

AGENDA
CITY OF ST. CHARLES
GOVERNMENT OPERATIONS COMMITTEE
ALD. MAUREEN LEWIS, CHAIR
TUESDAY, SEPTEMBER 3, 2019
IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – 2 EAST MAIN STREET

- 1. Call to Order**
- 2. Roll Call**
- 3. Omnibus Vote**
- 4. Police Department**
 - a. Recommendation to approve a Proposal for a B1 Liquor License Application, along with a 2 a.m. Late Night Permit, for Da Hood & Co., dba Glory City Located at 11 N. 3rd St., St. Charles.
- 5. Information Systems**
 - a. Recommendation to approve the Utility Billing Software Support and Development Agreement Extension with Respect Technology, Inc.
- 6. Finance Department**
 - a. Recommendation to Approve an Ordinance Amending Title 3, Chapter 3.60 of the Municipal Code Imposing a Municipal Cannabis Retailers' Occupation Tax in the Amount of 3%.
- 7. Executive Session**
 - Personnel – 5 ILCS 120/2(c)(1)
 - Pending Litigation – 5 ILCS 120/2(c)(11)
 - Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
 - Property Acquisition – 5 ILCS 120/2(c)(5)
 - Collective Bargaining – 5 ILCS 120/2(c)(2)
 - Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)
- 8. Additional Items from Mayor, Council, Staff, or Citizens.**
- 9. 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: 4a

Title:

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

Presenter:

Police Chief James Keegan

Meeting: Government Operations Committee

Date: September 3, 2019

Proposed Cost: \$

Budgeted Amount: \$

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

This is a new liquor license request for Glory City 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.

This item was presented at the Liquor Control Commission meeting on August 19, 2019. There was no vote taken. The Liquor Commissioner asked that this item be included on the agenda of the GOC meeting this evening to allow the applicant time to submit a more streamlined application.

Attachments *(please list):*

Summary, Memo, Application, BASETT, Certificate Of Insurance , Busniss Plan & Menu, Floor Plan

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 & Co., dba Glory City Located at 11 N. 3rd St., St. Charles.



Memo

Date: 8/29/2019
To: The Honorable Ray Rogina, Mayor-Liquor Commissioner
From: James Keegan, Chief of Police
Re: Background Investigation Continuation Memo-Glory City

The purpose of this memorandum is forward to your attention additional information as it pertains to Glory City.

This originally appeared at the August 19th LCC meeting and was tabled pending additional information to include:

- A refined business plan.
- Solidified marketing plan/hours of operation.
- An updated application and floor plan.
- Final menu and proof of Dram Shop Insurance.

Although the LCC did NOT offer a vote on advancing this to committee with an official recommendation, they did provide direction to the petitioners pursuant to the aforementioned points of clarification. Each has been provided to the City and looks to be both complete and accurate.

The applicants are seeking a Class B1/Late Night Permit Request (1am) and provided a comprehensive business plan. I am hereby recommending the issuance of a liquor license with additional provisions at the direction/discretion of the City Council.

Thank you in advance for your consideration in this matter.



Memo

Date: 8/15/2019
To: The Honorable Ray Rogina, Mayor-Liquor Commissioner
From: James Keegan, Chief of Police *J. Keegan*
Re: Background Investigation-Da Hood (B-1) **ORIGINAL MEMO**

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), the applicants have yet to provide valid proof of Dram Shop Insurance. 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 a 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.
- Additionally, guidance in terms of our local liquor tax and our payment expectations. Potentially, a bond or down payment might be required prior to licensing.
- Proof of valid Dram Shop Insurance.
- Sale to a Minor. SCPD will conduct inspections, compliance checks and officer walk-throughs on a routine basis to ensure compliance with local ordinances and 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.



St. Charles, IL 60175

Villanueva, Luis Miguel



St. Charles, Il 60175

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

11:38 AM

Date Application Received: 8-27-19 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Site Plan for Establishment (Drawn to scale including the parking lot, patio and/or deck, outdoor seating).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Floor Plan for Establishment (Drawn to scale and must include the layout of the establishment with tables, chairs, aisles, displays, cash register, bar, and lounge area with dimensions, percentage, and square footage noted for each space). Be sure to also include all fixed objects , such as pool tables, bar stools, vending/amusement machines; as well as all exits .	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of Business Plan, to include: <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 checked="" type="checkbox"/>	<input type="checkbox"/>
Are any building alterations planned for this site? If not sure, please contact Building & Code Enforcement at 630.377.4406 and/or Fire Prevention Bureau at 630.377.4458 to discuss whether or not a walk-thru and/or permit are necessary for this business.	<input type="checkbox"/>	<input type="checkbox"/>
All managers have been fingerprinted who are employed by your establishment. When new management is hired, it is imperative you contact the Mayor's office to be fingerprinted so the City's business files are appropriately updated.	<input type="checkbox"/>	<input type="checkbox"/>

