

Please practice social distancing **OR** wear a mask while attending this meeting.

AGENDA
ST. CHARLES CITY COUNCIL MEETING
RAYMOND P. ROGINA, MAYOR

MONDAY, OCTOBER 5, 2020 – 7:00 P.M.
CITY COUNCIL CHAMBERS
2 E. MAIN STREET

1. **Call to Order.**
2. **Roll Call.**
3. **Invocation.**
4. **Pledge of Allegiance.**
5. **Presentations**
 - Presentation to Cam Wallace, 1st Place Winner of the Tri-Cities Dementia Friendly Logo Contest.
6. **Omnibus Vote. Items with an asterisk (*)** are considered to be routine matters and will be enacted by one motion. There will be no separate discussion on these items unless a council member/citizen so requests, in which event the item will be removed from the consent agenda and considered in normal sequence on the agenda.
- *7. Motion to accept and place on file minutes of the regular City Council meeting held September 21, 2020.
- *8. Motion to approve and authorize issuance of vouchers from the Expenditure Approval List for the period of 9/7/2020-9/20/2020 in the amount of \$5,752,236.39.

I. New Business

- A. Recommendation to approve an **Ordinance** Confirming and Extending a Declared State of Emergency within the City of St. Charles Due to the COVID-19 Pandemic until the next regularly scheduled City Council Meeting (October 19, 2020).
- B. Discussion regarding Late Night Permits.
- C. Recommendation to approve an **Ordinance** Amending the Temporary Outdoor Dining Permit Program through Phase 4.

II. Committee Reports

A. Government Operations

1. Motion to approve an **Ordinance** Amending Title 5 “Business Licenses and Regulations”, of the St. Charles Municipal Code.
- *2. Motion to approve an **Ordinance** Amending Title 5 “Business Licenses and Regulations”, Chapter 5.20 “Massage Establishments”, of the St. Charles Municipal Code.
3. Motion to approve an **Ordinance** Amending Title 5 “Business Licenses and Regulations”, Chapter 5.09 “Video Gaming”, of the St. Charles Municipal Code.
- *4. Motion to approve an **Ordinance** Amending Title 5 “Business Licenses and Regulations”, Chapter 5.16 “Tobacco”, of the St. Charles Municipal Code.
- *5. Motion to approve a new Class A Liquor License Application for ANB Liquor LLC dba Mr. A’s Prairie Liquor & Wine located at 1401 Prairie Street, St. Charles.
- *6. Motion to approve and place on file the minutes of the September 21, 2020 Government Operations Committee meeting.

B. Government Services

- *1. Motion to approve a **Resolution** authorizing the Mayor and City Clerk of the City of St. Charles to award the Bid for the 2020 Asphalt Patching Program to J.A. Johnson Paving Co.
- *2. Motion to Waive the Formal Bid Procedure for *5, *6, *12
- *3. Motion to approve a **Resolution** authorizing the Mayor and City Clerk of the City of St. Charles to award the Bid for Transformer Replacement at Substation 6 to Delta Star.
- *4. Motion to approve a **Resolution** Authorizing the Mayor and City Clerk of the City of St. Charles to award the Bid for Substation 3 12kV Bus Extension Structure to V&S Schuler.
- *5. Motion to approve a **Resolution** authorizing the Mayor and City Clerk of the City of St. Charles to award the Bid for Substation 3 12kV Bus Extension Eaton Sole Source Circuit Reclosers to Border States.
- *6. Motion to approve a **Resolution** authorizing the Mayor and City Clerk of the City of St. Charles to approve a Professional Services Agreement for Lead Line Replacement Program to Engineering Enterprises, Inc.
- *7. Motion to approve a **Resolution** Authorizing the Mayor and City Clerk of the City of St. Charles to approve a Professional Services Agreement for the Riverside Lift Station to Trotter and Associates.

- *8. Motion to approve a **Resolution** Authorizing the Mayor and City Clerk of the City of St. Charles to award the Bid of Sanitary Sewer Root Control Unit Cost to Duke’s Root Control, Inc.
 - *9. Motion to approve a **Resolution** authorizing the Mayor and City Clerk of the City of St. Charles to approve Addendum for Professional Service Agreement for the Westside Wastewater Treatment Plant Expansion to Trotter and Associates, Inc.
 - *10. Motion to approve a **Resolution** authorizing the Mayor and City Clerk of the City of St. Charles to award a Proposal for Sanitary Manhole Rehabilitation Bidding Services and Construction Oversight to Engineering Enterprises, Inc.
 - *11. Motion to approve a **Resolution** authorizing the Mayor and City Clerk of the City of St. Charles to approve a Design Engineering Services Contract for Phase II Design of the Widening and Reconstruction of Kautz Road to TranSystems Corporation.
 - *12. Motion to approve a **Resolution** authorizing the Mayor and City Clerk of the City of St. Charles to approve a Construction Contract for Pavement Repairs to Fairview Drive to J.A. Johnson Paving Company.
 - *13. Motion to approve a **Resolution** authorizing the Sale of Items of Personal Property Owned by the City of St. Charles.
 - *14. Motion to approve an **Ordinance** Amending Title 10 “Vehicles and Traffic”, Chapter 10.40 “Stopping, Standing and Parking”, Section 10.40.010 “Parking Time Limits” of the City of St. Charles Municipal Code.
 - *15. Motion to approve a **Resolution** authorizing Application for Illinois Transportation Enhancement Program Funds and Execution of all Necessary Documents for the Kautz Road Reconstruction and Widening Project.
 - *16. Motion to approve a **Resolution** authorizing the Mayor and City Clerk of the City of St. Charles to execute an agreement for the Annual Subscription Training and Equipment Partnership (S.T.E.P.) Program for the St. Charles Police Department with VirTra Training Simulators.
- C. Planning and Development**
- 1. Motion to approve a **Resolution** Removing a Portion of Bike Path as a Required Land Improvement for The Reserve of St. Charles Subdivision.
 - *2. Motion to approve an **Ordinance** Renaming Porter Court to Trine Court.
 - *3. Motion to approve and Execute an Acceptance Resolution for Public Utilities for the Extreme Clean Car Wash – 1625 W. Main St.

- *4. Motion to accept and place on file minutes of the September 14, 2020 Planning & Development Committee meeting.

9. Additional Items from Mayor, Council, Staff, or Citizens

A. Executive Session

- Personnel – 5 ILCS 120/2(c)(1)
- Pending Litigation – 5 ILCS 120/2(c)(11)
- Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
- Property Acquisition – 5 ILCS 120/2(c)(5)
- Collective Bargaining – 5 ILCS 120/2(c)(2)
- Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

10. Adjournment

ADA Compliance

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the ADA Coordinator, Jennifer McMahon, at least 48 hours in advance of the scheduled meeting. The ADA Coordinator can be reached in person at 2 East Main Street, St. Charles, IL, via telephone at (630) 377 4446 or 800 526 0844 (TDD), or via e-mail at 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).

AGENDA
ST. CHARLES CITY COUNCIL MEETING
RAYMOND P. ROGINA, MAYOR

MONDAY, SEPTEMBER 21, 2020 – 7:00 P.M.
CITY COUNCIL CHAMBERS
2 E. MAIN STREET

1. **Call to Order** by Mayor Rogina at 7pm
2. **Roll Call**
Present – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis
Absent - None
3. **Invocation** by Ald. Payleitner
4. **Pledge of Allegiance** by Ald. Bancroft
5. Motion by Ald. Bancroft and seconded by Ald. Stellato to appoint Lucy Gruber as Ward 3 Alderman to fill in the term of the vacant seat left by William Turner, as recommend by Mayor Rogina.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – None
Absent –None
6. Swearing in of Lucy Gruber as 3rd Ward Alderman by Judge Flood.
7. **Presentations**
 - Recognition of Jerry Powers and his Contributions to the City of St. Charles.
8. **Omnibus Vote. Items with an asterisk (*)** are considered to be routine matters and will be enacted by one motion. There will be no separate discussion on these items unless a council member/citizen so requests, in which event the item will be removed from the consent agenda and considered in normal sequence on the agenda.
- *9. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file minutes of the Special City Council meeting held September 8, 2020.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – Gruber
Absent –None

- *10. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file minutes of the regular City Council meeting held September 8, 2020.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – Gruber
Absent –None

- *11. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve and authorize issuance of vouchers from the Expenditure Approval List for the period of 8/24/2020 – 9/6/2020 in the amount of \$2,050,493.92.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – Gruber
Absent –None

I. New Business

- A. Motion by Ald. Stellato and seconded by Ald. Vitek to approve an **Ordinance 2020-M-37** Confirming and Extending a Declared State of Emergency within the City of St. Charles Due to the COVID-19 Pandemic until the next regularly scheduled City Council Meeting (October 5, 2020).

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – None
Absent –None

- B. Motion by Ald. Bancroft and seconded by Ald. Bessner to Approve Amendment 7 to the Intergovernmental Agreement for Tri-Com Central Dispatch.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – None
Absent –None

II. Committee Reports

A. Government Operations

- *1. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve a **Resolution 2020-77** Authorizing the Mayor and City Clerk of the City of St. Charles to Execute a Certain Agreement – the City of St. Charles and Semersky Enterprises, Inc.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis

Opposed – None

Abstain – Gruber

Absent –None

- *2. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve a **Resolution 2020-78** Authorizing the Director of Finance to Enter into an Agreement for Natural Gas Based on the Results of a Reverse Online Auction to be Conducted by Transparent Energy.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lew

Opposed – None

Abstain – Gruber

Absent –None

- *3. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve and place on file the minutes of the September 8, 2020 Government Operations Committee meeting.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis

Opposed – None

Abstain – Gruber

Absent –None

B. Government Services

- *1. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve and place on file the minutes of the August 24, 2020 Government Services Committee meeting.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis

Opposed – None

Abstain – Gruber

Absent –None

C. Planning and Development

- *1. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve A **Resolution 2020-79** Authorizing the Mayor and City Clerk of the City of St. Charles to Execute a Certain Agreement – the City of St. Charles and McGrath Motors, Inc.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – Gruber
Absent –None

- *2. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file Plan Commission Resolution No. 16-2020 A Resolution Recommending Approval of a Preliminary and Final Plat of Subdivision for Pheasant Run Resort Subdivision (Saint Charles Resort LLC).

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – Gruber
Absent –None

- *3. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve An **Ordinance 2020-Z-24** Granting Approval of a Preliminary and Final Plat of Subdivision for Pheasant Run Resort Subdivision

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – Gruber
Absent –None

- *4. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve An **Ordinance 2020-Z-25** Granting Approval of a Minor Change to PUD Preliminary Plan for Prairie Centre PUD (Mixed Use building elevations).

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – Gruber
Absent –None

- *5. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve a **Resolution 2020-80** Authorizing the Mayor and City Clerk of the City of St. Charles to Execute a Right-Of-Way License Agreement between the City of St. Charles and St. Charles Public Library District.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – Gruber
Absent –None

12. Additional Items from Mayor, Council, Staff, or Citizens

Gina Pearson – Mark’s Second Street Tavern, 221 S. 2nd Street, St. Charles

I am the manager at Mark’s and we are coming, many of us bar owners, in regards to the midnight shutdown rule. We all wanted to understand how that decision was made. In the

letter we received, there were not many things highlighted in regards to what numbers were used or what we are basing this against. You have the best interests on St. Charles in mind, but it is really hurting our businesses for the couple of hours that we have to be closed. The loss of revenue is significant, not only for the bar, but this also hurts the employees too.

Rogina – It's a fair question and I have no problem responding to this in detail because you and I have not had personal dialog on this topic. I will use a letter that I did send to another licensee in the community who also posed the same question in the form of a letter. I wrote a letter in response to them and I will go on the record here tonight and answer you. I think it is important that you could perhaps then become a spokes person to those who are also making comments but the fact of the matter is that the executive order that I worked under was under state/federal/local emergency declared. The city council on September 8th ratified that order that I signed under the Federal/State/Local guidelines unanimously, so this body adopted it unanimously to close, to first of all suspend late night permits. In the letter, I said the genesis for this order was based on several matrixes that are associated with Covid, I think this is what you want me to get to. This area was placed on alert by the state of Illinois in August, we got the orange warning sign because of the positivity numbers generated. Positivity meaning the number of cases over the number of tests. Those numbers were over 6%. After a few weeks the alert was withdrawn, during that time our county health department explained in detail in the press, to be personally, the executive director, because of the spike where in three major areas, and this is the basis for, at least for the initial decision on my part, large private gatherings that no one has control over, sports, and restaurants and bars. In two other regions in the state, Gov. Pritzker placed restrictions on businesses because of the higher positivity rates. Those restrictions, I may add that those restrictions included our neighbors to the south, Will County and Kankakee County, and of course the Metro St. Louis area, those restrictions closed restaurants and bars at 11pm. I publically stated in the press support of our health Department, that I had no desire, and I think you'd appreciate this and hopefully you appreciate this city council, have no desire to go back to Phase 3, you recall Phase 3. That was a hardship to all of us in March, April, and May. I called the Health Department and talked to Barb Jeffries, the director, and I also talked to a few business owners and said, I don't want a complete shutdown but I feel it necessary based upon what you're telling me, to take at least some remedial action. Frankly, I got support. I issued the executive order. We want to support businesses in our community and my goal is simple, to reduce exposure time late at night. Now, I have had a few cocktails in my life in this community and others, and I also know what I think happens after midnight, you're in a delicate spot in my opinion after midnight, because for the most part most of our licensed places after midnight, there is no food being served. It is simply a matter of people sitting, buying drinks, conversing and talking, and frankly I would say I am appreciative of all the efforts you make to try your best to follow social distancing rules etcetera. Make no mistake, I think it is very difficult after midnight in a bar situation to demand people put masks on because they are having a few cocktails with their friends and as the night progresses and things happen. Chicago, the city of Chicago have had high positivity rates, better than suburban cook county, why? All their bars and restaurants closed at 11pm. It should be noted that we returned all late night permits in full, as I told this other individual, really in effect you did have late night for a few months, at least six weeks, whatever that number was, for free. We're not going to, at least as I see it, in the immediate future as this pandemic goes on, we're not going to come back, if we ever lift the suspension, and say pay up, at least not for this budget year. Next budget year is next budget year.

Pearson – Are there specific numbers that you are looking at that will...

Rogina – I want to get through this pandemic, I'll be completely blunt with you on that.

Pearson – Absolutely

Rogina – This city council, my friends here, these ten members on this council, that I work with, I don't want to put them on the spot, they can all speak for themselves, I foresee us staying tough during this pandemic. It makes no sense to me, and by the way, I keep track of this everyday, in the last three weeks, I'm not saying the City of St. Charles should take any credit for any of this, but the last three weeks, the positivity rate in this town have gone down one full percent from six percent to five percent. That to me is important. I also told the other, and I have no problem being fully blunt with you and I appreciate you coming here, you're one of our valued business owners, people say we'll all go to Geneva or Batavia, well to be frank about it, I am going to try my best, and I can't speak for them and I won't speak for them but I'll try my best to cajole my colleagues to probably do the same thing. If they do, fine and if they don't, fine. My concern and this city councils concern is the City of St. Charles. I might add one final point, and then I think I have said my peace and I'll let any member of the city council who wants to talk, to talk as well because they voted with me on this point. You know this, as the manager/owner of Mark's on Second Street, this city has done several things to support businesses during this pandemic, one-through the business alliance, numerous businesses received grants from \$1,000 to \$5,000, not a ton of money but it is a check to you without having to pay it back. Second-We have allowed, in this pandemic, a verity of options for use of public property by private enterprise. In a normal time, the taxpayer may say, why are you giving public property to private enterprise? We're in a pandemic, we have to help our businesses out the best way we can. I think the city has done that, and third-there has been a big relaxation on rules regarding bars allowing you to serve in your parking lot, setup tables in the lots and beyond, and of course even to allow you to package under the auspice of the police department, mixed drinks and letting people take them home as a sale. So, I guess what I'm trying to say in conclusion here is that, I believe that our city has done it's best with working with staff to try to help businesses, not hinder. I am not going to sit here and try to say 'don't tell me that you're not hurting', I know you are, and taking away a couple hours after midnight is a drop to the bottom line, I understand that and I guess my last comment would be, at least the mayor, with the assistance and support of the city council, is trying to create a balance between a health crisis and an economic crisis such that, we can take care of the hearth crisis to the best of our ability and at the same time work darn hard to keep and support our businesses. That's a long-winded answer but I feel that you needed it.

Pearson – I did and I appreciate that, my only other question, I guess, would be what are you looking at for the future for when you might say, you can reopen for your late night permit? Is there something in the metrics that you're looking at so that is there something that you're basing this off of? Will it be the end of the year?

Rogina – Let me give you a hypothetical, let's say, and by the way, the state of Illinois is chiding on this compared to other states, why because the state of Illinois has been tough on this to begin with. Let's say the positivity rate drops to three percent, you might say Mayor, that's pretty good numbers, open us up again. Well, sure yeah and that may lead to the positivity rate going up, I'd like to see us through

this pandemic, I'd like to be able to give you the definitive answer as to when this council may decide to lift the suspension. That will be up to them and me in conjunction with that and I can't give you that data, I wish I could but I can't. Before you leave though, I don't know if any other city council member wants to either ask you a question, or make a comment. I have tried to cover most of what we've been through the last six months, but please anyone?

Payleitner – I did have something to say on the occasion that this would come up. I couldn't have stated it any better but I do want to once again communicate again what has been on the mayor's heart and this decision was very hard for him, we all can say that, it was very hard. I listed three reasons why we had to take this action and what goes through our heads when we make this kind of decision and it's business survival, public health, and the number three, I think you kind of sugar coated it a but, but none the less, the number three reason is the governor, with the power to shut down businesses across the board, using whatever scientific matrix he wants to justify his actions. That hangs heavy over the mayor's head. The mayor was most sincere when he stated that it would break his heart to see St. Charles forced back into Phase 3, or worse a Phase 2 situation, but can we do as local elected to ensure that this doesn't happen, we have to take a hard look at what is happening locally. The mayor kind of eluded to that, and what we found was there was some disregard for the mask rules, I myself witnessed it, and because of that, and I'm not saying it was your business, but because of that and because of that thoughtless action, all the businesses are being put in jeopardy of being forcibly closed by the governor's edict. This was not a broad brush action done by the mayor, it was a surgical strike, and it was thoughtful and in my opinion necessary for the greater good.

Pietryla – I'm very empathic of course to the businesses, I've talked to other members of the council, I would like to say, of course I supported Mayor Rogina, and I still support the executive order, however I would be in favor of looking at it incrementally perhaps in terms of the numbers. You didn't give an answer, and that's fine Mr. Mayor, but can we readdress this in maybe a month, six weeks, two months, to take a look at it incrementally so that we can show the businesses that we are not just saying no forever and that we are willing to look at all the facts and information to make the best decisions.

Rogina – That is your decision to make and I would only break a tie vote on any motion to lift the suspension and I will tell you that every day on my Facebook page, I go to the website and calculate positivity rate for St. Charles, both 60174 and 60175, that means we drag some of Campton Hills into this process they are friends of our out there, they help our economy as well so I don't worry that much, I calculate that every day faithfully and I have been very pleased and in a month, month and a half, I have no problem coming back to this body and saying 'these are the numbers of positivity rates, and here's what's happening in the region, Kane/DuPage, here's what's happening to the rest of the state, and by the way, in all the newspapers, pretty well and revisit the topic like you're suggesting. I have no problem with that at all.

Pearson – I would appreciate that.

Rogina – I have no problem with it, they are the ones who control it, they are the ones who say yes or no. They make the motions, seconds, and vote on it. They are my friends and colleagues and I respect any time they want to do something like that.

Pearson – If we can, that would be good. Just looking at all the numbers, we're in a region that holds sixty-seven cities and towns and townships, for only one city in our to shut things down at midnight, in that region, it hard to look at that and see that it is going to make that much of a difference for this region to go backward to me. Everyone else is still slamming people into their bars, they are staying open until 2am, and they are not wearing masks, I have pictures on my phone of bars open until 2am that are slammed packed.

Rogina – Can I comment on that? As I told the individual who sent that letter to me as well, I said you're making my case for me, for why 12am-2am is a Covid hotspot. As the mayor here in St. Charles, I'm saying I don't want the Covid hotspot to exist here in St. Charles.

Pearson – Those bars were not that busy before our shutdown at midnight, once we started to shut down at midnight, those bars began to fill up, those within the small radius of St. Charles.

Rogina – Hypothetically, what if some of the other mayors did shut down, what would be your reaction to that? If some of the other mayors in other communities went along with St. Charles and went back to midnight, what would the reaction of the bars in town here?

Pearson – I would absolutely be behind it 110%.

Rogina – Is that right?

Pearson – Absolutely

Rogina – That is an interesting piece of information.

Pearson – I think that when they leave at midnight, they will go a place just a mile down the road, and then coming back home to St. Charles. I just don't see that it can do with the numbers what you want it to.

Lewis – I have a question for you, first I agree with all of what my colleagues have said here, but I'm curious to this, you have a small place, are you allowed only so many inside? Is that part of the problem that you can't be at full capacity?

Pearson – Yes, based on what the Health Department says, I've worked with them on all of our spacing and all, we can have 31 people inside our establishment. We are firm about that, Friday night I had two people walk in, I was at 31 people and two walked in and I turned them away. If we don't try to do our part, nothing will ever change.

Lewis – Thank you for doing that, do they stay outside or is it getting too chilly for people to be outside.

Pearson – It was a little cold so they didn't use the outdoors very much.

Lewis – I appreciate you keeping your numbers in check, like we said, we can revisit it here. I think we need to revisit it as often as we need to revisit it.

Rogina – If I may, the ten members of this council and myself, we are always available through email, phone calls, particularly email, it's an easy way to contact. Never hesitate to reach out with any questions or concerns. The best way to can do this, can handle this thing is by communicating with each other and trying to find level ground here. Your comments and points are well taken and I appreciate you coming in here.

Pearson – Thank you very much.

Peter Milligan – The Filling Station, Main Street, St. Charles. I am one of the owners of the Filling Station, established 1988, I'm here to address the executive order. First I would like to thank you Mr. Mayor and all the rest of the council, the chief, everyone from the city who has worked with and done for all the businesses to help us through all of this. It has been really nice, I'm not just thinking it, I'm feeling it, thank you all for that. I believe that Covid is real, I believe the scientists, I take it seriously, I don't want to catch it, don't want my family to catch it, staff or my customers to get it. When this order came down, I was okay with it. I know we're all on the same Covid boat and your intentions were pure and all that, but the young kids, we've seen it on TV, the young adults I will say, they don't think they are going to get Covid, they don't care if they get it, they don't think it's real maybe? There are a percentage at least anyway, they are not going to alter their behaviors voluntarily. I think that might have been where you were coming from with this executive order, but when 11:50 rolls around, they are not saying it's time to go home and go to bed, they are getting in vehicles and going somewhere else, or and this is happening, they are just skipping St. Charles all together because that is a hassle to leave and go somewhere else. It's not just two hours in many cases; it's a part of the 9pm to midnight business. There are the same amount if young adults going out and there are now less places to go, as was said before, they are going to neighboring communities, they are cramming in tighter and tighter and potentially, becoming hyper exposed and then coming back to St. Charles. I'm not saying the virus cares about what town it is in. For that reason, I don't think that it is working. Another aspect is, my staff is mostly made of younger adults and I think that is fair to say for the other establishments around town, they are part of the late night culture and they have friends that are our and rather than being masked up and doing what they are supposed to be doing, making money for themselves and everyone, midnight rolls around and the mask comes off and off to the next town they go and wedge themselves into an over crowded bar and then, what's scary for me, is they come back and could bring it back to circulate among the staff. I think many times when governments meddle in natural forces of the free market, the economy, what is intended and what is actually happening is not the same. In this case, I think it might be the opposite.

Rogina – Let me ask you a question, if you don't mind. You said something very interesting about after midnight, it seems like between Ms. Pearson and you, I'm picking up anecdotal evidence of what I believed all along, and I think you're telling me this too, wherever it is, midnight to 2am is this zone where people's inhibitions start floating away and this starts floating away (masks), and we're drinking and talking back and forth, I guess if nothing else from this conversation, what I am gleaned is a piece of solid evidence from a couple of licensees from our community have told me, and I really appreciate the truth here. You have articulated it very nicely and you said some good things, and you said things

that aren't going well. At least I picked up that more than anything else. To Ald. Pietryla and Ald. Lewis, and others who have spoken here, I'd only say that we will keep a careful eye on this thing. To if it's working or not, all I'll say to that is, I'll go by the numbers as well and I'm happy with the City of St. Charles at this point and relative to other communities and their percentages, I'm happy about that. I'll leave it at that for now, no decision will be made from the dais here tonight, but that is why you're here, you know you can always come here.

Milligan – In any event, in the interest of public safety, I humbly request that you reconsider because I do think that it is not working and one last point, I know we're all suffering though this, some more than others, some businesses are already gone, we had three parades, a couple of major holidays, we've been shut down for ten weeks and winters are always tough, this one will be a lot tougher because of the virus, this is survival here, I'm not talking about putting a pool in my back yard or something like that, this is about survival and it's a hardship for sure, in addition to it not working, and that is my opinion.

Rogina – You're entitled to your opinion, and that is my other response to what Ald. Payleitner said and I'll reiterate what she said, it is my nightmare to this city crumble to its knees like it did in March, April, and May where none of you are open, you have a chance, like others, to allow for pickup service and all. It was cruel, but necessary, cruel though and my heart bled as well as this council did as well. We will get thought it, keep talking, I promise you that.

Milligan – Thank you, please reconsider.

Ed Simbol – Ed's Basement, 219-1/2 W. Main Street, St. Charles – Good evening Your Honor, members of city council, as you know, I am a very new business owner, this is my third liquor license but this is very much a startup business. I have been here seven or eight weeks, on very hard times, we rely very heavily on our late night crowd. We are a bar, it's very tough for me, as a startup and I know you mentioned it, I just want to know if you will, in fact, revisit this in a month, if you will vote on it, or is there a specific number that you are looking for to release the order. It's just tough for me, I have no employees and this is literally how I eat, and I can't afford employees now and just working and bar tending myself, ninety hours a week in hopes of eventually provide some jobs. As new business owners, we prepare for the future and it's very uncertain now and I'm getting many of my patrons asking me when the order will end, if ever. I would prepare for the future, if you have a plan in mind, a set date to revisit, I just don't know when this order will release and I have to adjust. I respect your decision, we play by the rules, we close at midnight, but I would like to be able to plan for the future.

Rogina – In response to that, I think that you, like me, like everyone else in the room, like everyone else in the City of St. Charles, cannot predict what a month or two is going to bring in terms of numbers, in terms of spikes, or no spikes, continued improvement, and for me and any member of this city council, and anyone who wants to be bold and make a prediction, I'm not here to make any predictions tonight, other than to say it's been said very eloquently by my colleagues here that we will monitor the situation, and I think we have been monitoring the situation, for us to give a definitive position on that, is tough. I'd ask you the same question I asked you colleagues earlier, if other cities went to midnight, that as a standard, what is your reaction to that? It's just a counter question to your point. Would that make you feel any better?

Simbol – Yes, and I respect your decision and I play by the rules and I close at midnight, and if they are doing that, I don't know how that makes me feel. I just know that this is a very tough time for me. Again, I respect your decision but I have to plan for the future but I have put my heart and soul into this building and we're not even two months in and I don't even know what the future holds, if we're going to stay in St. Charles or not.

Rogina – I do appreciate you coming here, this city council is made of ten of the most considerate people I know, and I'll say that.

Lemke – Coming in tonight, I was looking for a way thought this. We are all in uncharted waters and I wouldn't want us to go any longer than we had to, but what we've decided to do this month, makes most sense for us, or for the risk of getting slapped down further. I don't think we want to go backward.

Rogina – In closing, I wanted to officially welcome you (Gruber) to the council and for what you've done to get here to this point. We know you'll provide us with some wisdoms and thoughts that none of us are thinking about because you come here with a very specific perspective that I think a lot of us, I think, lack. To that, we are applicative and look forward to working with you for the next, at least eight months, you never know what happens after that.

A. Executive Session

- Personnel – 5 ILCS 120/2(c)(1)
- Pending Litigation – 5 ILCS 120/2(c)(11)
- Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
- Property Acquisition – 5 ILCS 120/2(c)(5)
- Collective Bargaining – 5 ILCS 120/2(c)(2)
- Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

13. Adjournment motion at 7:50 by Ald. Lemke and seconded by Ald. Stellato

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis

Opposed – None

Abstain – None

Absent – None

Charles Amenta, City Clerk

Charles Amenta, City Clerk

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).

