

AGENDA
CITY OF ST. CHARLES
GOVERNMENT OPERATIONS COMMITTEE
ALD. MAUREEN LEWIS, CHAIR
MONDAY, AUGUST 19, 2019
IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – 2 EAST MAIN STREET

1. Call to Order

2. Roll Call

3. Administrative

- a. Video Gaming Statistics – Information Only
- b. Fuel Tax Receipts, July 2019 – Information Only

4. 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.

5. Fire Department

- *a. Recommendation to approve the Closing of Parking Lot J and the 100 Block of Riverside Drive on October 19, 2019 from 7 a.m. to 4 p.m. for Fire Department Open House Events.

6. Finance Department

- *a. Budget Revisions – July 2019
- b. Recommendation to approve an Ordinance Amending Title 3 “Revenue and Finance”, Chapter 3.42 “Alcohol Tax” of the St. Charles Municipal Code.
- c. Recommendation to approve the award of a 5 year contract for procurement software to Negometrix.

7. Police Department

- a. Recommendation to approve a proposal for a new class D8 liquor license for Ilic Enterprises, LLC dba Board and Brush St. Charles located at 303 N 4th Street.
- b. Recommendation to approve a proposal for a new class B liquor license including a 1:00 am permit for Da Hood & Co., located at 11 N 3rd Street.
- c. Recommendation to approve a proposal for an new class E1 temporary liquor license for the St. Charles Chamber of Commerce for the Cruise Night final event being held at Classic Car and Auto on September 13 & 14, 2019.

8. City Administration

- a. Recreational Cannabis –continued discussion from August 5, 2019.

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

11. Adjournment

ADA Compliance

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

Every effort will be made to allow for meeting participation. Notices of this meeting were posted consistent with the requirements of 5 ILCS 120/1 et seq. (Open Meetings Act).

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 3a

Title: Video Gaming Statistics – Information Only

Presenter: Jim Keegan, Chief of Police

Meeting: Government Operations Committee

Date: August 19, 2019

Proposed Cost: \$

Budgeted Amount: \$

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

Latest statistics on video gaming and what businesses have been approved by the state and city staff of the St. Charles Police Department, pending applications into the State for approval, and January 2012 – July 2019 report for St. Charles Video Gaming Revenue as of July 2019.

Attachments *(please list):*

Table – Current Licensed Video Gaming Establishments/Pending Applicants
Illinois Gaming Board Video Gaming Report – January 2012 – July 2019
Illinois Gaming Board Video Gaming Report - July 2019

Recommendation/Suggested Action *(briefly explain):*

None – For Information Only

City of St. Charles
Video Gaming Statistics
July, 2019

LICENSED ESTABLISHMENTS	CORPORATION NAME	ADDRESS	
Alexanders Cafe	Alexanders Café, Inc.	1650 W. Main St.	St. Charles
Alibi Bar & Grill	Alibi Bar & Grill, Ltd.	12 N. 3rd St.	St. Charles
Alley 64	Alley 64, Inc.	212 W. Main St.	St. Charles
Rookies	Kane County Rookies, LLC	1545 W. Main St.	St. Charles
Crazy Fox	Crazy Fox, LLC	104 E Main St	St. Charles
Dawn's Beach Café	Dawn's Café, LTD	8 N Third St.	St. Charles
Main Street Pub	Main Street Pub	204 W Main St	St. Charles
The Filling Station	Health Nuts, Ltd.	300 W Main St.	St. Charles
St. Charles Bowl	LA Manson Corp.	2520 W Main St	St. Charles
Second Street Bar & Grill	Mark VII Hospitality, Ltd.	221 S. 2nd Street	St. Charles
Brown's Chicken	NLHM, Inc.	1910 Lincoln Highway	St. Charles
The Evergreen Pub & Grill	Northwoods Pub and Grill, LLC	1400 W Main St	St. Charles
Riverside Pizza	Riverside Pizza, Inc.	102 E Main St	St. Charles
Spotted Fox Alehouse	St. Charles Sports LLC	3615 E. Main St.	St. Charles
Tap House Grill	Tap House Grill, LLC	3341 W Main St.	St. Charles
St. Charles Moose Lodge 1368	St Charles Moose Lodge 1368	2250 W Rt. 38	St. Charles
PENDING ESTABLISHMENTS	CORPORATION NAME	ADDRESS	
Romano's	Romano Mercato Italiano, Inc.	210 Cedar Street	St. Charles
Yummy Place	Yummy Place Burrito Los Asaderos, Inc.	2400 E. Main Street	St. Charles
SCMC ENTERPRISES, INC.	R HOUSE	214 W Main Street	St. Charles

**ILLINOIS GAMING BOARD
VIDEO GAMING REPORT**

St. Charles

July 2019

8/14/2019

10:17 pm

Municipality	Establishment	License Number	VGT Count	VGT Wagering Activity			VGT Income			VGT Tax Distribution			
				Amount Played	Amount Won	Net Wagering Activity	Funds In	Funds Out	Net Terminal Income	NTI Tax	State Share	Municipality Share	
St. Charles	ALIBI BAR & GRILL LTD.	150704430	5	\$11,844.26	\$11,399.67	\$444.59	\$4,223.00	\$3,778.41	\$444.59	\$273.32	\$231.91	\$41.41	
St. Charles	Alley 64, INC.	160702383	5	\$374,660.38	\$343,546.80	\$31,113.58	\$136,923.00	\$105,809.42	\$31,113.58	\$10,267.44	\$8,711.77	\$1,555.67	
St. Charles	BK & MM VENTURES LLC	160702415	5	\$370,074.19	\$339,142.71	\$30,931.48	\$115,271.00	\$84,339.72	\$30,931.28	\$10,207.35	\$8,660.78	\$1,546.57	
St. Charles	CRAZY FOX, LLC	170701805	4	\$110,349.54	\$103,996.00	\$6,353.54	\$36,831.00	\$30,477.56	\$6,353.44	\$2,096.63	\$1,778.96	\$317.67	
St. Charles	DAWN'S CAFE, LTD.	160702454	2	\$28,218.43	\$25,969.52	\$2,248.91	\$8,909.00	\$6,658.37	\$2,250.63	\$742.70	\$630.17	\$112.53	
St. Charles	HDF Entertainment, LLC	180702511	5	\$79,943.14	\$73,474.28	\$6,468.86	\$31,838.00	\$25,369.14	\$6,468.86	\$2,134.73	\$1,811.29	\$323.44	
St. Charles	HEALTH NUTS, LTD.	180702391	5	\$71,437.03	\$63,368.62	\$8,068.41	\$30,308.00	\$22,239.59	\$8,068.41	\$2,662.53	\$2,259.12	\$403.41	
St. Charles	L. A. MANSON CORPORATION	160703156	5	\$114,095.06	\$112,038.14	\$2,056.92	\$33,210.00	\$31,153.13	\$2,056.87	\$678.80	\$575.95	\$102.85	
St. Charles	MARK VII HOSPITALITY LIMITED	170702225	5	\$530,764.92	\$488,683.54	\$42,081.38	\$153,883.00	\$111,801.81	\$42,081.19	\$13,886.81	\$11,782.75	\$2,104.06	
St. Charles	NLHM Inc.	160702847	4	\$135,907.69	\$124,372.46	\$11,535.23	\$38,091.00	\$26,555.77	\$11,535.23	\$3,806.63	\$3,229.87	\$576.76	
St. Charles	Northwoods Pub & Grill Inc.	160702493	5	\$254,001.14	\$226,020.10	\$27,981.04	\$88,406.00	\$60,424.96	\$27,981.04	\$9,233.73	\$7,834.68	\$1,399.05	
St. Charles	Riverside Pizza, Inc.	160702553	4	\$185,219.29	\$168,409.52	\$16,809.77	\$60,615.00	\$43,659.17	\$16,955.83	\$5,595.42	\$4,747.63	\$847.79	
St. Charles	SAINT CHARLES SPORTS, LLC	160702605	5	\$281,774.78	\$256,483.13	\$25,291.65	\$75,812.00	\$50,521.47	\$25,290.53	\$8,345.86	\$7,081.33	\$1,264.53	
St. Charles	St. Charles Lodge No. 1368, Loyal Order of Moose	160802392	5	\$135,343.55	\$121,916.88	\$13,426.67	\$45,910.00	\$32,483.33	\$13,426.67	\$4,430.79	\$3,759.45	\$671.34	
St. Charles	TAP HOUSE GRILL ST. CHARLES, LLC	170702248	5	\$286,621.86	\$264,462.84	\$22,159.02	\$95,330.00	\$73,171.21	\$22,158.79	\$7,312.41	\$6,204.47	\$1,107.94	
REPORT TOTAL:			15 Establishments	69	\$2,970,255.26	\$2,723,284.21	\$246,971.05	\$955,560.00	\$708,443.06	\$247,116.94	\$81,675.15	\$69,300.13	\$12,375.02

**ILLINOIS GAMING BOARD
VIDEO GAMING REPORT**

8/14/2019

10:18 pm

St. Charles

January 2012 - July 2019

Municipality	Establishment	License Number	VGT Count	VGT Wagering Activity			VGT Income			VGT Tax Distribution				
				Amount Played	Amount Won	Net Wagering Activity	Funds In	Funds Out	Net Terminal Income	NTI Tax	State Share	Municipality Share		
St. Charles	A'Salute' Inc.	160702452	2	\$2,091,601.88	\$1,923,949.67	\$167,652.21	\$577,279.00	\$409,626.79	\$167,652.21	\$50,296.35	\$41,913.65	\$8,382.70		
St. Charles	ALIBI BAR & GRILL LTD.	150704430	5	\$310,757.70	\$285,317.24	\$25,440.46	\$113,070.00	\$87,629.54	\$25,440.46	\$7,724.80	\$6,441.50	\$1,283.30		
St. Charles	Alley 64, INC.	160702383	5	\$17,219,855.20	\$15,964,265.97	\$1,255,589.23	\$6,029,452.00	\$4,773,788.52	\$1,255,663.48	\$377,634.18	\$314,850.75	\$62,783.43		
St. Charles	BK & MM VENTURES LLC	160702415	5	\$13,632,769.05	\$12,584,073.00	\$1,048,696.05	\$4,083,546.00	\$3,034,768.71	\$1,048,777.29	\$315,562.31	\$263,123.29	\$52,439.02		
St. Charles	CRAZY FOX, LLC	170701805	4	\$1,141,172.60	\$1,025,216.17	\$115,956.43	\$371,518.00	\$255,561.57	\$115,956.43	\$34,977.92	\$29,180.06	\$5,797.86		
St. Charles	DAWN'S CAFE, LTD.	160702454	2	\$809,535.11	\$739,235.48	\$70,299.63	\$256,677.00	\$186,375.65	\$70,301.35	\$21,158.48	\$17,643.34	\$3,515.14		
St. Charles	DAWN'S VOODOO ROOM, LTD.	170702226	3	\$131,639.05	\$114,092.97	\$17,546.08	\$48,098.00	\$30,551.92	\$17,546.08	\$5,263.94	\$4,386.62	\$877.32		
St. Charles	GOLREN ENTERPRISES, INC.	160703386	5	\$2,363,441.27	\$2,169,177.13	\$194,264.14	\$822,559.00	\$628,294.86	\$194,264.14	\$58,279.92	\$48,566.66	\$9,713.26		
St. Charles	HDF Entertainment, LLC	180702511	5	\$259,778.62	\$233,241.83	\$26,536.79	\$105,826.00	\$79,289.21	\$26,536.79	\$8,155.24	\$6,828.38	\$1,326.86		
St. Charles	HEALTH NUTS, LTD.	180702391	5	\$901,161.65	\$813,779.17	\$87,382.48	\$347,312.00	\$259,929.52	\$87,382.48	\$26,457.37	\$22,088.17	\$4,369.20		
St. Charles	KILLOUGH LLC	160702650	4	\$323,128.13	\$297,527.05	\$25,601.08	\$127,669.00	\$102,067.92	\$25,601.08	\$7,680.48	\$6,400.40	\$1,280.08		
St. Charles	L. A. MANSON CORPORATION	160703156	5	\$3,761,934.57	\$3,422,145.28	\$339,789.29	\$1,121,180.00	\$781,390.71	\$339,789.29	\$102,000.08	\$85,010.41	\$16,989.67		
St. Charles	MARK VII HOSPITALITY LIMITED	170702225	5	\$8,841,571.02	\$8,187,214.18	\$654,356.84	\$2,619,483.00	\$1,965,101.66	\$654,381.34	\$197,577.67	\$164,858.49	\$32,719.18		
St. Charles	NLHM Inc.	160702847	4	\$2,588,654.08	\$2,387,548.67	\$201,105.41	\$688,286.00	\$487,180.59	\$201,105.41	\$60,678.56	\$50,623.15	\$10,055.41		
St. Charles	Northwoods Pub & Grill Inc.	160702493	5	\$10,882,220.15	\$9,960,617.80	\$921,602.35	\$3,619,233.00	\$2,697,630.65	\$921,602.35	\$277,321.51	\$231,241.24	\$46,080.27		
St. Charles	Panman, LLC	160703257	5	\$20,167.79	\$17,246.68	\$2,921.11	\$8,129.00	\$5,207.89	\$2,921.11	\$876.43	\$730.36	\$146.07		
St. Charles	Pub 47 St Charles Inc.	180700422	5	\$451,127.23	\$407,893.79	\$43,233.44	\$150,077.00	\$106,843.56	\$43,233.44	\$12,970.29	\$10,808.58	\$2,161.71		
St. Charles	Ram Restaurant Group Inc.,	180700820	5	\$332,529.45	\$302,216.78	\$30,312.67	\$121,311.00	\$90,998.02	\$30,312.98	\$9,094.21	\$7,578.51	\$1,515.70		
St. Charles	Riverside Pizza, Inc.	160702553	4	\$5,213,348.73	\$4,797,667.47	\$415,681.26	\$1,777,400.00	\$1,361,489.68	\$415,910.32	\$125,282.41	\$104,486.81	\$20,795.60		
St. Charles	SAINT CHARLES SPORTS, LLC	160702605	5	\$7,827,284.09	\$7,239,780.51	\$587,503.58	\$2,285,257.00	\$1,697,752.42	\$587,504.58	\$177,010.97	\$147,635.63	\$29,375.34		
St. Charles	St. Charles Lodge No. 1368, Loyal Order of Moose	160802392	5	\$5,208,891.43	\$4,728,125.14	\$480,766.29	\$1,759,236.00	\$1,278,469.71	\$480,766.29	\$144,634.23	\$120,595.65	\$24,038.58		
St. Charles	TAP HOUSE GRILL ST. CHARLES, LLC	170702248	5	\$2,844,465.34	\$2,631,728.42	\$212,736.92	\$886,343.00	\$673,606.08	\$212,736.92	\$64,486.69	\$53,849.71	\$10,636.98		
REPORT TOTAL:				22 Establishments	98	\$87,157,034.14	\$80,232,060.40	\$6,924,973.74	\$27,918,941.00	\$20,993,555.18	\$6,925,385.82	\$2,085,124.04	\$1,738,841.36	\$346,282.68



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 3b

Title:

City of St. Charles Fuel Tax Receipts July, 2019 –
Information Only

Presenter:

Chris Minick, Director of Finance

Meeting: Government Operations Committee

Date: August 19, 2019

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted:

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

Attachments *(please list):*

FY 18/19 City of St. Charles Local Fuel Tax Receipts – July 2019

Recommendation/Suggested Action *(briefly explain):*

None – For Information Only

**City of St. Charles
Local Fuel Tax Receipts
Fiscal Year 2019-2020**

LIABILITY PERIOD	PAYMENT RECEIVED	TOTAL REVENUE RECEIVED
May-19	June-19	\$ 41,244.79
June-19	July-19	\$ 40,894.45
July-19	August-19	\$ -
August-19	September-19	\$ -
September-19	October-19	\$ -
October-19	November-19	\$ -
November-19	December-19	\$ -
December-19	January-20	\$ -
January-20	February-20	\$ -
February-20	March-20	\$ -
March-20	April-20	\$ -
April-20	May-20	\$ -
TOTALS		\$ 82,139.24

The local fuel tax rate is two cents per gallon (\$0.02/gallon) and applies to motor fuel retail purchases within the City of St. Charles.

Note: Revenues for May and June are absent receipts from one local fuel retailer. A Complaint of Violation has been served on this merchant for non-payment.



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: *5.a

Title: Recommendation to approve the Closing of Parking Lot J and the 100 Block of Riverside Drive on October 19, 2019 from 7 a.m. to 4 p.m. for Fire Department Open House Events.