No

not yet

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: Glory City

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

D. IL Tax ID Number: [Redacted] E. Business Phone: 630.402.1028 F. Business E-mail: [Redacted] G. Business Website:

H. Contact Person: Amy Villanueva Title: President Home No.: [Redacted]

K. If Corporation, Corporation Name: Da Hood, Co Glory City

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

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): 11 N. 3rd Street St. Charles, IL 60174 C. Number of Parking Spaces: [Redacted] D. Outside Dining s.f. [17.20.020-R]: NO E. Holding Bar s.f. [5.08.010-F]:

F. Total Building s.f.: 5200 sq. ft G. Total Number of Seats: 110 H. Number of Bar Seats: I. Sale Counter s.f.: J. Live Entertainment Area s.f. [5.08.010-H]:

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: Elgin, IL Driver's License#: [Redacted] Home Phone: [Redacted]

Home Address: [Redacted]

Full Name, include middle initial: Luis Miguel Villanueva Title: manager

Birthdate: [Redacted] Birthplace: Mexico City, Mexico 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:

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 (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.

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 (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.	<p>If applicant is an individual or partnership, is each and every person a United States citizen (5.08.070-2)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Is any individual a naturalized citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, print name(s), date(s), and place(s) of naturalization:</p>
2.	<p>List the type of business of the applicant (5.08.070-3): <i>Restaurant/Bar</i></p>
3.	<p>Number of years of experience for the above listed type of business (5.08.070-4): <i>7 years</i></p>
4.	<p>Amount of merchandise that normally will be in inventory when in operation (5.08.070-5): \$ <i>110,000</i></p>
5.	<p>Location/address and description of business to be operated under this applied for license (5.08.070-6): <i>11 N. 3rd street St. Charles, IL 60174</i></p>
6.	<p>Is the premises owned or leased (5.08.070-6A)? <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Leased</p>
7.	<p>If the premises are leased, list the names and addresses of all direct owners or owners of beneficial interests in any trusts, if premises are held in trust (5.08.070-6B):</p> <p>Name of Building Owner: Address of Building Owner: <i>Terry Grove</i> Mailing Address of Building Owner (if different): <i>311 N. Second street, suite 304 St. Charles, IL 60174</i> Phone Number: <i>630.377.9150</i> E-mail Address:</p> <p>Name of Building Owner: Address of Building Owner: Mailing Address of Building Owner (if different): Phone Number: E-mail Address:</p> <p>Name of Building Owner: Address of Building Owner: Mailing Address of Building Owner (if different): Phone Number: E-mail Address:</p>
8.	<p>Does the applicant currently operate, or operated in the past, any other establishment within the City of St. Charles that requires a liquor license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please list the business name(s) and address(es): <i>Del Barrio - Geneva Altivo</i></p>

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: _____</p> <p>NOTE: Insurance must be issued from May 1, 20XX – April 30, 20XX in accordance with City code 5.08.060. Request a prorated rate from your insurance company if you are applying for a new license during this timeframe.</p>

20.

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

Yes No

COMMENTS/ADDITIONAL INFORMATION

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

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

Name:
(First) (Last) (Middle) Manager

Home Street Address:

City, State, Zip:

Date of Course: Place Course was Taken:

Birthdate: Certificate Granted: Expiration:

Name:
(First) (Last) (Middle) Manager

Home Street Address:

City, State, Zip:

Date of Course: Place Course was Taken:

Birthdate: Certificate Granted: Expiration:

Name:
(First) (Last) (Middle) Manager

Home Street Address:

City, State, Zip:

Date of Course: Place Course was Taken:

Birthdate: Certificate Granted: Expiration:

Name:
(First) (Last) (Middle) Manager

Home Street Address:

City, State, Zip:

Date of Course: Place Course was Taken:

Birthdate: Certificate Granted: Expiration:

NEW MANAGEMENT REQUIREMENTS

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

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

APPLICATION FOR LATE NIGHT PERMIT

SUPPLEMENTAL TO LIQUOR LICENSE FOR CLASS B/C

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

Date: 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 dba Glory City

Business Address:

11 N 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.

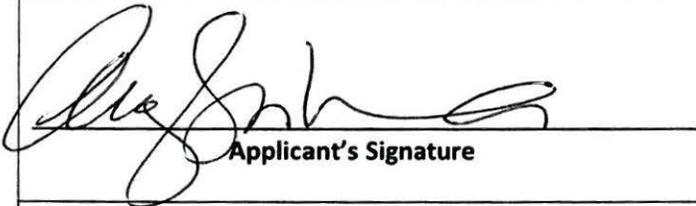
1:00 a.m. Late Night Permit – fee of \$800.00

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:
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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.	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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No Fingerprinted by: _____ Date: _____
14.	Other necessary data:

**SIGNATURES
ENDORSEMENTS AND APPROVALS**

INVESTIGATING OFFICER

Investigating Officer Signature _____ Badge Number & Rank _____

ENDORSEMENT OF THE CHIEF OF POLICE

Recommend Issuing Liquor License: Yes No

Signature Of Chief of Police *[Signature]* _____ Date *8-29-19* _____

Illinois BASSET SELLER / SERVER CERTIFICATION

Trainee Name: luis villanueva

Certificate #: 000016148875

Date of Completion: 08/06/2019

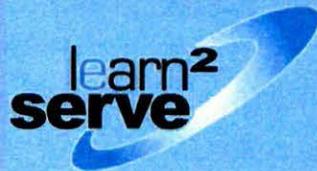
School Name:

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

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



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/16/2019

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 have ADDITIONAL INSURED provisions or 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 Insurance World Agency Inc 1323 Ogden Ave Downers Grove IL 60515		CONTACT NAME: Esha Patel - State Farm Agent PHONE (A/C, No, Ext): (630)894-0600 FAX (A/C, No): (630)654-6069 E-MAIL ADDRESS: timir.patel.mdy@statefarm.com	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A : Stonegate Insurance Co.	
		INSURER B :	
		INSURER C :	
		INSURER D :	
		INSURER E :	
		INSURER F :	

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

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Liquor Liability		INSCOOP08162019			Liquor Liability 1,000,000

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

CERTIFICATE HOLDER <Base Form>	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

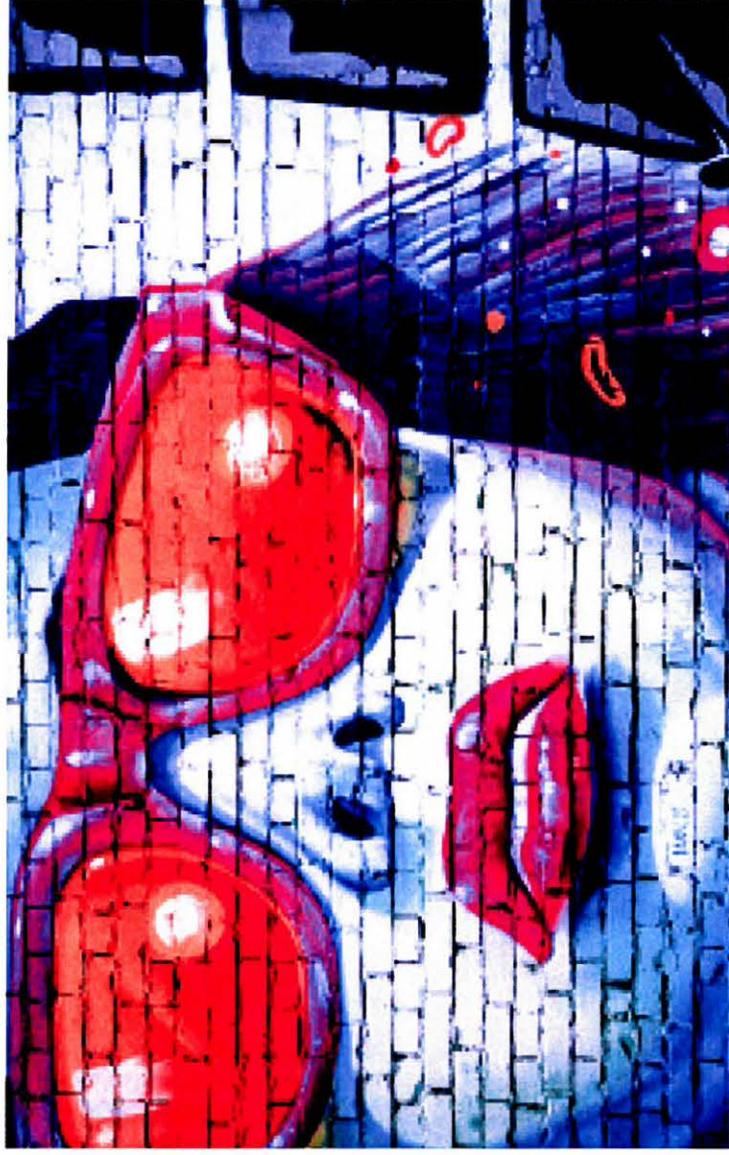
Fax: Email:
 ACORD 25 (2016/03)