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9/25/2020

**CITY OF ST CHARLES
COMPANY 1000
EXPENDITURE APPROVAL LIST**

9/7/2020 - 9/20/2020

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
114	DG HARDWARE					
		108130	51.39	09/10/2020	78526/F	WINDOW SQUEEGEE/TELESCC
		108150	11.69	09/10/2020	78533/F	MISC PARTS
	DG HARDWARE Total		63.08			
128	HARDER CORP					
		109103	254.76	09/17/2020	M193243	INVENTORY ITEMS
	HARDER CORP Total		254.76			
136	AERO INDUSTRIES INC					
		109343	49.45	09/17/2020	809145	SWITCH ROCKER
	AERO INDUSTRIES INC Total		49.45			
139	AFLAC					
			19.80	09/11/2020	ACAN200911144254FI	AFLAC Cancer Insurance
			38.58	09/11/2020	ACAN200911144254PI	AFLAC Cancer Insurance
			137.66	09/11/2020	ACAN200911144254PV	AFLAC Cancer Insurance
			25.20	09/11/2020	ADIS200911144254FD	AFLAC Disability and STD
			22.85	09/11/2020	ADIS200911144254FN	AFLAC Disability and STD
			94.96	09/11/2020	ADIS200911144254PD	AFLAC Disability and STD
			17.04	09/11/2020	ASPE200911144254PV	AFLAC Specified Event (PRP)
			22.06	09/11/2020	AVOL200911144254PI	AFLAC Voluntary Indemnity
			39.88	09/11/2020	AVOL200911144254PV	AFLAC Voluntary Indemnity
			78.94	09/11/2020	ADIS200911144254PV	AFLAC Disability and STD
			8.10	09/11/2020	AHIC200911144254FD	AFLAC Hospital Intensive Care
			33.84	09/11/2020	AHIC200911144254PV	AFLAC Hospital Intensive Care
			57.23	09/11/2020	APAC200911144254FI	AFLAC Personal Accident
			36.54	09/11/2020	APAC200911144254PI	AFLAC Personal Accident
			45.30	09/11/2020	APAC200911144254PV	AFLAC Personal Accident
	AFLAC Total		677.98			
145	AIR ONE EQUIPMENT INC					
		109268	251.00	09/17/2020	159870	RSS CARRYING STRAP
	AIR ONE EQUIPMENT INC Total		251.00			

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
177	AL PIEMONTE CADILLAC INC	109397	1,868.45	09/17/2020	264342	VEH 3099 RO 64291
	AL PIEMONTE CADILLAC INC Total		<u>1,868.45</u>			
185	AL WARREN OIL CO INC	109292	13,858.40	09/10/2020	W1332155	INVENTORY ITEM
	AL WARREN OIL CO INC Total		<u>13,858.40</u>			
186	AMALGAMATED BANK OF CHICAGO		475.00	09/10/2020	1856216004C	REGISTER AND PAYING ADMIN
			475.00	09/10/2020	1856215005C	REGISTER AND PAYING ADMIN
	AMALGAMATED BANK OF CHICAGO Total		<u>950.00</u>			
250	ARCHON CONSTRUCTION CO	108661	1,376.32	09/17/2020	20215F2	RESTORE TOPSOIL SEED MAT
		108707	3,830.95	09/17/2020	20218F	BORING 415 N 2ND ST
		108858	140.76	09/17/2020	20255F	RESTORE TOPSOIL SEED/MAT
	ARCHON CONSTRUCTION CO Total		<u>5,348.03</u>			
255	ARIES INDUSTRIES INC	109263	8.72	09/10/2020	399332	SWITCH ROCKER
		109306	133.10	09/10/2020	399382	REPAIR SERVICE
		109308	805.66	09/10/2020	399383	REPAIR SERVICES
		109309	399.30	09/10/2020	399384	REPAIR SERVICES - TRUCK
		109307	141.82	09/10/2020	399385	REPAIR SERVICES
		109135	2,266.90	09/17/2020	399331	PARTS
		109368	756.60	09/17/2020	399527	REPAIR TRACTOR
		109367	2,143.12	09/17/2020	399528	CAMERA REPAIR
	ARIES INDUSTRIES INC Total		<u>6,655.22</u>			
275	ASSOCIATION FOR INDIVIDUAL	109421	30,000.00	09/10/2020	050620	1ST INSTALLMENT
	ASSOCIATION FOR INDIVIDUAL Total		<u>30,000.00</u>			
282	ASSOCIATED TECHNICAL SERV LTD	108665	677.00	09/10/2020	32830	LEAK DETECTION LANGSTON/H
		108665	770.00	09/10/2020	32836	LEAK DETECTION Q CENTER
	ASSOCIATED TECHNICAL SERV LTD Total		<u>1,447.00</u>			
298	AWARDS CONCEPTS	108187	45.08	09/10/2020	10571150	AWARDS STEPHEN SIWY

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		108187	299.05	09/17/2020	I0571487	BIKE-ISABEL SODERLIND
		108187	144.57	09/17/2020	I0571603	AWARDS CHARLES CRUMLETT
		108187	240.46	09/17/2020	I0571604	AWARDS DAN VOGT
		108187	144.57	09/17/2020	I0571804	PENNY LANCOR AWARDS
		108187	247.59	09/17/2020	I0571805	MICHAEL ROSS AWARDS
	AWARDS CONCEPTS Total		<u>1,121.32</u>			
305	BADGER METER INC					
		109111	3,700.94	09/10/2020	13484790	BADGER METERS
	BADGER METER INC Total		<u>3,700.94</u>			
312	GENEVA SCIENTIFIC INC					
		109203	3,990.71	09/10/2020	INVRCO16670	WIND RESISTANT UMBRELLAS
	GENEVA SCIENTIFIC INC Total		<u>3,990.71</u>			
325	BAXTER AND WOODMAN INC					
		108604	2,300.00	09/10/2020	0215570	PROFESSIONAL SERVICE 7/19-
		108604	5,585.00	09/10/2020	0215573	PROFESSIONAL SRVC 7-19/8-1!
		109310	2,540.00	09/10/2020	0215575	ENGINEERING SERVICE
	BAXTER AND WOODMAN INC Total		<u>10,425.00</u>			
347	BERGLUND CONSTRUCTION					
		108022	37,723.83	09/17/2020	3	CITY HALL FACADE REPAIRS
	BERGLUND CONSTRUCTION Total		<u>37,723.83</u>			
393	BRICOR CONSULTING					
			2,400.00	09/17/2020	FY 2021	AGREEMENT 12 MONTHLY PAY
	BRICOR CONSULTING Total		<u>2,400.00</u>			
395	BRIDGEWELL RESOURCES LLC					
		109149	14,851.00	09/10/2020	0244022501	INVENTORY ITEMS
		109213	14,296.00	09/17/2020	0244128801	INVENTORY ITEMS
	BRIDGEWELL RESOURCES LLC Total		<u>29,147.00</u>			
408	BUILDING & FIRE CODE ACADEMY					
		109434	350.00	09/10/2020	52049	RAINIER GALLIANO-AFSPR-200
	BUILDING & FIRE CODE ACADEMY Total		<u>350.00</u>			
473	AT&T MOBILITY					
			33.23	09/10/2020	287258511326X090120	MONTHLY ACCT: 287258511326

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	AT&T MOBILITY Total		<u>33.23</u>			
518	CLERK OF THE 18TH		300.00	09/17/2020	091520	BAIL BOND MCCAIN
	CLERK OF THE 18TH Total		<u>300.00</u>			
526	CLARKE ENVIRONMENTAL MOSQUITO	108231	9,668.05	09/17/2020	001013469	DUET TRUCK ULV CITY WIDE
	CLARKE ENVIRONMENTAL MOSQUITO Total		<u>9,668.05</u>			
555	COM ED		180.10	09/10/2020	082420	MONTHLY BILLING 7/24-8/24
	COM ED Total		<u>180.10</u>			
556	COMPUTERIZED FLEET	109482	1,795.00	09/17/2020	14477	CFAWin 8 - SERVICE/MAINTEN/
	COMPUTERIZED FLEET Total		<u>1,795.00</u>			
564	COMCAST OF CHICAGO INC		65.34	09/10/2020	082720PW	ACCT: 8771-20-044-0021190
	COMCAST OF CHICAGO INC Total		<u>65.34</u>			
579	COMMUNICATIONS DIRECT INC	109228	125.00	09/17/2020	SR120812	LABOR
	COMMUNICATIONS DIRECT INC Total		<u>125.00</u>			
633	LAWSON PRODUCTS INC	109287	168.12	09/17/2020	9307839959	MISC FLEET SUPPLIES
	LAWSON PRODUCTS INC Total		<u>168.12</u>			
639	CUMMINS NPOWER LLC	109344	100.00	09/17/2020	F2-85205	WARRANTY WORK
	CUMMINS NPOWER LLC Total		<u>100.00</u>			
642	CUSTOM WELDING & FAB INC	109340	638.00	09/10/2020	200125	FABRICATE & INSTALL BRACKE
		109351	2,166.85	09/10/2020	200128	REPAIR-SEAL DUMP BOX
	CUSTOM WELDING & FAB INC Total		<u>2,804.85</u>			
725	DON MCCUE CHEVROLET	109275	89.36	09/10/2020	425776	BOOT

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	DON MCCUE CHEVROLET Total		<u>89.36</u>			
767	EAGLE ENGRAVING INC	108221	83.25	09/10/2020	2020-3667	SIGNS ENGRAVED
	EAGLE ENGRAVING INC Total		<u>83.25</u>			
789	ANIXTER INC	109141	117.00	09/10/2020	4675635-01	INVENTORY ITEM
		109141	114.50	09/10/2020	4675635-02	INVENTORY ITEMS
		109390	950.00	09/17/2020	4699658-00	INVENTORY ITEMS
	ANIXTER INC Total		<u>1,181.50</u>			
815	ENGINEERING ENTERPRISES INC	106992	10,462.75	09/17/2020	69666	SERVICES RT 31/ROOSEVELT
		109088	3,972.75	09/17/2020	69666-A	ADDL DESIGN SERVICES
		108792	2,634.25	09/17/2020	69667	BASISN SC05 BILLING
		108796	408.75	09/17/2020	69668	LSLR PROJECT PLAN
	ENGINEERING ENTERPRISES INC Total		<u>17,478.50</u>			
826	BORDER STATES INDUSTRIES INC	109342	2,067.56	09/17/2020	920582264	INVENTORY ITEMS
	BORDER STATES INDUSTRIES INC Total		<u>2,067.56</u>			
859	FEECE OIL CO	109318	99.92	09/17/2020	1913376	INVENTORY ITEMS
		109354	203.84	09/17/2020	1915724	INVENTORY ITEMS
	FEECE OIL CO Total		<u>303.76</u>			
870	FIRE PENSION FUND		13,689.82	09/11/2020	FRPN200911144254FI	Fire Pension
			467.02	09/11/2020	FP1%200911144254FI	Fire Pension 1% Fee
			4,727.64	09/11/2020	FRP2200911144254FC	Fire Pension Tier 2
	FIRE PENSION FUND Total		<u>18,884.48</u>			
876	FIRST ENVIRONMENTAL LAB INC	108495	39.00	09/17/2020	I56420	LAB TESTING SERVICES
	FIRST ENVIRONMENTAL LAB INC Total		<u>39.00</u>			
891	FLEET SAFETY SUPPLY	108287	226.50	09/10/2020	75484	FLEET DEPT PARTS

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	FLEET SAFETY SUPPLY Total		<u>226.50</u>			
905	FORCE AMERICA DISTRIBUTING LLC	108618	225.00	09/17/2020	200-1027078	DATA PLAN
	FORCE AMERICA DISTRIBUTING LLC Total		<u>225.00</u>			
916	FOX VALLEY FIRE & SAFETY INC	108395	361.00	09/10/2020	IN00375396	ANNUAL INSPECTION
		108395	200.00	09/17/2020	IN00376837	ANNUAL FIRE ALARM INSPECT
		108395	200.00	09/17/2020	IN00376839	ANNUAL FIRE ALARM INSPECT
		108395	170.00	09/17/2020	IN00376841	ANNUAL FIRE ALARM INSPECT
		108395	175.00	09/17/2020	IN00377041	ANNUAL INSP FIRE ALARM
		108395	650.00	09/17/2020	IN00377046	ANNUAL INSP FIRE ALARM
		108395	90.00	09/17/2020	IN00377048	ANNUAL INSP FIRE ALARM
		108395	895.00	09/17/2020	IN00377058	ANNUAL INSP FIRE ALARM
	FOX VALLEY FIRE & SAFETY INC Total		<u>2,741.00</u>			
989	GORDON FLESCH CO INC		813.03	09/17/2020	IN13046498	BILLING 7/27/20 - 8/27/20
	GORDON FLESCH CO INC Total		<u>813.03</u>			
1036	HARRIS BANK NA		1,560.00	09/11/2020	UNF 200911144254FD	Union Dues - IAFF
	HARRIS BANK NA Total		<u>1,560.00</u>			
1083	HITCHCOCK DESIGN GROUP	103398	2,035.00	09/17/2020	25153	FACILITY LANDSCAPE DESIGN
	HITCHCOCK DESIGN GROUP Total		<u>2,035.00</u>			
1089	ARENDS HOGAN WALKER LLC	108987	410.26	09/17/2020	10239391	RIM AND WHEEL CENTER
	ARENDS HOGAN WALKER LLC Total		<u>410.26</u>			
1113	HUFF & HUFF INC	96845	1,727.63	09/17/2020	0801441	1st STREET SERVICES
	HUFF & HUFF INC Total		<u>1,727.63</u>			
1133	IBEW LOCAL 196		178.50	09/11/2020	UNE 200911144254PV	Union Due - IBEW
			700.56	09/11/2020	UNEW200911144254P	Union Due - IBEW - percent

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	IBEW LOCAL 196 Total		<u>879.06</u>			
1136	ICMA RETIREMENT CORP					
			229.25	09/11/2020	C401200911144254CA	401A Savings Plan Company
			301.80	09/11/2020	C401200911144254CD	401A Savings Plan Company
			488.05	09/11/2020	C401200911144254FD	401A Savings Plan Company
			437.41	09/11/2020	RTHP200911144254FI	Roth 457 - Percent
			231.54	09/11/2020	RTHP200911144254PI	Roth 457 - Percent
			76.49	09/11/2020	ICMP200911144254CI	ICMA Deductions - Percent
			469.64	09/11/2020	091120	PAYROLL ICMA PLAN109830
			1,451.53	09/11/2020	ROTH200911144254PI	Roth IRA Deduction
			505.00	09/11/2020	ROTH200911144254PI	Roth IRA Deduction
			200.00	09/11/2020	RTHA200911144254FI	Roth 457 - Dollar Amount
			240.76	09/11/2020	RTHA200911144254HI	Roth 457 - Dollar Amount
			705.00	09/11/2020	RTHA200911144254PI	Roth 457 - Dollar Amount
			60.00	09/11/2020	RTHA200911144254PI	Roth 457 - Dollar Amount
			2,317.74	09/11/2020	ICMP200911144254PC	ICMA Deductions - Percent
			1,467.37	09/11/2020	ICMP200911144254PV	ICMA Deductions - Percent
			330.00	09/11/2020	ROTH200911144254CI	Roth IRA Deduction
			25.00	09/11/2020	ROTH200911144254FI	Roth IRA Deduction
			80.00	09/11/2020	ROTH200911144254FI	Roth IRA Deduction
			211.50	09/11/2020	ROTH200911144254HI	Roth IRA Deduction
			2,550.00	09/11/2020	ICMA200911144254IS	ICMA Deductions - Dollar Amt
			7,940.50	09/11/2020	ICMA200911144254PC	ICMA Deductions - Dollar Amt
			3,575.00	09/11/2020	ICMA200911144254PV	ICMA Deductions - Dollar Amt
			3,425.28	09/11/2020	ICMP200911144254FD	ICMA Deductions - Percent
			636.64	09/11/2020	ICMP200911144254FN	ICMA Deductions - Percent
			1,326.74	09/11/2020	ICMP200911144254IS	ICMA Deductions - Percent
			990.71	09/11/2020	E401200911144254PV	401A Savings Plan Employee
			300.00	09/11/2020	ICMA200911144254CA	ICMA Deductions - Dollar Amt
			3,061.54	09/11/2020	ICMA200911144254CI	ICMA Deductions - Dollar Amt
			2,980.77	09/11/2020	ICMA200911144254FD	ICMA Deductions - Dollar Amt
			1,070.00	09/11/2020	ICMA200911144254FN	ICMA Deductions - Dollar Amt
			1,400.00	09/11/2020	ICMA200911144254HF	ICMA Deductions - Dollar Amt
			301.80	09/11/2020	E401200911144254CD	401A Savings Plan Employee
			488.05	09/11/2020	E401200911144254FD	401A Savings Plan Employee
			523.36	09/11/2020	E401200911144254FN	401A Savings Plan Employee
			265.70	09/11/2020	E401200911144254HR	401A Savings Plan Employee
			372.95	09/11/2020	E401200911144254IS	401A Savings Plan Employee

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
			754.91	09/11/2020	E401200911144254PD	401A Savings Plan Employee
			523.39	09/11/2020	C401200911144254FN	401A Savings Plan Company
			265.70	09/11/2020	C401200911144254HR	401A Savings Plan Company
			372.95	09/11/2020	C401200911144254IS	401A Savings Plan Company
			757.05	09/11/2020	C401200911144254PD	401A Savings Plan Company
			990.71	09/11/2020	C401200911144254PV	401A Savings Plan Company
			231.42	09/11/2020	E401200911144254CA	401A Savings Plan Employee
	ICMA RETIREMENT CORP Total		<u>44,933.25</u>			
1149	ILLINOIS ENVIRONMENTAL		115,849.88	09/09/2020	090920	DEBT PROJECT L17-5203
	ILLINOIS ENVIRONMENTAL Total		<u>115,849.88</u>			
1202	ILLINOIS EPA	108972	3,294.49	09/17/2020	277263	FIRST STREET AREA 4
	ILLINOIS EPA Total		<u>3,294.49</u>			
1215	ILLINOIS MUNICIPAL UTILITIES		4,014,689.24	09/16/2020	091020	AUGUST ELECTRIC BILL
	ILLINOIS MUNICIPAL UTILITIES Total		<u>4,014,689.24</u>			
1240	INTERSTATE BATTERY SYSTEM OF	109284	390.85	09/10/2020	10082911	INVENTORY ITEMS
	INTERSTATE BATTERY SYSTEM OF Total		<u>390.85</u>			
1327	KANE COUNTY FAIR		382.13	09/17/2020	FY 2021	DEBT PAYMENT MANNION PRC
	KANE COUNTY FAIR Total		<u>382.13</u>			
1387	KONICA MINOLTA BUS SOLUTIONS		53.58	09/10/2020	9007059566	MONTHLY BILLING
	KONICA MINOLTA BUS SOLUTIONS Total		<u>53.58</u>			
1489	LOWES	108454	12.57	09/10/2020	02792/082020	WATER DEPT SUPPLIES
		109104	366.75	09/10/2020	79786	INVENTORY ITEMS
		108173	118.75	09/10/2020	90250	HOSE CART FIRE DEPT
		108173	-118.75	09/10/2020	90250	HOSE CART FIRE DEPT
		108197	31.76	09/17/2020	02639/083120	MISC SUPPLIES
	LOWES Total		<u>411.08</u>			

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
1526	DON MARSCHKE		60.00	09/10/2020	090820DM	CDL RENEWAL
	DON MARSCHKE Total		60.00			
1585	MEADE ELECTRIC COMPANY INC					
		108318	1,849.47	09/10/2020	693542	JUNE 2020 SETREET LIGHT RE
		108318	1,897.99	09/10/2020	693543	JULY 2020 STREET LIGHT REP/
		108136	1,924.00	09/17/2020	693440	MONTHLY BILLING CONTRACT
	MEADE ELECTRIC COMPANY INC Total		5,671.46			
1598	MENARDS INC					
		108154	1,658.89	09/17/2020	48948	LUMBER
	MENARDS INC Total		1,658.89			
1600	MENDEL PLUMBING & HEATING INC					
		108812	7,495.00	09/17/2020	121272941	FURNACE/AC UNIT INSTALLED
		109376	561.00	09/17/2020	122320567	REPAIR POLICE DEPT
		109361	280.50	09/17/2020	370916	REPAIR POLICE DEPT
	MENDEL PLUMBING & HEATING INC Total		8,336.50			
1613	METROPOLITAN ALLIANCE OF POL					
			1,004.50	09/11/2020	UNP 200911144254PD	Union Dues - IMAP
			114.00	09/11/2020	UNPS200911144254PI	Union Dues-Police Sergeants
	METROPOLITAN ALLIANCE OF POL Total		1,118.50			
1626	MIDWEST AIR PRO					
		109264	156.50	09/10/2020	13743	SERVICE CALL STATION 2
	MIDWEST AIR PRO Total		156.50			
1637	FLEETPRIDE INC					
		108286	49.31	09/10/2020	58211289	ADAPTER PKG TRUCK 4099
		108286	693.34	09/17/2020	58674208	BRAKE DRUM
	FLEETPRIDE INC Total		742.65			
1643	MILSOFT UTILITY SOLUTIONS INC					
		108392	232.20	09/17/2020	20203987	HOSTED OCM CALLS
	MILSOFT UTILITY SOLUTIONS INC Total		232.20			
1651	MNJ TECHNOLOGIES DIRECT INC					
		109356	660.00	09/17/2020	0003744037	CISCO UNIFIED COMMUNICATI

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	MNJ TECHNOLOGIES DIRECT INC Total		<u>660.00</u>			
1668	WOLSELEY INVESTMENTS INC	109327	288.41	09/17/2020	5714874	INVENTORY ITEMS
	WOLSELEY INVESTMENTS INC Total		<u>288.41</u>			
1696	NATIONAL TRUST FOR HISTORIC		195.00	09/10/2020	R20A2D5PIF	MOBERSHIP RENEWAL
	NATIONAL TRUST FOR HISTORIC Total		<u>195.00</u>			
1704	NCPERS IL IMRF		8.00	09/11/2020	NCP2200911144254FM	NCPERS 2
			16.00	09/11/2020	NCP2200911144254PV	NCPERS 2
	NCPERS IL IMRF Total		<u>24.00</u>			
1705	NEENAH FOUNDRY COMPANY CORP	109126	2,470.00	09/17/2020	381922	ROLL FRAME AND GRATE
	NEENAH FOUNDRY COMPANY CORP Total		<u>2,470.00</u>			
1728	NIPSTA	108211	1,100.00	09/17/2020	200706CF	RYAN GLEASON OFFICER FIRE
	NIPSTA Total		<u>1,100.00</u>			
1745	NICOR		122.45	09/10/2020	0000 6 AUG 31 2020	BILLING 7/28/20-8/27/20
			42.98	09/10/2020	0847 6 SEP 1 2020	ACCT: 19-39-03-0847-6 SEPT 1
			40.10	09/10/2020	1000 0 AUG 31 2020	BILLING 7/28/20-8/28/20
			40.12	09/10/2020	1000 1 SEP 3 2020	ACCT: 00-69-30-1000-1 SEPT 3
			42.80	09/10/2020	1000 3 SEP 1 2020	ACCT: 30-28-40-1000-3 SEPT 1
			38.77	09/10/2020	1000 6 SEP 3 2020	ACCT: 67-14-30-1000-6 SEP 3
			149.27	09/10/2020	1000 7 SEP 3 2020	ACCT: 97-78-02-1000-7 SEP 3
			121.47	09/10/2020	1000 8 SEP 1 2020	ACCT: 03-73-20-1000-8 SEP 1
			38.56	09/10/2020	1584 1 SEP 2 2020	ACCT: 76-25-37-1584-1 SEPT 2
			58.14	09/10/2020	2485 8 SEP 3 2020	ACCT: 72-42-21-2485-8 SEPT 3
			41.38	09/10/2020	4606 2 AUG 31 2020	BILLING 7/28/20-8/28/20
			128.68	09/10/2020	8642 6 AUG 31 2020	BILLING 7/30/20-8/27/20
	NICOR Total		<u>864.72</u>			
1775	RAY O'HERRON CO	108256	159.84	09/17/2020	2047733-IN	JENNIFER LARSON UNIFORMS
		108256	28.80	09/17/2020	2047734-IN	RICH CLARK UNIFORMS

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
		108256	57.44	09/17/2020	2047735-IN	A LAMELA UNIFORMS
	RAY O'HERRON CO Total		246.08			
1783	ON TIME EMBROIDERY INC					
		108174	558.00	09/17/2020	ES 76812	FIRE DEPT UNIFORMS
	ON TIME EMBROIDERY INC Total		558.00			
1793	OTIS ELEVATOR CO					
		109528	415.00	09/17/2020	CY21852001	WALNUT PARKING DECK
	OTIS ELEVATOR CO Total		415.00			
1797	PACE SUBURBAN BUS					
		108525	424.84	09/17/2020	581027	RIDE N KANE JUNE
	PACE SUBURBAN BUS Total		424.84			
1822	PDC LABORATORIES INC					
		108455	1,710.00	09/10/2020	I9424740	WATER TESTING SERVICES
	PDC LABORATORIES INC Total		1,710.00			
1861	POLICE PENSION FUND					
			8,759.95	09/11/2020	PLP2200911144254PD	Police Pension Tier 2
			13,163.29	09/11/2020	PLPN200911144254PC	Police Pension
			782.90	09/11/2020	PLPR200911144254PC	Police Pens Service Buyback
	POLICE PENSION FUND Total		22,706.14			
1890	LEGAL SHIELD					
			17.48	09/11/2020	PPLS200911144254CI	Pre-Paid Legal Services
			153.19	09/11/2020	PPLS200911144254FC	Pre-Paid Legal Services
			15.65	09/11/2020	PPLS200911144254FN	Pre-Paid Legal Services
			306.16	09/11/2020	PPLS200911144254PC	Pre-Paid Legal Services
			36.34	09/11/2020	PPLS200911144254PV	Pre-Paid Legal Services
	LEGAL SHIELD Total		528.82			
1897	PRIME TACK & SEAL CO					
		108155	624.16	09/17/2020	65474	HFE-90 TICKET 94181
		108155	677.28	09/17/2020	65553	HFE-90 TICKET 94255
	PRIME TACK & SEAL CO Total		1,301.44			
1898	PRIORITY PRODUCTS INC					
		109298	23.72	09/10/2020	953688	LYNCH PINS
		108353	130.07	09/10/2020	953442	LAMPS/WIRES/NUT & SCREWS

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
		109293	29.69	09/17/2020	953486	INVENTORY ITEMS
		108353	101.36	09/17/2020	953677	FASTNERS SUPPLIES
	PRIORITY PRODUCTS INC Total		284.84			
1900	PROVIDENT LIFE & ACCIDENT					
			26.76	09/11/2020	POPT200911144254FI	Provident Optional Life
	PROVIDENT LIFE & ACCIDENT Total		26.76			
1903	PRO LINE SAFETY PRODUCTS					
		109243	262.97	09/17/2020	151048	INVENTORY ITEM
	PRO LINE SAFETY PRODUCTS Total		262.97			
1932	ENERGICITY CORP					
		109183	3,223.38	09/10/2020	50763	REPAIR AND PARTS
	ENERGICITY CORP Total		3,223.38			
1946	RANDALL PRESSURE SYSTEMS INC					
		109286	23.12	09/10/2020	I-35576-0	MISC PARTS
		109239	460.32	09/10/2020	I-35519-0	INVENTORY ITEMS
		109364	148.36	09/17/2020	I-35701-0	MISC PARTS
		108210	350.25	09/17/2020	I-35743-0	FLEET DEPT PARTS
		108210	11.48	09/17/2020	I-35777-0	MISC SUPPLIES
		108210	11.38	09/17/2020	I-35779-0	MISC SUPPLIES
	RANDALL PRESSURE SYSTEMS INC Total		1,004.91			
1993	RENTAL MAX LLC					
		109317	293.00	09/10/2020	435831-3	BACK HOE TRACK/BKT
	RENTAL MAX LLC Total		293.00			
1998	RURAL ELECTRIC SUPPLY CO OP					
		109265	423.54	09/17/2020	796635-00	INVENTORY ITEMS
	RURAL ELECTRIC SUPPLY CO OP Total		423.54			
2026	ROCK N RESCUE J E WEINEL INC					
		108023	1,166.16	09/10/2020	INV204473	61M PETZL VECTOR WHITE
			-175.96	09/10/2020	RMA153	ROPE & ACCESSORY BAG
	ROCK N RESCUE J E WEINEL INC Total		990.20			
2032	POMPS TIRE SERVICE INC					
		108272	30.00	09/10/2020	640083704	LIGHT TRUCK SCRAP DISPOSA
		109313	49.00	09/10/2020	640083705	REPAIR OFF UNIT 1794

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
		109315	49.00	09/10/2020	640083706	FLAT REPAIR OFF UNIT 5099
		109314	173.47	09/10/2020	640083707	TIRE & WHEEL SUPPLIES
		108272	24.00	09/10/2020	640083720	LIGHT TRUCK SCRAP DISPOSA
		109353	59.00	09/17/2020	640083801	REPAIR SERVICE SUPPLIES
	POMPS TIRE SERVICE INC Total		384.47			
2046	RUSSO POWER EQUIPMENT INC					
		109290	51.93	09/17/2020	SPI10388203	MISC SUPPLIES
	RUSSO POWER EQUIPMENT INC Total		51.93			
2055	SAFETY-KLEEN SYSTEMS INC					
		109256	441.88	09/10/2020	84076379	WASHER SOLVENT
	SAFETY-KLEEN SYSTEMS INC Total		441.88			
2096	SCHINDLER ELEVATOR CORPORATION					
		109363	1,363.03	09/10/2020	7153178509	ELEVATOR REPAIR
		109129	1,230.00	09/17/2020	7100437000	POLICE STATION
	SCHINDLER ELEVATOR CORPORATION Total		2,593.03			
2111	SECRETARY OF STATE POLICE					
			302.00	09/17/2020	091420	CONFIDENTIAL PLATE RENEWA
	SECRETARY OF STATE POLICE Total		302.00			
2137	SHERWIN WILLIAMS					
		108199	35.69	09/10/2020	5587-9	MISC PAINT SUPPLIES
		108199	79.40	09/17/2020	8051-9	MISC PAINT SUPPLIES
	SHERWIN WILLIAMS Total		115.09			
2150	SIKICH					
		108255	26,700.00	09/10/2020	460591	AUDIT SERVICE THRU AUGUST
	SIKICH Total		26,700.00			
2152	M E SIMPSON CO INC					
		107760	7,350.00	09/17/2020	35591	METER TESTING SERVICE AUC
	M E SIMPSON CO INC Total		7,350.00			
2160	SKARSHAUG TESTING LABORATORY					
		108829	721.21	09/10/2020	246079	GLOVES AND TESTING
		108829	420.14	09/17/2020	246174	CLEAN & TEST BLANKET
	SKARSHAUG TESTING LABORATORY Total		1,141.35			

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
2169	CLARK BAIRD SMITH LLP		510.00	09/17/2020	13041	PROFESSIONAL SERVICE-FILE
	CLARK BAIRD SMITH LLP Total		<u>510.00</u>			
2201	STANDARD EQUIPMENT CO	109240	571.12	09/10/2020	P23973	NOZZLE RUBBER/BINS
	STANDARD EQUIPMENT CO Total		<u>571.12</u>			
2212	CITY OF ST CHARLES		110.95	09/17/2020	3-31-31068-0-02/FINAL	107 E MAIN ST FINAL BILLING
			129.76	09/17/2020	3-31-31067-21-1/FINAL	109 E MAIN ST UPPR FINAL
			80.50	09/17/2020	3-31-31065-6-1/FINAL	FINAL BILLING 109 E MAIN ST
	CITY OF ST CHARLES Total		<u>321.21</u>			
2222	ST CHARLES MEMORIAL WORKS	109174	80.00	09/17/2020	082720	MEMORIAL BRICKS
	ST CHARLES MEMORIAL WORKS Total		<u>80.00</u>			
2235	STEINER ELECTRIC COMPANY	108308	1,063.54	09/10/2020	S006707547.002	PROCURED ITEMS COIL, REEL
		109255	663.64	09/10/2020	S006707815.001	INVENTORY ITEMS
		109255	36.80	09/10/2020	S006707815.002	OPTANIUM 2 LAMP # 7529
		109255	58.53	09/10/2020	S006707815.003	INVENTORY ITEMS
		109255	97.55	09/10/2020	S006707815.004	INVENTORY ITEMS
		108308	54.84	09/10/2020	S006708208.001	12V 7AH BATTERY
		108308	1,548.31	09/10/2020	S006707547.001	MISC ELECTRIC DEPT PARTS
		109255	1,822.08	09/17/2020	S006707815.005	INVENTORY ITEMS
			-234.12	09/17/2020	S006707815.006	CREDITS INV S006707815.005
			234.12	09/17/2020	S006707815.007	CREDITS PO 109255
	STEINER ELECTRIC COMPANY Total		<u>5,345.29</u>			
2263	PETER SUHR		61.35	09/17/2020	20782335	REIMBURSE IDOF LICENSE
	PETER SUHR Total		<u>61.35</u>			
2301	GENERAL CHAUFFERS SALES DRIVER		166.50	09/11/2020	UNT 200911144254CD	Union Dues - Teamsters
			2,410.50	09/11/2020	UNT 200911144254PV	Union Dues - Teamsters
	GENERAL CHAUFFERS SALES DRIVER Total		<u>2,577.00</u>			
2316	APC STORE					