Presenter: Fire Chief Joseph Schelstreet

Meeting: Government Operations Committee Date: August 19, 2019

Proposed Cost: \$0

Budgeted Amount: \$N/A

Not Budgeted:

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

In conjunction with the 2019 Fire Prevention Week activities, the Fire Department will be conducting its annual open house on Saturday, October 19th from 12 noon to 3 p.m. The open house will offer the public the opportunity to examine tools and equipment, watch demonstrations of various rescue procedures and ask any questions they may have regarding fire protection and emergency medical services. In addition, the opportunity will exist for attendees to obtain information regarding public safety at one of the vendor booths that will be set up inside Fire Station #1. To ensure the safety of all attendee's vendors and other participants, the Fire Department is requesting the closure of Parking Lot J, and the 100 Block of Riverside Avenue, from 7 a.m. to 4 p.m. to allow for set up and clean up.

Attachments *(please list):*

Recommendation/Suggested Action *(briefly explain):*

Recommend approval of closing parking Lot J and the 100 block of Riverside Drive from 7 a.m. to 4 p.m. for Fire Department Open House Events



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: *6a

Title: Budget Revisions for the City of St. Charles – July 2019

Presenter: Chris Minick, Finance Director

Meeting: Government Operations Committee

Date: August 19, 2019

Proposed Cost: \$ -0-

Budgeted Amount:

Not Budgeted:

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

July, 2019 listing of monthly budget revisions for the City of St. Charles.

Attachments *(please list):*

Budget Revisions July, 2019

Recommendation/Suggested Action *(briefly explain)*

Budget Revisions for the City of St. Charles July 2019

CITY OF ST. CHARLES
Budget Revision Listing

July 2019

JE TYPE	JE #	BUDGET #	COMPANY	FISCAL YEAR	PERIOD	DATE	ACCT-UNIT	ACCOUNT	AMOUNT	DESCRIPTION
	44	100	1000	2020	3	07/29/2019	521300	56003	\$ 18,810.00	PD Security Cameras
	44	100	1000	2020	3	07/29/2019	521300	56200	\$ (18,810.00)	PD Security Cameras
	44 Total								\$ -	
Budget Transfer	45	100	1000	2020	3	07/29/2019	220550	51304	\$ (17.00)	Health & Safety
Budget Transfer	45	100	1000	2020	3	07/29/2019	220550	54310	\$ 17.00	Health & Safety
	45 Total								\$ -	
	Grand Total								\$ -	

The revisions shown herewith have been approved by the City Council, except as noted below.

 Chairman, Government Operations Committee

 Date

 Vice Chairman, Government Operations Committee

 Date

 Finance Director

 Date

Exceptions:



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 6b

Title:

Recommendation to approve an Ordinance Amending Title 3 “Revenue and Finance”, Chapter 3.42 “Alcohol Tax” of the St. Charles Municipal Code

Presenter:

Chris Minick, Finance Director

Meeting: Government Operations Committee

Date: August 19, 2019

Proposed Cost: \$-0-

Budgeted Amount: \$ N/A

Not Budgeted:

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

Staff is seeking several administrative changes to the Alcohol Tax provisions of the Municipal Code. The changes are necessary to reflect current practices and to align due process hearing procedures with the provisions of the Liquor Code. The major provisions and conditions of the Alcohol Tax are unchanged; the only substantive change will lower the notice for a due process hearing to 3 days from 7 days currently. All other substantive practices and procedures will not be altered by the verbiage changes.

A redline version of the proposed changes to the code is enclosed in this packet. Clarifying verbiage is added to the code in areas related to timing of collection of the tax by the filer, filing of the return even if no tax is due, and that records supporting alcohol sales and tax liability are subject to audit by the City (as they always have been; the change states it explicitly).

The most substantial change involves clarifying procedures for due process hearings in the event of non-payment or underpayment of tax and the related sanctions applicable thereto. Notice provisions for the due process hearings are being shortened to 3 days (from 7 days currently) in accordance with the notice provisions applicable for general violations of the Liquor Code as outlined in Section 5.08.320 of the Municipal Liquor Code.

Pursuant to this item being presented at the Government Operations Committee meeting on August 19, 2019 to seek approval; it will be brought before the Liquor Control Commission at a meeting scheduled for 4:30 p.m., the same day, to process and move it forward to this Committee. This item will then continue on to the City Council meeting scheduled on September 3, 2019 for final approval.

Attachments *(please list):*

Ordinance

Redline version of current code

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve an Ordinance Amending Title 3 “Revenue and Finance”, Chapter 3.42 “Alcohol Tax” of the St. Charles Municipal Code

REDLINE VERSION OF CURRENT ALCOHOL TAX PROVISION OF CODE

Chapter 3.42

ALCOHOL TAX

Sections:

3.42.010	Title.
3.42.020	Definitions.
3.42.030	Imposition of tax.
3.42.040	Liability for payment.
3.42.050	Collection.
3.42.060	Notices.
3.42.070	Rules and regulations.
3.42.080	Filing of return; payment of tax.
3.42.090	Late payment and/or filing; failure to pay and/or file.
3.42.100	Schedule of certain rates.
3.42.110	Records.
3.42.120	Exemptions.
3.42.130	Suspension of revocation of licenses for failure to pay tax; hearing.
3.42.140	Disposition of proceeds.
3.42.150	Notice of tax liability; demand for payment of tax; period of limitations; suit.
3.42.160	Hearings.
3.42.170	Preparation; service of citations.

3.42.010 Title.

This chapter shall be known and cited as the "St. Charles Alcohol Tax Ordinance". The tax imposed in this chapter shall be known and cited as the "St. Charles Alcohol Tax".

3.42.020 Definitions.

For the purposes of this chapter whenever any of the following words, terms or phrases are used, they shall have the meaning ascribed to them in this section.

- A. Alcoholic liquor is defined in the same manner as the term is defined in section 5.08.010 of this code.
- B. Event means any occurrence or gathering of people which is convened for social, professional, fund raising, fellowship, product sampling, discussion of common interest, performance, picnic, cookout, barbeque, food tasting, etc. which is convened and at which alcoholic liquor is served. Events can be regularly scheduled or one-time in occurrence and this definition shall broadly construed for the purpose of this section.
- C. Liquor Establishment means any premises required to obtain a retail liquor license pursuant to chapter 5.08 of this code.
- D. Owner means any person having a sufficient proprietary interest in conducting the operation of a restaurant or liquor establishment so as to entitle such a person to all or a portion of the net receipts thereof.
- E. Person means any natural person, receiver, administrator, executor, conservator, assignee, trust in perpetuity, trust, estate, firm, co-partnership, joint venture, club, company, business trust, domestic or foreign corporation, association, syndicate, society or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit or otherwise; whenever the term "person" is used any clause prescribing and imposing a penalty, the term as applied to corporations, the officers thereof.

REDLINE VERSION OF CURRENT ALCOHOL TAX PROVISION OF CODE

(Ord. 2016-M-30 § 1)

3.42.030 Imposition of tax.

- A. There is levied and imposed upon the privilege of purchasing alcoholic liquor served or prepared at a liquor establishment in the city, a tax of three percent (3%) of the purchase price, exclusive of any other tax imposed on such alcoholic liquor.
- B. There is levied and imposed upon the privilege of purchasing alcoholic liquor in original packages only for consumption off the premises at retail at any liquor establishment in the city, a tax of three percent (3%) of the purchase price, exclusive of any other tax imposed on such alcoholic liquor at retail.
- C. There is levied and imposed a tax of three percent (3%) upon the admission price or ticket price to any Event at which alcoholic liquor is served and the price of said alcoholic liquor is included in the admission and/ or ticket price to the event, exclusive of any other tax imposed on such alcoholic liquor. In the event that tickets, punch cards, or similar methods are utilized to allow or to limit purchase of alcoholic beverages, the tax of three percent (3%) shall apply to the price of the ticket(s) or punch card(s) issued. The Finance Director of the City shall make the determination of the applicability of the tax imposed by this section.

(Ord. 2018-M-31 § 1, Ord. 2016-M-30 § 2)

3.42.040 Liability for payment.

- A. The ultimate incidence of and liability for payment of the tax imposed by this chapter shall be borne by the person who seeks the privilege of purchasing alcoholic liquor served at such liquor establishment or the privilege of purchasing alcoholic liquor at retail at any liquor establishment, such person hereinafter referred to as "consumer."
- B. The tax levied in this chapter shall be paid in addition to any and all other taxes and charges. It shall be the duty of the owner, manager or operator of every liquor establishment to collect the tax from the consumer and pay the tax to the city under the rules and regulations prescribed by the mayor and as otherwise provided in this chapter.

3.42.050 Collection.

Every person required to collect the tax levied by this chapter shall collect the tax from the consumer at the time he collects payment for the service of alcoholic liquor ~~or~~ the sale of alcoholic liquor at retail, the admission and/or ticket to an event or a "punch card" utilized at an event where alcoholic liquor is to be consumed. The amount due under the tax imposed in this chapter shall be stated separately on the invoice receipt or other statement or memorandum of the payment given to the consumer at the time of payment.

3.42.060 Notices.

Any notice or other written communication from the city regarding the tax imposed by this chapter shall be sent to the owner at the address provided in the liquor license application form.

3.42.070 Rules and regulations.

The mayor of the city may promulgate rules and regulations not inconsistent with the provisions of this chapter concerning the enforcement and application of this chapter. The term "rules and regulations" includes, but is not limited to, a case-by-case determination whether or not the tax imposed by this chapter applies.

3.42.080 Filing of return; payment of tax.

REDLINE VERSION OF CURRENT ALCOHOL TAX PROVISION OF CODE

The owner of each liquor establishment within the city shall file tax returns showing tax receipts received during each monthly period on forms prescribed by the mayor. The returns shall be due on or before the last day of the calendar month next succeeding the end of the monthly filing period. Said tax return shall be filed monthly even if no tax is due to the City.

At the time of filing such returns, the owner shall pay to the city all taxes due for the period to which the tax return applies, less a commission of one percent (1%) of the amount of the tax, which is allowed to reimburse the owner for the expenses incurred in keeping records, billing, preparing and filing returns, remitting the tax and supplying data to the city upon request. No commission may be claimed by an owner for taxes not timely remitted to the city.

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

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

Whenever any person shall fail to pay any tax as provided in this chapter, the city attorney, upon the request of the Finance Director, shall bring or cause to be brought an action to enforce the payment of the tax on behalf of the city and reasonable attorney's fees incurred in bringing such action in any court of competent jurisdiction. (Ord. 2014-M-6 § 1.)

3.42.100 Interest.

Interest shall accrue on any late payment, underpayment or nonpayment of tax at the rate of one and one-quarter percent (1.25%) added per month to the amount of tax unpaid and uncollected.

3.42.110 Records.

- A. Every owner, manager or operator of a liquor establishment in the city shall keep books and records for a period of at least forty-eight (48) months, unless otherwise authorized by the city, which at a minimum shall include a daily sheet showing:
1. The amount of taxable receipts within the twenty-four-hour period;
 2. The actual liquor establishment tax receipts collected for the date in question.
- B. The mayor or his designee shall at all reasonable times have full access to such books and records, and such books and records may be audited to verify the amount of tax due.
- C. To the fullest extent permitted by law, the financial records of any liquor establishment submitted pursuant to this chapter or any rule and regulation promulgated thereunder shall not be available for public inspection in order to protect the owners' right to privacy.

3.42.120 Exemptions.

The tax imposed under this chapter shall not apply to or be imposed upon any federal, state or local governmental bodies.

3.42.130 Suspension or revocation of licenses for failure to pay tax; hearing.

If the mayor or other city official responsible for the issuance of a city license, permit or other approval, including, but not limited to, a liquor license, after hearing held by or for him, shall find that any person has willfully evaded payment or collection and remittance of the tax imposed by this chapter,

REDLINE VERSION OF CURRENT ALCOHOL TAX PROVISION OF CODE

he may levy a fine on the licensee, and/or suspend or revoke such city license, permit or other approval held by such tax evader, in accordance with Section 5.08.320 of this code. The person shall have an opportunity to be heard at such hearing to be held not less than threeseven (37) days after notice is given to him of the time and place of the hearing to be held, addressed to him at his last known place of business as provided in the liquor license application form. Pending said notice, hearing and finding, any license, permit or other approval issued by the city to the person may be temporarily suspended. No suspension or revocation hereunder shall release or discharge said person from his civil liability for the payment or collection and remittance of the tax, nor from prosecution for such offense. Notwithstanding the foregoing, any finer levied or suspension or revocation of a liquor license shall follow the procedures set forth in, and otherwise comply with, the provisions of chapter 5.08.320 of this code.

Comment [CM1]: This is now consistent with Section 5.08.320 A of the City Code related to liquor licenses.

3.42.140 Disposition of proceeds.

All proceeds resulting from the imposition of the tax under this chapter, including penalties, shall be paid into the treasury of the city, and shall be credited to and deposited in the corporate fund of the city.

~~3.42.150 Notice of tax liability; demand for payment of tax; period of limitation; suit.~~

- ~~A. In the event any person fails to file a return when and as herein required, or if it shall appear to the Finance Director that the amount of any tax payment is incorrect in that it does not include all taxes payable for such calendar period, or if the Finance Director shall find that the collection of any taxes which have accrued but are not yet due will be jeopardized by delay, and declares said taxes to be immediately due and payable, or if it shall appear to the Finance Director that he had made any final assessment which did not include taxes payable for the periods involved, or if it appears to the Finance Director that any person has, by reason of any act or omission or by operation of any law, become liable for any taxes, interest or penalties not originally incurred by him, the Finance Director may in any of the above events determine and assess the amount of such taxes or deficiency, as the case may be, together with the interest and penalties due and unpaid. Any such determination and assessment shall be made by the Finance Director upon his best judgment and information, and it shall be permissible for the Finance Director to show a figure that represents the tax due for any given six (6) months instead of showing the amount of tax due for each month separately. The Finance Director shall immediately serve notice of tax liability upon such person and make a demand for payment of the tax together with interest and penalties thereon. If the person incurring any such liability has died, such demand may at the discretion of the Finance Director be made against his personal representative. Such determination and assessment by the Finance Director shall be final at the expiration of forty five (45) days from date of the service of such written notice thereof and demand for payment, unless such person shall have filed with the Finance Director a written petition pursuant to section 3.42.160, specifying its objections thereto.~~
- ~~B. The Finance Director may amend his determination and assessment at any time before it becomes final. In the event of such amendment the person affected shall be given notice and an opportunity to be heard in connection therewith.~~
- ~~C. Except with the consent of the person to whom the notice of the tax liability, assessment or other determination is to be issued, or in the case of any amended return (which a notice of tax liability or assessment may be issued for an amended return filed not more than four (4) years prior to the date of such amended return), no notice of tax liability, assessment or other determination shall be issued covering the amount of tax due for any month or period of time more than four (4) years prior to the date of such tax liability, assessment, or other determination of taxes due. Notwithstanding the foregoing, in the event a tax return is not filed, or if during any four (4) year period for which a notice of tax liability, assessment or other determination may be issued, the tax paid was less than 75% of the tax due, the statute of limitations shall be six (6) years after the end of the calendar year~~

REDLINE VERSION OF CURRENT ALCOHOL TAX PROVISION OF CODE

~~in which the return for the applicable period was due or end of the calendar year in which the return for the applicable period was filed. No statute of limitations shall apply if a fraudulent tax return is filed.~~

- ~~D. Whenever any person shall fail to pay any tax herein provided, the city attorney shall, upon the request of the Finance Director, bring or cause to be brought, an action to enforce the payment of the tax on behalf of the city in any court of competent jurisdiction. Such action shall be in addition to any other remedy afforded the city under this chapter or under any other law, including a prosecution for violation of this chapter.~~