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GLORY CITY

MIGUEL VILLANUEVA
MIGUELDELBARRIO2017@GMAIL.COM
(630) 402-1028

A bar concept created to complement the themes, energy and environment at our Del Barrio restaurant in Geneva, IL. Our hopes are to take a concept that is very near and dear to our hearts, and use it as a means to build community, encourage local consumerism and bring a unique bar experience to a new demographic.



OVERVIEW



GLORY CITY

- * The bar will bring a moderate urban vibe to St. Charles, inspired by a combination of our culture, and combined experience from running previous restaurants in both Geneva and Chicago, Illinois.
- * Amy and I have been members of the St. Charles community for over 17 years. We believe in the importance of giving back to our community, and after settling in as a family with our 2 kids, and running 7 restaurants, we are ready to give back to St. Charles in this way.
- * Our walls will continue to showcase and support the incredible work of our local artists, as we do at Del Barrio.
- * We will be supporting our Chicago Sports teams as well as many other events through several TV displays throughout the bar.
- * Individuals ages 21-35 will constitute a great majority of our target demographic. However, we are confident in our ability to appeal to a much broader audience, as our main goal is always going to be to build community through a unique experience and to bring others together through culture and connection.

GLORY CITY

APPETIZERS

chipotle hummus \$7

black bean based hummus, chipotle chorizo and pico de gallo served with chips.

gringas \$10

flour tortillas with melted cheese, pastor pork, grilled pineapple and morita pepper salsa.

pork sliders \$12

marinated pork sliders, mayo, caramelized onions, and jalapeno slaw.

ceviche \$11

topped with valentina salsa and served with a side of chips.

smoked wings \$12

your choice of buffalo, chimichurri, bbq, mango habanero or dry tajin pepper.

* half dozen \$7 * full dozen \$13

onion rings \$11

topped with valentina salsa and served with a side of chips.

SALADS

chipotle chopped salad \$12

mixed greens, cherry tomatoes, hard boiled egg, chipotle mustard dressing, topped with fritos and your choice of feta or blue cheese. +\$2 chicken +\$4 steak

sweet apple walnut \$13

apples, avocado, red onion, walnuts, dried cranberries and honey mustard dressing.

TACOS

tacos all 2/\$8

pastor

veggie

pescado

cochinita pibil

chorizo con papas

skirt steak

chicken

BURRITOS

filled with lettuce, tomato, cheese, sour cream, black beans and rice, served with a side of fries. \$9

skirt steak

pastor

chorizo

veggie

pork

BURGERS

glory burger \$16

double patty, chorizo, oaxaca cheese, mayo, avocado and caramelized onion.

classic burger \$10

lettuce, tomato, caramelized onion and american cheese.

buffalo burger \$13

bacon, avocado, blue cheese, fried onion and mild buffalo sauce.

veggie burger \$12

black bean patty, avocado, bell pepper, roasted veggies and fried onion.

mx burger \$11

chihuahua cheese, avocado, lettuce, tomato, onion, cilantro and bacon.

shroom burger \$12

sautéed mushrooms, caramelized onion, goat cheese and mayo.

SIDES AND ADD-ONS

fries \$5

rice \$4

chips and salsa \$3

bacon \$3

avocado \$3

cheese \$3

additional patty \$3

OUR ELEVATED BAR MENU COMBINES TRADITIONAL MEXICAN STREET FOOD WITH A CLASSIC AMERICAN TOUCH WITH A WIDE SELECTION TO CHOOSE FROM.