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
		108279	27.52	09/10/2020	478-524319	ADD A CIRCUIT
		108279	13.70	09/10/2020	478-524320	SWITCHES
		108279	10.09	09/10/2020	478-524400	REPLACEMENT CLR MRK L
		108279	27.44	09/10/2020	478-524496	LIFT SUPPORT
		109436	107.70	09/10/2020	478-524543	INVENTORY ITEM
		108279	73.88	09/10/2020	478-524690	2013 FORD FUSION/SERVICE
		108279	26.64	09/17/2020	478-524866	FORD INTRCPTR GUIDE PIN
		108279	22.41	09/17/2020	478-52487	RO 64343 PARTS
		108279	22.41	09/17/2020	478-524873	FORD INTERCEPTOR PARTS
			-26.64	09/17/2020	478-525061	CREDITS INV 478-524866
			-17.64	09/17/2020	478-525064	CREDITS INV 478-524699
		109380	108.83	09/17/2020	478-524141	MISC PARTS
		108279	138.78	09/17/2020	478-524699	RO 64328 PARTS
		109478	154.03	09/17/2020	478-524716	INVENTORY ITEMS
		108279	175.13	09/17/2020	478-524722	FLEET DEPT PARTS
		108279	102.94	09/17/2020	478-524745	FLEET DEPT PARTS
	APC STORE Total		967.22			
2345	TRAFFIC CONTROL & PROTECTION					
		109271	606.00	09/17/2020	104998	INVENTORY ITEM
		109162	1,082.50	09/17/2020	104997	ALUMINUM BLANK RADIUS COF
	TRAFFIC CONTROL & PROTECTION Total		1,688.50			
2363	TROTTER & ASSOCIATES INC					
		108064	2,407.75	09/17/2020	17219	PROJECT BILLING TANK REHAI
	TROTTER & ASSOCIATES INC Total		2,407.75			
2373	TYLER MEDICAL SERVICES					
		109569	1,600.00	09/17/2020	420620	FLU SHOT RETAINER
	TYLER MEDICAL SERVICES Total		1,600.00			
2389	UNIVERSITY OF ILLINOIS-GAR					
		107064	2,000.00	09/17/2020	UFIW0663	CAVALLO AND VOELSCH OFFIC
		107337	1,000.00	09/17/2020	UFIW0663-GALLIANO	GALLIANO OFFICER
		107305	1,000.00	09/17/2020	UFIW0663-REHAK	REHAK OFFICER
	UNIVERSITY OF ILLINOIS-GAR Total		4,000.00			
2401	UNIVERSAL UTILITY SUPPLY INC					
		108974	815.10	09/10/2020	3032791	INVENTORY ITEMS
		109254	780.00	09/10/2020	3032848	INVENTORY ITEMS

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
		109489	80.00	09/17/2020	3032869	INVENTORY ITEM
		109215	2,300.00	09/17/2020	3032870	INVENTORY ITEM
	UNIVERSAL UTILITY SUPPLY INC Total		<u>3,975.10</u>			
2403	UNITED PARCEL SERVICE					
			39.90	09/10/2020	0000650961350	WEEKLY SHIPPING CHARGES
			82.22	09/17/2020	0000650961360	UPS SERVICE 8/31/20-9/5/20
	UNITED PARCEL SERVICE Total		<u>122.12</u>			
2404	HD SUPPLY FACILITIES MAINT LTD					
		109277	1,219.66	09/10/2020	334168	3' HONDA CENTRIFUGAL PUMF
		108859	4,131.00	09/10/2020	335473	INCUBATOR REFRIG BOD PELT
		109324	551.18	09/10/2020	338549	INVENTORY ITEMS
		109332	474.30	09/17/2020	339935	SIMPLIFIED TKN PLUS
		109333	555.91	09/17/2020	342845	MISC SUPPLIES
	HD SUPPLY FACILITIES MAINT LTD Total		<u>6,932.05</u>			
2429	VERIZON WIRELESS					
			10,990.20	09/10/2020	9857949442	MONTHLY BILLING 6/4/20-7/3/20
			10,656.34	09/10/2020	9860008077	MONTHLY BILLING JULY
			1,507.46	09/10/2020	9861477224	MONTHLY BILLING JUL 24-AUG
	VERIZON WIRELESS Total		<u>23,154.00</u>			
2470	WAREHOUSE DIRECT					
		108247	11.34	09/10/2020	4745422-0	OFFICE SUPPLIES
		108523	143.10	09/10/2020	4746568-0	OFFICE SUPPLIES
		108247	39.77	09/10/2020	4749886-0	OFFICE SUPPLIES
		108351	16.58	09/17/2020	4754888-0	OFFICE SUPPLIES COM DEV
		108247	31.99	09/17/2020	4755181-0	OFFICE SUPPLIES POLICE
	WAREHOUSE DIRECT Total		<u>242.78</u>			
2478	WATER PRODUCTS AURORA					
		109335	1,201.88	09/17/2020	0297779	IRON PIPE/MEGALUG/GASKET
	WATER PRODUCTS AURORA Total		<u>1,201.88</u>			
2490	WELCH BROS INC					
		109345	580.50	09/17/2020	3102129	FIBER EXPANSION PARTS
		109345	460.00	09/17/2020	3102460	FIBER EXPANSION
		109345	225.70	09/17/2020	3102931	CEMENT FINISH BROOM
		109384	240.00	09/17/2020	3102932	ADJUSTING RING

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
			-500.00	09/17/2020	3103005	CREDITS INV 3102129
	WELCH BROS INC Total		<u>1,006.20</u>			
2495	WEST SIDE TRACTOR SALES CO					
		109401	695.06	09/17/2020	V98354A	VEH 1894 RO # 64292 SERVICE
		109401	1,125.05	09/17/2020	V98354	REPAIR VEH 1894 RO 64292
		109071	348.90	09/17/2020	N97104	SERVICE VEH 1909 RO 64271
	WEST SIDE TRACTOR SALES CO Total		<u>2,169.01</u>			
2506	EESCO					
		109144	2,575.00	09/10/2020	905712	INVENTORY ITEMS
		109144	366.50	09/10/2020	908901	INVENTORY ITEMS
		109082	2,354.16	09/17/2020	925603	UNIFORMS ELECTRIC DEPT
		109144	270.55	09/17/2020	922939	INVENTORY ITEMS
		109400	3.95	09/17/2020	932206	INVENTORY ITEMS
	EESCO Total		<u>5,570.16</u>			
2545	GRAINGER INC					
		109276	510.57	09/10/2020	9627991699	CHEMICAL METERING PUMP
		109331	140.76	09/10/2020	9632249968	INVENTORY ITEMS
		109325	531.15	09/10/2020	9632419371	INVENTORY ITEMS
		109370	255.00	09/17/2020	9637762908	CORDLESS SPOTLIGHT
		109377	19.24	09/17/2020	9638113804	HEX KEY GLASS CLEANER
		109375	65.54	09/17/2020	9638113812	GLUE TRAP
		109381	145.80	09/17/2020	9638113820	LABEL TAPE CARTRIDGE WHIT
	GRAINGER INC Total		<u>1,668.06</u>			
2637	ILLINOIS DEPT OF REVENUE					
			893.23	09/11/2020	ILST200911144254CA	Illinois State Tax
			1,972.31	09/11/2020	ILST200911144254CD	Illinois State Tax
			8,921.61	09/11/2020	ILST200911144254FD	Illinois State Tax
			1,872.88	09/11/2020	ILST200911144254FN	Illinois State Tax
			833.16	09/11/2020	ILST200911144254HR	Illinois State Tax
			1,459.64	09/11/2020	ILST200911144254IS	Illinois State Tax
			11,349.50	09/11/2020	ILST200911144254PD	Illinois State Tax
			14,443.45	09/11/2020	ILST200911144254PW	Illinois State Tax
			158,859.11	09/12/2020	091220	ELECTRICITY EXCISE TAX AUG
	ILLINOIS DEPT OF REVENUE Total		<u>200,604.89</u>			
2638	INTERNAL REVENUE SERVICE					

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
			657.82	09/11/2020	FICA200911144254CA	FICA Employee
			2,875.80	09/11/2020	FICA200911144254CD	FICA Employee
			688.55	09/11/2020	FICA200911144254FD	FICA Employee
			2,568.54	09/11/2020	FICA200911144254FN	FICA Employee
			1,225.41	09/11/2020	FICA200911144254HR	FICA Employee
			2,291.99	09/11/2020	FICA200911144254IS	FICA Employee
			286.59	09/11/2020	MEDR200911144254H	Medicare Employer
			537.27	09/11/2020	MEDR200911144254IS	Medicare Employer
			3,914.98	09/11/2020	MEDR200911144254P	Medicare Employer
			4,650.99	09/11/2020	MEDR200911144254P'	Medicare Employer
			3,913.05	09/11/2020	MEDE200911144254PI	Medicare Employee
			4,652.25	09/11/2020	MEDE200911144254P'	Medicare Employee
			291.92	09/11/2020	MEDR200911144254C	Medicare Employer
			672.57	09/11/2020	MEDR200911144254C	Medicare Employer
			3,048.81	09/11/2020	MEDR200911144254FI	Medicare Employer
			600.65	09/11/2020	MEDR200911144254FI	Medicare Employer
			293.82	09/11/2020	MEDE200911144254C.	Medicare Employee
			672.57	09/11/2020	MEDE200911144254C	Medicare Employee
			3,048.81	09/11/2020	MEDE200911144254FI	Medicare Employee
			600.68	09/11/2020	MEDE200911144254FI	Medicare Employee
			286.59	09/11/2020	MEDE200911144254H	Medicare Employee
			536.01	09/11/2020	MEDE200911144254IS	Medicare Employee
			25,857.06	09/11/2020	FIT 200911144254FD	Federal Withholding Tax
			4,812.45	09/11/2020	FIT 200911144254FN	Federal Withholding Tax
			2,230.94	09/11/2020	FIT 200911144254HR	Federal Withholding Tax
			3,106.45	09/11/2020	FIT 200911144254IS	Federal Withholding Tax
			28,813.57	09/11/2020	FIT 200911144254PD	Federal Withholding Tax
			34,639.47	09/11/2020	FIT 200911144254PW	Federal Withholding Tax
			1,225.41	09/11/2020	FICE200911144254HR	FICA Employer
			2,297.38	09/11/2020	FICE200911144254IS	FICA Employer
			2,525.99	09/11/2020	FICE200911144254PD	FICA Employer
			19,886.93	09/11/2020	FICE200911144254PV	FICA Employer
			3,044.65	09/11/2020	FIT 200911144254CA	Federal Withholding Tax
			5,339.22	09/11/2020	FIT 200911144254CD	Federal Withholding Tax
			2,517.82	09/11/2020	FICA200911144254PD	FICA Employee
			19,892.32	09/11/2020	FICA200911144254PV	FICA Employee
			649.58	09/11/2020	FICE200911144254CA	FICA Employer
			2,875.80	09/11/2020	FICE200911144254CD	FICA Employer
			688.55	09/11/2020	FICE200911144254FD	FICA Employer

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
			2,568.61	09/11/2020	FICE200911144254FN	FICA Employer
	INTERNAL REVENUE SERVICE Total		<u>201,287.87</u>			
2639	STATE DISBURSEMENT UNIT					
			471.13	09/11/2020	0000001912009111442	IL Child Support Amount 1
			1,555.35	09/11/2020	0000003742009111442	IL Child Support Amount 1
			369.23	09/11/2020	0000004862009111442	IL Child Support Amount 1
			700.15	09/11/2020	0000012252009111442	IL Child Support Amount 1
	STATE DISBURSEMENT UNIT Total		<u>3,095.86</u>			
2643	DELTA DENTAL					
			9,728.24	09/09/2020	090820	DELTA DENTAL CLAIMS
			2,825.70	09/15/2020	091520	DELTA DENTAL CLAIMS
	DELTA DENTAL Total		<u>12,553.94</u>			
2648	HEALTH CARE SERVICE CORP					
			226,549.52	09/10/2020	090420	MEDICAL CLAIMS
	HEALTH CARE SERVICE CORP Total		<u>226,549.52</u>			
2652	JPMORGAN CHASE BANK NA					
			1,024.05	09/10/2020	082420DB	AUGUST CREDIT CARD
			99.00	09/10/2020	082420JM	AUGUST CREDIT CARD
			38.99	09/10/2020	082420KC	AUGUST CREDIT CARD
			5,216.54	09/10/2020	082420KD	AUGUST CREDIT CARD
			808.77	09/10/2020	082420LG	AUGUST CREDIT CARD
			114.72	09/10/2020	082420SS	AUGUST CREDIT CARD
			100.00	09/10/2020	082420SSW	AUGUST CREDIT CARD
			469.54	09/10/2020	082420TC	AUGUST CREDIT CARD
	JPMORGAN CHASE BANK NA Total		<u>7,871.61</u>			
2656	DISH DBS CORP					
			107.04	09/17/2020	090520	MONTHLY BILLING 9/20-10/19
	DISH DBS CORP Total		<u>107.04</u>			
2666	WINSTON ENGINEERING					
		108156	625.00	09/17/2020	0901CF1220	PREP OF IEPA INSPECT/SAMPL
	WINSTON ENGINEERING Total		<u>625.00</u>			
2672	TRI-CITY AMBULANCE					
			54,576.50	09/16/2020	IN183	AMBULANCE BILLING 2ND QTR

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
	TRI-CITY AMBULANCE Total		<u>54,576.50</u>			
2683	CONTINENTAL AMERICAN INSURANCE		42.42	09/11/2020	ACCG200911144254FI	AFLAC Accident Plan
			67.37	09/11/2020	ACCG200911144254PI	AFLAC Accident Plan
			60.59	09/11/2020	ACCG200911144254P'	AFLAC Accident Plan
	CONTINENTAL AMERICAN INSURANCE Total		<u>170.38</u>			
2724	HENDERSON PRODUCTS INC					
		109260	220.24	09/10/2020	318637	SERVICE REPAIR FLEET
	HENDERSON PRODUCTS INC Total		<u>220.24</u>			
2756	RXBENEFITS INC.					
			11.00	09/15/2020	INV129532	PRESCRIPTION CLAIMS
	RXBENEFITS INC. Total		<u>11.00</u>			
2892	LIFTWORKS INC					
		109359	287.50	09/17/2020	W17700-1	VEHICLE MAINTENANCE SERVI
	LIFTWORKS INC Total		<u>287.50</u>			
2894	HAVLICEK ACE HARDWARE LLC					
		109212	447.20	09/10/2020	83340/1	INVENTORY ITEMS
		109326	202.47	09/17/2020	83439/1	INVENTORY ITEMS
	HAVLICEK ACE HARDWARE LLC Total		<u>649.67</u>			
2901	FLOW TECHNICS INC					
		109182	3,001.00	09/10/2020	INV000008212	EVALUATION-EASTSIDE PUMP
	FLOW TECHNICS INC Total		<u>3,001.00</u>			
2950	MARY PORTER					
		109249	192.39	09/10/2020	1902707467	INVENTORY ITEMS
	MARY PORTER Total		<u>192.39</u>			
2956	LAI LTD					
		108865	4,305.00	09/10/2020	20-17549	GAS MONITOR - TRIGARD
	LAI LTD Total		<u>4,305.00</u>			
2963	RAYNOR DOOR AUTHORITY					
		109083	590.50	09/17/2020	35092	SERVICE REPAIR FS #1
	RAYNOR DOOR AUTHORITY Total		<u>590.50</u>			

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
2990	HAWKINS INC					
		93	1,009.35	09/10/2020	4779175	ALUMINUM SULFATE LIQUID
		93	5,803.34	09/10/2020	4781616	BULK DRINKING WATER GRADI
		93	4,555.08	09/17/2020	4786968	CHLORINE CYLINDER
	HAWKINS INC Total		<u>11,367.77</u>			
3010	PLOTE CONSTRUCTION INC					
		90	1,126.40	09/10/2020	231010	N50 SURFACE
		90	450.45	09/17/2020	231235	SURFACE
	PLOTE CONSTRUCTION INC Total		<u>1,576.85</u>			
3028	ST CHARLES AUTO INC					
			98,201.46	09/17/2020	9102020	SALES TX INCTIVE MAY 2020-A
	ST CHARLES AUTO INC Total		<u>98,201.46</u>			
3099	MIDWEST SALT LLC					
		94	3,251.94	09/17/2020	P452824	INDUSTRIAL SOLAR COARSE S
	MIDWEST SALT LLC Total		<u>3,251.94</u>			
3102	RUSH PARTS CENTERS OF ILLINOIS					
		109252	170.90	09/10/2020	3020425439	INVENTORY ITEMS
		109328	125.86	09/17/2020	3020502807	FILTER
		108293	33.90	09/17/2020	3020523617	RO 64252 VEH 1731
		108293	140.70	09/17/2020	3020558721	VEH 1935 RO 64270
		108293	31.26	09/17/2020	3020581116	VEH 1894 RO 64306 FLEET
	RUSH PARTS CENTERS OF ILLINOIS Total		<u>502.62</u>			
3131	VCNA PRAIRIE INC					
		89	416.25	09/10/2020	889672782	FLAT AIR MRWR FUEL SURCHA
		89	915.75	09/10/2020	889680765	READY MIX
		89	682.00	09/10/2020	889672781	REDI-PAVE FUEL SURCHARGE
		89	1,037.00	09/17/2020	889680493	REDI-PAVE 2
		89	499.50	09/17/2020	889684855	READY MIX
		89	804.75	09/17/2020	889690700	READY MIX
		89	305.25	09/17/2020	889693066	READY MIX
		89	888.00	09/17/2020	89682877	READY MIX
	VCNA PRAIRIE INC Total		<u>5,548.50</u>			
3148	CORNERSTONE PARTNERS					
		108203	776.47	09/10/2020	CP21979	REPLACE TIMERS

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
		109371	798.03	09/17/2020	CP20373	MONTHLY MOWING RED GATE
		108291	219.43	09/17/2020	CP20395	904 SOUTH AVE MOWING
		109301	904.19	09/17/2020	CP22011	SITE CLEAN UP
		108203	1,781.68	09/17/2020	CP22034	IRRIGATION SERVICES
		108289	4,357.14	09/17/2020	CP21826	MONTHLY SERVICES AUGUST
	CORNERSTONE PARTNERS Total		8,836.94			
3153	CALL ONE					
			5,695.45	09/17/2020	324366	MONTHLY BILLING 9/15-10/15
	CALL ONE Total		5,695.45			
3209	HOLMGREN ELECTRIC INC					
		108799	1,450.00	09/10/2020	7824	REPAIR FIRE STATION 1
	HOLMGREN ELECTRIC INC Total		1,450.00			
3236	HR GREEN INC					
		108479	28,669.19	09/10/2020	137431	PROJECT BILLING
		108479	-28,669.19	09/10/2020	137431	PROJECT BILLING
		108479	28,669.19	09/10/2020	137431A	2ND AND DELNOR PHASE III
	HR GREEN INC Total		28,669.19			
3242	XYLEM WATER SOLUTIONS USA INC					
		108841	882.40	09/10/2020	3556B36288	PARTS
		108794	600.00	09/17/2020	3556B26894	LABOR RENAUX LIFT STATION
	XYLEM WATER SOLUTIONS USA INC Total		1,482.40			
3258	TELADOC HEALTH INC					
		108238	550.00	09/17/2020	T0178025	SEPTEMBER SERVICES
	TELADOC HEALTH INC Total		550.00			
3268	LAW OFFICES OF GARY M VANEK PC					
			312.50	09/17/2020	09012020	20450-ETHICS ADVISOR TO STC
	LAW OFFICES OF GARY M VANEK PC Total		312.50			
3289	VISION SERVICE PLAN OF IL NFP					
			240.16	09/11/2020	VSP 200911144254PD	Vision Plan Pre-tax
			389.64	09/11/2020	VSP 200911144254PW	Vision Plan Pre-tax
			134.11	09/17/2020	091520	SEPTEMBER PLAN FOR VISION
			10.40	09/11/2020	VSP 200911144254CA	Vision Plan Pre-tax
			43.22	09/11/2020	VSP 200911144254CD	Vision Plan Pre-tax
			215.66	09/11/2020	VSP 200911144254FD	Vision Plan Pre-tax

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
			33.60	09/11/2020	VSP 200911144254FN	Vision Plan Pre-tax
			12.22	09/11/2020	VSP 200911144254HR	Vision Plan Pre-tax
			41.34	09/11/2020	VSP 200911144254IS	Vision Plan Pre-tax
	VISION SERVICE PLAN OF IL NFP Total		<u>1,120.35</u>			
3315	IRON MOUNTAIN INC					
		108628	861.45	09/17/2020	202195136	SITE 44212.154029 CONT
	IRON MOUNTAIN INC Total		<u>861.45</u>			
3336	NETWORKFLEET INC					
			80.95	09/10/2020	OSV000002192140	MONTHLY BILLING COMM DEV
			618.17	09/10/2020	OSV00002208743	8/1/20-8/31/20 PUBLIC SERVICE
			210.47	09/10/2020	OSV00002214246	8/1/20-8/31/20 ELECTRIC
		108909	242.85	09/10/2020	OSV00002218199	8/1/20-8/31/20 ENV SERVICES
			80.95	09/10/2020	OSV00002219941	8/1/20-8/31/20 SERVICES COM I
	NETWORKFLEET INC Total		<u>1,233.39</u>			
3411	GENEVA ARCHIVE					
		109418	250.02	09/10/2020	22413/22414	MCCOWAN PHOTOS
	GENEVA ARCHIVE Total		<u>250.02</u>			
3474	TRAVELERS INDEMNITY					
			4,368.05	09/10/2020	2179627	LEGAL-GAZZOLA,WEIR&SURTA
	TRAVELERS INDEMNITY Total		<u>4,368.05</u>			
3484	MIDLAND STANDARD ENGINEERING					
		108998	3,015.00	09/10/2020	240755	SERVICE-7TH AVE CREEK @ IN
		109095	2,045.00	09/10/2020	240756	WALNUT ST & 17TH ST
	MIDLAND STANDARD ENGINEERING Total		<u>5,060.00</u>			
3516	ALEXANDERS METER READING					
		109171	590.00	09/17/2020	9945	PARTS FOR METERS
	ALEXANDERS METER READING Total		<u>590.00</u>			
3518	CABLEXPRESS CORPORATION					
		109357	1,124.79	09/17/2020	7053369	CISCO IP PHONE
	CABLEXPRESS CORPORATION Total		<u>1,124.79</u>			
3561	ADVANCED ELEVATOR COMPANY					
		108784	2,430.00	09/17/2020	47656	CITY HALL CARD READERS
		108365	520.00	09/17/2020	48089	ELEVATOR MAINTENANCE

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
	ADVANCED ELEVATOR COMPANY Total		<u>2,950.00</u>			
3562	PANTHEON SYSTEMS INC					
		108124	13,500.00	09/10/2020	13950	RENEWAL 5/24/20-5/23/21
	PANTHEON SYSTEMS INC Total		<u>13,500.00</u>			
3597	GEOSTAR MECHANICAL INC					
		109267	304.00	09/17/2020	I34159	CITY HALL REPAID SERVICE
		109253	733.25	09/17/2020	I34170	FIRE STATION #2 SERVICES
		109253	102.00	09/17/2020	I34190	CENTURY STATION SERVICES
		109437	332.83	09/17/2020	I34325	INSPECTED THE TOILET
		109444	864.57	09/17/2020	I34334	SERVICE - FAN MOTOR & HEAT
		109442	1,780.00	09/17/2020	I34342	SERVICE-DUCK
		109437	204.00	09/17/2020	I34192	SERVICE-BREAKER AND TESTI
		109253	564.00	09/17/2020	I34193	CENTURY STATION SERVICES
		109050	4,462.80	09/17/2020	I34198	REPLACE COMPRESSOR WELL
		108774	4,508.91	09/17/2020	I34206	SERVICE REPAIR CITY HALL
		109443	2,567.48	09/17/2020	I34243	SERVICE/BID FAN MOTOR
		108585	7,903.10	09/17/2020	I34306	BACKFLOW REPAIR
	GEOSTAR MECHANICAL INC Total		<u>24,326.94</u>			
3684	RESPECT TECHNOLOGY INC					
		106013	2,720.00	09/17/2020	14605	MONTHLY SUPORT SEPTEMBE
	RESPECT TECHNOLOGY INC Total		<u>2,720.00</u>			
3686	NATIONAL POWER RODDING CORP					
		108458	66,134.75	09/17/2020	51562	STORM SEWER MAINTENANCE
		108458	2,200.00	09/17/2020	51563	STRUCTURE CLEANING STORM
	NATIONAL POWER RODDING CORP Total		<u>68,334.75</u>			
3721	RUSH TRUCK CENTER					
		109396	3,064.76	09/17/2020	3020559437	VEH 1933 RO 64289
	RUSH TRUCK CENTER Total		<u>3,064.76</u>			
3766	PROVEN BUSINESS SYSTEMS					
			460.49	09/10/2020	727430	SERVICE CALL 7/20/20-8/19/20
			73.27	09/10/2020	729884	MONTHLY BILLING
	PROVEN BUSINESS SYSTEMS Total		<u>533.76</u>			
3786	EMPLOYEE BENEFITS CORPORATION					
		108240	277.20	09/17/2020	3012636	BESTFLEX PLAN

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
	EMPLOYEE BENEFITS CORPORATION Total		<u>277.20</u>			
3787	VIKING BROS INC	92	1,511.24	09/10/2020	INV_2020-556	CA7 STONE
	VIKING BROS INC Total		<u>1,511.24</u>			
3799	LRS HOLDINGS LLC					
		108148	130.00	09/11/2020	PS331001	SERVICE-3825 KARL MADSEN I
		108148	441.42	09/11/2020	PS331003	SERVICE - 1405 S 7TH AVE
		108486	294.15	09/17/2020	0000075806	WOOD - AUGUST 2020
		108148	130.00	09/17/2020	PS323230	SERVICE-3825 KARL MADSEN I
		108228	130.00	09/17/2020	PS335505	7/31/20-8/27/20 SERVICES
		108148	65.00	09/17/2020	PS335506	7/31/20-8/27/20 SERVICES
	LRS HOLDINGS LLC Total		<u>1,190.57</u>			
3806	HARD ROCK CONCRETE CUTTERS INC	108713	465.00	09/10/2020	182675	DIESEL SLAB SAWING-402 S 7T
	HARD ROCK CONCRETE CUTTERS INC Total		<u>465.00</u>			
3823	Ryan Myers		60.00	09/10/2020	090820RM	CDL RENEWAL
	Ryan Myers Total		<u>60.00</u>			
3882	CORE & MAIN LP					
		109274	2,133.00	09/17/2020	M881639	INVENTORY ITEMS
		109348	609.84	09/17/2020	M924347	INVENTORY ITEMS
	CORE & MAIN LP Total		<u>2,742.84</u>			
3886	VIA CARLITA LLC					
		109456	3,167.93	09/17/2020	139180	VEH 1963 RO 64329 SERVICE R
		109439	2,495.04	09/17/2020	139531	VEH 1984 RO 64323 SERVICE R
		109463	207.90	09/17/2020	139763	VEH 1984 RO 64332 PARTS
		109514	4,155.06	09/17/2020	139764	VEH 1955 RO 64354
		109534	1,442.32	09/17/2020	139807	VEH 1756 RO 64352
		108277	111.38	09/17/2020	29763	VEH 1928 RO 64318 PARTS
		109475	108.70	09/17/2020	29939	INVENTORY ITEMS
		108277	11.98	09/17/2020	30071	VEH 1998 RO 64353
	VIA CARLITA LLC Total		<u>11,700.31</u>			
3890	GOVERNMENTJOBS.COM, INC	108267	13,818.00	09/17/2020	INV-15679	SUBSCRIPTION RENEWAL

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
	GOVERNMENTJOBS.COM, INC Total		<u>13,818.00</u>			
3915	B&W CONTROL SYSTEMS					
		109311	2,521.40	09/10/2020	0215569	WW SUPPORT SERVICES
		105601	23,590.00	09/10/2020	0215823	SCADA PHASE 2 UPGRADES
	B&W CONTROL SYSTEMS Total		<u>26,111.40</u>			
3948	UNIQUE PRODUCTS & SERVICE CORP					
		109108	294.60	09/17/2020	398086	INVENTORY ITEMS
	UNIQUE PRODUCTS & SERVICE CORP Total		<u>294.60</u>			
3968	TRANSAMERICA CORPORATION					
			4,408.15	09/11/2020	RHFP200911144254PI	Retiree Healthcare Funding Pla
	TRANSAMERICA CORPORATION Total		<u>4,408.15</u>			
3973	HSA BANK WIRE ONLY					
			200.00	09/11/2020	HSAF200911144254C/	Health Savings Plan - Family
			1,342.30	09/11/2020	HSAF200911144254FI	Health Savings Plan - Family
			457.70	09/11/2020	HSAF200911144254HF	Health Savings Plan - Family
			352.69	09/11/2020	HSAF200911144254IS	Health Savings Plan - Family
			847.31	09/11/2020	HSAF200911144254PI	Health Savings Plan - Family
			534.42	09/11/2020	HSAF200911144254PV	Health Savings Plan - Family
			175.00	09/11/2020	HSAS200911144254C/	Health Savings - Self Only
			271.16	09/11/2020	HSAS200911144254CI	Health Savings - Self Only
			633.08	09/11/2020	HSAS200911144254FI	Health Savings - Self Only
			100.00	09/11/2020	HSAS200911144254FI	Health Savings - Self Only
			634.92	09/11/2020	HSAS200911144254PI	Health Savings - Self Only
			97.69	09/11/2020	HSAS200911144254PV	Health Savings - Self Only
	HSA BANK WIRE ONLY Total		<u>5,646.27</u>			
3993	CHARLES EQUIPMENT ENERGY					
		108593	4,280.12	09/17/2020	9360	RADIATOR REPAIR
	CHARLES EQUIPMENT ENERGY Total		<u>4,280.12</u>			
4020	TREES R US INC					
		108362	20,926.08	09/17/2020	24524	BRUSH COLLECTION SERVICE:
	TREES R US INC Total		<u>20,926.08</u>			
4048	ZOLL MEDICAL CORPORATION					
		109385	61.82	09/17/2020	3131216	AUTOPULSE SHOULDER RESTI

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
	ZOLL MEDICAL CORPORATION Total		<u>61.82</u>			
4074	AMAZON CAPITAL SERVICES INC					
		108370	18.95	09/10/2020	13CL-7TW6-M497	MINI MII'S HALF/HALF
		109414	43.98	09/10/2020	149H-6G3N-KX3Q	RECHARGEABLE BATTERY
		109408	617.59	09/10/2020	16WN-XYN6-9CDY	LED SPORTLIGHT/FLASHLIGHT
		109399	99.99	09/10/2020	1CH1-GJTF-6NDD	CARHARTT BIB OVERALLS
		109417	503.53	09/10/2020	1FP1-WDCH-7XLX	SOAP DISPENSER
		109429	253.68	09/10/2020	1GRT-74W9-PKMT	LEAD FREE DUAL CHECK VALV
		108232	11.93	09/10/2020	1H97-QMKY-4PL1	EXERCISE BANKS FOR FITNES
			-179.97	09/10/2020	1P1C-RKRH-4HC1	CREDIT ON PO#108232-2 MAGI
		108370	281.08	09/10/2020	1T1D-DWXL-HJ9F	HD PRO WEBCAM PW
	AMAZON CAPITAL SERVICES INC Total		<u>1,650.76</u>			
4106	CHICAGO TESTING LABORATORY INC					
		108680	9,500.00	09/10/2020	20-7-000010	ENG SERV-COUNTY CLUB LIFT
	CHICAGO TESTING LABORATORY INC Total		<u>9,500.00</u>			
4121	HSA BANK					
		108245	66.00	09/10/2020	W256751	HSA SERVICE FEE
	HSA BANK Total		<u>66.00</u>			
4135	ILLINOIS PUBLIC RISK FUND					
			10,977.00	09/10/2020	090320	MONTHLY IPRF FEE OCT
	ILLINOIS PUBLIC RISK FUND Total		<u>10,977.00</u>			
4142	INTELLIAS INC					
		106620	175.00	09/17/2020	12003	ANALYSIS AND SUPPORT/SQL
	INTELLIAS INC Total		<u>175.00</u>			
4174	UNIFIRST CORPORATION					
		108571	271.70	09/17/2020	1514480-0920	MONTHLY UNIFORMS FLEET
	UNIFIRST CORPORATION Total		<u>271.70</u>			
4202	ONE COMPANIES LLC BULLET WASH1					
		109374	1,224.00	09/17/2020	08292020	CAR WASH MEMBERSHIP FIRE
	ONE COMPANIES LLC BULLET WASH1 Total		<u>1,224.00</u>			
4242	MID AMERICA ENERGY SERVICES					
		109299	7,147.80	09/17/2020	20582	SERVICE AT 1725 WESSEL CT
		108916	2,835.50	09/17/2020	20591	8TH ST AND MOSEDALE