~~3.42.160~~ **Hearings.**

- ~~A. Any person issued a notice of tax liability pursuant to section 3.42.150, or otherwise aggrieved by any determination of the Finance Director made pursuant to this chapter, shall have the right to seek a redetermination by the Finance Director, subject to the provisions stated herein below.~~
- ~~B. Any person seeking a redetermination by the Finance Director shall file a written petition for redetermination within forty five (45) days after receipt of the applicable notice. The petition must be received by the Finance Director or in the Finance Department prior to the expiration of the forty five (45) day period, or on the first date the Finance Department is open for business after such date if closed on such date. Mailing such petition on such date shall be insufficient. If the petition is not filed within this time period, then the determination of the Finance Director shall become final and not subject to further review, and the Finance Director may proceed with enforcement as provided under this chapter.~~
- ~~C. The petition shall state the reason or reasons why the determination by the Finance Director is incorrect or invalid, as the case may be, and state the relief sought from the Finance Director. Upon receipt of the petition, the Finance Director shall promptly set a time and date for a hearing on the petition and shall notify the petitioner of the same not less than fourteen (14) days prior to the date set for hearing. A hearing date may be continued by the Finance Director for any reason provided for in this chapter, or for other good cause. All such hearings shall be held in the City Hall, if feasible.~~
- ~~D. At such hearing, the Finance Director shall give the petitioner an opportunity to be personally heard and present whatever information or witnesses as he considers pertinent and relevant to the issue. Upon conclusion of such hearing, and after consideration of any information presented by the petitioner and such other information as may be available to the Finance Director, a decision shall be made by the Finance Director either cancelling, increasing, modifying, or affirming such determination, and notice of such decision shall be given in writing to the petitioner. Such notice shall contain a statement by the Finance Director of the cost of the certification of the record computed at the rate of five cents (\$0.05) per one hundred (100) words, which cost shall be charged to the petitioner if the determination or assessment is affirmed. The record shall consist of the notices and demands caused to be served by the Finance Director, the original determination and/or assessment of the Finance Director, the written petition for redetermination, the information and exhibits introduced at such hearing or certified copies thereof, the decisions of the Finance Director and such other documents filed in the proceeding.~~
- ~~E. The decision of the Finance Director reached at the conclusion of such hearing shall be final, and the Finance Director may enforce such decision in the manner provided for under this chapter or such other manner as may be available by law.~~

~~3.42.170~~ **Preparation; service of citations.**

~~The Finance Director and his designees are deemed peace officers and may prepare and serve citations personally or by certified mail for violations of this chapter.
(Ord. 2010 M 28 § 1.)~~

City of St. Charles, Illinois
Ordinance No. 2019-M-__

**An Ordinance Amending Title 3, “Revenue and Finance”, Chapter 3.42
“Alcohol Tax”, 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 1. That Title 3, “Revenue and Finance”, Chapter 3.42 “Alcohol Tax”, of the St. Charles Municipal Code be and is hereby amended . Chapter 3.42 “Alcohol Tax” be deleted in its entirety and replaced with the following language:

Chapter 3.42

ALCOHOL TAX

Sections:

3.42.010	Title.
3.42.020	Definitions.
3.42.030	Imposition of tax.
3.42.040	Liability for payment.
3.42.050	Collection.
3.42.060	Notices.
3.42.070	Rules and regulations.
3.42.080	Filing of return; payment of tax.
3.42.090	Late payment and/or filing; failure to pay and/or file.
3.42.100	Schedule of certain rates.
3.42.110	Records.
3.42.120	Exemptions.
3.42.130	Suspension of revocation of licenses for failure to pay tax; hearing.
3.42.140	Disposition of proceeds.
3.42.150	Notice of tax liability; demand for payment of tax; period of limitations; suit.
3.42.160	Hearings.
3.42.170	Preparation; service of citations.

3.42.010 Title.

This chapter shall be known and cited as the "St. Charles Alcohol Tax Ordinance". The tax imposed in this chapter shall be known and cited as the "St. Charles Alcohol Tax".

3.42.020 Definitions.

For the purposes of this chapter whenever any of the following words, terms or phrases are used, they shall have the meaning ascribed to them in this section.

- A. Alcoholic liquor is defined in the same manner as the term is defined in section 5.08.010 of this code.
- B. Event means any occurrence or gathering of people which is convened for social, professional, fund raising, fellowship, product sampling, discussion of common interest, performance, picnic, cookout, barbeque, food tasting, etc. which is convened and at which alcoholic liquor is served. Events can be regularly scheduled or one-time in occurrence and this definition shall broadly construed for the purpose of this section.
- C. Liquor Establishment means any premises required to obtain a retail liquor license pursuant to chapter 5.08 of this code.
- D. Owner means any person having a sufficient proprietary interest in conducting the operation of a restaurant or liquor establishment so as to entitle such a person to all or a portion of the net receipts thereof.
- E. Person means any natural person, receiver, administrator, executor, conservator, assignee, trust in perpetuity, trust, estate, firm, co-partnership, joint venture, club, company, business trust, domestic or foreign corporation, association, syndicate, society or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit or otherwise; whenever the term "person" is used any clause prescribing and imposing a penalty, the term as applied to corporations, the officers thereof.

(Ord. 2016-M-30 § 1)

3.42.030 Imposition of tax.

- A. There is levied and imposed upon the privilege of purchasing alcoholic liquor served or prepared at a liquor establishment in the city, a tax of three percent (3%) of the purchase price, exclusive of any other tax imposed on such alcoholic liquor.
- B. There is levied and imposed upon the privilege of purchasing alcoholic liquor in original packages only for consumption off the premises at retail at any liquor establishment in the city, a tax of three percent (3%) of the purchase price, exclusive of any other tax imposed on such alcoholic liquor at retail.
- C. There is levied and imposed a tax of three percent (3%) upon the admission price or ticket price to any Event at which alcoholic liquor is served and the price of said alcoholic liquor is included in the admission and/ or ticket price to the event, exclusive of any other tax imposed on such alcoholic liquor. In the event that tickets, punch cards, or similar methods are utilized to allow or to limit purchase of alcoholic beverages, the tax of three percent (3%) shall apply to the price of the ticket(s) or punch card(s) issued. The Finance Director of the City shall make the determination of the applicability of the tax imposed by this section.

(Ord. 2018-M-31 § 1, Ord. 2016-M-30 § 2)

3.42.040 Liability for payment.

- A. The ultimate incidence of and liability for payment of the tax imposed by this chapter shall be borne by the person who seeks the privilege of purchasing alcoholic liquor served at such liquor establishment or the privilege of purchasing alcoholic liquor at retail at any liquor establishment, such person hereinafter referred to as "consumer."
- B. The tax levied in this chapter shall be paid in addition to any and all other taxes and charges. It shall be the duty of the owner, manager or operator of every liquor establishment to collect the tax from the consumer and pay the tax to the city under the rules and regulations prescribed by the mayor and as otherwise provided in this chapter.

3.42.050 Collection.

Every person required to collect the tax levied by this chapter shall collect the tax from the consumer at the time he collects payment for the service of alcoholic liquor the sale of alcoholic liquor at retail, the admission and/or ticket to an event or a “punch card” utilized at an event where alcoholic liquor is to be consumed. The amount due under the tax imposed in this chapter shall be stated separately on the invoice receipt or other statement or memorandum of the payment given to the consumer at the time of payment.

3.42.060 Notices.

Any notice or other written communication from the city regarding the tax imposed by this chapter shall be sent to the owner at the address provided in the liquor license application form.

3.42.070 Rules and regulations.

The mayor of the city may promulgate rules and regulations not inconsistent with the provisions of this chapter concerning the enforcement and application of this chapter. The term "rules and regulations" includes, but is not limited to, a case-by-case determination whether or not the tax imposed by this chapter applies.

3.42.080 Filing of return; payment of tax.

The owner of each liquor establishment within the city shall file tax returns showing tax receipts received during each monthly period on forms prescribed by the mayor. The returns shall be due on or before the last day of the calendar month next succeeding the end of the monthly filing period. Said tax return shall be filed monthly even if no tax is due to the City.

At the time of filing such returns, the owner shall pay to the city all taxes due for the period to which the tax return applies, less a commission of one percent (1%) of the amount of the tax, which is allowed to reimburse the owner for the expenses incurred in keeping records, billing, preparing and filing returns, remitting the tax and supplying data to the city upon request. No commission may be claimed by an owner for taxes not timely remitted to the city.

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

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

Whenever any person shall fail to pay any tax as provided in this chapter, the city attorney, upon the request of the Finance Director, shall bring or cause to be brought an action to enforce the payment of the tax on behalf of the city and reasonable attorney’s fees incurred in bringing such action in any court of competent jurisdiction. (Ord. 2014-M-6 § 1.)

3.42.100 Interest.

Interest shall accrue on any late payment, underpayment or nonpayment of tax at the rate of one and one-quarter percent (1.25%) added per month to the amount of tax unpaid and uncollected.

3.42.110 Records.

- A. Every owner, manager or operator of a liquor establishment in the city shall keep books and records for a period of at least forty-eight (48) months, unless otherwise authorized by the city, which at a minimum shall include a daily sheet showing:
 - 1. The amount of taxable receipts within the twenty-four-hour period;
 - 2. The actual liquor establishment tax receipts collected for the date in question.
- B. The mayor or his designee shall at all reasonable times have full access to such books and records, and such books and records may be audited to verify the amount of tax due.
- C. To the fullest extent permitted by law, the financial records of any liquor establishment submitted pursuant to this chapter or any rule and regulation promulgated thereunder shall not be available for public inspection in order to protect the owners' right to privacy.

3.42.120 Exemptions.

The tax imposed under this chapter shall not apply to or be imposed upon any federal, state or local governmental bodies.

3.42.130 Suspension or revocation of licenses for failure to pay tax; hearing.

If the mayor or other city official responsible for the issuance of a city license, permit or other approval, including, but not limited to, a liquor license, after hearing held by or for him, shall find that any person has willfully evaded payment or collection and remittance of the tax imposed by this chapter, he may levy a fine on the licensee, and/or suspend or revoke such city license, permit or other approval held by such tax evader, in accordance with Section 5.08.320 of this code. The person shall have an opportunity to be heard at such hearing to be held not less than three (3) days after notice is given to him of the time and place of the hearing to be held, addressed to him at his last known place of business as provided in the liquor license application form. Pending said notice, hearing and finding, any license, permit or other approval issued by the city to the person may be temporarily suspended. No suspension or revocation hereunder shall release or discharge said person from his civil liability for the payment or collection and remittance of the tax, nor from prosecution for such offense. Notwithstanding the foregoing, any fines levied or suspension or revocation of a liquor license shall follow the procedures set forth in, and otherwise comply with, the provisions of chapter 5.08.320 of this code.

3.42.140 Disposition of proceeds.

All proceeds resulting from the imposition of the tax under this chapter, including penalties, shall be paid into the treasury of the city, and shall be credited to and deposited in the corporate fund of the city.

Section 2. 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 general circulation within the City of St. Charles.

Section 3. That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication as provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois this _____ day of _____, 2019.

PASSED by the City Council of the City of St. Charles, Illinois the _____ day of _____, 2019.

APPROVED by the Mayor of the City of St. Charles, Illinois this _____ day of _____, 2019.

Mayor Raymond P. Rogina

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Abstain:

Absent:

APPROVED AS TO FORM:

City Attorney

DATE:_____



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 6c

Title:

Recommendation to Award a 5 year Contract for Procurement Software to Negometrix

Presenter:

Joan M Schouten; Procurement Division Manager

Meeting: Government Operations Committee

Date: August 19, 2019

Proposed Cost:

\$8,200/yr x5yrs = \$41,000 contract

Budgeted Amount: \$17,500 FY19/20

and \$92,500 for 5 years thru April 2024

Not Budgeted:

Executive Summary (if not budgeted please explain):

St Charles has recently committed to revitalizing their purchasing process. The loudest requests from stakeholders have been the need for: consistency of processes, clarity of thresholds, and a means to assure the continued use of quality vendors.

Trends in government procurement include: the recognition of Best Value Purchasing (replacing low bid), an increase in cooperative procurement (soliciting for more than 1 agency), increased transparency (visibility) and promoting sustainability (consideration of the economic, environmental and social impacts of the procurement).

Procurement/Contract Management software is the instrument that will position the city to deliver in all these areas. Software facilitates the implementation of strategy and provides a means to audit procedures and measure progress. The new Procurement policy will standardize processes across city departments and thresholds. Software will provide the quantitative tools to track Best Value, provide the planning and outreach to promote cooperative procurement, and increase transparency while providing a means to enhance economic analysis, reduce paper, and track key quality indicators. Additionally, procurement software will promote fair, impartial and ethical sourcing.

A survey of professional peers was conducted through the NIGP (The Institute for Public Procurement) national, state, and local list servers. Nine (9) stock software platforms were identified. A list of desired functionality was developed. The optimal solution, if available, is the required functionality integrated in a single, proven platform that has been in use over the years.

A formal RFP was published. Notices were sent to all 9 firms as well as posted on 2 government broadcast sites. Four submittals were received. Three were invited to demonstrate. Two were considered finalists and scrutinized for functionality.

The city's clear desire for a well proven integrated system with specified functionality was best demonstrated by Negometrix. Negometrix has built their business for the future of government procurement - intentionally designing one holistic integrated system with a focus on driving best value procurement. Their integrated modules have been in use since 2015 and their references utilized modules demonstrating a seamless progression. Intended to be a paperless process, and equipped with supportive planning tools, vendor quality/Best Value is emphasized throughout the process more than price.

While cost was not a criterion for evaluation, the cost for Negometrix is **39%** of the cost of its nearest competitor.

Attachments (please list):

Memo from Joan M Schouten, Procurement Division Manager to Chris Minick, Finance Director detailing the solicitation process, required functionality and the conclusions from the evaluation.

Recommendation/Suggested Action (briefly explain):

Recommendation to Award a 5 year Contract for Procurement Software to Negometrix in the amount of \$41,000.



Date: July 25, 2019
 To: Chris Minick Director Finance
 From: Joan M. Schouten Procurement Division Manager
 CC: Chris Adesso Assistant Director Public Works
 Mike Drake Senior Systems Analyst

Re: Recommendation to Award a 5 year Contract for Procurement Software to Negometrix

Budget: 100221-56301 Capitalized Software		FN1002 Procurement/Contract Management Software				
	FY 19/20	FY 20/21	FY 21/22	FY 22/23	FY 23/24	TOTAL
Budget	\$ 17,500	\$ 18,000	\$ 18,500	\$ 19,000	\$ 19,500	\$92,500
Request	<u>\$ 8,200</u>	<u>\$ 8,200</u>	<u>\$ 8,200</u>	<u>\$ 8,200</u>	<u>\$ 8,200</u>	\$41,000
Savings	\$ 9,300	\$ 9,800	\$ 10,300	\$ 10,800	\$ 11,300	\$51,500

St Charles has recently committed to revitalizing their purchasing process. The loudest requests from stakeholders have been the need for: consistency of processes, clarity of thresholds, and a means to assure the continued use of quality vendors. Trends in government procurement include: the recognition of Best Value Purchasing (replacing low bid), an increase in cooperative procurement (soliciting for more than 1 agency), increased transparency (visibility) and promoting sustainability (consideration of the economic, environmental and social impacts of the procurement).

Procurement/Contract Management software is the instrument that will position the city to deliver in all these areas. While the new policy will standardize processes across city departments and thresholds, software will provide the quantitative tools to track Best Value, provide the planning and outreach to promote cooperative procurement, and increase transparency while providing a means to enhance economic analysis, reduce paper, and track key indicators. Additionally, procurement software will promote fair, impartial and ethical sourcing.

Change Management: Change management can be difficult and frustrating. Difficult and frustrating often leads to non-compliance. Technology facilitates the development and delivery of a good strategy and offers a means to audit procedures and measure progress.

➤ **The purpose of this memo is to:**

1. Recommend the award of a 5 year contract for procurement software to Negometrix.
2. Explain the process utilized to research, evaluate and select this particular procurement software.

Research: A survey of professional peers was conducted through the NIGP national, state, and local list servers. Nine (9) stock software platforms were identified. Based on list server correspondence and discussion boards, a list of desired functionality was developed. The optimal solution, if available, is the required functionality integrated in a single, proven platform that has been in use over the years.

Evaluate: All 9 software platforms were contacted and 7 offered on-line demos. Of the 7 platforms: 2 were eliminated due to limited functionality; 3 were eliminated because they were a combination of 2 or more distinct modules that were not yet integrated and were very expensive; and 2 offered hopeful functionality with 1 doing so at extremely favorable pricing. The last 2 platforms were invited to perform a live demo for the Procurement Task force. Based on feedback from these 2 demos, it was decided that a more formal approach, with documented weighted requirements and service levels was needed.

A formal RFP was published. Notices were sent to all 9 firms as well as posted on 2 government broadcast sites. Four submittals were received. Three were from platforms that had not been previewed. Three were invited to demonstrate. Two were considered finalists and scrutinized for functionality.

