

AGENDA
CITY OF ST. CHARLES
LIQUOR CONTROL COMMISSION MEETING
MONDAY, OCTOBER 16, 2023, 4:30 PM
2 E MAIN STREET

1. Call to Order.
2. Roll Call.
3. Motion to accept and place on file minutes of the Liquor Control Commission meeting held on July 17, 2023.
4. Motion to accept and place on file the executive session minutes from the meeting held on July 17, 2023.
5. Recommendation to approve a Proposal for a Class A Liquor License Application for Main Street LLC dba Puffs & Pours, Located at 201/203 W. Main Street, St. Charles.
6. Discussion Regarding a Complaint of Violation and Hearing Notice for Northwoods Pub & Grill, Ind. d/b/a The Evergreen Pub & Grill, located at 1400 W Main Street, St. Charles.
7. Discussion Regarding a Complaint of Violation and Hearing Notice for Savway Fine Wines & Spirits, located at 2580 E Main Street, St. Charles.
8. Public Comment.
9. Executive Session (5 ILCS 120/2 (c)(4)).
10. Adjournment.

ADA Compliance

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the ADA Coordinator, Jennifer McMahon, at least 48 hours in advance of the scheduled meeting. The ADA Coordinator can be reached in person at 2 East Main Street, St. Charles, IL, via telephone at (630) 377 4446 or 800 526 0844 (TDD), or via e-mail at jmcmahon@stcharlesil.gov. Every effort will be made to allow for meeting participation. Notices of this meeting were posted consistent with the requirements of 5 ILCS 120/1 et seq. (Open Meetings Act).

MINUTES
THE CITY OF ST. CHARLES
LIQUOR CONTROL COMMISSION MEETING
MONDAY, JULY 17, 2023, 4:30 PM

1. Call to Order.

The meeting was called to order by Commissioner Vitek at 4:30 pm.

2. Roll Call.

Present: Pietryla, Zollers, Gehm Spellman

Absent: None

3. Motion by Ald. Pietryla, second by Ms. Zollers to accept and place on file minutes of the Liquor Control Commission meeting held on June 19, 2023.

Roll Call Vote: Ayes: Ald. Pietryla, Ald. Gehm, Ms. Zollers, Ms. Spellman. Nays: None. Absent: None. Abstain: None. Mayor Vitek did not vote as Commissioner.

Motion Carried

4. Motion by Ald. Pietryla, second by Ms. Spellman to accept and place on file minutes of the Liquor Control Commission Execution Session meeting held on June 19, 2023.

Roll Call Vote: Ayes: Ald. Pietryla, Ald. Gehm, Ms. Zollers, Ms. Spellman. Nays: None. Absent: None. Abstain: None. Mayor Vitek did not vote as Commissioner.

Motion Carried

5. Motion by Ald. Pietryla, second by Ald. Gehm to approve a Proposal for an E1 Liquor License Application for Alter Brewing & Kitchen as part of the Chicagoland Tour De Cure taking place in Pottawatomie Park on August 12, 2023.

Chief Keegan informed the commission that this event will benefit the American Diabetes Association. Chicago Race Management will oversee the event and onsite security will oversee the beer tent, which is sponsored by Alter Brewing. The cycling race route is still being developed. There will be no runners or electric bikes.

Mary Agnes Zellmer of the American Diabetes Association introduced herself. The race was previously held at RiverEdge Park. The liquor supervisors are American Diabetes Association employees. All dispensing of alcohol will be done by Alter Brewing employees. The beer tent will be fenced and adults over age 21 are allowed to enter.

This event was previously approved by the Park District Board and there will be no sales of alcohol. One drink coupon will be provided to each race participant as part of the entry packet.

Roll Call Vote: Ayes: Ald. Pietryla, Ald. Gehm, Ms. Zollers, Ms. Spellman. Nays: None. Absent: None. Abstain: None. Mayor Vitek did not vote as Commissioner.

Motion Carried

6. Motion by Ald. Pietryla, second by Ms. Spellman to approve a Proposal for a New Class E-1 Temporary Liquor License and Road Closure for St. Patrick's Church for September 9, 2023.

Chief Keegan explained that this event is similar to a past event which has been held successfully. There is also a road closure being requested.

Mike Zak, the church event coordinator, explained that food trucks will be on the closed street to provide food. Pollyanna will provide two Basset certified servers to dispense alcohol.

Roll Call Vote: Ayes: Ald. Pietryla, Ald. Gehm, Ms. Zollers, Ms. Spellman. Nays: None. Absent: None. Abstain: None. Mayor Vitek did not vote as Commissioner.

Motion Carried

7. Discussion Regarding a Complaint of Violation and Hearing Notice for Spotted Fox Ale House, located at 3615 E. Main Street, St. Charles.

Commissioner Vitek read the Complaint of Violation for the record.