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
		109369	12,965.90	09/17/2020	20593	1908 FAIRVIEW DR
	MID AMERICA ENERGY SERVICES Total		<u>22,949.20</u>			
4292	GARDA CL GREAT LAKES INC					
			187.47	09/17/2020	10590244	UB SERVICES SEPTEMBER
			7.90	09/17/2020	20448970	EXCESS PREMISE TIME 8/6/20
	GARDA CL GREAT LAKES INC Total		<u>195.37</u>			
4321	REMPE SHARPE & ASSOCIATES					
		106211	3,236.56	09/10/2020	27575	TYLER RD WTR MAIN REPLACE
	REMPE SHARPE & ASSOCIATES Total		<u>3,236.56</u>			
4333	TOTAL FIRE & SAFETY INC					
		108356	112.06	09/10/2020	50171	HEALTH & SAFETY SUPPLIES F
	TOTAL FIRE & SAFETY INC Total		<u>112.06</u>			
4341	CIORBA GROUP					
		106991	3,384.36	09/10/2020	0025092	COUNTRY CLUB KIFT-4/25-7/31.
	CIORBA GROUP Total		<u>3,384.36</u>			
4348	VALLEY MUFFLER SHOP INC					
		109373	294.97	09/17/2020	3060981	VEH 1914 RO 64287 REPAIR
	VALLEY MUFFLER SHOP INC Total		<u>294.97</u>			
4352	ZORO TOOLS INC					
		109279	20.06	09/10/2020	INV8279167	BATTERY PROTECTOR/CLEANI
	ZORO TOOLS INC Total		<u>20.06</u>			
4354	YVONNE D AGNELLO ADAMS					
		106917	100.00	09/18/2020	YDAA820001	ADDITIONAL FEE-SPRING2020
	YVONNE D AGNELLO ADAMS Total		<u>100.00</u>			
4375	RIVIERA FINANCE OF TEXAS					
		109407	538.05	09/10/2020	90281	SERVICES 7/27/20-8/1/20
		109407	538.05	09/10/2020	90295	SERVICES 8/02/20-8/8/20
		109407	555.99	09/10/2020	90310	SERVICES 8/9/20-8/15/20
		109407	555.99	09/10/2020	90325	SERVICES 8/16-20-8/22/20
		109407	529.08	09/17/2020	90341	SERVICES 8/23/20-8/29/20
	RIVIERA FINANCE OF TEXAS Total		<u>2,717.16</u>			
4377	MACQUEEN EQUIPMENT LLC					

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
		108217	2,579.41	09/10/2020	P04143	BRAKE DRUM,KIT SHOE & LINI
		108217	233.62	09/17/2020	P04270	LIGHT INDICATING AMBER
		108217	117.12	09/17/2020	P04275	FASTENER KIT
		108217	84.96	09/17/2020	P04371	PARTS FOR FLEET
	MACQUEEN EQUIPMENT LLC Total		<u>3,015.11</u>			
4384	DACRA ADJUDICATION SYSTEMS LLC					
		108265	1,500.00	09/17/2020	2020-295	MONTHLY SOFTWARE FEE
	DACRA ADJUDICATION SYSTEMS LLC Total		<u>1,500.00</u>			
4389	OPTIMUM SERVICES GROUP INC					
		109033	8,880.00	09/17/2020	INV-18211772	EXCAVATION / CONFINED SPA
	OPTIMUM SERVICES GROUP INC Total		<u>8,880.00</u>			
4412	WI SCTF					
			596.30	09/11/2020	0000012442009111442	WI Child Support Amount 1
	WI SCTF Total		<u>596.30</u>			
4450	JEFFREY S STAY					
		109205	1,980.00	09/17/2020	083120	MASONRY WORK PARKING GA
	JEFFREY S STAY Total		<u>1,980.00</u>			
4459	IPKEYS POWER PARTNERS INC					
		109358	8,568.00	09/10/2020	2537	SUBSCRIPTION-10/1/20 - 9/30/2
	IPKEYS POWER PARTNERS INC Total		<u>8,568.00</u>			
4460	PUBLIC SAFETY CENTER INC					
		109339	419.84	09/17/2020	5948731	N95 RESPIRATORS
	PUBLIC SAFETY CENTER INC Total		<u>419.84</u>			
9990010	ED'S BASEMENT					
			800.00	09/17/2020	091120	LATE NIGHT PERMINT REFUND
	ED'S BASEMENT Total		<u>800.00</u>			
9990010	DAWN'S BEACH HUT					
			1,500.00	09/17/2020	081720RF	PARTIAL REFUND OF LATE PEI
			800.00	09/17/2020	082020RF-ADD	ADDITIONAL REFUND LATE PEI
	DAWN'S BEACH HUT Total		<u>2,300.00</u>			
9990010	JACOB T BARRERA					
			50.00	09/10/2020	P136217	REFUND PARKING TICKET P13

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>PO NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
	JACOB T BARRERA Total		<u>50.00</u>			
9990010:	MICHELE BROWN		75.00	09/10/2020	090820MB	MAILBOX DAMAGED BY SNOWI
	MICHELE BROWN Total		<u>75.00</u>			
	Grand Total:		<u>5,752,236.39</u>			

The above expenditures have been approved for payment:

Chairman, Government Operations Committee	Date
Vice Chairman, Government Operations Committee	Date
Finance Director	Date

City of St. Charles, Illinois
Ordinance No. 2020-M-

**An Ordinance Confirming and Extending a Declared State of Emergency
within the City of St. Charles Due to the COVID-19 Pandemic**

WHEREAS, the City of St. Charles (“City”) has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, on March 9, 2020, the Governor of the State of Illinois issued a Gubernatorial Disaster Proclamation declaring a state of emergency throughout the State of Illinois as a result of the COVID-19 pandemic; and

WHEREAS, on March 18, 2020, the City passed Ordinance No. 2020-M-11, establishing temporary executive powers and the Mayor of the City declared a state of emergency within the City pursuant to 65 ILCS 5/11-1-6, 20 ILCS 3305/11 and Sections 2.34 and 2.36 of the City Code of the City; and

WHEREAS, on April 27, 2020, the City passed Ordinance No. 2020-M-15, confirming and extending to and until May 30, 2020 a declared state of emergency within the City due to the COVID-19 pandemic; and

WHEREAS, on May 28, 2020 the City passed Ordinance No. 2020-M-22, confirming and extending to and until June 15, 2020 a declared state of emergency within the City due to the COVID-19 Pandemic.

WHEREAS, on June 15, 2020 the City passed Ordinance No. 2020-M-24, confirming and extending to and until July 20, 2020 a declared state of emergency within the City due to the COVID-19 Pandemic.

WHEREAS, on July 20, 2020 the City passed Ordinance No. 2020-M-27, confirming and extending to and until, August 3, 2020 a declared state of emergency within the City due to the COVID-19 Pandemic.

WHEREAS, on August 3, 2020 the City passed Ordinance No. 2020-M-28, confirming and extending to and until, August 17, 2020 a declared state of emergency within the City due to the COVID-19 Pandemic.

WHEREAS, on August 17, 2020 the City passed Ordinance No. 2020-M-31, confirming and extending to and until, September 8, 2020 a declared state of emergency within the City due to the COVID-19 Pandemic.

WHEREAS, on September 8, 2020 the City passed Ordinance No. 2020-M-35, confirming and extending to and until, September 21, 2020 a declared state of emergency within the City due to the COVID-19 Pandemic.

WHEREAS, on September 21, 2020 the City passed Ordinance No. 2020-M-37, confirming and extending to and until, October 5, 2020 a declared state of emergency within the City due to the COVID-19 Pandemic.

WHEREAS, while the City is currently responding to this COVID-19 pandemic, it is deemed necessary and in the interest of the people of the City, in accordance with the City's responsibility to ensure public health and safety and pursuant to the authority vested in the City pursuant to the Illinois Constitution, including Article VII, Section 6 of the 1970 Illinois Constitution, the laws of the State of Illinois, including Section 11 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/11, Sections 11-1-6, 11-20-5, 8-10-5 and 10-3-6, among others, of the Illinois Municipal Code and Sections 2.34 and 2.36 of the Code of the City, to consent to the declaration that an emergency exists within and a disaster exists in the City and renew and continue the emergency powers of the Mayor.

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

1. RECITALS. The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

2. DECLARATION OF AN EMERGENCY AND DISASTER. It is hereby determined that it is advisable, necessary and in the best interest of the City that the findings, determination and declaration of the Mayor on March 18, 2020, as extended, that a state of emergency and a disaster exists in the City due to the coronavirus disease (COVID-19) outbreak continues to exist.

3. EXECUTIVE ORDER. The Mayor shall be and is hereby authorized and directed to continue to exercise by executive order the extraordinary emergency powers and authority as conferred and as may be reasonably necessary to respond to the emergency during the time that this state of emergency exists.

4. DURATION. This Ordinance shall remain in effect until the next regularly City Council meeting, provided that the Ordinance shall immediately cease to be effective upon a declaration by the Governor or the Mayor that the state of emergency related to the COVID-19 pandemic no longer exists.

5. AUTHORITY TO EXECUTE AND ENFORCE. The officials, officers, employees and agents of the City are authorized to take such actions and execute such

documents as are necessary to carry out the purpose and intent of this Ordinance. The Mayor, police officers, and all other officers and employees of the City shall enforce the rules and regulations so adopted and orders issued by the Mayor pursuant to this Ordinance.

6. NOTICE. Upon issuing the proclamation herein authorized, the City Clerk shall notify the news media situated within the City, and shall cause copies of the proclamation declaring the existence of the emergency to be posted at the following places within the City: City Hall and the police station.

7. SEVERABILITY. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

8. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 5th day of October, 2020.

PASSED by the City Council of the City of St. Charles, Illinois, this 5th day of October, 2020.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 5th day of October, 2020.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

**AGENDA ITEM EXECUTIVE SUMMARY****Agenda Item Number: IB****Title:**

Discussion regarding Late Night Permits

Presenter:

Benjamin Nielsen and Mark Koenen

Meeting: City Council**Date:** October 5, 2020

Proposed Cost: \$ (N/A)

Budgeted Amount: \$ (N/A)

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

Businesses purchasing a B or C liquor license have had the option to request a “late night permit” which allows the sale of alcohol until 1:00 am or 2:00 am. In the interest of minimizing the spread of COVID-19 amid regional metrics, Mayor Raymond Rogina issued Executive Order 2020-7 effective at midnight on August 28, 2020, and the City Council unanimously ratified this suspension of late-night permits on September 7, 2020; closing establishments at midnight consistent with the base liquor license. The fees for late night permits were returned to those liquor license holders. The discussion will determine whether to maintain status quo or reissue late-night permits to restaurants and bars, which were suspended in an effort to mitigate the spread of COVID-19.

Attachments (*please list*):**COVID-19 Handout****Recommendation/Suggested Action** (*briefly explain*):

Consideration of COVID-19 data and current disposition of late-night permits.



MEMO

To: Mark Koenen
From: Benjamin Nielsen
Date: October 2, 2020
Re: COVID-19 statistics

Purpose:

The City of St. Charles is currently debating whether to reissue late-night permits to restaurants and bars, which were suspended in an effort to mitigate the spread of COVID-19.

Background:

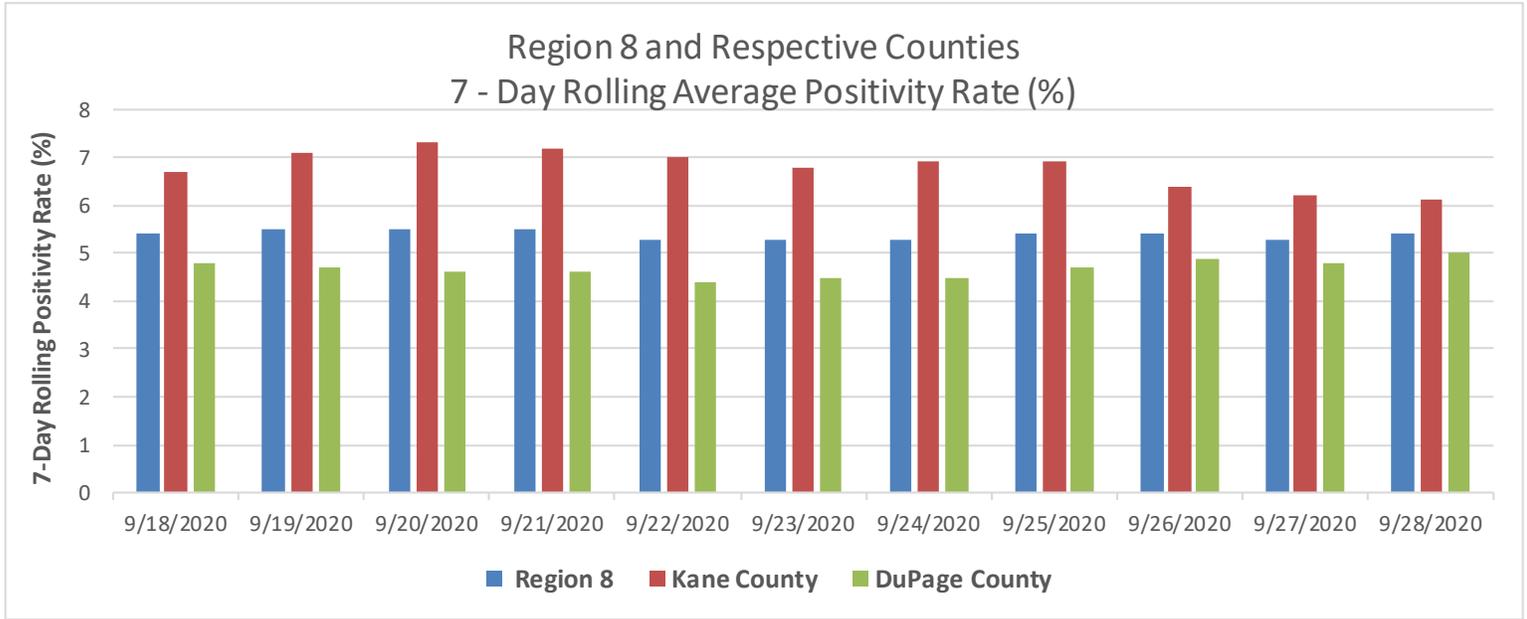
Businesses with a B or C liquor license had the option to obtain a “late night permit” which allowed the sale of alcohol until 1:00 am or 2:00 am. In the interest of minimizing the spread of COVID-19 amid regional metrics, Mayor Raymond Rogina issued Executive Order 2020-7 effective at midnight on August 28, 2020, and the City Council unanimously ratified this suspension of late-night permits on September 7, 2020; closing establishments at midnight consistent with the base liquor license.

The Illinois Department of Public Health (IDPH) has multiple metrics to determine the threat level in a particular region of the state. Region 8 (DuPage and Kane counties) has performed relatively well, but in August Kane County was designated as a “Warning” area in the state when 2 out of the 8 metrics set by the IDPH were *failed*. Kane County has since come off the warning list, but there is still concern for high levels of COVID-19 within the region. Current IDPH metrics include New Cases per 100,000, Number of Deaths, Test Positivity (%), Tests Performed, COVID Like Illness (%) Visits, Number of COVID Admissions, Cluster (%) of cases and ICU (%) Available.

State of Illinois Update:

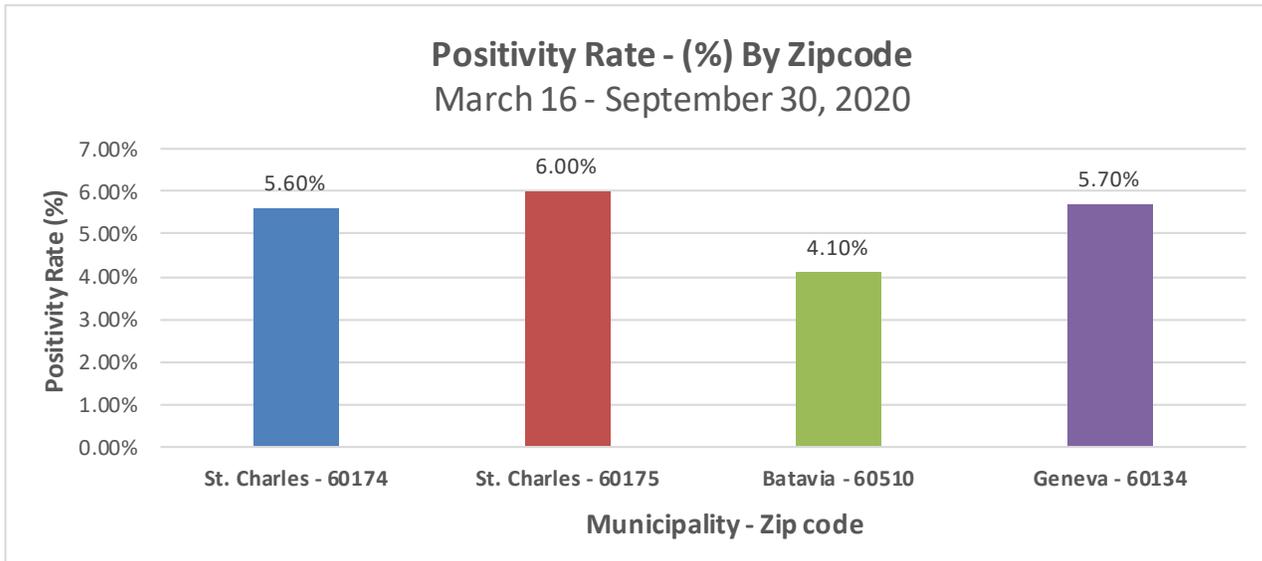
As of October 2, 2020, the State of Illinois has a positivity rate of approximately 3.8% when averaging the prior seven days, and this has remained relatively stable since the middle of June. In comparison to other states surrounding the great lakes, Illinois is performing significantly better than Indiana (who is now in phase 5) and Wisconsin.

Region 8 Summary:



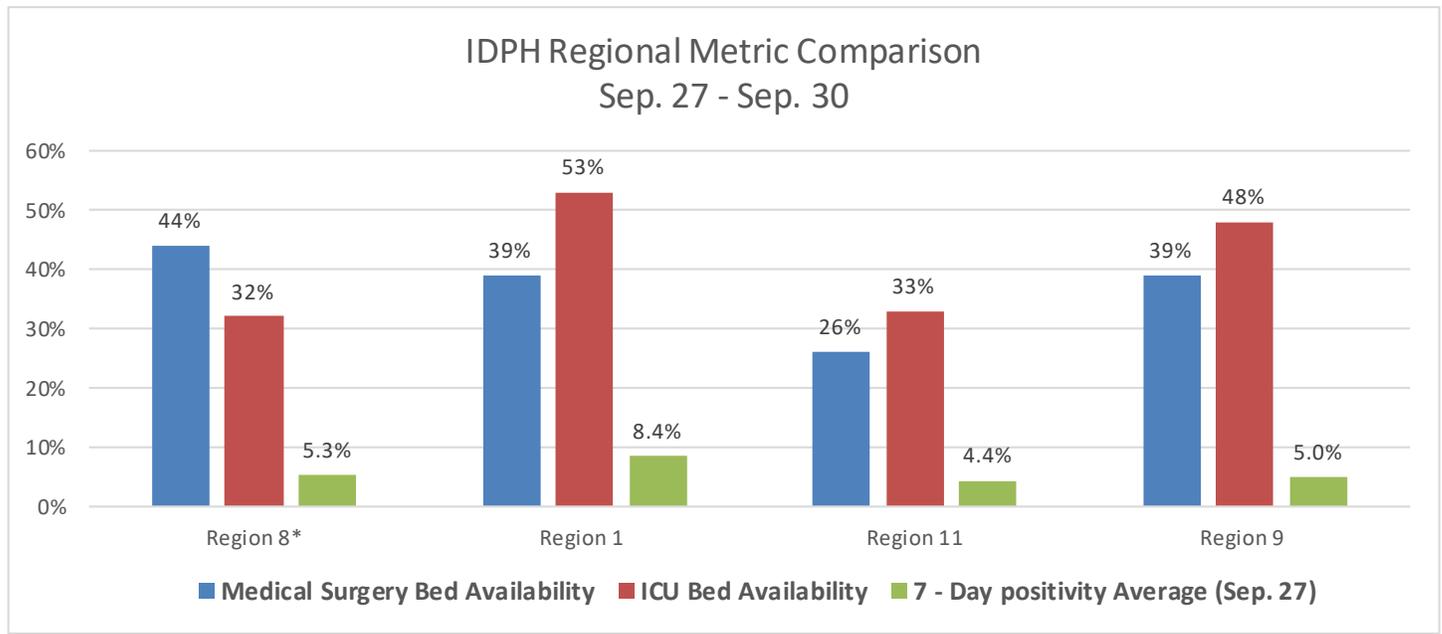
This graph shows the 7-day rolling average positivity rate within Region 8 and the counties that comprise it (DuPage and Kane). The chart shows that Kane County currently has a higher positivity rate than DuPage County, and most likely due to the high vulnerability rates of COVID-19 in Aurora and Elgin.

Tri-Cities Positivity Rate by Zip Code:



This graph above details the summative positivity rate in respective zip codes within each municipality.

Region Comparison:



Region 8* - (DuPage, Kane)

Region 1 – (Boone, Carroll, Dekalb, Jo Daviess, Lee, Ogle, Stephenson, Whiteside, Winnebago)

Region 11 – (Chicago)

Region 9 – (Lake, McHenry)

The graph above analyzes hospitalization metrics that the state uses to compare regions. If *Medical Surgery Bed Availability* or *ICU Bed Availability* is below 20%, the state designates this as *warning* status. The state metrics also stipulate that if the *7-Day positivity rate average* is above 8%, then *warning* status will be issued. Currently, Region 1 has been targeted as a *warning* area, due to increased positivity rates over the past few weeks, which results in more strict regulation from the state regarding restaurants and bars. Chicago is performing slightly better than Regions 1, 8, and 9 for the 7-day positivity average.

Resources Used:

“America's COVID Warning System.” *Covid Act Now*, covidactnow.org/us/il/?s=1095243.

“Coronavirus Disease 2019 (COVID-19).” *Coronavirus Disease 2019 (COVID-19) | IDPH*, www.dph.illinois.gov/covid19.

“COVID-19 Statistics.” *COVID-19 Statistics | IDPH*, www.dph.illinois.gov/covid19/covid19-statistics.

“Illinois Regional COVID-19 Resurgence Criteria.” *Illinois Regional COVID-19 Resurgence Criteria | IDPH*, www.dph.illinois.gov/regionmetrics?regionID=8.



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item Number: IC

Title:

Recommendation to approve an Ordinance Amending the Temporary Outdoor Dining Permit Program through Phase 4.

Presenter:

Rita Tungare, Director of Community and Economic Development.

Meeting: City Council - New Business

Date: October 5, 2020

Proposed Cost: N/A

Budgeted Amount: N/A

Not Budgeted:

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

On May 28, 2020 the Mayor signed an Executive Order that permitted expanded temporary outdoor dining opportunities in St. Charles. When the region moved into Phase 3 of the Restore Illinois plan on May 29, 2020, outdoor dining was permitted but indoor dining was prohibited. However, the program was so successful that even when our region moved into Phase 4 on June 26, 2020, which allowed indoor dining to resume, restaurant owners requested the City to extend the life of their temporary outdoor dining permits beyond the original expiration date of June 29, 2020.

On June 29, 2020 the City Council approved Ordinance #2020-M-26, "Establishing a Temporary Outdoor Dining Program" which extended the permits previously issued under the Mayor's Executive Order. The extended permits are set to expire on October 31st and some local restaurant owners are interested in another extension of the temporary outdoor dining program. The ordinance being presented extends the temporary outdoor dining through Phase 4 of the Restore Illinois plan.

Permitting Enclosed Tents:

Winter brings additional challenges to maintain safe and comfortable outdoor dining experiences. City staff in Building and Code Enforcement and the Fire Department will be requiring and reviewing permits and conducting inspections to ensure compliance with the IFC (2015) and other applicable City codes. Tents will be permitted and approved as the City code allows, and enclosed tents (which are considered indoor dining) will be allowed so long as indoor dining is permitted by the Illinois Department of Public Health. Current guidance from the State indicates that if more than 50% of the tent sides are down, it is considered indoor dining, which is permitted currently; however, if our region reverts to Phase 3 or mitigation that closes indoor dining, then enclosed tents would not be permitted.

Suspension of some sections of the Municipal Code:

The Temporary Outdoor Dining policy includes the suspension or relaxation of some sections of the local zoning code, including, but not limited to, parking minimums and other regulations detailed in Section 17.24 of the Municipal Code Book. These suspensions have been in effect for the purpose of expanded temporary outdoor dining since the Mayor's Executive Order was signed in May. Amending the temporary outdoor dining program as proposed by this ordinance means in effect extending these code suspensions as well.

Items for consideration at a future meeting:

Staff will be bringing forward for Council consideration items related to plans & designs for allowing temporary tents in the First St plaza as well as extending the closure of First Street and Walnut Avenue at the Oct 19th Council meeting

Attachments *(please list):*

- Temporary Outdoor Dining Ordinance
- Temporary Outdoor Dining Program Guidelines
- Tent permit and guidelines

Recommendation/Suggested Action *(briefly explain):*

Recommend approval of an Ordinance Amending the Temporary Outdoor Dining Program and extending it through Phase 4.

City of St. Charles, IL
Ordinance No. 2020-M- _____

**An Ordinance Amending the Temporary Outdoor Dining
Program**

WHEREAS, COVID-19 (a/k/a Novel Coronavirus) is a severe respiratory illness caused by the SARS-CoV-2 virus, a new strain of coronavirus that is spread from person to person, posing a threat to the health and safety of the residents of the City of St. Charles; and

WHEREAS, no drug or vaccine is currently available to treat or prevent COVID-19; and

WHEREAS, on January 27, 2020, United States Department of Health and Human Services Secretary Alex Azar declared a national public health emergency due to COVID-19; and

WHEREAS, on March 9, 2020, Illinois Governor J.B. Pritzker issued a Gubernatorial Disaster Proclamation declaring that all counties in the State of Illinois, including Kane and DuPage Counties, are disaster areas due to the Novel Coronavirus; and

WHEREAS, on March 11, 2020, the World Health Organization (“WHO”) declared COVID-19 to be a global pandemic; and

WHEREAS, on March 13, 2020, President of the United States Donald Trump issued a declaration of a national emergency due to the growing COVID-19 crisis in the United States, and on March 26, 2020, President Trump issued a major disaster declaration for the State of Illinois due to the COVID-19 crisis; and

WHEREAS, on March 18, 2020, Raymond P. Rogina, as Mayor of the City of St. Charles (“City”) issued a Declaration of a Local State of Emergency for the City to address the impact of COVID-19 on the City and its residents and businesses and property owners (“Emergency Declaration”); and

WHEREAS, the Illinois Governor has established a five-phase plan, Restore Illinois, dated May 5, 2020, for the reopening of the State; and

WHEREAS, though the threat from COVID-19 to the public health, safety and welfare continues, the Restore Illinois Plan acknowledges the need to allow local and State economies to begin to recover economically to minimize and reverse the adverse economic, social and psychological effects of Phases 1 (Rapid Spread) and 2 (Flattening the Curve) of the Plan; and

WHEREAS, all regions of the Restore Illinois Plan, including the Northeast Region in which the City is located, advanced to Phase 3 on May 29, 2020 which allowed outdoor dining to reopen with social distancing and safety measures in place; and

WHEREAS, pursuant to the Mayor's Executive Order issued on May 28, 2020, the City issued permits allowing temporary outdoor dining areas; and

WHEREAS, Region 8, in which the City is located, advanced to Phase 4 on June 26, 2020, which has allowed indoor dining, amongst other businesses, to resume operations with social distancing and safety measures in place; and

WHEREAS, on June 29, 2020, the City Council approved Ordinance #2020-M-26, "Establishing a Temporary Outdoor Dining Program" which extended the permits previously issued under the Mayor's Executive Order; and

WHEREAS, permits for temporary outdoor dining areas issued under the Mayor's Executive Order and the Temporary Outdoor Dining Program expire on October 31, 2020; and

WHEREAS, suspension and relaxation of the local zoning and other ordinances and rules to encourage and expand the ability of restaurants and bars to offer the outdoor consumption of food and drinks during the period of recovery would be in the best interests of the City; and

WHEREAS, the City Council finds it reasonably necessary to continue and extend the Temporary Outdoor Dining Program- to allow restaurants additional outdoor dining space to compensate for reduced indoor capacity and recovery from the past months of reduced operations and income.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

A. The recitals set forth above are adopted and incorporated herein as the material and significant findings of the Council.

B. An Amended Temporary Outdoor Dining Program, attached hereto as Exhibit "A" is hereby established.

C. The Temporary Outdoor Dining Program shall be effective until the Region moves into Phase 5 of the Restore Illinois Plan, unless extended by the City Council. After termination of the program, use of temporary outdoor dining areas authorized through the program shall cease, barriers and all other improvements placed therein shall be removed, and all areas used for temporary outdoor dining shall be returned to their original use within 48 hours of the termination date.

D. This Ordinance is effective immediately and shall cease by its own terms provided herein.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 5th day of October 2020.

PASSED by the City Council of the City of St. Charles, Illinois, this 5th day of October 2020.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 5th day of October 2020.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:



Exhibit A

Temporary Outdoor Dining Program Program Guidelines

Updated October 02, 2020

- A. Establishments that are allowed to reopen for outdoor dining with social distancing and safety measures, as allowed by the Restore Illinois Plan, that have existing outdoor areas for the consumption of food and drinking wanting to expand their current outdoor dining area and establishments seeking to temporarily add outdoor dining areas shall abide by the following:
1. Establishments must apply for a temporary outdoor dining permit from the City (attached at the end of this document). There shall be no fee for the permit.
 - a. The permit application shall include an aerial drawing that shows the existing outdoor dining area (if any) in a dotted line and the proposed new dining area in a solid line. Also:
 - i. If the proposed new dining area encroaches upon an existing parking area, the applicant should indicate on the drawing how traffic will flow if the request is approved.
 - ii. Parking lots over 25 stalls: Up to 50% of the parking area may be used for outdoor dining. Parking will need to be preserved to adequately serve the outdoor dining area and carry-out activities. ADA parking spaces shall not be blocked and access to/from those spaces shall not be impeded.
 - iii. Parking lots under 25 stalls: Small parking lots may convert the entire lot to outdoor dining, including ADA stalls, provided that effort is made to relocate the ADA stalls near the entrance using street parking where possible.
 - iv. If there is to be a covering over the new dining area, please indicate that on the drawing. The manufacturers guidelines for installation, all City code requirements, and flame spread requirements must be followed.
 - v. Sidewalks may be utilized for outdoor dining provided there is still means for ADA compliant pedestrian traffic on the remaining portion of the sidewalk.
 - b. Applicants must demonstrate that they are the owner of the property on which the new outdoor dining space is to be located, if the applicant is not the owner of the property, the application must include the signature of the owner acknowledging that they will permit the creation or expansion of the outdoor dining area as indicated on the drawing provided as part of the permit application submitted by the requestor.