Selection: The 2 finalists, Negometrix and GoBonfire were comparable in their ability to satisfy the majority of our basic needs; however Negometrix was able to offer a more robust and extremely integrated platform including additional proven functionality at a fraction of the cost. Specifics:

- A Procurement Plan;
 - Negometrix includes a specific module designed to plan future solicitations. This functionality assists in notifying bidders when future solicitations within their commodity code are targeted to be bid. It also allows entities to plan cooperative purchasing opportunities. Details entered in this view prepopulate the actual solicitation documents. Functionality allows us to measure the workflow and workload of stakeholders, and plan workflow approval.
 - GoBonfire does not have a specific planning module. They recommended a work-around by initiating the start of a solicitation well in advance of completion.

- Electronic Notification Of Solicitation Status; Both platforms met this requirement.
- Vendor Registrations Via Commodity Code; Both platforms met this requirement.
- Documented E-Mail Communications Linked To Its Respective Solicitation;
 - While both platforms offered this functionality, Negometrix included a robust index and history of communications that also featured document version tracking.
- Electronic Submittal Of Offers Preferably In A Digital Format To Support On-Line Analysis;
 - While both platforms offered this functionality, each offered different strengths.
 - Negometrix promotes digitized solicitations, with a minimum of pdf attachments, thus allowing an immediate tracking and comparison of responses to questions. i.e. the use of survey questions with weighted points assigned to drop down answers assists in quantifying the quality of responses. They also offered bid analysis of line item prices.
 - GoBonfire also offers digitized solicitations, however their clients primarily utilize pdf documents resulting in a lengthy list of assorted documents to manage. While use of digitized application was not viewed on their client sites, it was presumed this application would be possible.
 - GoBonfire offers a significantly robust price analysis tool facilitating side by side analysis of pricing and the impact of multiple awards. This was by far the most attractive piece of their solution. Despite viewing only a few examples of this powerful tool in various stages of use at client sites, it was presumed this would satisfy our price analysis requirements.
- A Method To Facilitate An Electronic Review Of Proposal Narratives;
 - While both platforms met this requirement, Negometrix offered an extensive tracking feature to audit the ongoing real-time status of an evaluation. A variety of analytic tools illustrated graphed comparisons between evaluators, or criteria, or both.
- The Ability To Translate Evaluator Scores With Appropriate Weights Into A Concise Evaluation Summary; Both platforms met this requirement.
- Automatically Transition Solicitation And Proposal Documents Into A Contract With Built In Contract Management Functionality;
 - Negometrix's integrated modules allow the automatic pre-population of contract fields with 1 click.
 - GoBonfire's modules are not integrated thus requiring manual population for all contract fields.
- A Method For Documenting Vendor Performance;
 - Negometrix offers a robust sophisticated method to evaluate contractors in a number of customized areas throughout the duration of the agreement. This functionality facilitates vendor renewal criteria, quantifies evaluating vendors when used as a reference, and illustrates trends in performance if contract compliance becomes an issue. This key functionality is fundamental when pursuing Best Value Procurement.
 - GoBonfire does not offer vendor performance.
- Document Management;
 - Negometrix stores all related solicitation documents in one consistently organized zip file. Utilization of digitized questions and answers, as opposed to pdf files, facilitates streamlined record retention and facilitates locating isolated language.
- Observation from references websites;
 - Negometrix client websites displayed multiple solicitations and contracts utilizing the majority of the modules over an extended period of time.
 - GoBonfire client websites displayed a few solicitations utilizing 1 or 2 modules in the very recent/current timeframe. Contract modules were not visible.

Recommendation: The city's clear desire for a well proven integrated system with specified functionality was best demonstrated by Negometrix. Negometrix has built their business for the future of government procurement - intentionally designing one holistic integrated system with a focus on driving best value procurement. Their integrated modules have been in use since 2015 and their references utilized modules demonstrating a seamless progression. Intended to be a paperless process, and equipped with supportive planning tools, vendor quality/Best Value is emphasized throughout the process more than price.

Note: While cost was not a criterion for evaluation, the cost for Negometrix is **39%** the cost for GoBonfire.

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 7a

Title:

Recommendation to approve a Proposal for a D8 Liquor License Application for Board & Brush Located at 303 N. 4th St., Suite C, St. Charles.

Presenter:

Police Chief James Keegan

Meeting: Government Operations Committee

Date: August 19, 2019

Proposed Cost: \$

Budgeted Amount: \$

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

Board and Brush is a DIY Art Studio specializing in custom wood sign making. Scheduled instructor-led workshops will be facilitated in this space. The applicant would like to offer wine or beer for sale to customers to enhance their experience.

The applicants own and operate this franchise in Oswego, IL, as well.

Pursuant to this item being presented at the Government Operations Committee meeting on August 19, 2019 to seek approval; it will be brought before the Liquor Control Commission at a meeting scheduled for 4:30 p.m., the same day, to process and move it forward to this Committee. This item will then continue on to the City Council meeting scheduled on September 3, 2019 for final approval.

Attachments *(please list):*

Summary, Floor Plan, Liquor License

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve a proposal for a D8 Liquor License application for Board & Brush located at 303 N. 4th St., Suite C, St. Charles.



Memo

Date: 8/15/2019

To: The Honorable Ray Rogina, Mayor-Liquor Commissioner

From: James Keegan, Chief of Police

Re: Background Investigation-Liquor Establishment/D-8 (Board and Brush)

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

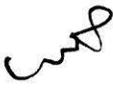
Board and Brush is a new business venture looking to capitalize on the arts and entertainment industry by offering painting classes with beer and wine sales. The owners operate a similar concept in Oswego. They are looking to occupy 303 N. 4th Street, Suite C (near D & G Brewing).

A detective was assigned this investigation and reviewed both the site location/floor plans and the corresponding application material. We found nothing of a derogatory nature that would preclude either the site location or the applicant from moving forward with on-site consumption; subject to City Council approval.

Thank you in advance for your consideration in this matter.



Memo

Date: 08/15/19
To: Chief Keegan
From: Commander Pierce 
Re: Liquor License Background, Ilic LLC (DBA Board and Brush St. Charles).

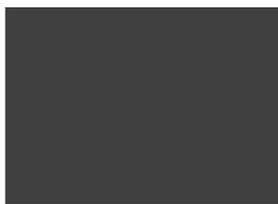
The purpose of this memo is to outline steps taken during the background investigation for a liquor license application. This investigation was done based on the application submitted for Class D-8 for the business, Board and Brush. This business is to be located at 303 N. 4th St. Suite C.

Applicants:

Ilic, Mike



Ilic, Mary K.



James, Jessica M.



Application:

The application was received on or around 06/18/19. The application appears to be complete, including a signed lease, Certificate of Insurance, a floor plan, and business plan.

Mike, Mary, and Jessica all hold valid BASSET Certifications which are included in the application.

Records Checks:

All three applicants were fingerprinted. Responses from both the FBI and Illinois Bureau of Identification show nothing that would cause the license to be denied.

A check of St. Charles and Kane County records showed no contacts for all three.

Mike advised that in the past 10 years he has lived in Chicago or at the listed Plainfield address. Checking with both police departments found no contacts.

Mary advised that in the past 10 years he has lived in Naperville or at the listed Plainfield address. Checking with both police departments found no contacts.

Service, Courage, Professionalism, Dedication



Jessica advised that in the past 10 years he has lived in Homer Glen or at two addresses in Oswego. Checking with both police departments found no contacts of concern.

A check of the Illinois Liquor Control Commission showed a current active license for Ilic LLC and no record of license revocation.

A check of TLO and I-Clear (law enforcement databases) showed the information concerning identity of all three to be accurate and no areas of concern were noted.

A check of the Illinois Secretary of State showed Ilic LLC to be in good standing.

INTERVIEW WITH APPLICANT:

On 06/26/19 at approximately 9:00am, I met with Mike and Mary Ilic at the police department front desk. Mike and Mary explained the premise of their business as artist led painting activities where clients are walked through a painting project by a local artist. Mike and Mary said they currently operate a Board and Brush location in Oswego, Illinois. Mike and Mary said Board and Brush is a franchise business they have bought into. Mike and Mary said the business in Oswego is doing so well the recently decided to rent space in St. Charles for a second location. As part of the painting experience Mike and Mary offer beer and wine to the clients. Mike and Mary advised that each paint session can accommodate up to approximately 35 people, but sometimes they run a class with as little as 10 customers. They indicated that they have no liquor inventory at this time, but plan on having approximately \$3,000.00 worth of inventory when they open. Both are U.S. citizens. They currently hold a liquor license in Oswego. A check with the Village of Oswego showed no liquor license violations. Mike and Mary said they have hired one of their Oswego location artists, Jessica James, to be the on-site manager for the St. Charles location.

At approximately 9:30am, I met with Jessica James at the police department front desk. Jessica said that she was working part time as an artist for the Oswego location when Mike and Mary asked her to run the St. Charles location. Jessica said she had nothing in her background that would preclude her from having a liquor license. Jessica was fingerprinted at this time.

SITE VISIT:

On 08/15/19, I visited the location. Even though the build out was not complete, I found the business lay out to be very similar to the floor plan provided with the application.

This concludes this background investigation. Recommend approval.

CP

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



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

Date Application Received: 6/18/19 New Application Renewal Application License Class: _____
Business Name: Ilic Enterprises, LLC (DBA: Beard and Brush St. Charles)

APPLICATION CHECKLIST

Check items to confirm all are attached to this application	Applicant	Office Use Only
Application Fee \$ <u>200</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Completed Application for all questions applicable to your business.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of Lease/Proof of Ownership	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of Dram Shop Insurance or a letter from insurance agent with a proposed quote.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of Articles of Corporation, if applicable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Completed B.A.S.S.E.T. (Beverage Alcohol Sellers & Servers Training) form – filled out for all employees. A copy of the B.A.S.S.E.T. certificate is only needed for each manager. It is the business establishment's responsibility to keep copies of all B.A.S.S.E.T. certificates on file for all of their employees.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of Site Plan for Establishment (Drawn to scale including the parking lot, patio and/or deck, outdoor seating).	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of Floor Plan for Establishment (Drawn to scale and must include the layout of the establishment with tables, chairs, aisles, displays, cash register, bar, and lounge area with dimensions, percentage, and square footage noted for each space). Be sure to also include all fixed objects , such as pool tables, bar stools, vending/amusement machines; as well as all exits .	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of Business Plan, to include: <input type="checkbox"/> Hours of Operation <input type="checkbox"/> Copy of Menu <input type="checkbox"/> Whether or not live music will be played at this establishment <input type="checkbox"/> Will there be outdoor seating and/or outdoor designated smoking area <input type="checkbox"/> Do not include a marketing or financial plan with this business plan	<input type="checkbox"/> N/A	<input type="checkbox"/> N/A
Are any building alterations planned for this site? If not sure, please contact Building & Code Enforcement at 630.377.4406 and/or Fire Prevention Bureau at 630.377.4458 to discuss whether or not a walk-thru and/or permit are necessary for this business.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
All managers have been fingerprinted who are employed by your establishment. When new management is hired, it is imperative you contact the Mayor's office to be fingerprinted so the City's business files are appropriately updated.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> 6-18-19

OFFICIAL USE ONLY

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

Signature of Mayor, Liquor Control Commissioner _____

Date Issued _____

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

APPLICANT INFORMATIONA. Type of Business: Individual Partnership Corporation Other (explain): LLC

B. Business Name:

Ilic Enterprises, LLC (DBA: Board and Brush St. Charles)

C. Business Address:

303 North 4th Street, St Charles (Suite C)

D. IL Tax ID Number:

E. Business Phone:

630-777-9123

F. Business E-mail:

stcharles@boardandbrush.com

G. Business Website:

boardandbrush.com

H. Contact Person: Mike Ilic

Email: mikeilic@gmail.com

I. Title:

CEO

J. Phone No.:

708-466-9272

K. If Corporation, Corporation Name:

Ilic Enterprises, LLC

L. Corporation Address (city, state, zip code):

22931 Weinhold Dr, Plainfield, IL 60585

BUSINESS ESTABLISHMENT LOCATION INFORMATIONA. License Class: A Package B Restaurant C Tavern D Hotel/Banquet/Arcada/Q-Center/Entertainment/Club
 Other: (Art Studio)

B. Address applying for liquor license (exact street address):

303 N. 4th Street, Suite C

C. Number of Parking Spaces:

30

D. Outside Dining s.f. [17.20.020-R]:

none

E. Holding Bar s.f. [5.08.010-F]:

F. Total Building s.f.:

22,000sf

G. Total Number of Seats:

H. Number of Bar Seats:

none

I. Sale Counter s.f.:

J. Live Entertainment Area s.f. [5.08.010-H]:

none

K. Kitchen s.f.:

none

L. Cooler s.f.:

M. Dry Storage s.f.:

N. Seating Area s.f.:

O. Retail/public Area s.f.:

P. Service Bar s.f. [5.08.010-O]:

Q. Brief Business Plan description based on type of establishment listed above:

We are a DIN studio. We make personalized wooden projects and would like to sell beer and wine to our customers to enhance their experience. Note that our space (Suite C) is only about 1,700 sq. ft.

MANAGER INFORMATION

Full Name, include middle initial:

Jessica M. James

Title: Manager

Birthdate:

Home Address:

Full Name, include middle initial:

Title:

Birthdate:

Birthplace:

Driver's License#:

Home Phone:

Home Address:

Full Name, include middle initial:

Title:

Birthdate:

Birthplace:

Driver's License#:

Home Phone:

Home Address:

PROPOSED FLOOR PLAN/LAYOUT OF PROPERTY

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

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 (*check off once complete*):
- a. The location of all rooms, segregated areas, including outdoor seating areas and the square footage thereof;
 - b. The designated use of each room or segregated area (i.e. dining room, holding bar, service bar, kitchen, restrooms, outdoor seating areas, all rooms and segregated areas, including outdoor areas where alcoholic liquor may be served or consumed and all locations where live entertainment may be provided);
 - c. The proposed seating capacity of rooms or segregated areas where the public is permitted to consume food and/or alcoholic beverages and/or live entertainment may be provided.**

2. The site drawing is subject to the approval of the Local Liquor Control Commissioner. The Local Liquor Commissioner may impose such restrictions as he deems appropriate on any license by noting the same on the approved site drawing or as provided on the face of the license.

3. A copy of the approved site drawing shall be attached to the approved license and is made a part of said license.

4. It shall be unlawful for any Class B licensee to operate and/or maintain the licensed premises in any manner inconsistent with the approved site drawing.

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 (*check off once complete*):
- a. The location of all rooms, segregated areas, including outdoor seating areas and the square footage thereof;
 - b. The designated use of each room or segregated area (e.g. dining room, holding bar, service bar, kitchen, restrooms, outdoor seating areas, all rooms and segregated areas, including outdoor areas, where alcoholic liquor may be served or consumed and all locations where live entertainment may be provided);
 - c. The proposed seating capacity of rooms or segregated areas where the public is permitted to consume food and/or alcoholic beverages and/or live entertainment may be provided.**

2. The site drawing is subject to the approval of the Local Liquor Commissioner. The Local Liquor Commissioner may impose such restrictions as he deems appropriate on any licensee by noting the same on the approved site drawing or as provided on the face of the license.

3. A copy of the approved site drawing shall be attached to the approved license and is made a part of said license.

4. It shall be unlawful for any Class C licensee to operate and/or maintain the licensed premises in any manner inconsistent with the approved site drawing.