COMPLAINT OF VIOLATION

NOW COMES the Petitioner, William Hannah, Finance Director of the City of St. Charles, Illinois, and files this Complaint before the Local Liquor Control Commission of the City of St. Charles, Illinois, and states as follows:

1. The Petitioner is the duly appointed Finance Director of the City of St. Charles and as such is charged with the duty of enforcing the laws of the State of Illinois and the ordinances of the City of St. Charles.

2. As of the date hereof, the Licensee, St. Charles Sports, LLC d/b/a Spotted Fox Ale House, by and through its employees, officers and/or agents, committed the following offenses in or upon the licensed premises at 3615 East Main Street, St. Charles, Illinois:

OFFENSE

Failure to timely pay the City alcohol tax and late fee for the tax period ending May 31, 2023, due June 1, 2023, as prescribed by, contrary to and in violation of (i) Section 508.250(23) of the St. Charles Municipal Code, and (ii) Section 3.42.09 of the City Council's Alcohol Tax Ordinance.

OFFENSE

Failure to timely pay the fine and costs imposed by the Order issued and dated June 27, 2023, pursuant to Section 5.08.320 of the St. Charles Municipal Code, served upon Licensee on June 29, 2023, said Order attached hereto as Exhibit "A".

3. As of the date hereof, St. Charles Sports, LLC d/b/a Spotted Fox Ale House is operating under a Class B liquor license and a 1:00 a.m. late night permit issued by the City of St. Charles, said license expiring on April 30, 2024.

4. That the acts detailed in Section 2 of this Complaint of Violation are prohibited and are in violation of and contrary to (i) Sections 5.08.250(23) of the St. Charles Municipal Code, the Liquor Control Act of 1934 and Section 349.09 of the City's Alcohol Tax Ordinance, and (ii) Section 5.08.320 of the St. Charles Municipal Code.

5. That the Licensee, St. Charles Sports, LLC d/b/a Spotted Fox Ale House, is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said premises.

WHEREFORE, the Petitioner, William Hannah, Finance Director, requests, pursuant to Section 5.08.320 of the St. Charles Municipal Code, that the Local Liquor Control Commission hold a hearing on this matter and take such action against St. Charles Sports, LLC d/b/a Spotted Fox Ale House as the Commission shall deem appropriate under the circumstances.

Attorney Peppers stated that the arraignment form has not yet been received.

Bill Hannah shared that the previous order for Spotted Fox included provisions to ensure that fines would be paid on time. If all payments were made on time through January 2024, half of the fines, equaling \$750, were to be deferred. The May alcohol tax returns due June 30, 2023 were paid on July 3, 2023. The fines from the June 29, 2023 order were to be paid by July 7, 2023 and were paid on July 13, 2023. The fine from the order, including the additional \$750, plus the \$150 alcohol tax late fee, were paid in full on July 13, 2023.

The licensee representative, Marwan Taib, stated that he was unable to pay the fine on time because July is a slow sales month and he could not afford it. Also, the local restaurant manager did not have the correct form. Mr. Taib recapped the alcohol tax fees and late fees paid in 2023. He explained, as was done on June 19, that the business is experiencing financial problems. He elaborated at length about the challenges of his business. He is committed to making the business successful in St. Charles.

Commissioner Vitek assured Mr. Taib that staff follows through to uphold ordinances because it is their duty to do so, equally across all businesses. The City supports Spotted Fox in their efforts to generate more revenue through a modified business plan, as has previously been proposed by Mr. Taib. St. Charles is a business-friendly community and want Spotted Fox to be successful.

Further discussion will be conducted in Executive Session.

8. Public Comment - none

9. Executive Session

Motion by Ald. Gehm, second by Ald. Pietryla to enter executive session at 5:01 pm.

Roll Call Vote: Ayes: Ald. Pietryla, Ald. Gehm, Ms. Zollers, Ms. Spellman. Nays: None. Absent: None. Abstain: None. Mayor Vitek did not vote as Commissioner.

Motion Carried

The regular meeting resumed at 5:16 pm.

10. Adjournment.

Motion by Ald. Gehm, second by Ald. Pietryla to adjourn the meeting at 5:16 pm.

Roll Call Vote: Ayes: Ald. Pietryla, Ald. Gehm, Ms. Zollers, Ms. Spellman. Nays: None. Absent: None. Abstain: None. Mayor Vitek did not vote as Commissioner.

Motion Carried

:sb



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item Number: 5

Title:

Recommendation to approve a Proposal for a Class A Liquor License Application for Main Street LLC dba Puffs & Pours, Located at 201/203 W. Main Street, St. Charles.

Presenter:

Police Chief James Keegan

Meeting: Liquor Control Commission

Date: October 16, 2023

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted:

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

Main Street LLC dba Puffs & Pours., located at 201/203 W. Main St., is requesting approval of a Class A liquor license application for their business as a full-service liquor store. This property previously operated as a package liquor store.