- c. Businesses shall not set up any expanded outdoor dining prior to being notified of approval.
 - d. Any indemnification or insurance shall be provided as required by the City.
2. Establishments shall comply with protocols or guidelines issued by the Illinois Department of Public Health, Centers for Disease Control or other official authority.
 3. Establishments shall comply with the City's outdoor liquor license provisions.
 4. A physical barrier shall delineate all outdoor dining areas and shall be of sufficient size and design as to deter the unintentional encroachment of vehicles into the dining area.
 5. If ample lighting is provided, the outdoor dining area shall close no later than as permitted under the Applicant's current liquor license in conjunction with indoor dining and drinking, as issued by the City.
 6. The temporary outdoor dining area shall be accessible to the disabled and shall comply with all applicable federal, state and City laws, ordinances and regulations concerning accessibility and non-discrimination in the providing of services.
 7. Establishments may not expand outdoor dining in front of neighboring businesses without written permission from the neighboring business/property owner.
 8. No permanent plumbing, electrical and lighting fixtures shall be installed.
 9. Any temporary lighting shall be directed in a manner to not impair visibility on nearby streets and not shine onto adjacent properties.
 10. Smoking in the outdoor dining area is prohibited.
 11. Tables shall be placed to allow for a minimum of 6-foot separation (blocking tables is allowed). Public seating and eating areas shall be reduced and/or reconfigured to allow for minimum separation of 6 feet.
 12. The outdoor dining area shall not disturb the lawful use and quiet enjoyment of nearby properties.
 13. Tent canopies and enclosed tents are permitted, but any existing or proposed tent that is either a) over 400 square feet in size, or b) includes tent side walls, shall require a separate tent permit to be submitted and approved by the City. For existing tents, permits shall be obtained, or the tent shall be removed, by October 31, 2020. Unless otherwise determined by the Illinois Department of Public Health, tent canopies with 50% or more of side walls down shall be considered enclosed for indoor dining and their use shall be subject to the Department of Health Regulations for indoor dining. If the Illinois Department of Public Health implements mitigation efforts, reverts the Region back to Phase 3, or takes any other action which prohibits indoor dining, then use of enclosed tents shall be prohibited.
 14. Adequate safeguards shall be in place for security, crowd control, lighting control and the protection of minors.
 15. Bar areas are prohibited in an expanded outdoor dining area.

16. Outdoor trash receptacles shall be provided and maintained and the outdoor dining area shall be kept free from litter and debris.
17. No liquor shall be removed in open containers from the outdoor dining area.
18. Incorporation of landscaping is encouraged to enhance ambiance and improve the aesthetics of the outdoor dining area.

B. Applicant shall be required to abide by all other requirements of the Governor's Executive Orders and the requirements of the CDC, Illinois Department of Public Health, the Kane County Health Department, City of St Charles Municipal Code, and the Illinois Liquor Control Act. Failure to abide by any of these requirements may result in revocation of approval for the expanded dining area.

Attachments:

Temporary Outdoor Dining Permit
Tent Permit and Guidelines



CITY OF
ST. CHARLES
ILLINOIS • 1834

City of St. Charles TEMPORARY OUTDOOR DINING PERMIT APPLICATION

Restaurant Information	Restaurant Name:	
	Address:	
	Phone:	
24-Hour Contact	Contact's Name:	
	Contact's Signature:	Date:
	Phone:	Email:

A no-fee permit is required to allow for the establishment of a temporary outdoor dining area. Following the issuance of a permit and the establishment of the temporary outdoor dining area, the City will inspect the temporary outdoor dining area for compliance with the approved plans. Outdoor dining areas established under this permit are considered temporary and shall not constitute a property right in the form of permanent outdoor seating.

The following items must be submitted as part of the application:

- Demonstration of ownership or a letter of authorization from the property owner(s)
- A site layout plan including the overall dimensions, barriers, entrances/exits, and, traffic circulation
- A description of any proposed tents, including size, location, and need for electrical hook-ups
- Any additional information which the Mayor or designee shall find reasonably necessary to a fair determination as to whether the permit shall be issued
- Prior to issuance of the temporary outdoor dining permit, the permittee shall provide the city with copies of the certificates of insurance for the required policies for each type of insurance naming the City as an additional insured party. The required insurance policies shall each provide that they shall not be changed or cancelled during the life of the temporary outdoor dining permit.
 - o Worker's Compensation Insurance in at least the required statutory limits
 - o Comprehensive General Liability Insurance, including owner's protective liability insurance and contractual liability insurance covering claims for personal injury and property

damage with limits of at least two million (\$2,000,000) dollars per occurrence, and two million (\$2,000,000) dollars for any single injury

- [Dram Insurance](#)
- Complete indemnification/hold harmless document.

Agree to Comply with all Outdoor Dining Requirements:

- All tables must be six feet apart and located away from sidewalks and walkways
- Entrance/exit doors and fire lanes shall not be blocked
- Allow for adequate and safe parking to be maintained for customers
- A physical barrier around the outdoor dining area shall be required if alcohol is served or to protect the temporary dining area
- Tents must follow manufacturers guidelines for installation, all City code requirements, and flame spread requirements.
- If ample lighting is provided, the outdoor dining area shall close no later than as permitted under the Applicant's current liquor license in conjunction with indoor dining and drinking, as issued by the City.

Confirmation of Compliance with all Restaurant Requirements:

- Must adhere to all social distancing requirements and [restaurant guidelines set forth by the Illinois Department of Public Health](#)
- Food transported from the restaurant to the outdoor dining areas shall meet all Food Safety requirements
- Abide by all applicable requirements of the CDC, Kane County Health Department, and the Illinois Liquor Control Act.
- Regularly clean and sanitize outdoor dining areas and all frequently touched surfaces (i.e. door handles)
- Provide restrooms/handwashing inside the restaurant with social distancing

Failure to abide by any of these requirements may result in the revocation of the temporary outdoor dining permit. Businesses shall not set up any expanded outdoor dining prior to being notified of permit approval.

By checking the above boxes, I hereby agree confirm that the outdoor dining operations proposed in my application will comply with all of the above Outdoor Dining Requirements and Restaurant Requirements.

Applicant Signature: _____

Submit applications by email to:

Building and Code Enforcement

bceadm@stcharlesil.gov | 630.377.4406

City of St. Charles

Tent Permit



Building & Code Enforcement Division
2 East Main Street
St. Charles IL 60174
630.377.4406 (Office)
<http://www.stcharlesil.gov>

**Please direct any and all questions to the City of St. Charles Building & Code Enforcement Division:
Monday through Friday (8 AM to 4:30 PM) at 630.377.4406**

A building permit is required for all outdoor sales or event projects. The following are guidelines and comments for obtaining a building permit.

Application and Drawings Procedures:

- An application is to be completed.
- The following information is required to be submitted with application:
 - * Plat plan indicating:
 - a. Location of the proposed tents.
 - b. Certificate of flame proofing for tents.
 - c. Details on electric provided.
 - d. Details and location on fire extinguishers.
 - e. Location of existing parking spaces and access drives.
 - f. Manufacturers specifications on type of heater and its location on the site.
 - * **Provide whether the tent is on Private or Public property.**
- Our goal is to complete the review of your building permit within 10 working days.

Application – Permit Fees: This is a no fee permit at this time.

Owner – Business Operator

- ⇒ Compliance with above indicated codes, ordinances, and inspections required.
- ⇒ The plan reviews and stamped "FIELD COPY" of the plans are to be on the job site.
- ⇒ A minimum of 24-hour notice is required when scheduling any inspection.
- ⇒ At the end of the time period granted to sell Christmas Trees, and wreaths all trees, wreaths and any trash generated by the event shall be removed from the property. The sites shall be left in a clean and neat condition.

General Tent Requirements

- Permits shall be required for tents or temporary structures in excess of 400 square feet which are to be utilized for less than 180 days (IFC 3103.2).
- UL listed 10lb size ABC type fire extinguishers shall be available for use in the event of a fire. (IFC 3104.12).
- Exits shall be clearly marked & adequate lighting shall be provided while tent is occupied. (IFC 3102.12.6).
- Seating arrangements in tents shall be in accordance with occupancy load requirements.
Example: Tables & Chairs 15 sqft per person. (IFC 3103.11)
- The occupant load shall be posted in a conspicuous place near the main exit. (IFC 1004.3)
- Smoking shall not be permitted in the tent. "No Smoking" signs shall be posted. (IFC 3104.6).
- Propane containers shall be secured and located a minimum of 10 feet from the tent. (IFC 3104.16.2.1).
- Heating equipment shall not be located within 10 feet of the exits and installed according to the International Mechanical and Fuel Gas Codes. (IFC 3104.15.3).
- Tent shall be adequately braced and anchored to prevent against collapsing. (IFC 3103.9).

- Location of tent(s) shall not affect the number of exits or the capacity of the means of egress afforded to the existing building. (IFC 1001.2).
- Hay, straw, shavings or similar combustible materials shall not be located within any tent. (IFC 3104.5).
- Provide certificate showing flame retardant factors of the tent material. (IFC 3104.2).
- Material shall meet requirements of NFPA 701 (Sec.3104.2)
- Minimum of two-2 exits shall be provided 36-inches for membrane structures; 72-inches for tents (IFC 3103.12.2)
- Generators and other internal combustion power sources shall be separated from the tent by not less than 20 feet and shall be isolated from contact by the public with fencing or other approved means. (IFC 3104.19).
- Adequate ventilation must maintained as determined by City Staff.

Note: There may be additional requirements based on other special circumstances as they relate to the location and size of tents.

Inspections:

The following is a list of inspections, which might be required for your project.

- △ Electric
- △ Final

Building Codes:

The following are the Building Codes, which the City of St. Charles has adopted:

- * St. Charles Municipal Code
- * 2015 Int'l Building Code w/revisions
- * 2014 Nat'l Electrical Code w/revisions
- * 2015 Int'l Fire Prevention Code w/revisions

17.20.040 TEMPORARY USES – GENERAL PROVISIONS

A permit shall be required for temporary uses allowed in this Title, except that temporary uses operated or sponsored by a governmental entity and located on a lot owned by that entity do not require a permit, but shall otherwise be subject to the requirements of this Chapter.

The applicant shall submit a site plan or other suitable description to the Building & Code Enforcement Division Manager, with any required permit fee. As a condition of permit issuance, the Building & Code Enforcement Division Manager may require conformance with specific conditions regarding the operation of the temporary use as may be reasonably necessary to achieve the requirements of this Chapter. If the Building & Code Enforcement Division Manager finds that the applicable requirements have not been met, he may revoke the permit and may require the cessation of the temporary use. Where a permit for a temporary use has been revoked, no application for a new permit shall be approved within six months following revocation.

All temporary uses, including but not limited to those enumerated in Section 17.20.050 hereof, shall comply with the following requirements:

- A. No temporary use shall be established or conducted so as to cause a threat to the public health, safety, comfort, convenience and general welfare, either on or off the premises.
- B. Temporary uses shall comply with all requirements of the Fire Prevention Code and other applicable codes and regulations. If necessary to ensure the protection of public safety due to the presence of a particular hazard, the Fire Chief may require the operator of the temporary use to employ a fire watch team and/or appropriate security personnel.
- C. Temporary uses shall not obstruct required fire lanes, access to buildings or utility equipment, or egress from buildings on the lot or on adjoining property.
- D. Temporary uses shall be conducted completely within the lot on which the principal use is located, unless the City Council authorizes the use of City-owned property or right of way.
- E. When a permit is required for a temporary use, the Building & Code Enforcement Division Manager shall make an assessment of the number of parking spaces reasonably needed for the permanent uses

on the lot where the proposed temporary use is to be located, on the basis of the particular temporary use, the seasonal demand for parking on the lot at the time the temporary use is proposed, and the availability of other public and private parking facilities in the area. The Building & Code Enforcement Division Manager may deny the permit for a temporary use if he finds that the temporary use will result in inadequate parking being available for permanent uses on the same lot that are not connected with the business proposing the temporary use.

- F.** During the operation of the temporary use, the lot on which it is located shall be maintained in an orderly manner, shall be kept free of litter, debris, and other waste material, and all storage and display of goods shall be maintained within the designated area. Storage of goods for sale shall be no more than five (5) feet in height.
- G.** Signs for a temporary use shall be permitted only in accordance with the Chapter 17.28, Signs.



Department: Building & Code Enforcement Division Phone: (630) 377-4406

Application for Building Permit – Tents

Application Date: _____ Parcel No. _____ Permit No. _____

Please Print All Information

I, do hereby apply for a permit for the following work located at _____

Description of proposed work: _____ Estimated Cost: _____

Check List for Submittal of Application:

- Building Permit Application – Completely Filled Out.
- Two-2 copies of the Plat of Survey or site plan showing:
 - a. Location of the proposed tents
 - b. Certificate of flame proofing for tents.
 - c. Details on electric provided.
 - d. Details and location on fire extinguishers.
 - e. Location of existing parking spaces and access drives.
 - f. Manufacturers specifications on type of heater and its location on the site
- † Provide whether the tent is on Private or Public property
- Signature of authorization from the owner.
- † Period of time requested for Open Sales Lot or Outdoor Sales Area.
Date of Installation: _____ **Date of Removal:** _____
- Refer to Information Packet for Detailed Information

Owner of Property

Name: _____
Address: _____
City/State/Zip Code _____
Email: _____
Phone: _____

Applicant/Contact

Name: _____
Address: _____
City/State/Zip Code: _____
Email: _____
Phone: _____

General Contractor

Name: _____
Address: _____
City/State/Zip Code _____
Email: _____
Phone: _____

Electrical Contractor

Name: _____
Address: _____
City/State/Zip Code: _____
Email: _____
Phone: _____

Continued on reverse side

Please Print All Information

I, the undersigned, certify that if a permit is issued to me, I will comply with all provisions of the building, plumbing, electric and other applicable ordinances of the City of St. Charles and shall perform all work, or cause all work to be performed according to the provisions of said ordinances. I, or my agent, shall personally supervise the work and shall do, or cause to have done, said work according to plans, specifications and other written information supplied as a part of this application. I am familiar with the applicable ordinances and the provision thereof and in signing this application do willingly become responsible for all work accomplished under the permit by all contractors, tradesmen and workmen, and shall call for inspections as required at a minimum of 24-hours before they become due.

Applicant Signature

Authorized Signature of Property Owner
(if different from applicant for a temporary sign, banner, etc.)

Report of the Building Official

Remarks: _____

Accepted: _____ Rejected: _____ Date: _____

Signed: _____

01.2019

For Office Use
Received _____
Fee Paid: _____
Receipt #: _____
Check #: _____



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item Number: IIA1

Title:

Motion to approve an Ordinance Amending Title 5 “Business Licenses and Regulations”, of the St. Charles Municipal Code.

Presenter:

Police Chief Keegan

Meeting: City Council

Date: October 5, 2020

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted:

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

After review and discussion at the September Government Operations meeting, City staff was asked to revise the proposed ordinance language with regard to liquor and video gaming license eligibility.

Please see the attached document for the revised, proposed changes to the City of St. Charles City Code. Chief Keegan will discuss the aforementioned changes at City Council.

Attachments *(please list):*

Changes highlighted in ordinance format

Recommendation/Suggested Action *(briefly explain):*

Recommendation to modify City Code with the listed revisions to Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, of the St. Charles Municipal Code.

Recommended Changes to City Liquor Code October 2020

5.08.010 – Definitions

All words and phrases used in this chapter and not otherwise defined herein, which are defined in the Liquor Control Act of 1934, approved January 31, 1934, as amended (235 ILCS 5/1-1 et seq.) ("Liquor Control Act"), shall have the meanings accorded to such words and phrases in said Act. Unless the context otherwise requires, the following terms as used in this chapter shall be construed according to the following definitions:

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1. "Alcohol" means the product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, and includes synthetic ethyl alcohol. It does not include denatured alcohol or wood alcohol.
2. "Alcoholic liquor" includes alcohol, spirits, wine and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, and capable of being consumed as a beverage by a human being. The provisions of this chapter shall not apply to any liquid or solid containing one-half of one percent, or less, of alcohol by volume.
3. "Beer" means a beverage obtained by the alcoholic fermentation of an infusion or concoction of barley, or other grain, malt, and hops in water, and includes, among other things, beer, ale, stout, lager beer, porter and the like.
4. "Club" means a corporation organized under the laws of this state, not for pecuniary profit, solely for the promotion of some common object other than the sales or consumption of alcoholic liquors, which conforms to the definition of a club in the Liquor Control Act, as amended.
5. "Growlers and Crowlers" means a glass, ceramic, or steel container used to sell, seal, and transport alcoholic liquor that is brewed, distilled, fermented, or mixed on site.
- ~~5-6.~~ "Halfway House" means premises located on a golf course in proximity of the ninth hole of an eighteen-hole golf course, where alcoholic liquor sales are incidental to the sale of food and snacks. All alcoholic liquors shall be served in other than glass containers.
- ~~6-7.~~ "Holding Bar" means an area within a restaurant where patrons awaiting food service may consume alcoholic liquors served by a bartender. The holding bar area shall be separated from the dining area by means of a partition wall. Food service tables are permitted in the holding bar area. A counter shall separate the bartender and patrons.
- ~~7-8.~~ "Hotel" or "Motel" means every building or other structure kept, used, maintained, advertised and held out to the public to be a place where food is actually served and consumed and sleeping accommodations are offered for adequate pay to travelers and such guests and having one or more public dining rooms, where meals are served to such guests, such sleeping accommodations and dining rooms being conducted in the same building or buildings, in connection therewith and such building or buildings, structures being provided with adequate and sanitary kitchen and dining room equipment and capacity.
- ~~8-9.~~ "Intoxication" or "intoxicated" means that as a result of drinking alcoholic liquor there is an impairment of a person's mental or physical faculties so as to diminish the ability to think and act with ordinary care.
- ~~9-10.~~ "Live Entertainment" means the playing of live music by a person or persons using string, brass, reed, woodwind, percussion, electronic or digital instruments not to exceed a volume as provided for in the zoning code of St. Charles, and performances by individuals and/or groups which may involve acting, singing, dancing, comedy and/or the recital of poetry.
- ~~10-11.~~ "Private function" means a prearranged private party, function, or event for a specific social or business occasion, either by invitation or reservation and not open to the general

public, where the guests in attendance are served in a room or rooms designated and used exclusively for the private party, function, or event.

- ~~44-12.~~ "Resort Hotel" or "Resort Motel" means a hotel or motel, as described in Paragraph G above, which provides golfing and swimming.
- ~~42-13.~~ "Restaurant" means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals actually are served and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. The intent of this definition is that the primary business conducted on premises to be licensed as a restaurant shall be the service of meals. No restaurant licensed as such shall sell alcoholic liquor unless its full kitchen, kitchen staff and serving staff are in operation providing the restaurant's full menu to its guests. Alcoholic liquor may be served from a service bar or in a holding bar. (Ord. 2012-M-30 § 1.)
- ~~43-14.~~ "Restaurant and Tavern" means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals actually are served and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. The intent of this definition is that the primary business conducted on premises to be licensed as a restaurant and tavern shall be the service of meals. Provided, all tables at which food is served shall only be served alcoholic liquor by waitpersons from a service bar. Alcoholic liquor may be served from a holding bar, provided, a full menu, including entrees and appropriate side dishes, shall be available at all times liquor sales are being conducted until eleven o'clock (11) p.m. Sunday through Thursday, and eleven o'clock (11) p.m. Friday and Saturday. After such times, in the event a full menu is not provided, a reduced menu, which includes only appetizers, sandwiches, snacks, hors d'oeuvres or other similar foods, shall be available, however provided in no event shall the kitchen cease operating sooner than one hour before closing.
- ~~44-15.~~ "Sale" means any transfer, exchange or barter in any manner, or by any means whatsoever, and includes and means all sales made by any person, whether principal, proprietor, agent, servant or employee.
- ~~45-16.~~ "Sell at retail" and "Sale at retail" refer to and mean sales for use or consumption and not for resale in any form.
- ~~46-17.~~ "Service bar" means a permanent or portable bar from which waitpersons pick up alcoholic beverages for delivery to food service tables or other locations away from the bar. A service bar shall not have seats or stools or other places for patrons to sit or stand while drinking alcoholic beverages. Patrons shall not be served from a service bar.
- ~~47-18.~~ "Spirits" means any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin, or other spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.
- ~~48-19.~~ "Tavern," "Bar" or "Saloon" means any place that engages in the retail sale of alcoholic liquor for consumption on the premises. No tavern, bar or saloon shall sell alcoholic liquor unless food/menu items are offered to its guests. In the event a full menu is not provided a reduced menu, which includes appetizers, sandwiches, snacks, hors d'oeuvres or other similar foods, shall be available. (Ord. 2015-M-14 § 1; Ord. 2012-M-30 § 2.)
- ~~49-20.~~ "To sell" includes to keep or expose for sale and to keep with intent to sell.
- ~~20-21.~~ "Wine" means any alcoholic beverage obtained by the fermentation of the natural contents of fruits, or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits."
- ~~24-22.~~ "Specialty Drink" means any unique or original drink that originates from the licensed establishment and is exclusive to that business.

5.08.020 – Local Liquor Control Commissioner – Designated

- A. Local Liquor Control Commission – Purpose and Creation: A Local Liquor Control Commission is hereby created. The Commission shall be composed of five (5) members. The Local Liquor Control Commissioner shall be ~~the Mayor of the City of St. Charles and he/she a member shall~~ be the Chairman of the Local Liquor Control Commission for purposes of presiding over its meetings. The other four (4) members of the Commission shall be appointed by the Local Liquor Control Commissioner. The creation of the Local Liquor Control Commission shall not be construed to grant any substantive authority to the Commission, which shall act as an advisory and hearing commission only.
- B. Local Liquor Control Commission – Membership and Team: Two (2) members of the Local Liquor Control Commission shall be members of the St. Charles City Council and two (2) members shall be residents of the City of St. Charles. Appointments shall be made to coincide with the term of the Mayor. Members shall hold office for their designated terms or until their successors have been appointed. No member of the Local Liquor Control Commission shall have any ownership interest in, or be employed by, any licensed establishment. No person shall be appointed to, or remain a member of the Local Liquor Control Commission, if a spouse, parent, sibling, or child has, or acquires any ownership interest in, or is employed by, any licensed establishment.

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5.08.060 – License – Dram Shop Insurance Required Prior to Issuance

~~No local liquor license shall be granted to an applicant until such applicant shall furnish evidence satisfactory to the Local Liquor Control Commissioner that such applicant is covered by a policy of dram shop insurance issued by a responsible insurance company authorized and licensed to do business in the state insuring such applicant against liability which such applicant may incur under the provisions of 235 ILCS 5/6-21. The insurance policy shall have a May 1st renewal date.~~ The City shall be given at least ten days' written notice from such insurance carrier prior to cancellation, termination or amendment of any such dram shop insurance. In addition, a copy of said insurance policy must be made available at all times for inspection and filed with the City Clerk.

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Every licensee shall be required to provide the Local Liquor Commissioner with a copy of each renewal/new policy of dram shop insurance when applying for either a new or renewal license.

Any licensee failing to provide a copy of the renewal/new policy of dram shop insurance shall pay a late filing fee in the amount of \$50.00. Further, said licensee shall be subject to a fine of not less than two hundred fifty dollars (\$250.00) for their first offense of operating without Dram Shop insurance nor more than seven hundred fifty dollars (\$750.00) for each subsequent offense. Further, said licensee may be subject to a fine, and / or license suspension or license revocation as provided by this Chapter 5.08.

5.08.070 – License – Application Requirements

- A. Applications for a local liquor dealer's license shall be made to the Local Liquor Control Commissioner, in writing, signed by the applicant, if an individual, or by a duly authorized agent thereof if not an individual, verified by oath or affidavit, and shall contain the following statements and information:
 - 1. In the case of an individual, the full name, age and address of the applicant; in the case of a co-partnership, the persons entitled to share in the profits thereof; in the case of a corporation, the

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objects for which it is organized, the names and addresses of the officers and directors, and if five percent or more in interest in the stock of such corporation is owned by a person or his nominee or nominees, the name and address of each such person or persons;

2. The citizenship of the applicant, his date and place of birth and, if a naturalized citizen, the time and place of his naturalization;
3. The character of business of the applicant;
4. The length of time said applicant has been in business of that character;
5. The amount of goods, wares and merchandise on hand at the time application is made;
6. The location and description of the premises or place of business which is to be operated under such license;
 - a. If a leased premises, a copy of the lease shall be provided as required and shall be for a term of sufficient length to encompass the period of the license sought.
 - b. The name and address of the owner or owners of the premises and the names and addresses of all the owners of the beneficial interest of any trust if said premises is held in trust;
7. A statement whether applicant has made similar application for a similar other license on premises other than described in this application, and the disposition of such application;
8. A statement that applicant has never been convicted of a felony, or a misdemeanor opposed to decency or morality, and is not disqualified to receive a license by reason of any matter or thing contained in the laws of the state or the ordinances of the City;
9. Whether a previous license by any state or subdivision thereof or by the federal government has been issued; if so, where and when; or if any such license has been revoked, the reason therefor;
10. The date of incorporation if an Illinois corporation, or the date of becoming qualified under the Illinois Business Corporation Act to transact business in Illinois if a foreign corporation;
11. A statement that the applicant will not violate any of the laws of the state, or of the United States, or any ordinance of the City in the conduct of his place of business;
12. Any applicant for a newly created city liquor license ~~or any applicant for a renewal of a city liquor license~~ is to be fingerprinted whether said applicant is an individual or a partnership. Should the applicant be a corporation, the Local Liquor Control Commissioner may, within his discretion, require the following to be fingerprinted: the officers, manager or director thereof, or any stockholder or stockholders owning the aggregate of more than five percent of the capital stock of said corporation. The City police department shall do all such fingerprinting. There shall be a fingerprint fee of fifty (\$50) dollars per application to be paid at time of application and non-refundable.
 - B. The Local Liquor Control Commissioner shall issue a written acceptance or rejection of such application within sixty days of its receipt by the Local Liquor Control Commissioner or city clerk in his behalf with the advice and consent of the City Council.
 - C. There shall be an application fee of two hundred (\$200) dollars, which shall be non-refundable and if a license is granted applied to the first license fee. BYOB and Special Event license application fees shall be the cost of the license. Any outstanding fines and fees related to said licensure owed to the City by the licensee, its officers, directors or shareholders, shall be satisfied before a license is granted or renewed. All monies paid to the City shall be delivered via a certified bank check, or cash. The City will not accept credit cards or personal checks. At the discretion of the City Clerk, corporate checks may be accepted.

Any license that is issued in advance of the completion of the fingerprint background investigation may be rescinded by the Liquor Commissioner if the results of the investigation do not comply with section 5.08.080 of this Code.

5.08.090 – License - Classifications

Local liquor licenses for the retail sale of alcoholic liquor shall be divided into the following classes and sub-classes:

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1. **Class A – Packaged Alcoholic Liquor Licenses** Class A licenses shall authorize the retail sale of alcoholic liquor in original packages only and not for consumption on the premises, except as permitted for the Class A-4 license. Class A licenses are divided into the following sub-classes:
 - **A-1.** Class A-1 licenses shall authorize the retail sale of alcoholic liquors in original packages only and not for consumption on the premises. The primary purpose of the premises shall be the retail sale of alcoholic liquor. The premises shall have a minimum gross area of two thousand square feet.
 - **A-2.** **Class A-2** licenses shall authorize the retail sale of alcoholic liquors in original packages only and not for consumption on the premises. The primary purpose of the premises shall be for retail sales other than the retail sales of alcoholic liquor, such as food store, drug store or mass merchandiser. The premises shall have a minimum gross area of ten thousand square feet (10,000'), and provided the square footage devoted to the retail sale of alcoholic liquor is ten percent (10%) or less, of the gross square footage.

Additional provisions include:

1. Alcohol sold in original packages and intended for off premises consumption shall not be opened or consumed on the premises or in any designated seating/ serving area.
 2. Wine/beer tasting shall be permitted on such premises in accordance with state law.
 3. The sale of liquor intended for consumption on the premises shall be limited to individual servings of spirits, beer, wine or sake.
 4. The sale of spirits, beer, wine or sake, for consumption on the premises, shall be served only in a designated seating/ serving area, which includes an area where food is prepared and regularly served on the premises. Such food shall include hot or cold sandwiches, appetizers, tapas, sushi, baked goods or other similar foods. Alcohol consumption and sales will be allowed outside at grilling stands/ barbeque areas so long as store personnel are present at all times consumption/ sales are taking place and consumption is limited to a designated patio area; approved in advance by the Liquor Commissioner.
 5. The consumption of spirits, beer, wine and sake on the premises shall be permitted in the designated seating/ serving area as well as the shopping areas throughout the premises or the aforementioned patio; however, the licensee shall mark, with conspicuous signage, the area past which consumption of spirits, beer, wine and sake is no longer permitted.
 6. The designated seating/ serving area for customers consuming spirits, beer, wine or sake on the premises shall be limited to five percent (5%) of the gross floor area.
 7. It is intended that the service of spirits, beer, wine and sake is merely adjunct to the operation of a grocery store and that the facility shall not be advertised or otherwise held out to be a drinking establishment.
 8. Hours for the sale of packaged alcoholic liquor, for consumption off the premises shall be in accordance with this code but in no case shall the sale of spirits, beer, wine or sake take place outside of the normal business hours of the grocery store.
 9. The establishment does not engage in the retail sale of goods outside of groceries such as, but not limited to, clothing, shoes, home goods, electronics, and sporting goods.
 10. The annual fee for such license shall be in accordance with our current fee schedule.
- **A-2B.** **Class A-2B** licenses shall authorize the retail sale of beer and wine only in original packages only and not for consumption on the premises. The primary purpose of the premises

shall be for retail sales other than the retail sales of beer and wine, such as food store, drug store or mass merchandiser. The premises shall have a minimum gross area of ten thousand square feet (10,000'), and provided the square footage devoted to the retail sale of beer and wine is ten percent (10%) or less, of the gross square footage.

- **A-3.** Deleted in its entirety.
 - **A-4. Class A-4** licenses shall authorize the retail sale of beer, wine, or spirits for consumption on or off the premises, where brewed, distilled, or fermented on the premises, provided the retail sale of beer or wine for consumption off the premises shall be in original packages only.
 - **A-5. Class A-5** licenses shall authorize the retail sale of domestic and imported wines, champagne, imported alcoholic liquor and gourmet/ craft beer in original packages only and not for consumption on the premises. The retail sale of alcoholic liquor and beer shall be incidental to wine sales and shall not exceed twenty-five percent (25%) of the annual gross sales of said licensee. Class A-5 licenses shall also authorize the retail sale of wine, gourmet/craft beer and alcoholic liquor by the glass, flight, or bottle only, for consumption on the premises.
 - **A-6 Class A-6** licenses shall authorize the retail sale of alcoholic liquors in original packages only, and not for consumption on the premises, in convenience stores or gas stations containing convenience stores where the retail sale of packaged alcoholic liquor is secondary to the sale of gasoline products and/or miscellaneous convenience store items and the square footage devoted to the retail sale of alcoholic liquor is ten percent (10%) or less of the gross square footage.
2. **Class B – Restaurant Licenses** - Class B licenses shall authorize the retail sale of alcoholic liquors, beer, or wine, for consumption on the premises of a restaurant or tavern, whose primary purpose is that of a restaurant or restaurant and tavern as defined in this chapter. Live entertainment may be permitted as otherwise provided in this chapter. A restaurant licensed to sell alcohol under this Section may permit a patron to remove one, unsealed and partially consumed bottle of wine for off-premise consumption, provided that the patron has purchased a meal and consumed a portion of the bottle of wine with the meal on the restaurant premises. A partially consumed bottle of wine that is to be removed from the premises shall be securely sealed by the licensee or an agent of the licensee prior to removal from the premises and placed in a transparent, one-time use, tamperproof bag. The licensee or agent of the licensee shall provide a dated receipt for the bottle of wine to the patron. Wine that is sealed in accordance with the provisions of this section and not tampered with shall not be in violation of section 5.08.290 while being transported in a motor vehicle.
- **B-1 Class B-1** licenses shall authorize the retail sale of alcoholic beverages for consumption on the premises of a restaurant and tavern.
 - **B-2. Class B-2** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of a restaurant and tavern. Class B-2 licenses shall also authorize the retail sale of wine in original packages only and not for consumption on the premises, in conjunction and solely with a carry out order of one or more meals. The following additional application requirements apply to all 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:

1. the location of all rooms, segregated areas, including outdoor seating areas and the square footage thereof;
 2. the designated use of each room or segregated area (i.e. dining room, holding bar, service bar, kitchen, rest rooms, 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.
 3. the 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 Control Commissioner may impose such restrictions as he deems appropriate on any licensee by noting same on the approved site drawing or as provided on the of the licensee.
 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.