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

CORPORATION / PREMISES QUESTIONS

1.	If applicant is an individual or partnership, is each and every person a United States citizen (5.08.070-2)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Is any individual a naturalized citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, print name(s), date(s), and place(s) of naturalization:
2.	List the type of business of the applicant (5.08.070-3): DIY Art Studio
3.	Number of years of experience for the above listed type of business (5.08.070-4): 2
4.	Amount of merchandise that normally will be in inventory when in operation (5.08.070-5): \$ 13,000
5.	Location/address and description of business to be operated under this applied for license (5.08.070-6): 303 N. 4th St, Suite C, St. Charles, 60174 - DIY Art Studio specializing in wooden sign making. Scheduled workshops will be facilitated where an instructor will lead groups through the process.
6.	Is the premises owned or leased (5.08.070-6A)? <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Leased
7.	If the premises are leased, list the names and addresses of all direct owners or owners of beneficial interests in any trusts, if premises are held in trust (5.08.070-6B): Name of Building Owner: XXXX Larson Properties Group, LLC Address of Building Owner: 619 West Main St., St. Charles 60174 Mailing Address of Building Owner (if different): "" Phone Number: (630) 669-5101 E-mail Address: plan4u2retire@gmail.com Name of Building Owner: Address of Building Owner: Mailing Address of Building Owner (if different): Phone Number: E-mail Address: Name of Building Owner: Address of Building Owner: Mailing Address of Building Owner (if different): Phone Number: E-mail Address:
8.	Does the applicant currently operate, or operated in the past, any other establishment within the City of St. Charles that requires a liquor license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please list the business name(s) and address(es):

9.	<p>Does applicant have any outstanding debt with the City of St. Charles, including, but not limited to, utility bills, alcohol tax, and permit fees, for any current or previous establishment owned, operated or managed by the applicant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please note the City of St. Charles requires all debt to be paid in full before consideration of a new or renewed liquor license is issued.</p>
10.	<p>Are any improvements planned for the building and/or site that will require a building permit? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, has a building permit been applied for? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, date building permit was applied for with Building & Code Enforcement: 5/30/19</p>
11.	<p>Has applicant applied for a similar or other license on the premises other than the one for which this license is sought (5.08.070-7)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, what was the disposition of the application? Explain as necessary:</p>
12.	<p>Has applicant (and all persons listed on page 1 of this application) ever been convicted of a felony under any Federal or State law, or convicted of a misdemeanor opposed to decency or morality (5.08.070-8)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Is applicant (and all persons listed on page 1 of this application) disqualified from receiving a liquor license by reason of any matter contained in Illinois State law and/or City of St. Charles Municipal Ordinances? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
13.	<p>List previous liquor licenses issued by any State Government or any subdivision thereof (5.08.070-9). Use additional paper if necessary.</p> <p>Government Unit: State of Illinois, Liquor Control Commission</p> <p>Date: 10/22/18 Location, City/State: Oswego, IL</p> <p>Special Explanations: License Number IA-1136751 [Liquor License issued for our Board + Brush] Franchise in Oswego, IL</p> <p>Government Unit:</p> <p>Date: Location, City/State:</p> <p>Special Explanations:</p>
14.	<p>Have any liquor licenses possessed ever been revoked (5.08.070-9)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, list all reasons on a separate, signed letter accompanying this application.</p> <p>Has any director, officer, shareholder, or any of your managers, ever been denied liquor license from any jurisdiction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, proceed to Question 15. If more space is needed, please attach a separate sheet of paper with the information.</p>

15.	<p>Complete ONLY if yes was answered to the questions above (14):</p> <p>Name: _____ Name of Business: _____</p> <p>Position with the Business: _____</p> <p>Date(s) of Denial: _____</p> <p>Reason(s) for Denial of License: _____</p>
16.	<p>Date of Incorporation (Illinois Corporations) (5.08.070-10): 9/2017</p> <p>Date qualified under Illinois Business Corporation Act to transact business in Illinois (Foreign Corporation): 9/2017</p>
17.	<p>Has the applicant and all designated managers read and do they all understand and agree not to violate any liquor laws of the United States, the State of Illinois, and any of the ordinances of the City of St. Charles in conducting business(5.08.070-11)?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Have you, or in the case of a corporation, the local manager, or in the case of a partnership any of the partners, ever been convicted of any violation of any law pertaining to alcoholic liquor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Have you, or in the case of a corporation the local manager, or in the case of a partnership any of the partners, ever been convicted of a felony? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Have you ever been convicted of a gambling offense? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If a partnership or corporation, include all partners and the local manager(s).)</p> <p>Will you and all your employees refuse to serve or sell alcoholic liquor to an intoxicated person or to a minor?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
18.	<p>Mandatory: All individual owners, partners, officers, directors, and/or persons holding directly or beneficially more than five (5) percent in interest of the stock of owners by interest listed on page 1 of this application must be fingerprinted by the City of St. Charles Police Department (5.08.070-A12).</p> <p>Has this been done? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, date(s): _____</p>
19.	<p>Mandatory: Has the applicant attached proof of Dram Shop Insurance to this application or already furnished it to the City of St. Charles (5.08.060)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If already furnished, date of delivery: _____</p> <p>NOTE: Insurance must be issued from May 1, 20XX – April 30, 20XX in accordance with City code 5.08.060. Request a prorated rate from your insurance company if you are applying for a new license during this timeframe.</p>

20. **Mandatory:** Is the premises within 100 feet of any real property of any church; school; hospital; home for the aged or indigent persons; home for veterans, their wives/husbands, or children; and/or any military or naval station (5.08.230)?
 Yes No

COMMENTS/ADDITIONAL INFORMATION

APPLICATION FOR LATE NIGHT PERMIT

SUPPLEMENTAL TO LIQUOR LICENSE FOR CLASS B/C

To: **St. Charles Liquor Control Commission** Date:

I now possess or have applied for a liquor license Class

Applicant's Name:

Name of Business:

Business Address:

Business Phone:

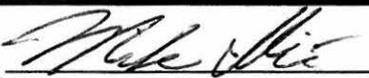
SUPPLEMENTAL PERMIT APPLIED FOR

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

- 1:00 a.m. Late Night Permit – fee of \$800.00
- 2:00 a.m. Late Night Permit – fee of \$2,300.00

NOTE: Other permits that may be available upon request include:
• Class E – Special Event License (1 to 3-day event @ \$100.00 per day)
• Outdoor Dining Permit (Contact Community & Economic Development @ 630.377.4443)

SIGNATURES


Applicant Signature 6-8-19
Date

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

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

Name: (First) *Jessica* (Last) *James* (Middle) *M* Manager
Home Street Address: [REDACTED]
City, State, Zip: [REDACTED]
Date of Course: *6-17-19* Place Course was Taken: *Online*
Birthdate: [REDACTED] Certificate Granted: *yes* Expiration: *6-16-22*

Name: (First) *Mike* (Last) *Ilic* (Middle) Manager
Home Street Address: [REDACTED]
City, State, Zip: [REDACTED]
Date of Course: *1-18-18* Place Course was Taken: *online*
Birthdate: [REDACTED] Certificate Granted: *yes* Expiration: *1-17-21*

Name: (First) *Mary* (Last) *Colburn* (Middle) *Kaitlin* Manager
Home Street Address: [REDACTED]
City, State, Zip: [REDACTED]
Date of Course: *1-17-18* Place Course was Taken: *online*
Birthdate: [REDACTED] Certificate Granted: *yes* Expiration: *1-16-21*

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

NEW MANAGEMENT REQUIREMENTS

Whenever a new manager comes on board, the City must be notified and that person must be fingerprinted.

It is the business establishment's responsibility to keep copies of all B.A.S.S.E.T. certificates on file for their employees.

ADDENDUM TO RETAIL LIQUOR LICENSE APPLICATION**To be completed by the City of St. Charles Police Department**

Date:	Name of Applicant:
Name of Business:	
Address of Business:	Ward Number:

To Liquor Control Commissioner, City of St. Charles, Illinois

Pursuant to the provision of the City of St. Charles Municipal Code, Chapter 5.08, Alcoholic Beverages, the following guide shall be in effect for the investigation of an applicant for a Retail Dealer's Liquor License:

1.	Date on which applicant will begin selling retail alcoholic liquors at this location:
2.	Is the location within 100 feet of any church; school; hospital; home for the aged or indigent persons; home for veterans, their wives/husbands or children; or any military or naval station? <input type="checkbox"/> Yes <input type="checkbox"/> No
3.	<p>If the answer to question 2 is yes, answer the following: Is applicant's place of business a hotel offering restaurant service, a regularly organized club, a restaurant, a food shop, or other place where the sale of alcoholic liquors is not the principal business? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, answer a, b and c:</p> <p>a. State the kind of such business:</p> <p>b. Give date on which applicant began the kind of business named at this location:</p> <p>c. Has the kind of business designated been established at this location for such purpose prior to February 1, 1934, and carried on continuously since such time by either the applicant or any other person?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
4.	<p>If premises for which an alcoholic liquor license is herein applied for are within 100 feet of a church, have such premises been licensed for the sale of alcoholic liquor at retail prior to the establishment of such church? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, have the premises been continuously operated and licensed for the sale of alcoholic liquor at retail since the original alcoholic liquor license was issued therefore? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
5.	Is the place for which the alcoholic liquor license is sought a dwelling house, flat, or apartment used for residential purposes? <input type="checkbox"/> Yes <input type="checkbox"/> No
6.	Is there any access leading from premises to any other portion of the same building or structure used for dwelling or lodging purposes and which is permitted to be used or kept accessible for use by the public? (Connection between premises and such other portion of building or structure as is used only by the applicant, his/her family and personal guests not prohibited.) <input type="checkbox"/> Yes <input type="checkbox"/> No
7.	If applicant conducts or will conduct in the same place any other class of business in addition to that of City Retailer of Alcoholic Liquor, state the kind and nature of such business: <input type="checkbox"/> Yes <input type="checkbox"/> No

8.	Are all rooms where liquor will be sold for consumption on the premises continuously lighted during business hours by natural light or artificial white light so that all parts of the interior shall be clearly visible? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
9.	Are premises located in any building belonging to or under the control of the State of Illinois or any other political subdivision thereof, such as county, city, etc.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10.	Are the premises for which license is herein applied for a store or place of business where the majority of customers are minors of school age or where the principal business transacted consists of school books, school supplies, food or drinks for such minors? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11.	It is required by the City of St. Charles that all employees undergo BASSET training. Provide a copy of the certificate of training completion for each manager. All certificates for managers have been submitted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
12.	From your observation and investigation, has applicant to the best of your knowledge truthfully answered all questions? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, state exceptions:
13.	Have all persons named in this application been fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Fingerprinted by: <u>SCPD</u> Date: <u>July 2014</u>
14.	Other necessary data:

SIGNATURES
ENDORSEMENTS AND APPROVALS

INVESTIGATING OFFICER


323 Commander
 Investigating Officer Signature Badge Number & Rank

ENDORSEMENT OF THE CHIEF OF POLICE

Recommend Issuing Liquor License: Yes No

8.15.14
 Signature Of Chief of Police Date

Business Name: Board and Brush

SIGNATURES

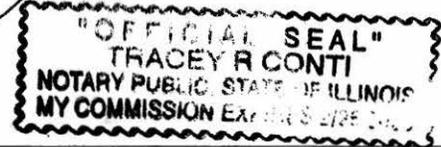
Milo M...

Applicant's Signature

Tracey R. Conti

Notary & Date

Seal:



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

Liquor Commissioner's Signature

Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/13/2019

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

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

PRODUCER The DeHayes Group 11118 Coldwater Rd. Fort Wayne IN 46845	CONTACT NAME: Angie Roth PHONE (A/C, No, Ext): 260-424-5600 E-MAIL ADDRESS: angie@dehayes.com	FAX (A/C, No): 260-422-5801
	INSURER(S) AFFORDING COVERAGE	
INSURED LICENTE-01 Illic Enterprises, LLC d/b/a Board & Brush Oswego d/b/a Board & Brush Oswego 22931 Weinhold Drive Plainfield IL 60585	INSURER A : Liberty Mutual Ins. Group	
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** 1608199344 **REVISION NUMBER:**

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

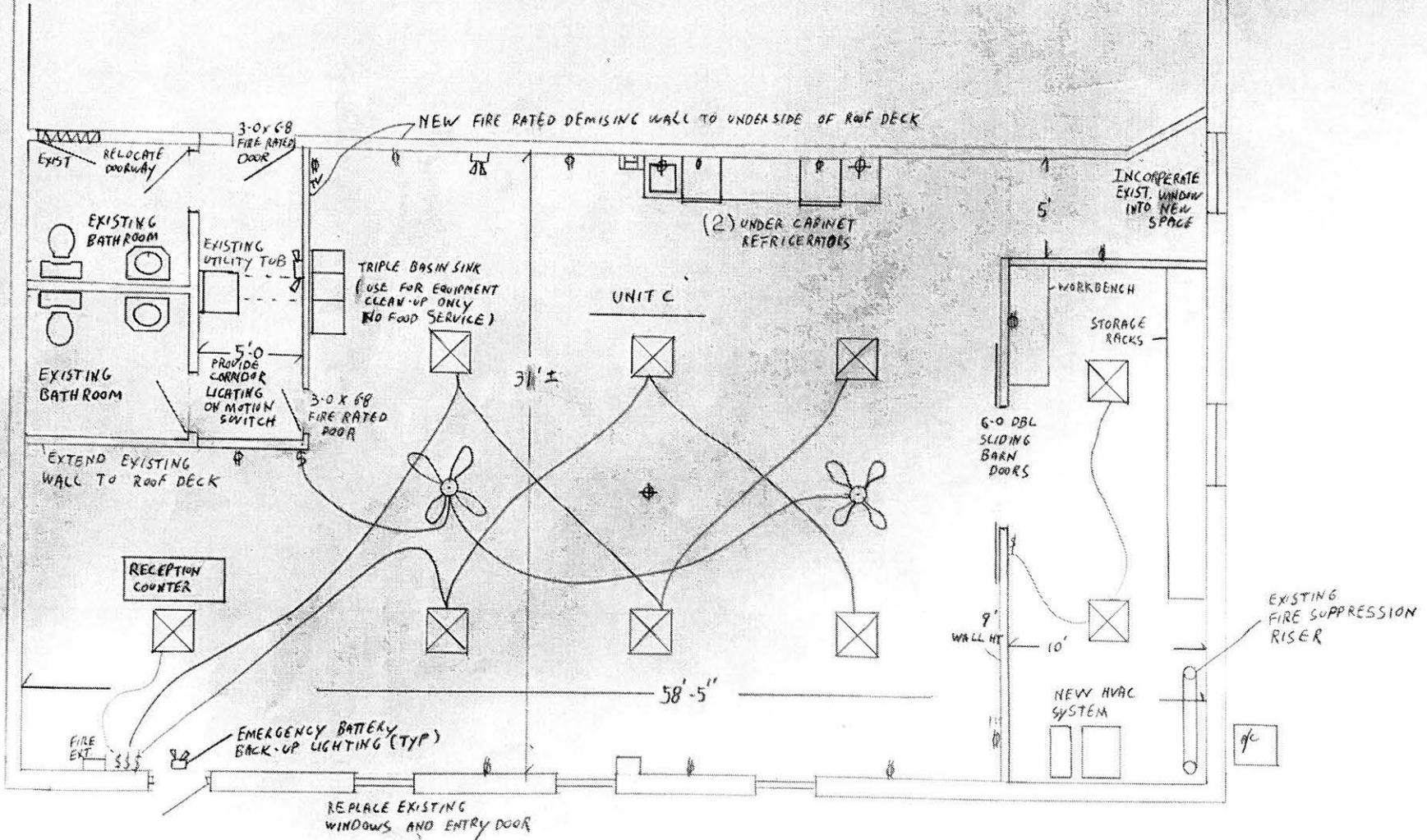
INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			BZS58483428	1/1/2019	1/1/2020	EACH OCCURRENCE	\$ 2,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 2,000,000
							MED EXP (Any one person)	\$ 15,000
							PERSONAL & ADV INJURY	\$ 2,000,000
							GENERAL AGGREGATE	\$ 4,000,000
							PRODUCTS - COMP/OP AGG	\$ 4,000,000
								\$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			BZS58483428	1/1/2019	1/1/2020	COMBINED SINGLE LIMIT (Ea accident)	\$ 2,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y / N <input type="checkbox"/> N / A	XWS58483428	1/1/2019	1/1/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
							E.L. EACH ACCIDENT	\$ 100,000
							E.L. DISEASE - EA EMPLOYEE	\$ 100,000
							E.L. DISEASE - POLICY LIMIT	\$ 500,000
A	Liquor Liability			BZS58483428	1/1/2019	1/1/2020	Liquor Liability	2,000,000

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

CERTIFICATE HOLDER CANCELLATION

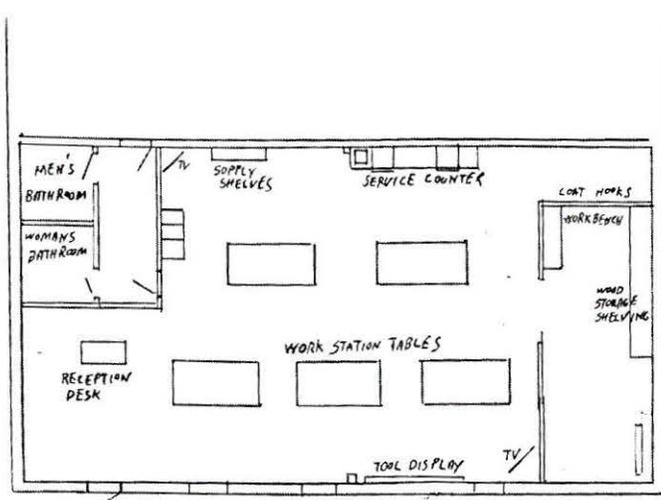
Insured Copy	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