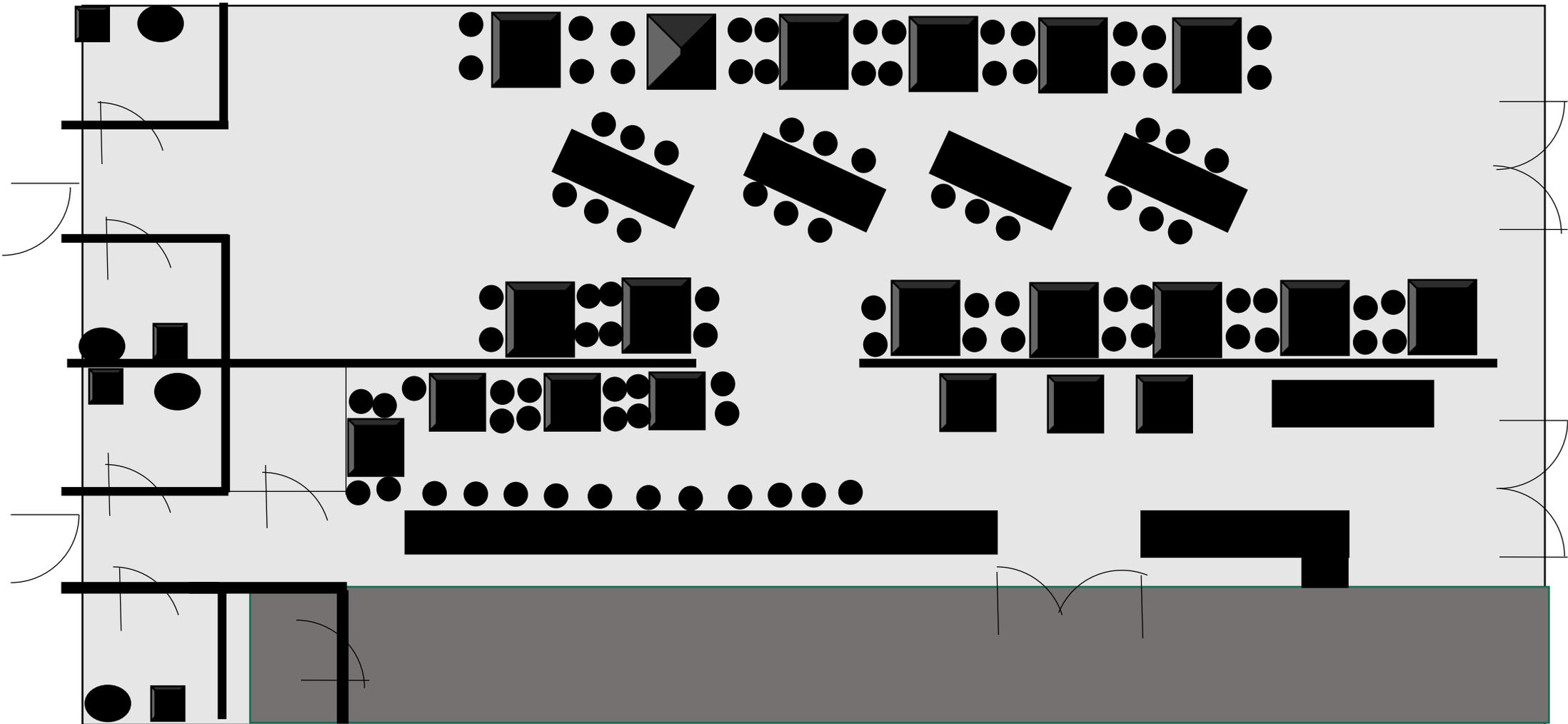


MENU

THE IMAGES DISPLAYED OUR FROM OUR RESTAURANT DEL BARRIO, WE'D LIKE TO KEEP A SIMILAR FEEL.

GLORY CITY

GLORY CITY 11n 3rd st





AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 5a

Title:

Recommendation to approve the Utility Billing Software Support and Development Agreement Extension with Respect Technology, Inc.

Presenters:

Penny Lancor, Sr. Systems Analyst

Meeting: Government Operations Committee

Date: September 3, 2019

Proposed Cost: \$146,200

Budgeted Amount: \$121,270

Not Budgeted:

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

The City’s utility billing software manages billings and payments for the Electric and Water utilities and also for Wastewater, Yard waste and Refuse usage. The software application processed \$80 million of bills and payments last fiscal year.

As a means to mitigate the risks associated with the City’s aging utility billing and collection software coupled with limited internal staff support resources, in October 2016 City Council approved a three year agreement to secure software support and software development services with Respect Technology, Inc. in the amount of \$311,164. Since October 2016, Respect Technology, Inc. (RTI) has successfully assumed support and development functions for the City’s Utility Billing application.