- **B-3 Class B-3** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of a restaurant and tavern. Class B-3 shall also authorize the retail sale of wine or specialty drinks originating from the licensed premises in original packages only and not for consumption on the premises that are sold within the segregated retail/cashier area of the premises. The retail wine/specialty drink area shall not exceed fifty percent (50%) of the total square footage of the premises. Further, wine and tasting bars shall be permitted in the retail wine area of said premises, and wine tasting may be conducted in accordance with St. Charles Municipal Code 5.08.260

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3. **Class C – Tavern; Bar; Saloon Licenses** - Live entertainment may be permitted as otherwise provided in this chapter for Class C licenses. A tavern, bar, or saloon licensed to sell wine under this Code may permit a patron to remove one, unsealed and partially consumed bottle of wine for off-premise consumption, provided that the patron has purchased a meal and consumed a portion of the bottle of wine with the meal on the restaurant premises. A partially consumed bottle of wine that is to be removed from the premises shall be securely sealed by the licensee or an agent of the licensee prior to removal from the premises and placed in a transparent, one-time use, tamperproof bag. The licensee or agent of the licensee shall provide a dated receipt for the bottle of wine to the patron. Wine that is resealed in accordance with the provisions of this section and not tampered with shall be in violation of section 5.08.290 while being transported in a motor vehicle. Class C licenses are divided into the following sub-classes:

- **C-1. Class C-1** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of a tavern, bar, or saloon. Class C-1 licenses may authorize the sale of alcoholic liquor in outdoor sales areas provided such sales are in conjunction with food service, if approved by the Local Liquor Control Commissioner.
- **C-2. Class C-2** licenses shall authorize the retail sale of beer and wine only for consumption on the premises of a tavern, bar, or saloon.
- **C-3. Class C-3** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of a tavern, bar, or saloon. Class C-3 licenses may authorize the sale of alcoholic

liquor in outdoor sales areas provided such sales are in conjunction with food service, if approved by the Local Liquor Control Commissioner. Class C-3 licenses shall also authorize the retail sale of wine in original packages only and not for consumption on the premises. The following additional application requirements apply to all 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:
 1. the location of all rooms, segregated areas, including outdoor seating areas and the square footage thereof,
 2. 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 (Class C-2 only with Local Liquor Control Commissioner approval), etc.).
 3. the 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 Control Commissioner may impose such restrictions as he deems appropriate on any licensee by noting 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.

4. **Class D – Specific Alcoholic Liquor Sales and Site Specific Licenses** -Class D licenses are divided into the following sub-classes:

- ~~• **D-1. Class D-1** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of any resort hotel or motel only and shall be issued only to the operator of said resort hotel or motel. The licensee shall be permitted sales of alcoholic liquors as permitted by Class B and C licenses. Additionally, each of the residence rooms of the resort hotel or motel may have a mini-bar that may be accessed only by a special key obtained from the hotel management by a patron that may be served alcoholic liquors. Class D-1 licenses shall authorize the sale of alcoholic liquors from one (1) halfway house and from two (2) motorized food and beverage carts operating on the eighteen (18) hole golf course for consumption on said golf course only, subject to the following restrictions: all alcoholic liquors shall be served in other than glass containers; all carts shall only operate on designated golf cart paths.~~
- **D-2. Class D-2** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of any hotel or motel only and shall be issued only to the operator of said hotel or motel. Additionally, each of the residence rooms of the hotel or motel may have a mini-bar that may be accessed only by a special key obtained from the hotel management by a patron that may be served alcoholic liquors.

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- **D-3. Class D-3** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of a golf club or any banquet hall at a golf club in conjunction with the service of sit down meals. One (1) or more portable or permanent bars are permitted, when the person who operates the banquet hall makes such retail sale of alcoholic liquor. Class D-3 licenses shall authorize the sale of alcoholic liquors from one (1) halfway house and from two (2) motorized food and beverage cars operating on eighteen (18) hole and nine (9) hole golf courses for consumption on said golf course only, subject to the following restrictions: all alcoholic liquors shall be served in other than glass containers; all cars shall only operate on designated golf paths.
- **D-4. Class D-4-1** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises only, of any club, provided, that such club shall have been in existence for at least six (6) months prior to the filing of an application for a license under this chapter and shall have maintained clubrooms for such period of time immediately preceding the filing of its application. (Ord. 2015-M-14 § 1; Ord. 2010-M-29 § 1; Ord. 2008-M-80 § 1.)
- **D-5. Class D-5** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises only, of the theater premises located at 105 East Main St. The sale of alcoholic liquors shall be from one (1) permanent location in the vestibule, one (1) service bar in the balcony, and up to two (2) other service bars as dictated by the event.
- **D-6. Class D-6** licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises only in conjunction with the operation of the Q Center, located on the premises at 1405 North Fifth Ave. Alcoholic liquor sales are limited to individuals and their guests who are participating in events under the direct control of the licensee. The license shall not be removed from the location at 1405 North Fifth Ave. without the approval of the City Council and consent of the Local Liquor Control Commissioner.
- **D-7. Class D7** licenses shall authorize the retail sale of wine and beer for consumption on the premises only for non-for-profit organization of such theatre located at 111 West Main Street. The sale of beer and wine shall be from one (1) permanent location in the vestibule and service will only be allowed when theatre events are being held on this premise.
- **D-8. Class D-8** licenses authorize the retail sale and consumption of beer and wine at an arts and entertainment studio, while the patron(s) are participating in an arts, crafts or other class that are offered by the licensee. The consumption of beer and wine is restricted to the licensed premises and shall be limited to members of a group assembled on the premises for the purpose of attending an art, crafts, or other classes offered by an art studio, arts and crafts school, or similar leisure/entertainment business while the licensee is conducting classes.

Partially consumed bottles of wine can be removed from the premises but only securely sealed by the licensee or an agent of the licensee prior to removal from the premises and placed in a transparent, one- time use, tamperproof bag and not for public distribution or consumption.

- **D-9. Class D-9** licenses shall authorize the service or delivery of alcoholic liquors, for the consumption on the premises only, at a Small Event Venue. Small Event Venues shall consist of a business for which the exclusive activity is to provide space for catered private parties of less than seventy-five (75) persons, where there is service for consumption at tables of hors d'oeuvres, a buffet, or full multiple course meal, and at which alcoholic liquor may be served incident to such food service. Each venue event at which alcoholic liquor may be served shall be prearranged under the sponsorship of a particular person or organization. Venue events

shall not be open to the general public, but attendance shall be by appointment or special invitation of the sponsors. No admission charge shall be levied to guests at such event venues, except for an event sponsored by a non-for-profit corporation or association registered with the State of Illinois. A Class D-9 license does not permit the direct retail sale of alcoholic liquor from the D-9 licensee to the event sponsor or any event attendees.

For purposes of selling or service of alcoholic liquor for a particular event on the premises, the holder of a Class D-9 license shall engage the services of a vendor who holds a then current and otherwise valid Class B or Class C license issued by the City of St. Charles for the purpose of supplying, opening, dispensing, selling, and/or serving alcoholic liquors for consumption on the premises where the service of food predominates.

As an alternative to engaging the services of a vendor who holds a then current and otherwise valid Class B or Class C license issued by the City of St. Charles for the purpose of selling or delivering alcoholic liquor for a particular event on the premises, the holder of a Class D-9 License may instead allow for the consumption of alcoholic liquors, on the premises, that have been brought onto the premises by a person or persons who have contracted for an event to be held on the premises where the service of food predominates, subject to the following:

1. The licensee shall take control of such alcoholic liquors promptly upon delivery thereof to the premises, and shall provide BASSET trained servers for the opening, dispensing, delivery, and/or serving of such alcoholic liquors during the event.
 2. Any and all alcoholic liquors shall be opened, dispensed, delivered and/or served on the premises only by such servers, and only to attendees of the event.
 3. A certificate of insurance reflecting coverage for general liability purposes in the amounts otherwise due from and in place for the licensee shall be provided to the licensee by the patron or patrons supplying the alcoholic liquors, and the City of St. Charles and the Local Liquor Control Commission of the City shall be named as an additional insured on the policy.
 4. Any alcoholic liquor remaining unserved after the conclusion of the event may be returned to the person or persons who supplied them, to be transported off the premises only in accordance with law.
 5. A partially consumed bottle of wine that is to be removed from the premises shall be securely sealed by the licensee or an agent of the licensee prior to removal from the premises and placed in a transparent, one-time use, tamperproof bag.
- 5-6. Any license(s) / permit(s) from the State of Illinois.

- D-10. Class D-10 licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of an entertainment venue or theater, for consumption on the premises as determined in an approved site plan from a service bar or snack shop. Such licenses shall only be issued to establishments where the service of alcoholic beverages is ancillary and incidental to entertainment services.

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- D-11. Class D-11 Theater licenses shall authorize the retail sale of alcoholic liquor for consumption on the licensed premises where the primary business is that of a Theater as defined herein, subject to the following conditions:

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1. A movie theater establishment qualifying for this license shall be kept, used and maintained, advertised and held out to the public as a full-time movie theater establishment regularly providing and showing movies to the public.
2. The licensee must first verify that every patron possessing or consuming alcoholic liquor is at least twenty-one (21) years of age.

3. The containers in which alcoholic beverages are served must be of a different color, size and design than those in which nonalcoholic beverages are served. In addition, no glassware is allowed.

4. The licensee shall not serve or deliver more than two alcoholic beverages to a customer at a time and no person shall have in his/her possession at any given time more than two alcoholic beverages.

5. There may be no service of alcoholic beverages unless the movie theater is actually open for the showing of movies. Under no circumstances may alcoholic beverages be served more than one hour prior to the advertised showing time of the first movie to be shown on any day or before 7:00 a.m. or after the conclusion of the last movie to be shown on any day or 12:00 a.m.

6. The licensee shall not permit any possession or consumption of alcohol by any person younger than twenty-one (21) years of age on the licensed premises, regardless of whether the alcohol was purchased from the licensee.

- D-12. Class D-12 licenses shall authorize the retail sale and consumption of alcoholic liquor, for consumption on the specified premises, as an adjunct to a salon, spa, hairdresser, beautician, manicure, pedicure, and / or barbershop services while the patrons are receiving contemporaneous spa / salon services from the license holder. Special events, such as art and craft shows and charity type events, are permitted on the premises so long as they are within the permitted hours of retail sale of alcoholic liquor. Massage only facilities are prohibited from offering alcoholic liquor to their patrons. The retail sale of alcoholic liquor while receiving spa / salon services shall be limited to one drink per hour, per customer or patron of the premises, and no such customer or patron shall be served more than three alcoholic beverages during the permitted hours of the retail sale of alcoholic liquor during any one calendar day.

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5. **Class E – Temporary Licenses** - Class E licenses shall authorize the retail sale of beer and wine (or alcoholic liquors if permitted by a Class E-1, E-4 or E-5 license) for consumption on the premises only and only for special events or catered functions where the dispensing of food predominates. The Local Liquor Control Commissioner may, with the advice and consent of the City Council, issue two (2) or more Class E licenses so as to authorize and delineate two (2) or more licensed premises to operate in conjunction with any such special event or catered function. Class E licenses are divided into the following sub-classes:

- **E-1. Class E-1** licenses shall authorize, at the Local Liquor Control Commissioner with advice and consent of the City Council, either the retail sale of beer and wine or the retail sale of alcoholic liquors for consumption on the premises only. Class E-1 shall be issued for special events or catered functions, where the dispensing of food predominates. Applicants for Class E-1 licenses shall be limited to St. Charles organizations or groups, unless the Local Liquor Control Commissioner, with advice and consent of City Council, approves otherwise. There shall be no Class E-1 licenses issued beginning at 12:00 a.m. Friday, before Columbus Day and ending 12:00 a.m. Monday, on Columbus Day.
- **E-2. Class E-2** licenses shall authorize the retail sale of beer and wine for consumption on the premises only. Class E-2 licenses shall be issued to only Class B and Class C liquor licensees for special events or catered functions where the dispensing of food predominates. There shall be no Class E-2 licenses issued beginning at 12:00 a.m. Friday before Columbus Day and ending 12:00 a.m. Monday, on Columbus Day. Notwithstanding the restrictions on the issuance

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of Class E-2 licenses in the preceding sentence, Class E-2 licenses may be issued during said period subject to the following provisions:

1. A Class E-2 license may be issued only in the event the principal street access in front of the licensed premises is blocked due to road closure resulting from a festival taking place during said October period;
 2. In addition to all other conditions and restrictions applicable to Class E-2 licenses, the Local Liquor Control Commissioner may impose such additional conditions and/or restrictions as he deems necessary; and
 3. The Local Liquor Control Commissioner may, with the advice and consent of the City Council waive or vary any conditions and/or restriction applicable to a Class E-2 license, if deemed appropriate under the circumstances.
- **E-3. The Class E-3** license shall authorize the retail sale of beer and wine for consumption on the premises only and within the pre-designated area of the Kane County Fair Grounds. Class E-3 shall also authorize the retail sale of wine and/or beer in original packages only. The retail area and consumption areas must be pre-approved by the Chief of Police (with a site drawing) at the time of the liquor license application. Further, wine and beer tasting bars shall be permitted in accordance with St. Charles Municipal Code 5. 08. 260.
 - **Class E-3** license shall be issued solely to the Kane County Fair for the conduct of the annual Kane County Fair and not more than twenty (20) days of events that the Local Liquor Control Commissioner and Chief of Police deem licensable per calendar year. Each of the events shall be subject to approval by the Chief of Police so as to avoid conflicts between other events and festivals occurring in the City. The Class E-3 license shall be valid only for the scheduled dates as outlined above and are subject to daily fees in accordance with St. Charles Municipal Code 5. 08. 100.
 - **E-4. Class E-4** licenses shall authorize at the Local Liquor Control Commissioner's discretion, and subject to prior approval by the City Council, either the sale or delivery of beer and wine, or alcoholic liquors, for consumption on City owned property, including but not by way of limitation, 1st Street Plaza. There shall be no Class E-4 licenses issued during the second full week of October, beginning 12:00 a.m. Friday and ending 12:00 a.m. Monday.
 - **E-5. Class E-5** licenses shall authorize, at the Local Liquor Control Commissioner, with advice and consent of the City Council, either the sale or delivery of beer and wine or alcoholic liquors, for consumption on the premises only. The Class E-5 license shall be issued solely for the conduct of not more than twenty (20) days of events that the Local Liquor Control Commissioner, City Council and Chief of Police deem licensable per calendar year at specific premises. Each of the events may not be more than one day in duration. The schedule of such events shall be subject to approval by the Chief of Police so as to avoid conflicts between said events and major festivals or events occurring in the City, including, but not limited to, Flea Market held at the Kane County Fairgrounds, Riverfest, Scarecrow Festival, and the St. Patrick's Day Parade. Such license shall be issued solely for specific premises that is open to the public and kept, used, maintained, advertised and held out to the public as a place where retail business activities or operations are conducted, other than the sale of alcoholic liquor. Events shall be permitted solely on such dates and during such times as are set forth in any Class E-5 license issued.
 - **E-6. Class E-6** Temporary License Permits shall authorize the retail sale of beer and wine or the retail sale of alcoholic liquor for consumption on the premises only until 1:00 a.m. or 2:00 a.m. on a specified date. This license shall be issued to Class B and C license holders only for

special events or catered functions with the dispensing of food. The issuance of the Class E-6 Temporary License Permit shall be at the discretion of the Local Liquor Control Commissioner, with advice and consent of City Council. Application for a Class E-6 Temporary License Permit shall be submitted 45 days in advance of a scheduled date. No more than four (4) permits shall be issued to any licensee per fiscal year. A license permit is per event during a 24-hour period. There shall be no Class E-6 Temporary License permits issued during the second full week of October beginning 12:00 a.m. on Friday and ending 12:00 a.m. on Monday.

- **E-7. Class E-7** Temporary License Permits shall authorize the retail sale of beer and wine for consumption on the premises only. Class E-7 licenses shall be issued to only Class A-2 and A-2B liquor licenses for special events or catered functions where the dispensing of food predominates. The issuance of the Class E-7 Temporary License Permit shall be at the discretion of the local Liquor Control Commissioner, with advice and consent of City Council. No more than four (4) permits shall be issued to any one licensee per fiscal year. Application for a Class E-7 Temporary License Permit shall be submitted at least 45 days prior to a scheduled event. The hours of service for beer and wine under the E-7 Temporary License Permit shall be restricted to the hours of 12:00 p.m. – 9:00 p.m., Monday through Sunday.”
- **E-8. Class E-8** licenses shall authorize the service or delivery of alcoholic liquor, for consumption on the premises only and incident to food service at a special event sponsored by, or conducted at the St. Charles History Museum located at 215 E. Main Street, St. Charles, Illinois. The Class E-8 license shall be issued solely for the conduct of not more than twelve (12) events that the Local Liquor Control Commissioner and Chief of Police deem licensable per calendar year at the specific premises. Each of the events may not be more than one day in duration. The schedule of such events shall be subject to approval by the Chief of Police so as to avoid conflicts between said events and major festivals or events occurring in the City, including, but not limited to Scarecrow Festival, the St. Patrick’s Day Parade, and the Holiday Homecoming Electric Lights Parade. Any such event at the premises which is in whole or partly held outdoors or on the City sidewalk, street or parking facility must otherwise be in accordance with any and all applicable provisions of the City’s Code, including obtaining a special event permit from the City.

For purposes of selling or service of alcoholic liquor for a particular event on the premises, the holder of a Class E-8 license shall engage the services of a vendor who holds a then current and otherwise valid liquor license issued by the City of St. Charles for the purpose of supplying, opening, dispensing, selling, and/or serving alcoholic liquors for consumption on the premises where the service of food predominates.

In the event any Class E license (with respect to any Class E-5 license, if required in whole or in part by the Local Liquor Control Commissioner, City Council or Chief of Police) is for an out of doors special event or catered function, the following shall apply, in addition to all other requirements:

1. The license shall rope off or fence the licensed premises.
2. A sign limiting beer and wine (or alcoholic liquors if permitted by a Class E-1 or Class E-4 license) consumption to the roped off or fenced area shall be prominently displayed by licensee at all times.
3. The license shall provide for the pickup of all litter and trash.

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4. The Local Liquor Control Commissioner, with the advice and consent of the City Council, in consultation with the Chief of Police, shall designate on each license issued the number of St. Charles police personnel and/or adult members of the licensee required to be present on the licensed premises at all times beer and wine (or alcoholic liquors if permitted by Class E-1 license) is being served, to supervise liquor sales and check identification of persons. The licensee shall be responsible for any and all compensation of police personnel at the then current overtime rate. The licensee shall be required to post a cash deposit to secure the payment of such estimated compensation. If said deposit does not cover actual amount due, licensee is responsible for any balance due.

5. A tamper proof wrist band, of a design and in a color (a separate color must be used for each day) approved by the Chief of Police, or his designee, shall be placed on the wrist of each person eligible to purchase beer or wine (or alcoholic liquors if permitted by a Class E-1 license) prior to that person being given access to the licensed premises. Minors shall not be permitted in any licensed premises. Notwithstanding the foregoing, the Local Liquor Control Commissioner may, with the advice and consent of the City Council, and as designated in any license, permit minors to be present in a licensed premises where food is also served.

5-6. Obtain any licenses and / or permits required by the State of Illinois.

- **F-1 Carry-In License** shall authorize the carry-in of beer or wine (spirits are not permitted) to a commercial business or place of public accommodation that does not sell alcoholic beverages in which food preparation and service of food is the principal business conducted for consumption on the premises subject to the following limitations:

1. The beer or wine is carried and unopened;
2. No more than one bottle of wine not exceeding seven hundred fifty milliliters (750 ml) and no more than a 6-pack of beer may be carried in per patron;
3. At the licensee's discretion, the licensee may require the beer or wine to be opened and served by the licensee, and the licensee may charge a corkage or setup fee for that service;
4. The beer or wine may only be consumed by persons who are served a meal;
5. The beer or wine may be served only during the hours that food is being served;
6. Proof of dram shop insurance;
7. Carry-in alcohol may only be consumed outside if the licensee has also obtained an outside adjunct license;
8. Carry-in licensees are prohibited from storing alcohol on the premises, unless the licensee also has an appropriate license allowing the retail sale of alcoholic liquors on the premises;
9. Patrons may remove one, unsealed and partially consumed bottled of wine for off- premise consumption and any sealed bottles/cans of beer provided that the patron has purchased a meal and consumed a portion of the bottle of wine/beers with the meal on the restaurant premises. A partially consumed bottle of wine or sealed beer bottles/cans that are to be removed from the premises shall be securely sealed by the licensee or

an agent of the licensee prior to removal from the premises and placed in a transparent, one-time use, tamperproof bag;

10. Carry-in licensees shall be liable for violations of this chapter in the same manner as the holder of any other classification of liquor license, including, but not limited to, violations for service to minors and the over serving of patrons;
11. Illinois BASSET alcohol seller/server certification or equivalent training is required for at least one person who is on duty at all times that alcoholic liquor is allowed to be carried into the premises;
12. The hours of operation for a class F-1 license holder are the same as those prescribed for a Class A license holder in Section 5.08.130A of this chapter.

- **F-2 Carry-In/Store on Premise License** shall authorize the carry in of beer, wine or spirits into a commercial business and place of public accommodation in which social interaction takes place (social club) that does not sell alcoholic beverages and the aforementioned items can either be securely stored on the premises in a secured locker or carried away subject to the following limitations:

1. The beer, wine, or spirits are carried and unopened;
2. No more than one bottle of wine/spirits not exceeding seven hundred fifty milliliters (750 ml) and no more than a 6-pack of beer may be carried in per patron at any one time;
3. At the licensee's discretion, the licensee may require the beer, wine or spirits to be opened and served by the licensee, and the licensee may charge a corkage or setup fee for that service;
4. Proof of dram shop insurance;
5. Carry-in alcohol may only be consumed outside if the licensee has also obtained an outside adjunct license;
6. Patron may remove one, unsealed and partially consumed bottled of wine/spirits for off-premise consumption and any sealed bottles/cans of beer. Partially consumed bottles of wine/spirits or sealed bottles/cans of beer must be removed from the premises securely sealed by the licensee or an agent of the licensee prior to removal from the premises and placed in a transparent, one-time use, tamperproof bag or stored away in a secured locker and not for public distribution or consumption;
7. Carry-in/store licensees shall be liable for violations of this chapter in the same manner as the holder of any other classification of liquor license, including, but not limited to, violations for service to minors and the over serving of patrons;
8. Illinois BASSET alcohol seller/server certification or equivalent training is required for at least one person who is on duty at all times that alcoholic liquor is allowed to be carried into the premises;
9. The hours of operation for a Class F-2 license holder are the same as those prescribed for a Class A license holder in Section 5.08-130A of this chapter.

7. **G-1. Class G-1 Licenses** shall authorize the retail sale of beer manufactured on premises for consumption on the premises or for consumption not on the premises in original/sealed packaging only. The retail sales portion of the licensed premises shall be separate from the manufacturing portion of the premises. Food service, late night permitting, and other alcoholic beverage service, shall be permitted in accordance with other Class B or C Licenses.

- **G-2. Class G-2** Licenses shall authorize the retail sale of beer manufactured on premises for consumption on the premises of any nano-brewery market, or for consumption not on the premises in original sealed packaging only. The retail sales portion of the licensed premises shall be separate from the manufacturing portion of the premises. Food service shall be permitted in accordance with Class B or C Licenses. Class G-2 licenses shall further authorize the retail sale of crafted beers for consumption on the premises and the retail sale of alcoholic liquors in original packages only and not for consumption on the premises subject to the following provisions:

1. The products sold for consumption off the premises are not opened and consumed on the premises;
2. Permitted food service, goods, and merchandise, other than alcoholic liquor, are also offered for the retail sale on the premises.
3. The retail sale of beer, wine, or alcoholic liquor for consumption off the premises shall be in original packages only.
4. If the licensed premises consists of multiple shops or restaurants at one street address, alcohol sold for the purpose of consumption on the premises may be carried and consumed throughout the premises and only if such movement can be made wholly within the enclosed structure of the premises, or approved outdoor seating area. This license shall be a site license for the complete premises.

8. **V (Video Gaming)** which is a supplemental license only, which permits Video Gaming only in a Licensed Establishment, otherwise qualified to hold a Video Gaming License. Class V licenses shall only be issued to holders of class ~~A-4, A-5, B-1, B-2, B-3, C-1, C-2, C-3, D-2, D-3, D-4, D-5, D-6, G-1, or G-2~~ ~~B, C or D~~ liquor licenses, ~~and licensed fraternal establishments and licensed veterans' establishments.~~

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A complete and accurate application to the City for the issuance of a Video Gaming License shall be deemed an application for the issuance of a class V supplemental license.

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Class V licenses may only be issued to qualified Licensed Establishments in good standing which have continuously held a class ~~A-4, A-5, B-1, B-2, B-3, C-1, C-2, C-3, D-2, D-3, D-4, D-5, D-6, G-1, or G-2~~ ~~B, C or D~~ liquor license, ~~and licensed fraternal establishments and veterans' establishments, and have operated their business on a regular basis for a period of at least one (1) year prior to the date of application for a Class V license.~~

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Class V licenses shall have the same hours of operation as provided for the underlying liquor license as set forth in Title 5.08.130.

5.08.100 – License Fees; Late Night Permit Fees; Fees Established

1. Fees Established. The fees for the various Classes of local liquor licenses authorized in this chapter shall be as follows:

Class License	Annual License Fee	Comments
A-1	\$1,600.00	Package Liquor Stores Only
A-2	\$1,600.00	Grocery Stores
A-2B	\$1,600.00	Wine/Beer Sales Only
A-4	\$1,600.00	Brewery, Distillery, and Winery Sales
A-5	\$1,800.00	Wine by Glass & Bottle Sales
A-6	\$1,600.00	Gasoline Station with Convenience Store
B-1	\$1,200.00	Basic Restaurant Liquor License
B-2	\$1,800.00	Purchase Wine w/Takeout
B-3	\$1,800.00	On Premise Consumption & Retail Sale of Wine
C-1 & C2	\$1,200.00	Basic Tavern Liquor License
C-3	\$1,800.00	Sale of Bottled Wine
D-1	\$4,000.00	Pheasant Run

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D-2	\$2,000.00	Hotels
D-3	\$2,000.00	Banquet Halls/Country Clubs
D-4	\$1,000.00	Moose/Clubs
D-5	\$2,000.00	Arcada
D-6	\$2,000.00	Q-Center
D-7	\$500.00	Steele Beam Theatre
D-8	\$1,200.00	Arts & Entertainment License
D-9	\$500.00	Small Event Venues
<u>D-10</u>	<u>\$1,000</u>	<u>Entertainment</u>
D-11	\$1200.00	Movie Theater
<u>D-12</u>	<u>\$500.00</u>	<u>Salon / Spa</u>
E-1	\$50.00 per day	Not for Profit
E-2	\$100.00 per day	Special Events B/C licensees
E-3	\$50.00 per day	Kane County Fair
E-4	\$100.00 per day	City Owned Premises
E-5	\$500.00 annual	Harley Davidson

E-6	\$100.00 per day	Special Late Night Permit Event
E-7	\$100.00 per day	Special Events A-2/A-2B licensees
E-8	\$500.00 annual	St. Charles History Museum
F-1	\$100.00	BYOB Beer and Wine Only
F-2	\$250.00	BYOB Beer, Wine, and Spirits
G-1	\$1,600	Brewery/Restaurant
G-2	\$3,000	Nano Brewery/Market
	\$1000 - Initial License	
V	\$500 - Each Renewal License	Video Gaming
	\$100 - Per each video gaming terminal	

2. NOTE: Initial license fee is doubled for all first time Class A, B, C, D, G license applicant fees.(Ord. 2017-M-17 § 1; Ord. 2014-M-25§ 2; Ord. 2014-M-5 § 2; Ord. 2014-M-4 § 3; Ord. 2012-M-30 § 7; Ord. 2010- M-52 § 7.

Late Night Permit	Fee	Renewal
Late Night Permit – 1 (1:00 a.m.)	\$800.00	\$800.00
Late Night Permit – 2 (2:00 a.m.)	\$2,300.00	\$2,300.00

5.08.120 – Temporary License

Notwithstanding any provision of this chapter to the contrary, and provided that an applicant has otherwise fully complied with the requirements of this chapter and is eligible to receive a local liquor license, including the payment of the applicable local liquor license fee, the Local Liquor Control Commissioner may issue a temporary local liquor license, ~~pending a receipt of the results of the fingerprint(s) record search for said applicant.~~

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A temporary local liquor license shall be valid for a period of two (2) months, unless sooner terminated, as hereinafter provided. The temporary license must show proof to the City of issuance of a State of Illinois liquor license.

A temporary local liquor license shall terminate upon the first of the following to occur:

1. The expiration of two (2) months after the issuance of such temporary local liquor license;
2. The receipt of satisfactory results with respect to the fingerprint(s) record search for the applicant and the issuance of the local liquor license otherwise provided for by this chapter;
3. The receipt of results with respect to the fingerprint(s) record search for the applicant which would give the Local Liquor Control Commissioner grounds not to issue the local liquor license otherwise provided for by this chapter.

The Local Liquor Control Commissioner may issue no more than two (2) temporary local liquor licenses with respect to a particular application. Any applicant requesting and receiving a temporary local liquor license does so at his own risk. Under no circumstances shall the local license fee paid be prorated or refunded, even if no local liquor license is issued.

5.08.130 – License - Hours of Sale

1. It shall be unlawful for any person holding a Class A- 1, A- 2, A- 2B, A- 4, A- 5, A-6, F- 1, F- 2 or G-2 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises any alcoholic liquor prior to the hour of 7: 00 a.m. and after the hour of 12:00 a.m. (midnight).
2. It shall be unlawful for any person holding a Class B- 1, B- 2, B- 3, C- 1, C- 2, C- 3, D-8, D-9, D-10, D-11, ~~D-12~~, E-8 or G-1 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any ALCOHOLIC BEVERAGES 5.08-21 licensed premises, any alcoholic liquor between the hours of 12:00 midnight and 7:00 a. m.
3. It shall be lawful for any person holding a B- 1, B-2, B- 3, C- 1, C-2, C- 3, or G-1 license issued pursuant to this chapter to sell, offer for sale, in or upon any licensed premises, any alcoholic liquor until 2:00 a.m. on January 1 without being issued a Late Night Permit.
- ~~4. It shall be unlawful for any person holding a Class D- 1 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 2:00 a.m. and 7:00 a.m. on Monday, Tuesday, Wednesday, Thursday and Friday; between the hours of 3:00 a. m. and 7:00 a.m.~~
- ~~5.4.~~ It shall be unlawful for any person holding a Class D- 2, D-4, D- 5, D- 6, or D- 7 license issued pursuant to this liquor chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 2:00 a.m. and 7:00 a.m.

Commented [CS3]: Pertains to Pheasant Run which is closed; remove all language pertaining specifically to Pheasant Run.

6-5. _____ It shall be unlawful for any person holding a Class E-2 license or E-4 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 12:00 midnight and 10:00 a.m.

7-6. _____ It shall be unlawful for any person holding a Class E-5 license issued pursuant to this chapter to sell or deliver, in or upon any licensed premises, any alcoholic liquor, except during those hours as specifically set forth in said Class E-5 license.