UNIT B

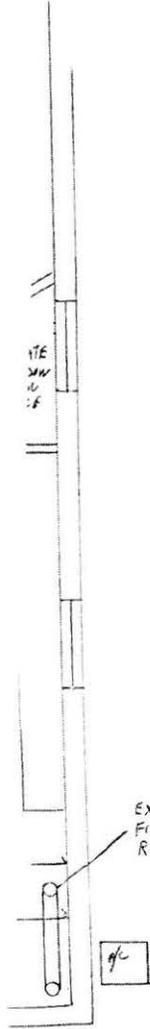


SUITE C BUILDOUT

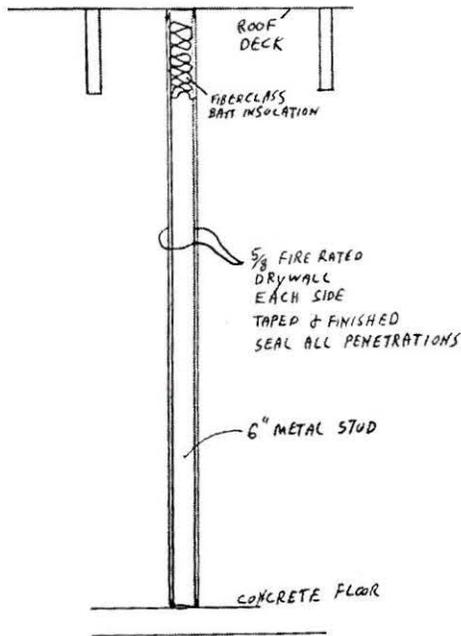
BOARD + BRUSH
303 N. 4TH ST. SUITE C
ST. CHARLES IL 60174



INTERIOR LAYOUT



EXISTING FIRE SUPPRESSION RISER



ROOF DECK
FIBERGLASS BATT INSULATION

5/8" FIRE RATED DRYWALL EACH SIDE
TAPED & FINISHED
SEAL ALL PENETRATIONS

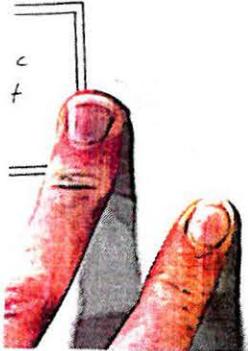
6" METAL STUD

CONCRETE FLOOR

DEMISING WALL

NOTES

- MOD AND RELOCATE FIRE SUPPRESSION AS REQUIRED
- MODIFY ALARM SYSTEM AS REQUIRED



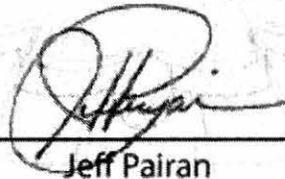
Certificate of Completion

**American
Safety Council**

JESSICA JAMES

Has diligently and with merit completed the
On-Premise BASSET Alcohol Certification on 6/17/2019

from the American Safety Council.


Jeff Pairan

Certificate of Completion

**American
Safety Council**

MIKE ILIC

Has diligently and with merit completed the
On-Premise BASSET Alcohol Certification on 1/18/2018

from the American Safety Council.


Jeff Pairan

Certificate of Completion

**American
Safety Council**

MARY ILIC

Has diligently and with merit completed the
On-Premise BASSET Alcohol Certification on 1/17/2018

from the American Safety Council.



Jeff Pairan

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 7b

Title: Recommendation to approve a Proposal for a B1 Liquor License Application, along with a 1 a.m. Late Night Permit, for Da Hood Located at 11 N. 3rd St., St. Charles.

Presenter: Police Chief James Keegan

Meeting: Government Operations Committee

Date: August 19, 2019

Proposed Cost: \$

Budgeted Amount: \$

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

This is a new liquor license request for Da Hood located at the former Games on 3rd – 11 N. 3rd Street. The application specifies that the applicant currently operates a restaurant in Geneva, IL by the name El Barrio Altiro and that she has seven years of experience with this type of business.

Pursuant to this item being presented at the Government Operations Committee meeting on August 19, 2019 to seek approval; it will be brought before the Liquor Control Commission at a meeting scheduled for 4:30 p.m., the same day, to process and move it forward to this Committee. This item will then continue on to the City Council meeting scheduled on September 3, 2019 for final approval.

Attachments *(please list):*

Summary, Floor Plan, Liquor License Application, Insurance Quote

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve a proposal for a B1 Liquor License application, along with a 1 a.m. Late Night Permit, for Da Hood located at 11 N. 3rd St., St. Charles.



Memo

Date: 8/16/2019
To: The Honorable Ray Rogina, Mayor-Liquor Commissioner
From: James Keegan, Chief of Police
Re: Background Investigation-Da Hood (B-1)

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

As is customary procedure, a detective was assigned this investigation and reviewed the site location/floor plans, the business plan and the corresponding application material. The ownership group has operated a number of establishments in nearby Geneva and both Chicago and West Chicago. Although we did not find necessarily derogatory information that would preclude the applicants from obtaining a liquor license, their Geneva license from the State of Illinois was temporarily suspended (failure to pay alcohol taxes in February of 2019) and one of the owners was cited for selling alcohol to a minor in 2014.

Although Geneva has had good experiences with their previous establishments (other than the aforementioned information and an occasional loud music complaint), the applicants have yet to provide either valid proof of Dram Shop Insurance or a menu specific to "Da Hood". Additionally, their previous suspension by the Illinois Liquor Commission was not immediately reflected in their background material but rather brought to their attention by my staff.

The applicants are seeking a Class B1/Late Night Permit Request (1am on the application-2am request will be made in front of City Council). I am hereby recommending the following:

- Given the sale to minor and delinquent tax information that additional consideration in terms of a 2am late-night permit be considered by the City Council. I am recommending a 1am permit with a number of stipulations.
- Proof of valid Dram Shop Insurance and a current menu/updated business plan-application material.
- "DBA" considerations and specific target audience information. What type of customer are they marketing, seeking and serving?
- Sale to Minor concerns. Admonishment from the Liquor Commission that SCPD will conduct inspections, compliance checks and officer walk-throughs on a routine basis to ensure compliance with local ordinances and state liquor laws.
- Lastly, we consider additional covenants afforded to us as part of our strict liquor ordinance, such as: no glassware, individual shots or entry past midnight.

Thank you in advance for your consideration in this matter.



Memo

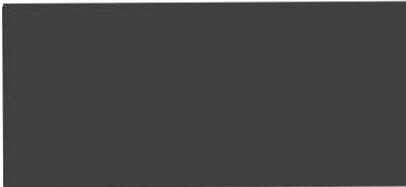
Date: 08/15/19
To: Chief Keegan
From: Commander Pierce 
Re: Liquor License Background, Da Hood and Co. (Da Hood).

The purpose of this memo is to outline steps taken during the background investigation for a liquor license application. This investigation was done based on the application submitted for Class B for the business, Da Hood and Co. (DBA Da Hood). This business is to be located at 11 N. 3rd St. Suite B.

Applicants:

Villanueva, Amy L.

Villanueva, Luis Miguel



Application:

The application was received on or around 07/08/19. The application is almost complete, to include a signed lease, a menu, and floor plan. The business included a Certificate of Insurance however this certificate does *not* include liquor liability (dram shop) insurance. I have contacted Amy and Luis several times about this and have yet to produce the proof or even a quote of liquor insurance.

Amy and Miguel both hold valid BASSET Certifications which are included in the application.

Records Checks:

Both applicants were fingerprinted. Responses from both the FBI and Illinois Bureau of Identification for Amy showed nothing that would cause the license to be denied. The responses for Luis showed one arrest for a misdemeanor traffic offense where he received supervision and paid a fine.

Luis advised that he has lived in St. Charles for the past 10 years.



Amy advised that she has lived in St. Charles for the past 10 years.

A check of both Amy and Luis through St. Charles and Kane County records showed no contacts that would preclude either of them from getting a liquor license.

Amy is a US citizen. Luis is not a US citizen however he is legally married to Amy and has applied to become a US citizen.

A check of the Illinois Liquor Control Commission showed a current active license for Da Hood and no record of license revocation. However, this check revealed a license suspension for the Villanueva's other business, Del Barrio (Geneva) in February 2019. The suspension was for failure to pay alcohol taxes. This check also revealed a "sale to minor" violation for Amy Villanueva's Al Tiro location in 2014.

A check of TLO and I-Clear (law enforcement databases) showed the information concerning identity of both to be accurate and no areas of concern were noted.

A check of the Illinois Secretary of State showed Da Hood and Co. to be in good standing.

INTERVIEW WITH APPLICANT:

On or about 07/08/19, the City received this application. In looking at the application I found Amy Villanueva listed as the sole owner. The concept for the business was listed as a "Mexican America bar, focused on whisky and tequila". The bar will serve "authentic American bar food and Mexico City street food". The floor plan seems to be very similar to the restaurant that occupied the location before The Grandstander / Game On. The application indicated Amy Villanueva was associated with the businesses Del Barrio and Al Tiro in Geneva.

I called Geneva police department and spoke to Sgt. Rivera who is in charge of the liquor enforcement in Geneva. Sgt. Rivera was familiar with Amy Villanueva as a business owner in town. Sgt. Rivera said Amy Villanueva formally owned the business Al Tiro but had sold the business. Sgt. Rivera said Amy Villanueva currently owns Del Barrio. Sgt. Rivera said Geneva has had no problems with any of her businesses however he did mention that earlier this year, approximately March/April, the State of Illinois Liquor commission came in and revoked Del Barrio's liquor license due to non-payment of liquor taxes. Sgt. Rivera had no further information.

On 07/16/19 at approximately 11:00am, I met with Amy and Luis "Miguel" Villanueva at the police department front desk. I asked Amy if she would be the sole owner. At first she said yes, but after speaking about the qualifications for ownership, it was determined that Miguel would be added as well. During the conversation Amy advised me that Miguel and she had owned Al Tiro in Geneva and the Rosco Village neighborhood in Chicago. Amy went on to say they had also owner Al Chulo in W. Chicago. Amy said they had

sold all these businesses in 2017 and now only ran Del Barrio. I later confirmed with both that they planned to run the business more as a restaurant than a bar and planned to have the kitchen open until midnight. When asked about employees Amy said they had not hired anyone, but Miguel said they had a manager in mind. I advised them to have the manager contact me so I could finger print them and speak to them. They also confirmed the layout of the business would be staying the same as the previous business "The Grandstander" and/or "Game On". I asked them if they had ever had any of their liquor licenses suspended or revoked and they said no. During the meeting I noticed the insurance quote did not include liquor liability coverage. I brought this to their attention and asked that they get me proof.

After meeting with Amy and Miguel, on 07/23/19, I received an email from Attorney Abraham Zisook with the Illinois Liquor Commission. I received the email after I inquired about the license suspension I was told about by Sgt. Rivera. Zisook confirmed that the license had been suspended for failure to pay February's taxes. Zisook also advised that Al Tiro had received a "sale of alcohol to minor" violation in June of 2014. The business paid a \$500.00 fine.

I called W. Chicago police department and inquired about any liquor violations with their Al Chulo location. I was advised there were no violations. I contacted the City of Chicago reference their Rosco Village location but received no response.

I called Miguel and spoke to him about the license suspension. Miguel admitted the license had been suspended. Miguel said there had been a problem with the electronic payment going through. He said he paid the tax immediately once he learned of the suspension.

SITE VISIT:

On 08/15/19, I visited the location. Since the Villanueva's indicated the floor plan would stay the same, I went by myself and looked in from the outside. I found the business layout to be very similar to the floor plan provided with the application. I noted no construction being done. This location was previously Grandstander / Game on which was a business that held a liquor license.

This concludes this background investigation.

CP

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



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

Date Application Received: _____ New Application Renewal Application

APPLICATION CHECKLIST

Check items to confirm all are attached to this application	Applicant	Office Use Only
Application Fee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Completed Application for all questions applicable to your business.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Lease/Proof of Ownership	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Dram Shop Insurance or a letter from insurance agent with a proposed quote.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Articles of Corporation, if applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Completed B.A.S.S.E.T. (Beverage Alcohol Sellers & Servers Training) form – filled out for all employees. A copy of the B.A.S.S.E.T. certificate is only needed for each manager . It is the business establishment's responsibility to keep copies of all B.A.S.S.E.T. certificates on file for all of their employees.	<input type="checkbox"/>	<input type="checkbox"/>
Copy of Site Plan for Establishment (Drawn to scale including the parking lot, patio and/or deck, outdoor seating).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Floor Plan for Establishment (Drawn to scale and must include the layout of the establishment with tables, chairs, aisles, displays, cash register, bar, and lounge area with dimensions, percentage, and square footage noted for each space). Be sure to also include all fixed objects , such as pool tables, bar stools, vending/amusement machines; as well as all exits .	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Business Plan, to include: <ul style="list-style-type: none"> <input type="checkbox"/> Hours of Operation <input type="checkbox"/> Copy of Menu <input type="checkbox"/> Whether or not live music will be played at this establishment <input type="checkbox"/> Will there be outdoor seating and/or outdoor designated smoking area <input type="checkbox"/> Do not include a marketing or financial plan with this business plan 	<input type="checkbox"/>	<input type="checkbox"/>
Are any building alterations planned for this site? If not sure, please contact Building & Code Enforcement at 630.377.4406 and/or Fire Prevention Bureau at 630.377.4458 to discuss whether or not a walk-thru and/or permit are necessary for this business. <i>No</i>	<input type="checkbox"/>	<input type="checkbox"/>
All managers have been fingerprinted who are employed by your establishment. When new management is hired, it is imperative you contact the Mayor's office to be fingerprinted so the City's business files are appropriately updated. <i>not yet</i>	<input type="checkbox"/>	<input type="checkbox"/>

OFFICIAL USE ONLY

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

Signature of Mayor, Liquor Control Commissioner _____ Date Issued _____

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

APPLICANT INFORMATION

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

B. Business Name: Da Hood & Co.

C. Business Address: 11 N. 3rd St. St. Charles, IL 60174

D. IL Tax ID Number:	E. Business Phone:	F. Business E-mail:	G. Business Website:
[REDACTED]	<u>630421028</u>	[REDACTED]	[REDACTED]
I. Title:		J. Phone No.:	
<u>Amy Villanueva</u>		<u>President</u>	

K. If Corporation, Corporation Name: Da Hood & Co.

L. Corporation Address (city, state, zip code): 11 N. 3rd St. St. Charles, IL 60174 suite B

BUSINESS ESTABLISHMENT LOCATION INFORMATION

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

B. Address applying for liquor license (exact street address): <u>11 N. 3rd Street unit B</u>	C. Number of Parking Spaces:	D. Outside Dining s.f. [17.20.020-R]: <u>no</u>	E. Holding Bar s.f. [5.08.010-F]:
F. Total Building s.f.: <u>5200 sq ft.</u>	G. Total Number of Seats: <u>110</u>	H. Number of Bar Seats:	I. Live Entertainment Area s.f. [5.08.010-H]: <u>Yes</u>
K. Kitchen s.f.:	L. Cooler s.f.:	M. Dry Storage s.f.:	N. Seating Area s.f.:
		O. Retail/public Area s.f.:	P. Service Bar s.f. [5.08.010-O]:

Q. Brief Business Plan description based on type of establishment listed above:

MANAGER INFORMATION

Full Name, include middle initial: Amy L. Villanueva Title: President

Birthdate: [REDACTED] Birthplace: [REDACTED] Driver's License#: [REDACTED] Home Phone: [REDACTED]

Home Address: [REDACTED]

Full Name, include middle initial: _____ Title: _____

Birthdate: _____ Birthplace: _____ Driver's License#: _____ Home Phone: _____

Home Address: _____

Full Name, include middle initial: _____ Title: _____

Birthdate: _____ Birthplace: _____ Driver's License#: _____ Home Phone: _____

Home Address: _____

PROPOSED FLOOR PLAN/LAYOUT OF PROPERTY

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

CLASS B LICENSES

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

CLASS C LICENSES

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

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

CORPORATION / PREMISES QUESTIONS

1. If applicant is an individual or partnership, is each and every person a United States citizen (5.08.070-2)? Yes No
 Is any individual a naturalized citizen? Yes No
 If yes, print name(s), date(s), and place(s) of naturalization:

2. List the type of business of the applicant (5.08.070-3): *Restaurant/Bar*

3. Number of years of experience for the above listed type of business (5.08.070-4): *7 years*

4. Amount of merchandise that normally will be in inventory when in operation (5.08.070-5): \$ *110,000*

5. Location/address and description of business to be operated under this applied for license (5.08.070-6):
*11 N. 3rd street
 St. Charles, IL 60174*

6. Is the premises owned or leased (5.08.070-6A)? Owned Leased

7. If the premises are leased, list the names and addresses of all direct owners or owners of beneficial interests in any trusts, if premises are held in trust (5.08.070-6B):

Name of Building Owner:
 Address of Building Owner: *Terry Grove*
 Mailing Address of Building Owner (if different): *311 N. Second Street, suite 304 St. Charles, IL 60174*
 Phone Number: *630.377.9150* E-mail Address:

Name of Building Owner:
 Address of Building Owner:
 Mailing Address of Building Owner (if different):
 Phone Number: E-mail Address:

Name of Building Owner:
 Address of Building Owner:
 Mailing Address of Building Owner (if different):
 Phone Number: E-mail Address:

8. Does the applicant currently operate, or operated in the past, any other establishment within the City of St. Charles that requires a liquor license? Yes No
 If yes, please list the business name(s) and address(es):
*Del Barrio - Geneva
 Altivo*

9.	<p>Does applicant have any outstanding debt with the City of St. Charles, including, but not limited to, utility bills, alcohol tax, and permit fees, for any current or previous establishment owned, operated or managed by the applicant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please note the City of St. Charles requires all debt to be paid in full before consideration of a new or renewed liquor license is issued.</p>
10.	<p>Are any improvements planned for the building and/or site that will require a building permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, has a building permit been applied for? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, date building permit was applied for with Building & Code Enforcement:</p>
11.	<p>Has applicant applied for a similar or other license on the premises other than the one for which this license is sought (5.08.070-7)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, what was the disposition of the application? Explain as necessary:</p>
12.	<p>Has applicant (and all persons listed on page 1 of this application) ever been convicted of a felony under any Federal or State law, or convicted of a misdemeanor opposed to decency or morality (5.08.070-8)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Is applicant (and all persons listed on page 1 of this application) disqualified from receiving a liquor license by reason of any matter contained in Illinois State law and/or City of St. Charles Municipal Ordinances? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
13.	<p>List previous liquor licenses issued by any State Government or any subdivision thereof (5.08.070-9). Use additional paper if necessary.</p> <p>Government Unit:</p> <p>Date: 08/01/18 - 07/31/19 License # IA-1131222 Location, City/State: Geneva, IL</p> <p>Special Explanations:</p> <p>Government Unit:</p> <p>Date: Location, City/State:</p> <p>Special Explanations:</p>
14.	<p>Have any liquor licenses possessed ever been revoked (5.08.070-9)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, list all reasons on a separate, signed letter accompanying this application.</p> <p>Has any director, officer, shareholder, or any of your managers, ever been denied liquor license from any jurisdiction?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, proceed to Question 15. If more space is needed, please attach a separate sheet of paper with the information.</p>

15.	<p>Complete ONLY if yes was answered to the questions above (14):</p> <p>Name: _____ Name of Business: _____</p> <p>Position with the Business: _____</p> <p>Date(s) of Denial: _____</p> <p>Reason(s) for Denial of License: _____</p>
16.	<p>Date of Incorporation (Illinois Corporations) (5.08.070-10): <u>06/05/19</u></p> <p>Date qualified under Illinois Business Corporation Act to transact business in Illinois (Foreign Corporation): _____</p>
17.	<p>Has the applicant and all designated managers read and do they all understand and agree not to violate any liquor laws of the United States, the State of Illinois, and any of the ordinances of the City of St. Charles in conducting business(5.08.070-11)?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Have you, or in the case of a corporation, the local manager, or in the case of a partnership any of the partners, ever been convicted of any violation of any law pertaining to alcoholic liquor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Have you, or in the case of a corporation the local manager, or in the case of a partnership any of the partners, ever been convicted of a felony? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Have you ever been convicted of a gambling offense? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If a partnership or corporation, include all partners and the local manager(s).)</p> <p>Will you and all your employees refuse to serve or sell alcoholic liquor to an intoxicated person or to a minor?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
18.	<p>Mandatory: All individual owners, partners, officers, directors, and/or persons holding directly or beneficially more than five (5) percent in interest of the stock of owners by interest listed on page 1 of this application must be fingerprinted by the City of St. Charles Police Department (5.08.070-A12).</p> <p>Has this been done? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, date(s): _____</p>
19.	<p>Mandatory: Has the applicant attached proof of Dram Shop Insurance to this application or already furnished it to the City of St. Charles (5.08.060)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If already furnished, date of delivery: <u>insurance quote</u></p> <p>NOTE: Insurance must be issued from May 1, 20XX – April 30, 20XX in accordance with City code 5.08.060. Request a prorated rate from your insurance company if you are applying for a new license during this timeframe.</p>

20.

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

Yes No

COMMENTS/ADDITIONAL INFORMATION

Illinois BASSET SELLER / SERVER CERTIFICATION

Trainee Name: Amy Villanueva

Certificate #: 000016002078

Date of Completion: 07/08/2019

School Name:

360training.com dba Learn2Serve

I, 
certify that the above named person
successfully completed an approved
Learn2Serve Seller/Server course.

This course provides necessary
knowledge and techniques for the
responsible serving of alcohol.

This is your temporary certificate of completion. You will receive your official card in the mail. Please forward all questions to support@360training.com.



Corporate Headquarters

6801 N. Capital of Texas Hwy, Bldg 1,
Suite 250, Austin, TX 78731
Phone: 877.881.2235

APPLICATION FOR LATE NIGHT PERMIT

SUPPLEMENTAL TO LIQUOR LICENSE FOR CLASS B/C

To: **St. Charles Liquor Control Commission**

Date: 07/05/19

I now possess or have applied for a liquor license Class

Applicant's Name:

Amy Lynn Villalobos

Name of Business:

DA HOON

Business Address:

11 W 3rd St St Charles IL 60174

Business Phone:

6304021028

SUPPLEMENTAL PERMIT APPLIED FOR

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

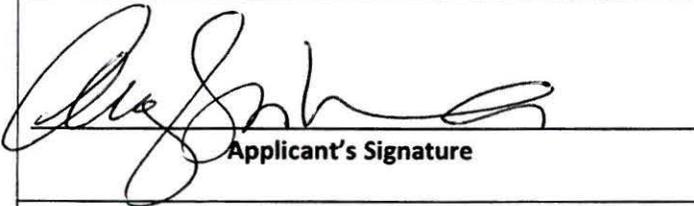
1:00 a.m. Late Night Permit – fee of \$800.00

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

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

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

SIGNATURES


Applicant's Signature

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

Liquor Commissioner's Signature

Date

ADDENDUM TO RETAIL LIQUOR LICENSE APPLICATION**To be completed by the City of St. Charles Police Department**

Date:	Name of Applicant:
-------	--------------------

Name of Business:

Address of Business:	Ward Number:
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To Liquor Control Commissioner, City of St. Charles, Illinois

Pursuant to the provision of the City of St. Charles Municipal Code, Chapter 5.08, Alcoholic Beverages, the following guide shall be in effect for the investigation of an applicant for a Retail Dealer's Liquor License:

1.	Date on which applicant will begin selling retail alcoholic liquors at this location:
----	---

2.	Is the location within 100 feet of any church; school; hospital; home for the aged or indigent persons; home for veterans, their wives/husbands or children; or any military or naval station? <input type="checkbox"/> Yes <input type="checkbox"/> No
----	---

3.	<p>If the answer to question 2 is yes, answer the following: Is applicant's place of business a hotel offering restaurant service, a regularly organized club, a restaurant, a food shop, or other place where the sale of alcoholic liquors is not the principal business? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, answer a, b and c:</p> <p>a. State the kind of such business:</p> <p>b. Give date on which applicant began the kind of business named at this location:</p> <p>c. Has the kind of business designated been established at this location for such purpose prior to February 1, 1934, and carried on continuously since such time by either the applicant or any other person?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
----	---

4.	<p>If premises for which an alcoholic liquor license is herein applied for are within 100 feet of a church, have such premises been licensed for the sale of alcoholic liquor at retail prior to the establishment of such church? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, have the premises been continuously operated and licensed for the sale of alcoholic liquor at retail since the original alcoholic liquor license was issued therefore? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
----	---

5.	<p>Is the place for which the alcoholic liquor license is sought a dwelling house, flat, or apartment used for residential purposes?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
----	--

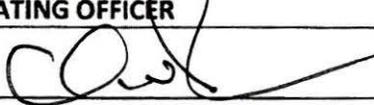
6.	<p>Is there any access leading from premises to any other portion of the same building or structure used for dwelling or lodging purposes and which is permitted to be used or kept accessible for use by the public? (Connection between premises and such other portion of building or structure as is used only by the applicant, his/her family and personal guests not prohibited.)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
----	--

7.	<p>If applicant conducts or will conduct in the same place any other class of business in addition to that of City Retailer of Alcoholic Liquor, state the kind and nature of such business: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
----	---

8.	Are all rooms where liquor will be sold for consumption on the premises continuously lighted during business hours by natural light or artificial white light so that all parts of the interior shall be clearly visible? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
9.	Are premises located in any building belonging to or under the control of the State of Illinois or any other political subdivision thereof, such as county, city, etc.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10.	Are the premises for which license is herein applied for a store or place of business where the majority of customers are minors of school age or where the principal business transacted consists of school books, school supplies, food or drinks for such minors? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11.	It is required by the City of St. Charles that all employees undergo BASSET training. Provide a copy of the certificate of training completion for each manager. All certificates for managers have been submitted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
12.	From your observation and investigation, has applicant—to the best of your knowledge—truthfully answered all questions? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If no, state exceptions: ASKED ABOUT PREVIOUS LICENSE SUSPENSIONS. WAS TOLD THEY HAD NEVER BEEN SUSPENDED HOWEVER THEIR GENEVA LOCATION WAS SUSPENDED IN 2014.
13.	Have all persons named in this application been fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Fingerprinted by: SCRD Date: JULY 2019
14.	Other necessary data:

**SIGNATURES
ENDORSEMENTS AND APPROVALS**

INVESTIGATING OFFICER


323 Commander
 Investigating Officer Signature Badge Number & Rank

ENDORSEMENT OF THE CHIEF OF POLICE

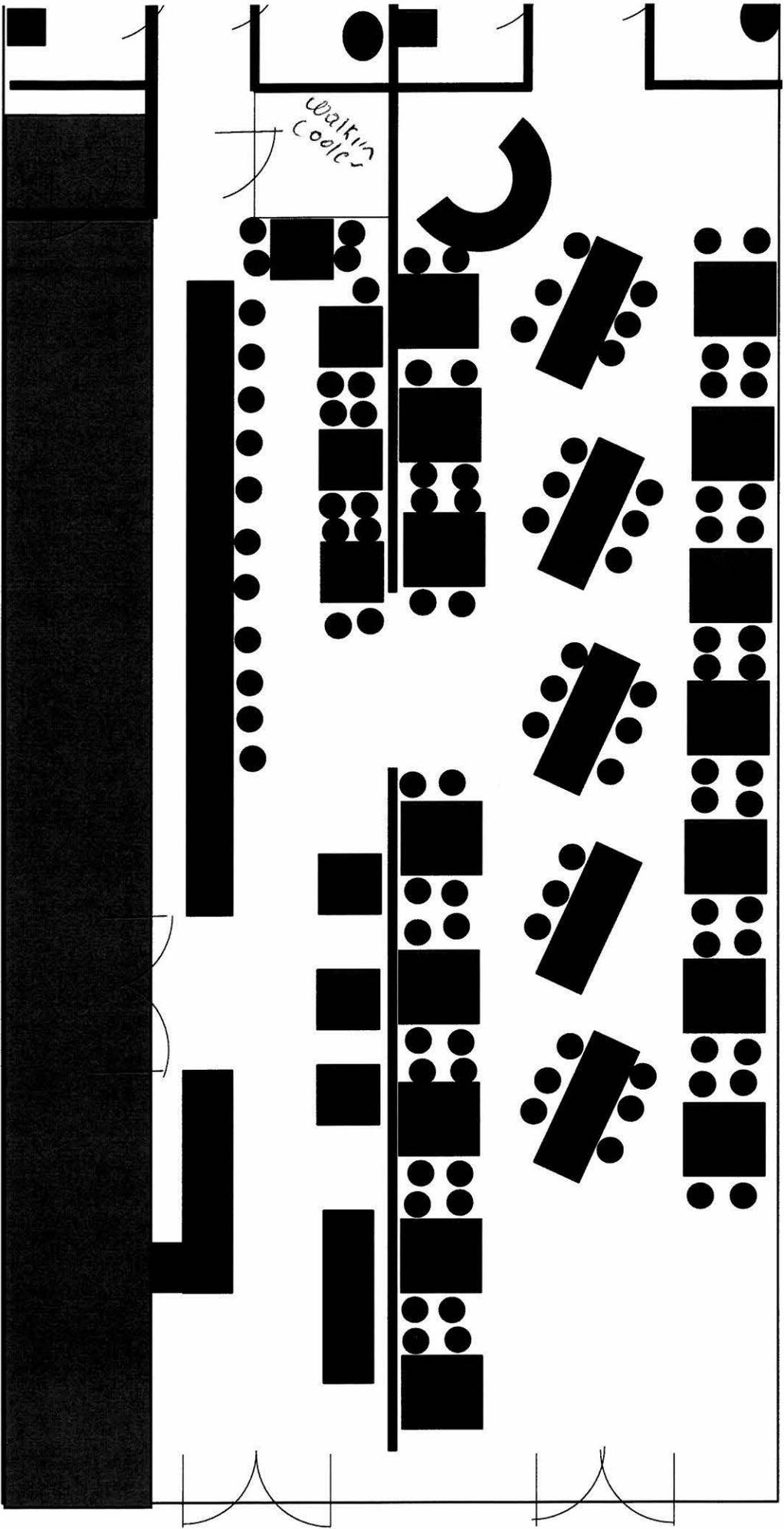
Recommend Issuing Liquor License: Yes No WITH STIPULATIONS PER MEMO.