As a component of the concurrent Enterprise Software Selection project, the Utility Billing application has been prioritized for replacement. Considering the time necessary for replacement software identification, selection, and implementation, RTI’s services will be required for two to three additional years. This contract extension will be for two years with the option to continue yearly as needed. Costs for each year are as follows:

Year 4	\$91,280
Year 5	\$54,920
Total	\$146,200

Attachments *(please list):*

RTI Statement of Work – Years 4 and 5 for the City of St Charles

Recommendation/Suggested Action *(briefly explain):*

Approve a two year contract for utility billing software application development and support services to Respect Technology, Inc. for a not-to-exceed cost of \$146,200.



Pursuant to the Change Process as defined in the Master Services Agreement between Respect Technology, Inc. (“Provider”) and the City of St. Charles, Illinois (“Client”) dated October 3, 2016, this Addendum specifies an extending Statement of Work performed under the original Master Service Agreement.

Project Name: Application Support and Enhancement Development for the Utility Billing System

Per paragraph “4.1 Term” in the MSA, the Statement of Work contained within this addendum extends the term of the engagement through October 2, 2022. The extension shall be effective for a term of two (2) years, and shall thereafter automatically renew for successive one (1) year terms (each period, a “Term”), unless either Party notifies the other in writing at least ninety (90) days in advance of the end of any Term that it does not wish to renew the Agreement. Notwithstanding the above, either Party may cancel the Agreement at any time with sixty (60) days written notice. If Agreement is renewed beyond the term of two (2) years, up to 5% cost increase will be applied

Non-appropriation of funds

In the event sufficient funds are not appropriated for contract payments required to be made in a future fiscal year then the City at its sole discretion may terminate the Agreement at the end of the then current fiscal year, without penalty or additional expense of any kind whatsoever. Notwithstanding anything in the Agreement to the contrary, this Non-appropriation provision shall survive termination of the Agreement.

This Addendum supersedes all Statement of Work language in the original MSA dated October 3, 2016.

All other MSA language continues unchanged.

This Document contains the following sections:

- A. Support**
- B. Rate Sheet – 4th Year**
- C. Summary – 4th Year**
- D. Rate Sheet – 5th Year**
- E. Summary – 5th Year**



A. Support

1. Ticketing System and Process: Provider to supply online/electronic ticketing system.
 - a. Tickets submitted by Client via 3 methods
 - i. Via email at support@respecttechnology.com
 - ii. Via online ticket portal at support, respecttechnology.com with vpn access
 - iii. Via phone call to Provider at number to be provided at contract commencement.
 - b. Electronic response to Client by ticketing system that ticket has been submitted.
 - c. Ticket system emails/tickets monitored by minimum of 3 Provider resources.
 - d. Tickets are assigned levels based on severity with appropriate response and resolution times. (see City of St Charles Service Level Agreement as defined in the Master Services Agreement)
 - e. Tickets have reminders and escalation processes based on severity levels.
 - f. Client technical resources will be notified via email when a Client user opens a ticket.
2. Support
 - a. Level 1 support for troubleshooting, error correction, and user questions during Provider Business Hours, Monday through Friday, 8:00 AM — 6:00 PM EST.
 - b. First and second level support for troubleshooting, error correction, and user questions during prescheduled absences of Client staff. Provider requests Client give seven business days' notice for scheduled absence of Client resources that require Provider to furnish in-depth support.
 - c. At least two Provider staff members (primary and backup) who are qualified to provide troubleshooting, error correction, and user question responses for the iSeries based application.
 - d. Use of an electronic ticket tracking system available during, and outside, Provider Business Hours.
 - e. iSeries Access file transfer support,
 - f. Client hardware support not included.



B. Rate Sheet – 4th Year

Respect Technology, Inc. agrees to assure that for the duration of Year 4, two or more RTI support representatives are on staff (or under contract) capable of providing the following support services to the City of St Charles.

Service Rates – effective with term of Master Services Agreement

Support:

\$170.00 per hour for Provider Business Hours 8:00 AM – 6:00 PM EST Monday - Friday with monthly commitment of 16 hours.

\$260.00 per hour for Provider Non-Business Hours 6:00 PM – 8:00 AM EST Monday – Friday, emergencies, holidays, and weekends.

\$200.00 per hour for business hours and \$260 per hour for non-business hours for hours beyond 16 hours during a declared disaster. A declared disaster is defined as failing over to the backup system

Analysis, Design, Development, and Testing: \$200/hour 8:00 AM – 6:00 PM Eastern time Monday - Friday

Billing Details

- Provider will bill monthly support fee in advance.
- Provider will send details of work performed for all services with invoices.
- Provider will bill for development projects upon milestone acceptance:
 - Design
 - Test
 - Production
- Provider will submit notification of milestone completion to Client;
The Client has five business days to:
 - 1) Accept the milestone,
 - 2) Notify Provider of defects, or
 - 3) Request from Provider reasonable additional time for a decision.If Client fails to accept, notify, or extend, milestones can be considered accepted by default.
Resubmission and reevaluation of defect corrections follow the same process.