8-7. _____ It shall be lawful for any person holding a Class E-6 Temporary License Permit issued pursuant to 5.08-22 this chapter to sell, offer for sale in or upon any licensed premises, any alcoholic liquor until 1:00 a.m. or 2:00 a.m. (on specified date as stated on approved permit by City Council).

5.08.180 – License – Licensed Premises – Change in Personnel

- A. Any changes in partnerships, officers, directors, persons holding directly or beneficially more than five percent of the stock or ownership interest, or managers of establishments licensed under this chapter, shall be reported in writing to the Local Liquor Control Commissioner within ten days of the change. All new personnel shall meet all the standards of this chapter and must otherwise qualify to hold a local liquor license. All such changes in personnel shall be subject to review by the Local Liquor Control Commissioner within thirty days of the change and be reported to the State of Illinois Liquor Commission.
- B. When a license has been issued to a partnership and a change of ownership occurs resulting in a partnership interest by one who is not eligible to hold a liquor license, said license shall terminate.
- C. When a license has been issued to a corporation and a change takes place in officers, directors, managers, or shareholders of more than five percent of the stock, resulting in the holding of office or such shares of stock by one who is not eligible for a license, said license shall terminate.
- D. When a license has been issued to an individual who is no longer eligible for a license, said license shall terminate.
- E. All owners and managers in charge of a local liquor licensed establishment shall at all times be declared with such person(s) or entity(s) names being on record with the Local Liquor Control Commissioner and Chief of Police.
- E-F. Upon a license being rejected, an applicant or personnel shall be afforded a hearing pursuant to existing protocols established within this chapter.

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5.08.230 – Licensed Premises - Location Restrictions

The provisions of the Illinois Liquor Control Act *235 ILCS 5/6-11) are expressly adopted in its entirety by the reference and incorporated herein as though a part of this Act. Any such exemptions must be authorized by ordinance pursuant to 235 ILCS 5/6-11(a)(5).

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5.08.250 – Regulations Applicable Generally

- 23. Payment of Taxes, Fees, Charges and Other Monies to City when Due - It is the obligation of every licensee to pay to the City, ON OR BEFORE THE DUE DATE, each and every tax (including, but not limited to the St. Charles Alcohol Tax), fee, charge or other monetary obligation imposed by and/or owed to the City by said licensee. The failure of a licensee to make any required payment, ON OR BEFORE THE DUE DATE, shall subject the licensee to a Citation being issued to determine if the licensee shall be fined and / or having its license suspended or revoked.

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5.08.320 – License – Revocation or Suspension – Hearing Procedure

- A. The Local Liquor Control Commissioner may, in accordance with the law and the provisions of the Liquor Control Act of 1934 (235 ILCS 5/1-1 et seq.), as amended, revoke or suspend any license issued under his authority if he determines that the licensee has violated any of the provisions of said Act or of any ordinance or resolution enacted by the corporate authorities of the City or any applicable rule or regulation established by the Local Liquor Control Commissioner or the Illinois Liquor Control Commission which is not inconsistent with law. In addition to or in lieu of a suspension, the Local Liquor Control Commissioner may levy a fine on the licensee for such violations. The fine imposed shall not exceed One Thousand (\$1,000) Dollars for a first violation within a twelve (12) month period, One Thousand Five Hundred (\$1,500) Dollars for a second violation within a twelve (12) month period, and Two Thousand Five Hundred (\$2,500) Dollars for a third or subsequent violation within a twelve (12) month period. Each day on which a violation continues shall constitute a separate violation. Not more than Fifteen Thousand (\$15,000) Dollars in fines under this section may be imposed against any licensee during the period of his license. Proceeds from such fines shall be paid into the general corporate fund of the City Treasury. However, no such license shall be so revoked or suspended and no license shall be fined except after a public hearing by the Local Liquor Control Commissioner with a three-day (3) written notice to the licensee, affording the licensee an opportunity to appear and defend. Further, in the event that the Local Liquor Control Commissioner shall find a licensee guilty of violating any provision of this chapter, ~~they~~ he may order the licensee to pay to the City the following: 1) reasonable attorney's fees incurred by the City, the Chief of Police and the Local Liquor Control Commissioner; and 2) reasonable costs, including but not limited to the costs of court reporter fees and witness fees incurred by reason of the hearing.
- B. If the Local Liquor Control Commissioner has reason to believe that any continued operation of a particular licensed premises will immediately threaten the welfare of the community, ~~they~~ he may, upon the issuance of a written order stating the reason for such conclusions and without notice of hearing, order the licensed premises closed for not more than seven (7) days, giving the licensee an opportunity to be heard during that period; except, if the licensee is also engaged in another business on the licensed premises, such order shall not be applicable to such other business.
- C. The Local Liquor Control Commissioner shall, within five (5) days after such hearing, if ~~he~~ they determines after such hearing that the license should be revoked or suspended, or that the licensee should be fined, shall state the reason for such determination in a written order of revocation or suspension and serve a copy of such order within the five (5) days upon the licensee.
- D. Review of decisions of the Local Liquor Control Commissioner shall be as provided for in Section 5/7-9 of Chapter 235 of the Illinois Compiled Statutes.

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City of St. Charles, Illinois
Ordinance No. 2020-M-_____

**An Ordinance Amending Title 5 “Business Licenses and Regulations”;
Chapter 5.08 “Alcoholic Beverages”; Sections 5.08.010 “License Definitions”,
5.08.020 “Local Liquor Control Commissioner”, 5.08.060 “License – Dram
Shop Insurance Required Prior to Issuance”, 5.08.070 “License – Application
Requirements”, 5.08.090 “License Classifications”, 5.08.100 “License Fees;
Late Night Permit Fees; Fees Established”, 5.08.120 “Temporary License”,
5.08.130 “License – Hours of Sale”, 5.08.180 “License – Licensed Premises –
Change in Personnel”, 5.08.230 “License – Licensed Premises – Location
Restrictions”, 5.08.250 “Regulations Applicable Generally”, and 5.08.320
License – Revocation or Suspension – Hearing Procedure” of the St. Charles
Municipal Code**

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

SECTION ONE: That Title 5 “Business Licenses and Regulations,” Chapter 5.08 “Alcoholic Beverages,” Section 5.08.010 “License Definitions” of the St. Charles Municipal Code, be and is hereby amended by replacing it with the following:

All words and phrases used in this chapter and not otherwise defined herein, which are defined in the Liquor Control Act of 1934, approved January 31, 1934, as amended (235 ILCS 5/1-1 et seq.) (“Liquor Control Act”), shall have the meanings accorded to such words and phrases in said Act. Unless the context otherwise requires, the following terms as used in this chapter shall be construed according to the following definitions:

1. "Alcohol" means the product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, and includes synthetic ethyl alcohol. It does not include denatured alcohol or wood alcohol.
2. “Alcoholic liquor” includes alcohol, spirits, wine and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, and capable of being consumed as a beverage by a human being. The provisions of this chapter shall not apply to any liquid or solid containing one-half of one percent, or less, of alcohol by volume.
3. "Beer" means a beverage obtained by the alcoholic fermentation of an infusion or concoction of barley, or other grain, malt, and hops in water, and includes, among other things, beer, ale, stout, lager beer, porter and the like.
4. "Club" means a corporation organized under the laws of this state, not for pecuniary profit, solely for the promotion of some common object other than the sales or consumption of alcoholic liquors, which conforms to the definition of a club in the Liquor Control Act, as amended.
5. “Growlers and Crowlers” means a glass, ceramic, or steel container used to sell, seal, and transport alcoholic liquor that is brewed, distilled, fermented, or mixed on site.

6. "Halfway House" means premises located on a golf course in proximity of the ninth hole of an eighteen-hole golf course, where alcoholic liquor sales are incidental to the sale of food and snacks. All alcoholic liquors shall be served in other than glass containers.
7. "Holding Bar" means an area within a restaurant where patrons awaiting food service may consume alcoholic liquors served by a bartender. The holding bar area shall be separated from the dining area by means of a partition wall. Food service tables are permitted in the holding bar area. A counter shall separate the bartender and patrons.
8. "Hotel" or "Motel" means every building or other structure kept, used, maintained, advertised and held out to the public to be a place where food is actually served and consumed and sleeping accommodations are offered for adequate pay to travelers and such guests and having one or more public dining rooms, where meals are served to such guests, such sleeping accommodations and dining rooms being conducted in the same building or buildings, in connection therewith and such building or buildings, structures being provided with adequate and sanitary kitchen and dining room equipment and capacity.
9. "Intoxication" or "intoxicated" means that as a result of drinking alcoholic liquor there is an impairment of a person's mental or physical faculties so as to diminish the ability to think and act with ordinary care.
10. "Live Entertainment" means the playing of live music by a person or persons using string, brass, reed, woodwind, percussion, electronic or digital instruments not to exceed a volume as provided for in the zoning code of St. Charles, and performances by individuals and/or groups which may involve acting, singing, dancing, comedy and/or the recital of poetry.
11. "Private function" means a prearranged private party, function, or event for a specific social or business occasion, either by invitation or reservation and not open to the general public, where the guests in attendance are served in a room or rooms designated and used exclusively for the private party, function, or event.
12. "Resort Hotel" or "Resort Motel" means a hotel or motel, as described in Paragraph G above, which provides golfing and swimming.
13. "Restaurant" means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals actually are served and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. The intent of this definition is that the primary business conducted on premises to be licensed as a restaurant shall be the service of meals. No restaurant licensed as such shall sell alcoholic liquor unless its full kitchen, kitchen staff and serving staff are in operation providing the restaurant's full menu to its guests. Alcoholic liquor may be served from a service bar or in a holding bar. (Ord. 2012-M-30 § 1.)
14. "Restaurant and Tavern" means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals actually are served and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. The intent of this definition is that the primary business conducted on premises to be licensed as a restaurant and tavern shall be the service of meals. Provided, all tables at which food is served shall only be served alcoholic liquor by waitpersons from a service bar. Alcoholic liquor may be served from a holding bar, provided, a full menu, including entrees and appropriate side dishes, shall be available at all times liquor sales are being conducted until eleven o'clock (11) p.m. Sunday through Thursday, and eleven o'clock (11) p.m. Friday and Saturday. After such times, in the event a full menu is not provided, a reduced menu, which includes only appetizers, sandwiches, snacks, hors d'oeuvres or other similar foods, shall be available, however provided in no event

shall the kitchen cease operating sooner than one hour before closing. “Sale” means any transfer, exchange or barter in any manner, or by any means whatsoever, and includes and means all sales made by any person, whether principal, proprietor, agent, servant or employee.

15. “Sell at retail” and “Sale at retail” refer to and mean sales for use or consumption and not for resale in any form.
16. “Service bar” means a permanent or portable bar from which waitpersons pick up alcoholic beverages for delivery to food service tables or other locations away from the bar. A service bar shall not have seats or stools or other places for patrons to sit or stand while drinking alcoholic beverages. Patrons shall not be served from a service bar.
17. “Spirits” means any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin, or other spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.
18. “Tavern,” “Bar” or “Saloon” means any place that engages in the retail sale of alcoholic liquor for consumption on the premises. No tavern, bar or saloon shall sell alcoholic liquor unless food/menu items are offered to its guests. In the event a full menu is not provided a reduced menu, which includes appetizers, sandwiches, snacks, hors d’oeuvres or other similar foods, shall be available. (Ord. 2015-M-14 § 1; Ord. 2012-M-30 § 2.)
19. “To sell” includes to keep or expose for sale and to keep with intent to sell.
20. “Wine” means any alcoholic beverage obtained by the fermentation of the natural contents of fruits, or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits.”
21. “Specialty Drink” means any unique or original drink that originates from the licensed establishment and is exclusive to that business.

SECTION TWO: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.020 “Local Liquor Control Commissioner - Designated” of the St. Charles Municipal Code, be and is hereby amended as follows:

- A. Local Liquor Control Commission – Purpose and Creation: A Local Liquor Control Commission is hereby created. The Commission shall be composed of five (5) members. The Local Liquor Control Commissioner shall be the Mayor of the City of St. Charles and he/she be the Chairman of the Local Liquor Control Commission for purposes of presiding over its meetings. The other four (4) members of the Commission shall be appointed by the Local Liquor Control Commissioner. The creation of the Local Liquor Control Commission shall not be construed to grant any substantive authority to the Commission, which shall act as an advisory and hearing commission only.

SECTION THREE: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.060 “License – Dram Shop Insurance Required Prior to Issuance” of the St. Charles Municipal Code, be and is hereby amended by replacing it with the following:

No local liquor license shall be granted to an applicant until such applicant shall furnish evidence satisfactory to the Local Liquor Control Commissioner that such applicant is covered by a policy of dram shop insurance issued by a responsible insurance company authorized and licensed to do business in the state insuring such applicant against liability which such applicant may incur under the provisions of 235 ILCS 5/6-21. The City shall be given at least ten days’ written notice from such insurance carrier prior to cancellation, termination or amendment of any such dram shop insurance. In addition, a copy of said insurance policy must be made available at all times for inspection and filed with the City Clerk.

Every licensee shall be required to provide the Local Liquor Commissioner with a copy of each renewal/new policy of dram shop insurance when applying for either a new or renewal license.

Any licensee failing to provide a copy of the renewal/new policy of dram shop insurance shall pay a late filing fee in the amount of \$50.00. Further, said licensee shall be subject to a fine of not less than two hundred fifty dollars (\$250.00) for their first offense of operating without Dram Shop insurance nor more than seven hundred fifty dollars (\$750.00) for each subsequent offense. Further, said licensee may be subject to a fine and / or license suspension or license revocation as provided by this Chapter 5.08.

SECTION FOUR: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.070 “License – Application Requirements” of the St. Charles Municipal Code, be and is hereby amended by replacing it with the following:

- A. Applications for a local liquor dealer's license shall be made to the Local Liquor Control Commissioner, in writing, signed by the applicant, if an individual, or by a duly authorized agent thereof if not an individual, verified by oath or affidavit, and shall contain the following statements and information:
1. In the case of an individual, the full name, age and address of the applicant; in the case of a co-partnership, the persons entitled to share in the profits thereof; in the case of a corporation, the objects for which it is organized, the names and addresses of the officers and directors, and if five percent or more in interest in the stock of such corporation is owned by a person or his nominee or nominees, the name and address of each such person or persons;
 2. The citizenship of the applicant, his date and place of birth and, if a naturalized citizen, the time and place of his naturalization;
 3. The character of business of the applicant;
 4. The length of time said applicant has been in business of that character;
 5. The amount of goods, wares and merchandise on hand at the time application is made;
 6. The location and description of the premises or place of business which is to be operated under such license;
 - a. If a leased premises, a copy of the lease shall be provided as required and shall be for a term of sufficient length to encompass the period of the license sought.
 - b. The name and address of the owner or owners of the premises and the names and addresses of all the owners of the beneficial interest of any trust if said premises is held in trust;
 7. A statement whether applicant has made similar application for a similar other license on premises other than described in this application, and the disposition of such application;
 8. A statement that applicant has never been convicted of a felony, or a misdemeanor opposed to decency or morality, and is not disqualified to receive a license by reason of any matter or thing contained in the laws of the state or the ordinances of the City;
 9. Whether a previous license by any state or subdivision thereof or by the federal government has been issued; if so, where and when; or if any such license has been revoked, the reason therefor;
 10. The date of incorporation if an Illinois corporation, or the date of becoming qualified under the Illinois Business Corporation Act to transact business in Illinois if a foreign corporation;
 11. A statement that the applicant will not violate any of the laws of the state, or of the United States, or any ordinance of the City in the conduct of his place of business;

12. Any applicant for a newly created city liquor license is to be fingerprinted whether said applicant is an individual or a partnership. Should the applicant be a corporation, the Local Liquor Control Commissioner may, within his discretion, require the following to be fingerprinted: the officers, manager or director thereof, or any stockholder or stockholders owning the aggregate of more than five percent of the capital stock of said corporation. The City police department shall do all such fingerprinting. There shall be a fingerprint fee of fifty (\$50) dollars per application to be paid at time of application and non-refundable.
- B. The Local Liquor Control Commissioner shall issue a written acceptance or rejection of such application within sixty days of its receipt by the Local Liquor Control Commissioner or city clerk in his behalf with the advice and consent of the City Council.
- C. There shall be an application fee of two hundred (\$200) dollars, which shall be non-refundable and if a license is granted applied to the first license fee. BYOB and Special Event license application fees shall be the cost of the license. Any outstanding fines and fees related to said licensure owed to the City by the licensee, its officers, directors or shareholders, shall be satisfied before a license is granted or renewed. All monies paid to the City shall be delivered via a certified bank check, or cash. The City will not accept credit cards or personal checks. At the discretion of the City Clerk, corporate checks may be accepted.

Any license that is issued in advance of the completion of the fingerprint background investigation may be rescinded by the Liquor Commissioner if the results of the investigation do not comply with section 5.08.080 of this Code.

SECTION FIVE: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.090 “License Classifications” of the St. Charles Municipal Code, be and is hereby amended by removing the following:

D-1. Class D-1 licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of any resort hotel or motel only and shall be issued only to the operator of said resort hotel or motel. The licensee shall be permitted sales of alcoholic liquors as permitted by Class B and C licenses. Additionally, each of the residence rooms of the resort hotel or motel may have a mini-bar that may be accessed only by a special key obtained from the hotel management by a patron that may be served alcoholic liquors. Class D-1 licenses shall authorize the sale of alcoholic liquors from one (1) halfway house and from two (2) motorized food and beverage cars operating on the eighteen (18) hole golf course for consumption on said golf course only, subject to the following restrictions: all alcoholic liquors shall be served in other than glass containers; all cars shall only operate on designated golf cart paths.

SECTION SIX: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.090 “License Classifications” of the St. Charles Municipal Code, be and is hereby amended as follows:

D-9. Class D-9 licenses shall authorize the service or delivery of alcoholic liquors, for the consumption on the premises only, at a Small Event Venue. Small Event Venues shall consist of a business for which the exclusive activity is to provide space for catered private parties of less than seventy-five (75) persons, where there is service for consumption at tables of hors d’oeuvres, a buffet, or full multiple course meal, and at which alcoholic liquor may be served incident to such food service. Each venue event at which alcoholic liquor may be served shall be prearranged under the sponsorship of a particular person or organization. Venue events shall not be open to the general public, but attendance shall be by appointment or special invitation of the sponsors. No

admission charge shall be levied to guests at such event venues, except for an event sponsored by a non-for-profit corporation or association registered with the State of Illinois. A Class D-9 license does not permit the direct retail sale of alcoholic liquor from the D-9 licensee to the event sponsor or any event attendees.

For purposes of selling or service of alcoholic liquor for a particular event on the premises, the holder of a Class D-9 license shall engage the services of a vendor who holds a then current and otherwise valid Class B or Class C license issued by the City of St. Charles for the purpose of supplying, opening, dispensing, selling, and/or serving alcoholic liquors for consumption on the premises where the service of food predominates.

As an alternative to engaging the services of a vendor who holds a then current and otherwise valid Class B or Class C license issued by the City of St. Charles for the purpose of selling or delivering alcoholic liquor for a particular event on the premises, the holder of a Class D-9 License may instead allow for the consumption of alcoholic liquors, on the premises, that have been brought onto the premises by a person or persons who have contracted for an event to be held on the premises where the service of food predominates, subject to the following:

1. The licensee shall take control of such alcoholic liquors promptly upon delivery thereof to the premises, and shall provide BASSET trained servers for the opening, dispensing, delivery, and/or serving of such alcoholic liquors during the event.
2. Any and all alcoholic liquors shall be opened, dispensed, delivered and/or served on the premises only by such servers, and only to attendees of the event.
3. A certificate of insurance reflecting coverage for general liability purposes in the amounts otherwise due from and in place for the licensee shall be provided to the licensee by the patron or patrons supplying the alcoholic liquors, and the City of St. Charles and the Local Liquor Control Commission of the City shall be named as an additional insured on the policy.
4. Any alcoholic liquor remaining unserved after the conclusion of the event may be returned to the person or persons who supplied them, to be transported off the premises only in accordance with law.
5. A partially consumed bottle of wine that is to be removed from the premises shall be securely sealed by the licensee or an agent of the licensee prior to removal from the premises and placed in a transparent, one-time use, tamperproof bag.
6. Any license(s) / permit(s) from the State of Illinois.

SECTION SEVEN: That Title 5 “Business Licenses and Regulations,” Chapter 5.08 “Alcoholic Beverages,” Section 5.08.090 “License Classifications” of the St. Charles Municipal Code, be and is hereby amended by adding the following:

D-10. Class D-10 licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of an entertainment venue or theater for consumption on the premises as determined in an approved site plan from a service bar or snack shop. Such licenses shall only be issued to establishments where the service of alcoholic beverages is ancillary and incidental to entertainment services.

D-12. Class D-12 licenses shall authorize the retail sale and consumption of alcoholic liquor, for consumption on the specified premises, as an adjunct to a salon, spa, hairdresser, beautician, manicure, pedicure, and / or barbershop services while the patrons are receiving contemporaneous spa / salon services from the license holder. Special events, such as art and craft shows and charity type events, are permitted on the premises so long as they are within the permitted hours of retail sale of alcoholic liquor. Massage only facilities are prohibited from offering alcoholic liquor to their patrons. The retail sale of alcoholic liquor while receiving spa / salon services shall be limited to one drink per hour, per customer or patron of the premises, and no such customer or patron shall be served more than three alcoholic beverages during the permitted hours of the retail sale of alcoholic liquor during any one calendar day.

SECTION EIGHT: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.090 “License Classifications” of the St. Charles Municipal Code, be and is hereby amended as follows:

E-8. Class E-8 licenses shall authorize the service or delivery of alcoholic liquor, for consumption on the premises only and incident to food service at a special event sponsored by, or conducted at the St. Charles History Museum located at 215 E. Main Street, St. Charles, Illinois. The Class E-8 license shall be issued solely for the conduct of not more than twelve (12) events that the Local Liquor Control Commissioner and Chief of Police deem licensable per calendar year at the specific premises. Each of the events may not be more than one day in duration. The schedule of such events shall be subject to approval by the Chief of Police so as to avoid conflicts between said events and major festivals or events occurring in the City, including, but not limited to Scarecrow Festival, the St. Patrick’s Day Parade, and the Holiday Homecoming Electric Lights Parade. Any such event at the premises which is in whole or partly held outdoors or on the City sidewalk, street or parking facility must otherwise be in accordance with any and all applicable provisions of the City’s Code, including obtaining a special event permit from the City.

For purposes of selling or service of alcoholic liquor for a particular event on the premises, the holder of a Class E-8 license shall engage the services of a vendor who holds a then current and otherwise valid liquor license issued by the City of St. Charles for the purpose of supplying, opening, dispensing, selling, and/or serving alcoholic liquors for consumption on the premises where the service of food predominates.

In the event any Class E license (with respect to any Class E-5 license, if required in whole or in part by the Local Liquor Control Commissioner, City Council or Chief of Police) is for an out of doors special event or catered function, the following shall apply, in addition to all other requirements:

1. The license shall rope off or fence the licensed premises.
2. A sign limiting beer and wine (or alcoholic liquors if permitted by a Class E-1 or Class E-4 license) consumption to the roped off or fenced area shall be prominently displayed by licensee at all times.
3. The license shall provide for the pickup of all litter and trash.
4. The Local Liquor Control Commissioner, with the advice and consent of the City Council, in consultation with the Chief of Police, shall designate on each license issued the number of St. Charles police personnel and/or adult members of the licensee required to be present on the licensed premises at all times beer and wine (or alcoholic liquors if permitted by Class E-1 license) is being served, to

supervise liquor sales and check identification of persons. The licensee shall be responsible for any and all compensation of police personnel at the then current overtime rate. The licensee shall be required to post a cash deposit to secure the payment of such estimated compensation. If said deposit does not cover actual amount due, licensee is responsible for any balance due.

5. A tamper proof wrist band, of a design and in a color (a separate color must be used for each day) approved by the Chief of Police, or his designee, shall be placed on the wrist of each person eligible to purchase beer or wine (or alcoholic liquors if permitted by a Class E-1 license) prior to that person being given access to the licensed premises. Minors shall not be permitted in any licensed premises. Notwithstanding the foregoing, the Local Liquor Control Commissioner may, with the advice and consent of the City Council, and as designated in any license, permit minors to be present in a licensed premises where food is also served.
6. Obtain any licenses and / or permits required by the State of Illinois.

SECTION NINE: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.090 “License Classifications” of the St. Charles Municipal Code, be and is hereby amended as follows:

8. V (Video Gaming) which is a supplemental license only, which permits Video Gaming only in a Licensed Establishment, otherwise qualified to hold a Video Gaming License. Class V licenses shall only be issued to holders of class A-4, A-5, B-1, B-2, B-3, C-1, C-2, C-3, D-2, D-3, D-4, D-5, D-6, G-1, or G-2 liquor licenses, and licensed fraternal and veterans' establishments.

A complete and accurate application to the City for the issuance of a Video Gaming License shall be deemed an application for the issuance of a class V supplemental license.

Class V licenses may only be issued to qualified Licensed Establishments in good standing which have continuously held a class A-4, A-5, B-1, B-2, B-3, C-1, C-2, C-3, D-2, D-3, D-4, D-5, D-6, G-1, or G-2 liquor license, and licensed fraternal and veterans' establishments, and have operated their business on a regular basis for a period of at least one (1) year prior to the date of application for a Class V license.

Class V licenses shall have the same hours of operation as provided for the underlying liquor license as set forth in Title 5.08.130.

SECTION TEN: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.100 “License Fees; Late Night Permit Fees; Fees Established” of the St. Charles Municipal Code, be and is hereby amended by removing the following:

D-1	\$4,000.00	Pheasant Run
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SECTION ELEVEN: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.100 “License Fees; Late Night Permit Fees; Fees Established” of the St. Charles Municipal Code, be and is hereby amended by adding the following:

D-10	\$1,000.00	Entertainment
D-12	\$500.00	Salon / Spa

SECTION TWELVE: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.120 “Temporary License” of the St. Charles Municipal Code, be and is hereby amended by replacing it with the following:

Notwithstanding any provision of this chapter to the contrary, and provided that an applicant has otherwise fully complied with the requirements of this chapter and is eligible to receive a local liquor license, including the payment of the applicable local liquor license fee, the Local Liquor Control Commissioner may issue a temporary local liquor license.

A temporary local liquor license shall be valid for a period of two (2) months, unless sooner terminated, as hereinafter provided. The temporary license must show proof to the City of issuance of a State of Illinois liquor license.

A temporary local liquor license shall terminate upon the first of the following to occur:

1. The expiration of two (2) months after the issuance of such temporary local liquor license;
2. The receipt of satisfactory results with respect to the fingerprint(s) record search for the applicant and the issuance of the local liquor license otherwise provided for by this chapter;
3. The receipt of results with respect to the fingerprint(s) record search for the applicant which would give the Local Liquor Control Commissioner grounds not to issue the local liquor license otherwise provided for by this chapter.

The Local Liquor Control Commissioner may issue no more than two (2) temporary local liquor licenses with respect to a particular application. Any applicant requesting and receiving a temporary local liquor license does so at his own risk. Under no circumstances shall the local license fee paid be prorated or refunded, even if no local liquor license is issued.

SECTION THIRTEEN: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.130 “License – Hours of Sale” of the St. Charles Municipal Code, be and is hereby amended by replacing it with the following:

1. It shall be unlawful for any person holding a Class A- 1, A- 2, A- 2B, A- 4, A- 5, A-6, F- 1, F- 2 or G-2 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises any alcoholic liquor prior to the hour of 7: 00 a.m. and after the hour of 12:00 a.m. (midnight).
2. It shall be unlawful for any person holding a Class B- 1, B- 2, B- 3, C- 1, C- 2, C- 3, D-8, D-9, D-10, D-11, D-12, E-8 or G-1 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any ALCOHOLIC BEVERAGES 5.08-21 licensed premises, any alcoholic liquor between the hours of 12:00 midnight and 7:00 a. m.

3. It shall be lawful for any person holding a B- 1, B-2, B- 3, C- 1, C-2, C- 3, or G-1 license issued pursuant to this chapter to sell, offer for sale, in or upon any licensed premises, any alcoholic liquor until 2:00 a.m. on January 1 without being issued a Late Night Permit.
4. It shall be unlawful for any person holding a Class D- 2, D-4, D- 5, D- 6, or D- 7 license issued pursuant to this liquor chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 2:00 a.m. and 7:00 a.m.
5. It shall be unlawful for any person holding a Class E-2 license or E-4 license issued pursuant to this chapter to sell, offer for sale or to give away, in or upon any licensed premises, any alcoholic liquor between the hours of 12:00 midnight and 10:00 a.m.
6. It shall be unlawful for any person holding a Class E-5 license issued pursuant to this chapter to sell or deliver, in or upon any licensed premises, any alcoholic liquor, except during those hours as specifically set forth in said Class E-5 license.
7. It shall be lawful for any person holding a Class E-6 Temporary License Permit issued pursuant to 5.08-22 this chapter to sell, offer for sale in or upon any licensed premises, any alcoholic liquor until 1:00 a.m. or 2:00 a.m. (on specified date as stated on approved permit by City Council).

SECTION FOURTEEN: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.180 “License – Licensed Premises – Change in Personnel” of the St. Charles Municipal Code, be and is hereby amended by replacing it with the following:

- A. Any changes in partnerships, officers, directors, persons holding directly or beneficially more than five percent of the stock or ownership interest, or managers of establishments licensed under this chapter, shall be reported in writing to the Local Liquor Control Commissioner within ten days of the change. All new personnel shall meet all the standards of this chapter and must otherwise qualify to hold a local liquor license. All such changes in personnel shall be subject to review by the Local Liquor Control Commissioner within thirty days of the change and be reported to the State of Illinois Liquor Commission.
- B. When a license has been issued to a partnership and a change of ownership occurs resulting in a partnership interest by one who is not eligible to hold a liquor license, said license shall terminate.
- C. When a license has been issued to a corporation and a change takes place in officers, directors, managers, or shareholders of more than five percent of the stock, resulting in the holding of office or such shares of stock by one who is not eligible for a license, said license shall terminate.
- D. When a license has been issued to an individual who is no longer eligible for a license, said license shall terminate.
- E. All owners and managers in charge of a local liquor licensed establishment shall at all times be declared with such person(s) or entity(s) names being on record with the Local Liquor Control Commissioner and Chief of Police.
- F. Upon a license being rejected, an applicant or personnel shall be afforded a hearing pursuant to existing protocols established within this chapter.

SECTION FIFTEEN: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.230 “License – Licensed Premises – Location Restrictions” of the St. Charles Municipal Code, be and is hereby amended by replacing it with the following:

The provisions of the Illinois Liquor Control Act *235 ILCS 5/6-11) are expressly adopted in its entirety by the reference and incorporated herein as though a part of this Act. Any such exemptions must be authorized by ordinance pursuant to 235 ILCS 5/6-11(a)(5).

SECTION SIXTEEN: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.250 “Regulations Applicable Generally” of the St. Charles Municipal Code, be and is hereby amended as follows:

23. Payment of Taxes, Fees, Charges and Other Monies to City when Due - It is the obligation of every licensee to pay to the City, ON OR BEFORE THE DUE DATE, each and every tax (including, but not limited to the St. Charles Alcohol Tax), fee, charge or other monetary obligation imposed by and/or owed to the City by said licensee. The failure of a licensee to make any required payment, ON OR BEFORE THE DUE DATE, shall subject the licensee to a Citation being issued to determine if the licensee shall be fined and / or having its license suspended or revoked.