8-15-19
 Signature Of Chief of Police Date

Concept for new restaurant

- It will be a Mexican American bar (focused on whisky and tequila)
- We want to serve authentic American bar food and Mexico City street food with a touch of gourmet
- We want our customers to experience the Mexico City ambiance in downtown st charles
- The name will be Da Hood
- Based on our name, the décor will be pictures of the most monumental parts of Mexico City and Chicago painted by a Mexican street artist who will capture the greatest parts of the cities
- The bar will display 100 different types of whisky and tequilas
- We will train our employees with more knowledge on the most popular whisky and tequilas so they can pass it on to our customers.
- We will serve a variety of different drinks with our unique touch
- With the experience with other restaurants bars we own we are planning to bring a unique atmosphere and food and drinks experience

DA HOOD 11th 3rd St



Same as Above on 2nd

Your State Farm Agent

Esha T Patel

213 E Army Trail Rd

Glendale Hts, IL 60139-1758

Bus: 630,894,0600**Email:** esha.patel.mah7@statefarm.com**Prepared by:** Timir Patel

Business Insurance Quote

POLICY TYPE**Policy type:** Restaurant**Prepared:** 07/02/2019**Submission number:** 0000256947**Quote effective date:** 07/02/2019**APPLICANT(S)****Prepared for:** DA HOOD INC**Address:**

11 N 3RD ST

ST CHARLES, IL 60174-1873

Phone: 630-402-1028**POLICY PREMIUM****Total annual premium:** \$5,513.00

Coverages	Cov applies	Limit	Premium
Coverage B - Business Personal Property Replacement Cost	Loc 1	\$250,000	\$1,983.00
Loss of Income and Extra Expense	Per Policy	12 Months Actual Loss Sustained	
Coverage L- Business Liability-Per Occurrence		\$1,000,000	\$4,725.00
Coverage L- Business Liability-General Aggregate		\$2,000,000	
Products/Completed Operations Liability-Annual Aggregate		\$2,000,000	
Damage to Premises Rented to You		\$300,000	
Coverage M - Medical Expenses		\$5,000	

POLICY DEDUCTIBLES

Deductible	Amount
Basic Deductible	\$1,000
Employee Dishonesty	\$250
Equipment Breakdown	\$1,000

Deductible	Amount
Money and Securities	\$250

DISCOUNTS AND CHARGES

Discounts and Charges	Location	Amount
Automatic Sprinkler Protection	Loc 1	(\$397.00)
Business Experience Rating		(\$290.00)
Improvements and Betterments	Loc 1	(\$270.00)
Protective Devices	Loc 1	(\$238.00)

POLICY LEVEL-PREMIUMS

Coverages	Limit (Basis)	Premium
Dependent Property - Loss of Income	\$5,000	
Employee Dishonesty	\$10,000	
Equipment Breakdown	Included	
Personal Property Off Premises	\$15,000	
Utility Interruption - Loss of Income	\$10,000	

INLAND MARINE PREMIUM

Coverages	Limit (Basis)	Premium
Computer Property		
Computer Hardware / Software Limit	\$25,000	
Loss of Income and Extra Expense Limit	\$25,000	
Deductible	\$500	

OTHER FORMS AND ENDORSEMENTS

Computer Property Form

LOCATION(S)

Location: 1

Address:

11 N 3RD ST

ST CHARLES, IL 60174-1873

RATING INFORMATION

County: Kane

Owner/occupancy: Tenant

Number of years the applicant has owned and operated the same type of insured business: 0

Is this address within city limits? Yes

Business/occupancy: Restaurants: alcoholic beverage sales less than 75% of the total annual receipts - without dance floor

Construction type: Masonry Non-Combustible

Earthquake territory/zone: 5

Year built: 2019

Territory zone: 02

Subzone: 01

Coverages	Limit (Basis)	Premium
Accounts Receivable (On Premises)	\$10,000	
Accounts Receivable (Off Premises)	\$5,000	
Arson Reward	\$5,000	
Back-up of Sewer or Drain	\$15,000	
Collapse	Included	
Damage to Non-owned Buildings from Theft, Burglary or Robbery	Coverage B Limit	
Debris Removal	25% of covered loss	
Fire Department Service Charge	\$5,000	
Fire Extinguisher Systems Recharge Expense	\$5,000	
Food Contamination – Loss of Income – Additional Advertising Expenses	\$3,000	
Food Contamination – Loss of Income – Per Occurrence	\$10,000	
Forgery or Alteration	\$10,000	
Glass Expenses	Included	
Increased Cost of Construction and Demolition Costs (applies only when buildings are insured on a replacement cost basis)	10%	
Money Orders and Counterfeit Money	\$1,000	
Money and Securities (On Premises)	\$10,000	
Money and Securities (Off Premises)	\$5,000	
Newly Acquired Business Personal Property (applies only if this policy provides Coverage B – Business Personal Property)	\$100,000	
Newly Acquired or Constructed Buildings (applies only if this policy provides Coverage A – Buildings)	\$250,000	
Ordinance or Law - Equipment Coverage	Included	
Outdoor Property	\$5,000	
Personal Effects (applies only to those premises provided Coverage B – Business Personal Property)	\$2,500	
Pollutant Clean Up and Removal	\$10,000	
Preservation of Property	30 Days	
Property of Others (applies only to those premises provided Coverage B - Business Personal Property)	\$2,500	
Seasonal Increase - Business Personal Property	25%	
Signs	\$10,000	
Spoilage (applies only to those premises provided Coverage B – Business Personal Property) On Premises	\$15,000	
Spoilage (applies only to those premises provided Coverage B – Business Personal Property) Off Premises	\$5,000	
Spoilage (applies only to those premises provided Coverage B – Business Personal Property) Expediting Expense Limit	\$1,000	
Valuable Papers and Records (On Premises)	\$10,000	
Valuable Papers and Records (Off Premises)	\$5,000	
Water Damage, Other Liquids, Powder or Molten Material Damage	Included	

This is a sample quote that contains only general description of some available coverages and limits with an approximate premium, subject to eligibility. It is not a contract, binder of coverage or coverage recommendation. All coverages are subject to the terms, provisions, exclusions, and conditions in the policy and its endorsements. If information used for rating changes or different rates are effective at the time of policy issuance, this rate quote may be revised. If you have any questions, please contact my office.



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 7c

Title: Recommendation to Approve a Proposal a Class E1 Liquor License for St. Charles Chamber of Commerce to be held at Baltria Vintage Auto Gallery, St. Charles on September 13 & 14, 2019

Presenter: Chief Keegan, Police Chief

Meeting: Government Operations Committee

Date: August 19, 2019

Proposed Cost:

Budgeted Amount: \$

Not Budgeted: **X**

Executive Summary (if not budgeted please explain):

The St. Charles Chamber of Commerce is requesting to host their final Cruise Nights event at Baltria Vintage Auto Gallery, located at 4200 E. Main St. in St. Charles, on Friday, September 13 from 5:00 pm – 8:00 pm, and Saturday, September 14, from 10:00 am – 4:00 pm and obtain an E1 License (not-for-profit).

City of St. Charles Liquor License holder, Pollyanna Brewing Company, will supply the beer for this event.

Identification will be checked for all participants wishing to purchase alcohol and wrist bands will be administered to those 21 and older after the identification is properly verified.

Pursuant to this item being presented at the Government Operations Committee meeting on August 19, 2019 to seek approval; it will be brought before the Liquor Control Commission at a meeting scheduled for 4:30 p.m., the same day, to process and move it forward to this Committee. This item will then continue on to the City Council meeting scheduled on September 3, 2019 for final approval.

Attachments (please list):

E1 Liquor Application, COI, BASSET Information, and site plan

Recommendation/Suggested Action (briefly explain):

Recommendation to Approve a Proposal a Class E1 Liquor License for St. Charles Chamber of Commerce to be held at Baltria Vintage Auto Gallery, St. Charles on September 13 & 14, 2019

For Office Use
 Received:
 Fee Paid: \$
 Receipt #

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



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

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

The undersigned hereby makes application for a Liquor Dealer License, Class E1 - Not-For-Profit License or E3 - Kane County Fair
 Commencing 9/13/2019 and ending 9/14/2019
 Time Starting Fri 5-8 pm and ending Sat 10a-4p
 Location of Event Baltin Custom Auto 4200 E Main St

Name of Business: St. Charles Chamber of Commerce
 Address of Business: 116 Riverside Ave Business Phone: 630 584 8384
 Is the Applicant a Not-For-Profit Organization? Yes
 Authorized Agent: Ryan Wedner Title: owner - Pollyanna Brewing
 Has Applicant had a Class E1 License in the previous 365 days? No If YES, on what date:
 Does Applicant have Dram Shop Insurance? Yes If YES, attach evidence of insurance.

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

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

Affidavit

State of Illinois)
 County of Kane)

I/We, the undersigned, being first duly sworn, say that I/we have read the foregoing application and that the statements therein are true, complete, and correct and are upon my/our personal knowledge and information and are made for the purpose of inducing the City of St. Charles to issue the Liquor Dealer License, Class E1 to me/us for the location hereinbefore indicated; that I/we will not violate any of the laws of the United States, the State of Illinois or the City Ordinances of the City of St. Charles.

Signed:
 Sworn to before me this 14 day of August
 Notary Public Sharon J. Bringelson

Signed: Jane J. Niccola
2019
 President, CCO St. Charles Chamber

Approved: [Signature] Date: 8/15/19 Chief of Police:
 Approved: _____ Date: _____ Liquor Commissioner:



Illinois BASSET SELLER / SERVER CERTIFICATION

Trainee Name: Ryan Weidner
Date of Completion: 08/02/2017

School Name:
360training.com dba Learn2Serve

I,  _____

**certify that the above named person
successfully completed an approved
Learn2Serve Seller/Server course.**

This course provides necessary
knowledge and techniques for the
responsible serving of alcohol.

This is your temporary certificate of completion. You will receive your official card in the mail. Please forward all questions to support@360training.com.



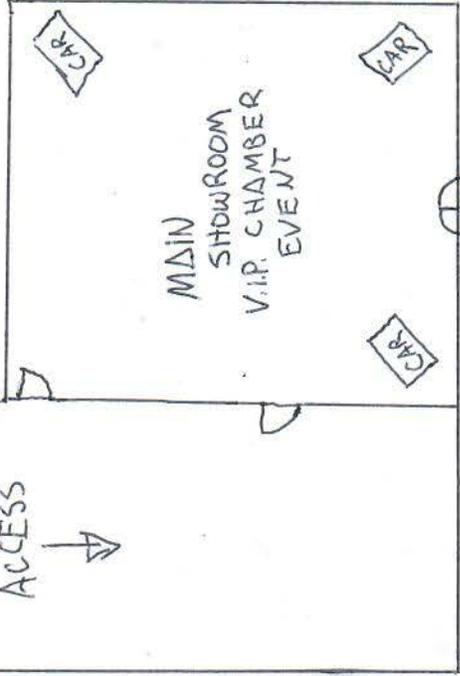
Corporate Headquarters
13801 Burnet Rd., Suite 100
Austin, Texas 78727
P: 877.881.2235

GRASS
FIELD

BOUNCE
HOUSE

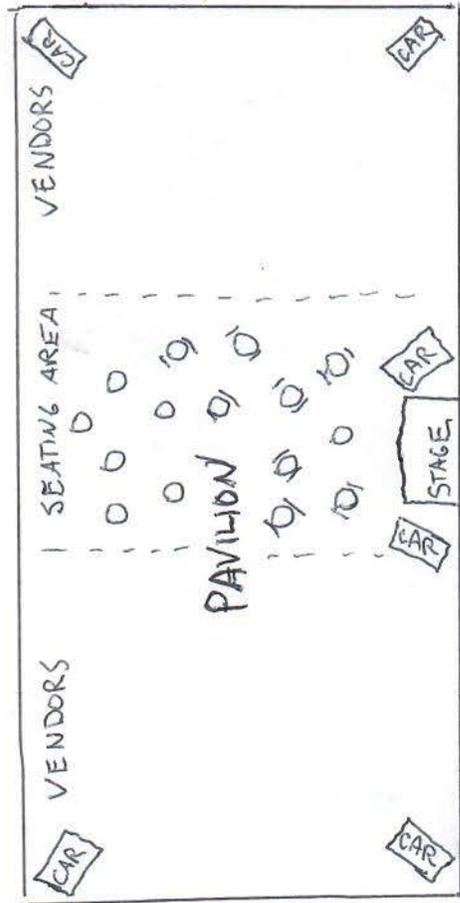
GRAVEL
FIELD

CAR
SHOW
ENTRY



BLOCKED
NO
ACCESS

PUBLIC PARKING
CAR SHOW PARKING





AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 8a

Title:	Recreational Cannabis –continued discussion from August 5, 2019
Presenter:	Mark Koenen, Rita Tungare, Chief Jim Keegan, Chief Joe Schelstreet, and Chris Minick

Meeting: Government Operations Committee Date: August 19, 2019

Proposed Cost: \$ N/A Budgeted Amount: \$ N/A Not Budgeted:

Executive Summary *(if not budgeted please explain):*
At the Committee meeting on August 5 staff provided foundational information about the Cannabis Regulations and Tax Act focusing on our need to address the question---*does the City desire to allow or ban the sale of recreational cannabis*. Additionally, public comment was accepted. The element missing at the August 5 meeting was Committee member discussion.

In order to encourage committee discussion, the attached questions and responses are provided. This list of questions came from the August 5 meeting and we have provided this to assist in your *providing staff with guidance on how to proceed with the local decision to permit OR ban the sale of recreational cannabis* beginning on January 1, 2020 in the City of St Charles. Staff is also requesting the Committee *offer guidance related to the production/processing/distribution businesses and on-premises consumption*.

Attachments *(please list):*
Questions/Comments pursuant to the August 5 Government Operations Committee meeting

Recommendation/Suggested Action *(briefly explain):*
Offer staff guidance on how to proceed with cannabis related businesses.

Cannabis Discussion – August 19, 2019

Questions/Comments from the Government Operations Committee Meeting- August 5, 2019

1- Discuss other aspects of the State cannabis law.

There are various types of cannabis business establishments identified in the Act. From a zoning perspective, the Cannabis Businesses are identified in three categories:

a- Dispensary, which is a retail establishment (defined in the Act as a *Dispensing Organization*).

b- Production/processing/distribution businesses, which are similar to industrial or manufacturing establishments (defined in the Act: *Cultivation Centers, Craft Growers, Processing Organizations, Transportation Organizations*).

c- On-premises consumption, which is most similar to the “Alcohol or Tobacco Establishment” in the City’s Zoning Ordinance (which includes Hookah Bars or Tobacco stores with indoor consumption).

Mark Koenen understood the Committee’s interest to not advance item “c” above, on-premises consumption. Similarly, he would recommend we NOT advance item “b” above, production/processing/distribution businesses. Staff has not received any inquiries related to production/processing/distribution businesses. Additionally, it is highly unlikely we would receive a request for a production/processing/distribution business in the immediate future; acknowledging the industrially zoned portions of the City are generally built out.

Mark Koenen would recommend the Committee take steps to guide staff on whether to proceed concerning item “a” above, dispensary(s). Additionally, staff is looking for guidance regarding item “b”, and to confirm your earlier feedback with having no interest to advance item “c”, above.

2- What is the process to deal with a cannabis business believed to have violated a State or local ordinance?

The State has identified a very thorough process in the suspension, revocation and hearing process as it relates to violations of House Bill 1438. Section 15-135 outlines the investigative process; 15-140 outlines citations; 15-145 discipline and 15-160 hearings. Article 45 also outlines enforcement and immunities. In general Chief Keegan has outlined the enforcement process as follows:

City enforcement- St Charles Police would process enforcement for any illegal activity related to the Cannabis Act outside the walls of the dispensary. We would use adjudication as the forum to prosecute.

State enforcement- State Police would process enforcement for any illegal activity related to the Cannabis Act at the dispensary. The local Police Department would assist and cooperate with the State Police as necessary.

- 3- What are the penalties for small amounts of cannabis possession in excess of the law? Cities and villages; penalties for ordinance violations.

Generally: No fine or penalty for violation of an ordinance, may exceed \$750.00 for any one violation. See 65 ILCS 5/1-2-1. Additionally:

Underage Penalties: A person under the age of 21 who possesses cannabis is guilty of a civil law violation which is punishable by a fine of \$100-\$200. If the person is in a vehicle at the time of offense, the Secretary of State may suspend or revoke the driving privileges. Use of false identification by a person under the age of 21 to purchase cannabis or gain access to a cannabis business establishment is a Class A misdemeanor (less than 1 year of imprisonment).

Cannabis Location Limitations: The possession of cannabis is not authorized in or at the following: school grounds, school buses, correctional facilities, or private residences licensed to provide child care. The use of cannabis is not authorized in or at the following: school grounds, school buses, correctional facilities, or private residences licensed to provide child care, motor vehicle, public place, or knowingly in close physical proximity to any person under the age of 21 who is not a registered medical cannabis patient.

Possession of Cannabis in a Motor Vehicle: No driver may use cannabis within the passenger area of any motor vehicle and no driver or passenger may possess cannabis within any area of the motor vehicle unless it is in a sealed, odor-proof, and child-resistant cannabis container. A violation is a Class A misdemeanor (up to 1 year of imprisonment).

Prohibited Cannabis Production: Persons not authorized by this Act shall not produce or possess cannabis plants. Possession of up to 5 plants is a civil law offense punishable by a fine of \$100-\$200. Possession or production of 6-20 cannabis plants is a Class A misdemeanor (less than 1 year of imprisonment). Currently, the penalty for this offense is a Class 4 felony (1-3 years of imprisonment).

- 4- Carol Stream is doing looking into police field test equipment to determine toxicity levels. Is SC involved and what is the status?

The St Charles Police staff spoke with Carol Stream Police staff. The pilot program has not advanced. There is, however, a law enforcement summit planned for the fall in Naperville that will include information about roadside testing. The Chief plans to send officers to this summit.

- 5- A person can purchase up to 30 grams of leaf cannabis product. What is the frequency that purchasing can be made?

Article 10 of HB1438 outlines that “no person shall knowingly obtain, seek to obtain or possess an amount of cannabis from a dispensary that would cause him or her to exceed the possession limit of this act”. The Chief interprets this as the responsibility of the purchaser.

- 6- Do we know of any State administrative fee being applied on a local tax on cannabis?

Chris Minick understands the State will impose a 1.5% administrative fee on any locally applied sales tax related to the retail sale of recreational cannabis. This percentage is the same administrative fee value the Illinois Department of Revenue imposes on the City’s Home Rule Sales Tax which they collect on behalf of St. Charles.

- 7- What is the retail cost of cannabis per gram?

Retail cannabis sells in the range of \$45-\$65 per one-eighth of an ounce. One ounce of recreational cannabis (approximately 28.4 grams) sells in the range of \$350-\$500.