Defined Additional Expenses

- Taxes and Shipping

Billing cycles

- 1st – 15th of month
- 16th – last day of month
- Support billed monthly
- Invoice Terms are Net 30



C. Summary – 4th Year

Tasks	# Technicians	Hours	Rate	Monthly	Total
Analysis, Design, Development, & Testing	1	250	200.00		50,000.00
Monthly Project Management	1	2	200.00	400.00	4,800.00
Total					54,800.00
Monthly Support Fee					
Support	1	16	170.00	2,720.00	32,640.00
Total				2,720.00	32,640.00
Monthly Hosting Fee					
iSeries			640.00	640.00	3,840.00
Total				640.00	3,840.00
Total				3,360.00	36,480.00
Grand Total					91,280.00



E. Rate Sheet – 5th Year

Respect Technology, Inc. agrees to assure that for the duration of Year 5, two or more RTI support representatives are on staff (or under contract) capable of providing the following support services to the City of St Charles.

Service Rates – effective with term of Master Services Agreement

Support:

\$175.00 per hour for Provider Business Hours 8:00 AM – 6:00 PM EST Monday - Friday with monthly commitment of 16 hours.

\$265.00 per hour for Provider Non-Business Hours 6:00 PM – 8:00 AM EST Monday – Friday, emergencies, holidays, and weekends.

\$200.00 per hour for business hours and \$260 per hour for non-business hours for hours beyond 16 hours during a declared disaster. A declared disaster is defined as failing over to the backup system

Analysis, Design, Development, and Testing: \$205/hour 8:00 AM – 6:00 PM Eastern time Monday - Friday

Billing Details

- Provider will bill monthly support fee in advance.
- Provider will send details of work performed for all services with invoices.
- Provider will bill for development projects upon milestone acceptance:
 - Design
 - Test
 - Production
- Provider will submit notification of milestone completion to Client;
The Client has five business days to:
 - 1) Accept the milestone,
 - 2) Notify Provider of defects, or
 - 3) Request from Provider reasonable additional time for a decision.If Client fails to accept, notify, or extend, milestones can be considered accepted by default.
Resubmission and reevaluation of defect corrections follow the same process.

Defined Additional Expenses

- Travel time: Billed at 65% of Services Rate
- Round trip airfare, taxi or car rental, gasoline
- Accommodations and meals
- Taxes and Shipping

Billing cycles

- 1st – 15th of month
- 16th – last day of month
- Support billed monthly
- Invoice Terms are Net 30



IN WITNESS WHEREOF, each of the Parties hereto has executed this Addendum as of the date specified below. The terms and conditions herein are AGREED and ACCEPTED:

Provider: Respect Technology, Inc.

Client: City of St. Charles, Illinois

Signature: _____

Signature: _____

Printed Name: Danny D. Duncan

Printed Name: Larry Gunderson

Title: President

Title: Director of Information Systems

Date:

Date:

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 6a

Title:

Recommendation to Approve an Ordinance Amending Title 3, Chapter 3.60 of the Municipal Code Imposing a Municipal Cannabis Retailers' Occupation Tax in the Amount of 3%

Presenter:

Chris Minick, Finance Director

Meeting: Government Operations Committee

Date: September 3, 2019

Proposed Cost: \$-0-

Budgeted Amount: \$ N/A

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

As a supplemental action to recent Committee direction to amend the zoning ordinances to allow and regulate recreational cannabis sales in the City from the August 19 meeting, attached is an ordinance to impose a Municipal Cannabis Retailers' Occupation Tax of 3% on recreational cannabis sales in the City of St Charles. This 3% tax would be in addition to all other taxes and fees applicable to recreational cannabis sales in the City. Currently, the City receives 2% of the gross sales price of general merchandise sales, making the applicable local sales tax equal 5% of the gross amount of recreational cannabis sales. The tax will be administered by the Illinois Department of Revenue (IDOR).