SECTION SEVENTEEN: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.320 “License – Revocation or Suspension – Hearing Procedure” of the St. Charles Municipal Code, be and is hereby amended by replacing it with the following:

- A. The Local Liquor Control Commissioner may, in accordance with the law and the provisions of the Liquor Control Act of 1934 (235 ILCS 5/1-1 et seq.), as amended, revoke or suspend any license issued under his authority if he determines that the licensee has violated any of the provisions of said Act or of any ordinance or resolution enacted by the corporate authorities of the City or any applicable rule or regulation established by the Local Liquor Control Commissioner or the Illinois Liquor Control Commission which is not inconsistent with law. In addition to or in lieu of a suspension, the Local Liquor Control Commissioner may levy a fine on the licensee for such violations. The fine imposed shall not exceed One Thousand (\$1,000) Dollars for a first violation within a twelve (12) month period, One Thousand Five Hundred (\$1,500) Dollars for a second violation within a twelve (12) month period, and Two Thousand Five Hundred (\$2,500) Dollars for a third or subsequent violation within a twelve (12) month period. Each day on which a violation continues shall constitute a separate violation. Not more than Fifteen Thousand (\$15,000) Dollars in fines under this section may be imposed against any licensee during the period of his license. Proceeds from such fines shall be paid into the general corporate fund of the City Treasury. However, no such license shall be so revoked or suspended and no license shall be fined except after a public hearing by the Local Liquor Control Commissioner with a three-day (3) written notice to the licensee, affording the licensee an opportunity to appear and defend. Further, in the event that the Local Liquor Control Commissioner shall find a licensee guilty of violating any provision of this chapter, they may order the licensee to pay to the City the following: 1) reasonable attorney’s fees incurred by the City, the Chief of Police and the Local Liquor Control Commissioner; and 2) reasonable costs, including but not limited to the costs of court reporter fees and witness fees incurred by reason of the hearing.
- B. If the Local Liquor Control Commissioner has reason to believe that any continued operation of a particular licensed premises will immediately threaten the welfare of the community, they may, upon the issuance of a written order stating the reason for such conclusions and without notice of hearing, order the licensed premises closed for not more than seven (7) days, giving the licensee an opportunity to be heard during that period; except, if the licensee is also engaged in another business on the licensed premises, such order shall not be applicable to such other business.
- C. The Local Liquor Control Commissioner shall, within five (5) days after such hearing, if they determine after such hearing that the license should be revoked or suspended, or that the licensee should be fined, shall state the reason for such determination in a written order of revocation or suspension and serve a copy of such order within the five (5) days upon the licensee.
- D. Review of decisions of the Local Liquor Control Commissioner shall be as provided for in Section 5/7-9 of Chapter 235 of the Illinois Compiled Statutes.

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

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

PRESENTED to the City Council of the City of St. Charles, Illinois, this ___ day of _____, 2020.

PASSED by the City Council of the City of St. Charles, Illinois this ___ day of _____, 2020.

APPROVED by the Mayor of the City of St. Charles, Illinois, this _____ day of _____, 2020.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes : _____

Nays : _____

Absent : _____



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item Number: IIA3

Title:

Motion to approve an Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.09 “Video Gaming”, of the St. Charles Municipal Code.

Presenter:

Police Chief Keegan

Meeting: City Council

Date: October 5, 2020

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted:

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

After review and discussion at the September Government Operations meeting, City staff was asked to revise the proposed ordinance language with regard to liquor and video gaming license eligibility.

Please see the attached document for the revised, proposed changes to the City of St. Charles City Code. Chief Keegan will discuss the aforementioned changes at City Council.

Attachments *(please list):*

Changes highlighted in ordinance format

Recommendation/Suggested Action *(briefly explain):*

Recommendation to modify City Code with the listed revisions to Title 5 “Business Licenses and Regulations”, Chapter 5.09 “Video Gaming”, of the St. Charles Municipal Code.

Recommended Changes to City Video Gaming Code October 2020

5.09.020 – Video Gaming Allowed

VIDEO GAMING ALLOWED: Video Gaming is allowed in certain Licensed Establishments within the City only in accordance with this Article. Subject to all other provisions of this Article, Video Gaming shall only be permitted and a Video Gaming License issued to a Licensed Establishment that is the holder of a class A-4, A-5, B-1, B-2, B-3, C-1, C-2, C-3, D-2, D-3, D-4, D-5, D-6, G-1, or G-2 liquor license, or fraternal or veterans' establishment liquor license. ~~B, C or D liquor license, fraternal establishments and veterans' establishments.~~ Further, subject to all other provisions of this Article, Video Gaming shall only be permitted and a Video Gaming License issued to a Licensed Establishment that, in addition to being the holder of a class A-4, A-5, B-1, B-2, B-3, C-1, C-2, C-3, D-2, D-3, D-4, D-5, D-6, G-1, or G-2 liquor license, or fraternal or veterans' establishment liquor license, ~~class B, C or D liquor license, fraternal establishments and veterans' establishments~~ has also been issued a supplemental class V (video gaming) liquor license.

5.09.050 – Term of License

TERM OF LICENSE: All Licenses shall be valid for a period not to exceed one year after issuance, unless sooner terminated, revoked or suspended as provided by law; and all licenses shall terminate on April 30 next following their issuance.

No license shall be issued or renewed if the license, its officers, directors, or shareholders are in arrears of any debt owed to the City.

(2018-M-8: 1 & 2; 2015-M-47: 3)

City of St. Charles, Illinois
Ordinance No. 2020-M-_____

**An Ordinance Amending Title 5 “Business Licenses and Regulations”;
Chapter 5.09 “Video Gaming”; Sections 5.09.020 “Video Gaming Allowed”
and 5.09.050 “Term of License” of the St. Charles Municipal Code**

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

SECTION ONE: That Title 5 “Business Licenses and Regulations,” Chapter 5.09 “Video Gaming,” Section 5.09.020 “Video Gaming Allowed” of the St. Charles Municipal Code, be and is hereby amended by replacing it with the following:

VIDEO GAMING ALLOWED: Video Gaming is allowed in certain Licensed Establishments within the City only in accordance with this Article. Subject to all other provisions of this Article, Video Gaming shall only be permitted and a Video Gaming License issued to a Licensed Establishment that is the holder of a class A-4, A-5, B-1, B-2, B-3, C-1, C-2, C-3, D-2, D-3, D-4, D-5, D-6, G-1, or G-2 liquor license, or fraternal or veterans' establishment liquor license.. Further, subject to all other provisions of this Article, Video Gaming shall only be permitted and a Video Gaming License issued to a Licensed Establishment that, in addition to being the holder of a class A-4, A-5, B-1, B-2, B-3, C-1, C-2, C-3, D-2, D-3, D-4, D-5, D-6, G-1, or G-2 liquor license, or fraternal or veterans' establishment liquor license, has also been issued a supplemental class V (video gaming) liquor license.

SECTION TWO: That Title 5 “Business Licenses and Regulations,” Chapter 5.09 “Video Gaming,” Section 5.09.050 “Term of License” of the St. Charles Municipal Code, be and is hereby amended by replacing it with the following:

TERM OF LICENSE: All Licenses shall be valid for a period not to exceed one year after issuance, unless sooner terminated, revoked or suspended as provided by law; and all licenses shall terminate on April 30 next following their issuance.

No license shall be issued or renewed if the license, its officers, directors, or shareholders are in arrears of any debt owed to the City.

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

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

PRESENTED to the City Council of the City of St. Charles, Illinois, this ___ day of _____, 2020.

PASSED by the City Council of the City of St. Charles, Illinois this ____ day of _____, 2020.

APPROVED by the Mayor of the City of St. Charles, Illinois, this ____ day of _____, 2020.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes : _____

Nays : _____

Absent : _____



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item Number: *IIA5

Title:

Motion to approve a Proposal for an A-1 Liquor License Application for Mr. A's Prairie and Liquor, Located at 1401 Prairie St., St. Charles.

Presenter:

Police Chief James Keegan

Meeting: City Council Meeting

Date: October 5, 2020

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted:

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

After review and discussion at the Government Operations Committee meeting on September 21, the applicant was asked to provide an updated business plan including hours of operation. Requested information is attached.

Attachments *(please list):*

Section II. Business Summary including hours of operation for Mr. A's Prairie and Liquor

Recommendation/Suggested Action *(briefly explain):*

Motion to approve a proposal for an A-1 Liquor License application for Mr. A's Prairie Liquor and Wine, located at 1401 Prairie St., St. Charles.

II. BUSINESS SUMMARY

Industry Overview

In the United States, the retail wine and liquor industry presently makes 450,000 dollars in sales.

Liquor sales are up due to Covid 19 and people are staying home more and more. This should help us grow our business.

Research shows that consumers in this industry primarily focus on the following factors when making purchasing decisions:

to help service and cater to the local people of St Charles and become an active member of the chamber of commerce as well.

Business Goals and Objectives

Short Term:

Clean up and re organize the location. Operational hours within the limits of the city laws. We will being to operate 10am-10pm and adjust as needed within the limits of the license.

Long Term:

build a clientele that appreciates our selection and cater to the local community.

Legal Issues

The Company affirms that its promoters have acquired all legally required trademarks and patents.

MINUTES
CITY OF ST. CHARLES
GOVERNMENT OPERATIONS COMMITTEE
ALD. MAUREEN LEWIS, CHAIR
MONDAY, SEPTEMBER 21, 2020

1. Call to Order

The meeting was called to order by Chairman Lewis at 7:50 pm.

2. Roll Call

Present: Ald. Stellato, Silkaitis, Payleitner, Lemke, Gruber, Bancroft, Vitek, Pietryla, Bessner

Absent: None

3. Administrative

- a. Fuel Tax Information August, 2020
- b. Video Gaming Statistics August, 2020

4. Omnibus Vote

- a. Items with an asterisk (*) are considered to be routine matters and will be enacted by one motion. There will be no separate discussion on these items unless a council member/citizen so requests, in which event the item will be removed from the consent agenda and considered in normal sequence on the agenda.

5. Police Department

Chief Keegan explained that an audit was done of the City Code by Tom Bastian of Storino, Ramello & Durkin to ensure the City of St. Charles following industry best practices and standards. The Chief noted that all the items were presented at the Liquor Control Commission meeting and advanced forward with a 4-0 recommendation. Chief Keegan read from the redline document for each item in the packet and highlighted the changes.

- a. **Recommendation to approve an Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, of the St. Charles Municipal Code.**

Chief Keegan read from the redline document and highlighted the changes.

Ald. Bessner asked if an establishment can have only one machine and what is the maximum number of machines allowed? Chief Keegan answered that 1 – 6 machines is allowed per the State of Illinois.

Chairman Lewis asked if spas, barber shops and salons are eligible for video gaming machines. Atty. Peppers answered that he will have to review the code. Chairman Lewis asked that an answer be given prior to the City Council meeting on October 5 when this will receive a final vote.

Motion by Ald. Bessner, second by Ald. Vitek to recommend approval of an Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, of the St. Charles Municipal Code.

Voice Vote: Ayes: Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Stellato, Silkaitis; Nays: None. Chairman Lewis did not vote as Chairman.

Motion Carried.

- b. **Recommendation to approve an Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.20 “Massage Establishments”, of the St. Charles Municipal Code.**

Chief Keegan read from the redline document and highlighted the changes.

Motion by Ald. Bancroft, second by Stellato to recommend approval of an Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.20 “Massage Establishments”, of the St. Charles Municipal Code.

Voice Vote: Ayes: Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Stellato, Silkaitis; Nays: None. Chairman Lewis did not vote as Chairman.

Motion Carried.

- c. **Recommendation to approve an Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.09 “Video Gaming”, of the St. Charles Municipal Code.**

Chief Keegan read from the redline document and highlighted the changes.

Ald. Bessner asked what initiated the cameras for video gaming. Chief Keegan said that the wagers and the recording all financial transactions.

Motion by Ald. Silkaitis, second by Ald. Stellato to recommend approval of an Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.09 “Video Gaming”, of the St. Charles Municipal Code.

Voice Vote: Ayes: Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Stellato, Silkaitis; Nays: None. Chairman Lewis did not vote as Chairman.

Motion Carried.

- d. **Recommendation to approve an Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.16 “Tobacco”, of the St. Charles Municipal Code.**

Chief Keegan read from the redline document and highlighted the changes.

Motion by Ald. Stellato, second by Ald. Bancroft to recommend approval of an Ordinance Amending Title 5 “Business Licenses and Regulations”, Chapter 5.16 “Tobacco”, of the St. Charles Municipal Code.

Voice Vote: Ayes: Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Stellato, Silkaitis; Nays: None. Chairman Lewis did not vote as Chairman.

Motion Carried.

- e. **Recommendation to approve a new Class A Liquor License Application for ANB Liquor LLC dba Mr. A’s Prairie Liquor & Wine located at 1401 Prairie Street, St. Charles.**

Chief Keegan mentioned that this item was presented at the Liquor Control Commission meeting and advanced with a 4 – 0 recommendation. The petitioners own and operate three liquor stores in West Chicago. They have a nice business model and packet. Chief noted one error in the Business Plan that should read \$450,000 in sales, not \$450. The West Chicago Police Department was contact and there were no issues with the applicant.

Ald. Payleitner asked for the hours to be added to the applicant’s business plan prior to the City Council Meeting on October 5. Chief mentioned that the hours for an A1 liquor license, by ordinance, are 7:00 a.m. – 12:00 a.m., the petitioners indicated that they will be open from 10:00 a.m. – 10:00 p.m. The applicant indicated that he would send the revised plan to the Mayor’s Office.

Motion by Ald. Stellato, second by Ald. Payleitner to recommend approval of a new Class A Liquor License Application for ANB Liquor LLC dba Mr. A’s Prairie Liquor & Wine located at 1401 Prairie Street, St. Charles.

Voice Vote: Ayes: Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Stellato, Silkaitis; Nays: None. Chairman Lewis did not vote as Chairman.

Motion Carried.

6. Additional Items from Mayor, Council, Staff, or Citizens.

7. Executive Session

- Personnel – 5 ILCS 120/2(c)(1)
- Pending Litigation – 5 ILCS 120/2(c)(11)
- Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
- Property Acquisition – 5 ILCS 120/2(c)(5)
- Collective Bargaining – 5 ILCS 120/2(c)(2)
- Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

8. Adjournment

Motion by Ald. Stellato, second by Ald. Pietryla to adjourn the meeting at 8:32 p.m.

Voice Vote: Ayes: Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Stellato, Silkaitis; Nays: None. Chairman Lewis did not vote as Chairman.

Motion Carried.

:tc



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: *IIB7

Title:

Recommendation to Approve Professional Service Agreement for the Riverside Lift Station

Presenter:

Tim Wilson

Meeting: City Council

Date: October 5, 2020

Proposed Cost: \$1,389,000

Budgeted Amount: \$1,315,000

Not Budgeted:

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

Chairman Silkaitis requested that the Final RFQ Evaluation for the Riverside Lift Station Replacement Project be added for City Council review.

As requested of Tim Wilson during the Government Services Meeting (Agenda Item # 5.e.), please find attached the RFQ Results for the Riverside Lift Station Professional Services Agreement. I trust that the attached information will provide the additional detail the committee requested, but if not, please feel free to contact Peter Suhr or Tim Wilson before the City Council meeting where this item will be considered for final approval.

Attachments *(please list):*

- * Riverside Lift Station Replacement Project Final RFQ Evaluation
- * Resolution

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve Professional Services Agreement for the Riverside Lift Station Replacement to Trotter and Associates for \$1,389,000 and a Resolution authorizing the Mayor and Clerk to execute the same on the behalf of the City of St Charles.



Final RFQ Evaluation

**RFQ & Proposal: Design, Bid, and Construction Engineering:
Riverside Lift Station
Replacement Project # 1062**

Date: October 30, 2019

TO: Prospective Applicants

The Technical Evaluation Committee evaluated all proposals in strict accordance with the evaluation criteria set forth in the RFQ. The City will be moving forward with Step #2 of the RFQ. At this time the negotiation will commence with Trotter and Associates.

We want to thank you for your submittal and your interest in this engagement, and we look forward to your future participation in future RFQs for similar engagements.

Should you have any questions about this matter, please feel free to contact Tim Wilson.

iii) QBS Step 2 – Negotiating a Contract

1. The City selects the most qualified firm and negotiations begin.
2. If the proposed fee is fair and reasonable, a contract is awarded. In determining fair and reasonable cost, scope, complexity, professional nature, and estimated value of services should be considered.
3. If an agreement cannot be reached with the top-ranked firm, negotiations are terminated and the process begins with the next-most-qualified firm. This process continues until an agreement is reached.

Submittal Evaluation

Submitting Firm	Max Points 600
Trotter and Associates	535.5
Engineering Enterprises	491
Baxter & Woodman	471.25
Stanley Consultants	455
IMEG Corp.	339.5

City of St. Charles, Illinois
Resolution No. _____

A Resolution to Approve a Professional Services Agreement to Trotter and Associates, Inc. for the Riverside Lift Station in the amount of \$1,389,000

**Presented & Passed by the
City Council on October 5, 2020**

WHEREAS, the City received three (3) RFQ submissions on October 21, 2019;

THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, that a Professional Services Agreement for the Riverside Lift Station be awarded to Trotter and Associates, Inc. in the amount of \$1,389,000.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 5th day of October, 2020.

PASSED by the City Council of the City of St. Charles, Illinois, this 5th day of October, 2020.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 5th day of October, 2020.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: IIC1

Title:

Motion to approve A Resolution Removing a Portion of Bike Path as a Required Land Improvement for The Reserve of St. Charles Subdivision

Presenter:

Rita Tungare

Meeting: City Council

Date: October 5, 2020

Proposed Cost: N/A

Budgeted Amount: N/A

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

On September 14, 2020 P&D Committee recommended 7-1 to approve a request submitted by Omni-Tech LLC, the developer of The Reserve of St. Charles subdivision, to remove the requirement for the developer to construct a 10 ft. wide bike path along the northern portion of the subdivision's Rt. 31 frontage, and to remove the obligation of constructing the bike path from the Letter of Credit. The HOA would receive the funds for landscaping improvements. Committee discussed the City does not need to retain ownership of the strip of land intended for the bike path, nor require an easement to enable its future construction.

Staff has discussed this matter with the City Attorney and has clarified that the City does not own the strip of land identified for the bike path. Rather, the bike path strip was dedicated to the City.

A Resolution removing the bike path as a required land improvement would be sufficient to eliminate the developer's obligation to construct the bike path. The path dedication is non-exclusive and can remain as-is; the HOA, which owns the parcel of land on which the bike path dedication is granted, would have the ability to utilize and landscape within the dedication. Alternatively, a Plat of Vacation could be prepared, formally removing the bike path dedication from the Plat of Subdivision, however the developer and HOA representative did not believe this was necessary.

Staff has prepared a Resolution which takes the following action:

1. Removes the bike path shown on the preliminary plan as a required land improvement.
2. Removes the developer's obligation in the Land Improvement Agreement to construct the bike path.
3. Requires the developer to provide the HOA with funds in the amount being held for the bike path (\$20,700) to be used by the HO for landscaping improvements, prior to the City releasing the Letter of Credit.

If the Resolution is approved by City Council, staff would release the Letter of Credit once the above condition (#3) is met.

Attachments (please list):

Resolution

Recommendation/Suggested Action (briefly explain):

Motion to approve A Resolution Removing a Portion of Bike Path as a Required Land Improvement for The Reserve of St. Charles Subdivision

City of St. Charles, Illinois
Resolution No. 2020-_____

**A Resolution Removing a Portion of Bike Path as a Required Land
Improvement for The Reserve of St. Charles Subdivision**

**Presented & Passed by the
City Council on _____**

WHEREAS, the City of St. Charles (“City”) previously approved Resolution No. 2007-50 “A Resolution Approving the Final Plat for Reserve of St. Charles” and Ordinance No. 2005-Z-4 “An Ordinance Approving the Preliminary Plan for The Reserve of St. Charles”, and said Preliminary Plan depicted a 10 ft. wide bike path along the Rt. 31 frontage of the subdivision within Parcel 1, Parcel 2 and Parcel 3 identified on the Final Plat; and

WHEREAS, on or about July 20, 2009, the City entered into a Land Improvement Agreement between the City and Omni-Tech LLC, the current developer of The Reserve of St. Charles, which identifies the unconstructed 10 ft. wide bike path within Parcel 1 (“Bike Path”) as a required Land Improvement to be completed by the developer, as indicated in Exhibit B “Cemcon Estimates” and as included in the Letter of Credit held by the City for the cost of the outstanding subdivision improvements identified in said Land Improvement Agreement; and

WHEREAS, on or about July 29, 2020, the City received a letter from Gary Janko, Manager of Omni-Tech, LLC, requesting the Bike Path be removed from the Letter of Credit, with the stated intention of allowing The Reserve of St. Charles Homeowners Association to utilize the funds for landscaping improvements within the HOA parcels; and

WHEREAS, on or about September 14, 2020 the Planning & Development Committee of the City Council recommended approval of the request to remove the requirement for construction of the bike path, given the lack of connectivity along Rt. 31 and existing alternative bike routes in the vicinity.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois:

1. The Bike Path within Parcel 1 depicted on the Preliminary Plan for The Reserve of St. Charles shall not be a required Land Improvement for the subdivision.
2. The Bike Path identified in Exhibit B of the Land Improvement Agreement at an estimated cost of \$20,700.00 may be omitted from the Agreement.
3. The City shall reduce the Letter of Credit for the estimated amount of the Bike Path upon receipt of verification that Omni-Tech LLC has provided The Reserve of St.

Resolution No. _____

Page 2

Charles Homeowners Association with funds in the amount of \$20,700.00 to be used for landscaping improvements.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, this 5th day of October 2020.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, this 5th day of October 2020.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois, this 5th day of October 2020.

Raymond P. Rogina

Attest:

City Clerk/Recording Secretary

Voice Vote:

Ayes:

Nays:

Absent:

Abstain:

**MINUTES
CITY OF ST. CHARLES, IL
PLANNING AND DEVELOPMENT COMMITTEE
MONDAY, SEPTEMBER 14, 2020 7:00 P.M.**

Members Present: Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis

Members Absent: None

Others Present: Mayor Rogina, Mark Koenen; City Administrator, Rita Tungare; Director of Community & Economic Development, Russell Colby; Assistant Director of Community & Economic Development, Ellen Johnson; City Planner, Rachel Hitzemann; City Planner, Ciara Miller; Econ. Dev. Planner, Chris Minick; Director of Finance, Nick Peppers, City Attorney

1. CALL TO ORDER

The meeting was convened by Chair Payleitner at 7:00 p.m.

2. ROLL CALLED

Roll was called:

Present: Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek, Pietryla, Bessner, Lewis

Absent:

3. OMNIBUS VOTE

*4h. Consideration of a request to rename Porter Court.

*4i. Recommendation to approve a Right-of-Way License Agreement between the City of St. Charles and St. Charles Public Library District regarding the St. Charles Public Library, 1 S. 6th Ave.

Aldr. Bessner made a motion to approve omnibus items *4h and *4i, on the Agenda. Seconded by Aldr. Pietryla. Approved unanimously by voice vote. Motion Carried.

4. COMMUNITY & ECONOMIC DEVELOPMENT

- a. Recommendation to approve an Economic Incentive Agreement with McGrath Motors, Inc. (McGrath Honda relocation and expansion at former Mega Center property).

Mr. Koenen presented the Executive Summary posted in the meeting packet.

Aldr. Lemke asked if the 75% that is going back to McGrath is helping them payoff the improvements they are making. Mr. Koenen said the \$4 million is assistance for land purchase and site development and about \$1.2 million is for infrastructure.

Aldr. Stellato made a motion to recommend approval of an Economic Incentive Agreement with McGrath Motors, Inc (McGrath Honda relocation and expansion at former Mega Center property). Seconded by Aldr. Bancroft.

Roll was called:

Ayes: Pietryla, Bessner, Lewis, Stellato, Silkaitis, Lemke, Bancroft, Vitek

Absent:

Recused:

Nays:

Motion passed 8-0

- b. Plan Commission recommendation to approve a Preliminary and Final Plat of Subdivision for Pheasant Run Resort Subdivision.

Mr. Colby presented the Executive Summary posted in the meeting packet.

Aldr. Lewis asked if it was correct that the issue of sidewalks could be determined later. Mr. Colby said there is currently no sidewalk system in place along the frontage of the property and limited crossings to connect to. The thought was as these lots are developed, and depending on the layout, the sidewalk network may be on the perimeter of the site or through it.

Aldr. Bessner made a motion to approve a Preliminary and Final Plat of Subdivision for Pheasant Run Resort Subdivision. Seconded by Aldr. Pietryla. Approved unanimously by voice vote. Motion Carried.

- c. Recommendation to approve a Minor Change to PUD for Prairie Centre Mixed Use buildings.

Mr. Colby presented the Executive Summary posted in the meeting packet.

Aldr. Bessner made a motion to approve to a Minor Change to PUD for Prairie Centre Mixed Use building. Seconded by Aldr. Vitek. Approved unanimously by voice vote. Motion Carried.

- d. Presentation of Concept Plan for Anthony Place 2.

Ms. Hitzemann presented the Executive Summary posted in the meeting packet.

Chealon Shears, representative for GC Housing Development LLC, provided further information regarding the building details and unit amenities. She stated they are requesting a waiver for the applicable inclusionary housing, park and school fees.

Aldr. Pietryla asked if they were seeking to amend the PUD only or if they were also asking for zoning change. Ms. Shears said the original request was for rezoning, but the Plan Commission recommended retaining the BR classification and to address bulk and use standards through the PUD without rezoning.

Aldr. Silkaitis asked for clarification as to what the land/cash ordinance calls for and what the applicant is requesting. Mr. Colby said the land/cash ordinance would apply to this

project because they are considered residential units. The Inclusionary Housing Ordinance requires projects to provide a portion of units as affordable or a fee in lieu paid. One of the incentives to have the units constructed is that there is a development cost offset that would essentially waive all the City's applicable development fees, including the school and park land cash fees, for the portion of units that are affordable. A project of this size would typically require 10% of the units be made affordable and those fees would be waived. Since the entire project consists of affordable units, the request is for the development cost offset incentive be applied to the entire project. This would mean all the City's fees, along with the school and park fees, would be waived. Staff sent the request information to the school and park districts for feedback. The school district would not be as impacted, because based on the type of units, this would be a relatively low fee. The park district reviewed the request, but would like to hear the City's opinion before offering their opinion. Mr. Colby said if this moves forward, the request could be accommodated through the PUD ordinance.

Aldr. Silkaitis asked if they could put the age restriction in the ordinance so that whatever they agree to goes with the property and not the ordinance. Ms. Shears said that would be acceptable.

Aldr. Silkaitis asked if they bypassed the park donation for other similar developments. Mr. Colby said they have not had this type of request with a 100% affordable age-restricted project. Aldr. Silkaitis also asked if there has been an increased demand for this type of housing in the area. Ms. Shears said they leased out phase 1 units within a two-month period and they have a healthy waitlist for the next phase. Aldr. Lewis asked if they could guarantee priority to St. Charles residents. Ms. Shears stated they need to abide by the Fair Housing Act. However, from past experience the vast majority of residents have been within the region of St. Charles.

- e. Plan Commission recommendation to approve a Zoning Map Amendment, Special Use for Planned Unit Development and PUD Preliminary Plan for Munhall Glen.

This item was not presented.

- f. Plan Commission recommendation to approve a Map Amendment, Special Use for Planned Unit Development, and PUD Preliminary Plan for Pride of Kane County, southeast corner of Kirk Rd. and E. Main St.

Ms. Johnson presented the Executive Summary posted in the meeting packet.

Aldr. Lemke said he would need to see a draft of the annexation agreement before deciding. Ms. Johnson said it was not fully drafted yet because they were waiting for further feedback on the proposed items and before setting of a public hearing date for the annexation agreement. Aldr. Lemke felt there was no reason to limit what is otherwise permitted in other retail zoning areas.

Mario Spina, owner of Parent Petroleum, said it is going to be an expensive site to develop due to the restrictions on the site. He said they are not asking for sales tax abatement as others do with annexed properties which is why they asked for assistance with the

sidewalk. He clarified their request to restrict other gas stations on Main Street. He said if the property doesn't currently allow for gas station use, that there won't be any new rezoning for that use on Main Street. It's not to change the existing zoning for sites already zoned for gas station use. Another station in close proximity can kill the economics of the location.

Jayne Muenz, 27 Southgate Course, expressed concerns over the use of this lot. She felt it wasn't the right use of the lot and stated the number of accidents would increase. She also noted the plan for this particular use goes against at least five points in the Comprehensive Plan. She was against the non-competitive nature of the restriction limiting other gas stations in the area and having a gas station at the entry to the east gateway.

Aldr. Silkaitis said he has trouble supporting the sidewalk request and the restriction on rezoning other properties.

Aldr. Bancroft felt the radius restriction wasn't appropriate, but he would be open to further discussion on incentives. He said they have not seen any other options presented for that site and they need to consider if they would prefer to keep it left as is.

Aldr. Vitek said she only has an issue with the competitive piece. Aldr. Pietryla was not in favor of the plan.

Aldr. Bessner asked if the radius restriction applied all the way down Main Street to the river. Mr. Spina said that is correct and it is due to the volume of customers needed to survive. Aldr. Bessner asked staff if any current gas stations close or resell, would they fall under the "no gas station" restriction. Mr. Colby stated they would need to go through a process to understand what they would be trying to accomplish by imposing this type of restriction. Mr. Peppers said he would have serious reservation of the legal sufficiency of this Council agreeing to enact zoning in an annexation agreement or a zoning approval to limit competition on other property.

Aldr. Lewis stated this is not the proper land use. She felt the corner needs to be more of a destination than an in/out convenience type thing.

Aldr. Bessner asked if the restriction on other gas stations is a deal breaker. Mr. Spina said it's a concern.

Aldr. Stellato said that corner should have been an outlot in conjunction with Main Street Commons and they missed the boat. They are dealing with a very complex corner. The Comprehensive Plan is simply a guide and it needs to be adapted to the market. He feels this is the right development for this corner at this time and sales tax dollars are huge for gas stations. However, he still has issues with the non-compete clause.

Chair Payleitner asked staff for advice on moving forward. Ms. Tungare said based on the feedback received, the applicant needs to decide if they want to advance forward with the annexation agreement. She said a motion is not necessary at this point.

- g. Consideration of a request regarding The Reserve of St. Charles bike path.

Ms. Johnson presented the Executive Summary posted in the meeting packet.

Jay Dulla, Managing Director of Meritus Homes, said the bike path issue has been resolved over the years. He said they agreed to the \$23,805 and would like to give it to the HOA to make some improvements.

Terry Whitter, 1125 Reserve Dr., represented the HOA. She said they have received complaints from homeowners about damage caused by a tree service company working in the unincorporated area that runs along the subdivision. They have begun landscape renovations of this parcel and have installed a security fence. They would use the money to continue further renovations around this area.

Aldr. Bancroft said the bike path never came to fruition and felt this would be a good solution. Aldr. Lewis said there are still homes that need to be built in that subdivision and would prefer to leave things as they are or have the city take control of the property. Aldr. Bancroft disagreed. He felt they would be waiting for a plan that doesn't exist. He would rather have the money released to benefit the property owners. Aldr. Lemke felt there was no longer a need for a bike path due to other street connections that are now completed.

Aldr. Bancroft made a motion to approve the request for the release of the requirement for a bike path and correspondingly the dollars that are held as security to the neighborhood association. Seconded by Vitek.

Roll was called:

Ayes: Pietryla, Bessner, Stellato, Silkaitis, Lemke, Bancroft, Vitek

Absent:

Recused:

Nays: Lewis

Motion passed 7-1

5. ADDITIONAL BUSINESS – None.

6. EXECUTIVE SESSION – None.

7. ADDITIONAL ITEMS FROM MAYOR, COUNCIL, STAFF OR CITIZENS - None.

8. ADJOURNMENT - Aldr. Pietryla made a motion to adjourn at 8:20 p.m. Seconded by Aldr. Bessner. Approved unanimously by voice vote. Motion Carried.