANDALE DR ELGIN, IL 60123				41

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
21048 A	HYDER, SYED A	1023 W MAIN ST SAINT CHARLES, IL 60174	11/22/2016 18:18	CITED/SUMMONED	41

Property

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

Vehicles

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

OfficerID: ebauwens, Narrative

See O/I 16-26984 for narrative.

Case Closed Adult Arrest - Local Ordinance
EB 316
JLG315

OfficerID: ebauwens, Arrest Narrative

JLG315