Current state legislation does not allow for imposition of a local tax on recreational cannabis sales until September 1, 2020. Since the IDOR requires 90 days' notice to process a new or amended locally imposed tax, a municipality needs to pass an ordinance imposing a local recreational cannabis sales tax prior to June 1, 2020 in order to have the tax effective on September 1, 2020. However, IML is requesting a change in the law allowing for locally imposed taxes to be effective January 1, 2020, coincident with the date allowing recreational cannabis sales in the state. Based on that recommended legislative change, the Illinois Municipal League (IML) is recommending municipalities pass an ordinance imposing a local recreational cannabis sales tax prior to October 1, 2019. This timeframe would be consistent with current guidance from IDOR that requires 90 days for them to process changes to locally imposed taxes. Passage of the ordinance at this time would allow the local tax to be collected effective January 1, 2020 assuming that the law is changed. Should this change not be made, the IDOR would simply not collect a local tax from any retailers who may be operating a recreational sales establishment in STC until such time as state law allows for collection of a local municipal tax.

Although the exact amount of the tax revenue is difficult to anticipate until we have some history with cannabis sales, projections based on recreational cannabis sales data shared at the August 19 GOC indicate that municipal revenues could be in the magnitude of \$1 million. If the law changes allowing for the tax collections commencing on January 1, 2020 and the City does not have an ordinance on file with IDOR, the City would forgo revenue due to the delayed initiation of collections.

Attachments *(please list):***Proposed Ordinance****Recommendation/Suggested Action** *(briefly explain):***Seeking a Recommendation to Approve An Ordinance Amending Title 3, Chapter 3.60 of the Municipal Code Imposing a Municipal Cannabis Retailers' Occupation Tax in the Amount of 3%**

City of St. Charles, Illinois

Ordinance No. _____

An Ordinance Amending the Municipal Code of the City of St. Charles by the Addition of Chapter 3.60 Imposing a Municipal Cannabis Retailers' Occupation Tax

WHEREAS, the City of St. Charles has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and that protect the public health, safety and welfare of its citizens; and

WHEREAS, this Ordinance is adopted pursuant to the provisions of the Illinois Municipal Cannabis Retailers' Occupation Tax Law, 65 ILCS 5/8-11-22 *et seq.* (Act); and

WHEREAS, this Ordinance is intended to impose the tax authorized by the Act providing for a municipal cannabis retailers' occupation tax which will be collected by the Illinois Department of Revenue;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, as follows

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

Section 2. Adoption of Tax. Title 3 of the Municipal Code of the City of St. Charles shall be amended by the addition of Chapter 3.60 that will read as follows:

Chapter 3.60 Municipal Cannabis Retailers' Occupation Tax.

1. Tax imposed; Rate.

(a) A tax is hereby imposed upon all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program Act, at retail in the City of St. Charles at the rate of 3% of the gross receipts from these sales made in the course of that business. The Tax levied in Chapter 3.60 shall be paid in addition to any and all other taxes and charges.

(b) The imposition of this tax is in accordance with the provisions of Sections 8-11-22, of the Illinois Municipal Code (65 ILCS 5/8-11-22).

2. Collection of tax by retailers.

(a) The tax imposed by this Ordinance shall be remitted by such retailer to the Illinois Department of Revenue (Department). Any tax required to be collected pursuant to or as authorized by this Ordinance and any such tax collected by such retailer and required to be remitted to the Department shall constitute a debt owed by the retailer to the State. Retailers may reimburse themselves for their seller's tax liability hereunder by separately

stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with any State tax that sellers are required to collect.

- (b) The taxes hereby imposed, and all civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Department. The Department shall have full power to administer and enforce the provisions of this article.

Section 3. Severability. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law, provided, however, that the tax provided for herein shall take effect for all sales on or after the first day of January, 2020. Copies of this Ordinance shall be certified and sent to the Illinois Department of Revenue prior to September 30, 2019.

Section 5. Codification. The corporate authorities of the City intend that this Ordinance will be made part of the Municipal Code and that sections of this Ordinance can be renumbered or relettered and the word "Ordinance" can be changed to "Section," "Article," "Chapter" or some other appropriate word or phrase to accomplish codification, and regardless of whether this Ordinance is ever codified, the Ordinance can be renumbered or relettered and typographical errors can be corrected with the authorization of the City Attorney, or his or her designee.

Section 6. Conflict. All parts of the Municipal Code in conflict with the terms or provisions of this Ordinance shall be and the same are hereby amended or repealed to the extent of such conflict, and said Municipal Code and all other existing ordinances shall otherwise remain in full force and effect.

Section 7. That this Ordinance shall be in full force and effect upon and after its passage in the manner 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, this ____ day of _____, 2019.

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

Mayor Raymond P. Rogina

Ordinance No. _____

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ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

APPROVED AS TO FORM:

City Attorney

DATE: _____