Attachments *(please list):*

Memo, Liquor License Application, Site Plan, Business Plan, Articles of Organization, BASSET Certificate, COI

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve a proposal for a Class A Liquor License for Main Street LLC dba Puffs & Pours located at 201/203 W. Main St., St. Charles.



Memo

Date: 9/27/2023

To: Lora Vitek, Mayor-Liquor Commissioner

From: James Keegan, Chief of Police *J. Keegan*

Re: Background Investigation- Class A Liquor License for Main Street LLC, dba Puffs & Pours located at 201/203 W. Main Street

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.

Puffs & Pours intends to open and operate a full-service liquor store at the above location. This is a 2,100 square foot building formerly operated as a packaged liquor store. The intended hours of operation are 8am-11pm S-W and 8am-Midnight T-S.

The applicant owns and operates a similar store in Antioch. The site-plan, business plan and the corresponding application materials were reviewed by members of my staff. Dram Shop insurance and Basset certification are in order.

Please see the attached material for further information. Thank you in advance for your consideration in this matter.

Police Department



CITY OF
ST. CHARLES
ILLINOIS • 1834

Date: 09/20/2023

To: Chief Keegan via Chain of Command

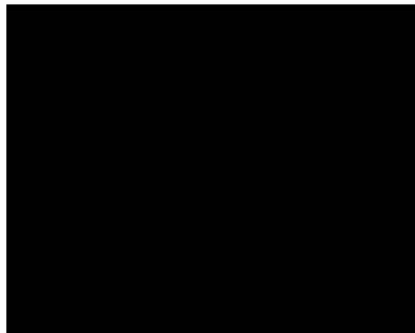
From: Detective Noelle Wold #375

RE: Addendum: Liquor License Background / Main St Liquor LLC

The purpose of this memo is to outline the steps taken during the background investigation for a Liquor License Application. This investigation was done based on the application submitted for a Class A license for the business, **Main St Liquor LLC**. This business is located at 203 W. Main St. St. Charles, IL 60174.

Applicant:

Patel, Serena



APPLICATION:

The initial application was received on or around 08/10/2023. I completed the background for the business, which also included a signed lease agreement, menu, floor plan and Certificate of Insurance. At the time of the application, Serena Patel was listed as the General Manager. Serena was fingerprinted by our agency during the initial background investigation and a record check for Serena conducted showing no record. Serena did not have contacts that would preclude her from obtaining a liquor license.

Service, Courage, Professionalism, Dedication



RECORDS CHECK:

Serena was fingerprinted by our agency on August 10, 2023. Serena's fingerprints were returned from the Illinois State Police Bureau of Identification, which showed no record.

Serena advised that she has resided in [REDACTED] for the past 20 years. Bartlett Police Department showed no records for Serena.

A check of Serna Patel through Kane County Aegis and the above listed jurisdiction's records showed no negative contacts that would preclude her from obtaining a liquor license.

A record check through our department's New World System shows no records.

A check of the Illinois Liquor Control Commission showed a current active license for the following location:

PAYAL LLC DBA SHOP N SAVE LIQUOR

579 W IL ROUTE 173
ANTIOCH IL, 60002

Antioch Police Department showed no records for Serena.

A check of TLO and I-Clear (law enforcement databases) showed no record that would cause the license to be denied.

A check of the Illinois Secretary of State showed PAYAL LLC DBA SHOP N SAVE LIQUOR, to be in good standing.

Serena Patel advised that she completed her BASSET Certification course on 12/02/2022. Serena stated that all staff will complete obtain their BASSET Certification. Serena stated that she would submit all BASSET certifications to the City of St. Charles upon completion of the course.

APPLICANT INTERVIEW:

On 09/06/2023, I met with Serena at the St. Charles Police Department where she signed a waiver for this background. Serena stated that Main St Liquor LLC DBA Puffs & Pours is purchasing the business, Samp Two Inc., from Pratik Patel. The purchase agreement was dated and signed by all parties on 08/08/2023. Serena stated that she has not purchased any alcohol for the business and would be purchasing the current inventory when the business purchase is complete. Serena stated that the original floor plan will remain the same and no renovations will be conducted. Serena stated that the hours of operation will remain the same. Serena provided the City of St. Charles with a copy of her Certificate of Liability Insurance from MFS Insurances Services Inc. The business is insured for \$1,000,000/\$2,000,000 aggregate. Serena advised that once the liquor license is approved she is taking over the lease that was signed on 09/05/2023 by the original owners.

This concludes this background investigation.

Noelle Wold 375
Detective Noelle Wold #375

W.P.L. #340

8/10/2023

City of St. Charles, Illinois Liquor Control Commission
CITY RETAIL LIQUOR DEALER LICENSE APPLICATION



Incomplete applications will not be accepted.
Applications may be submitted to: 2 E. Main Street, St. Charles, IL 60174-1984

Business Name Moun St. Liquor LLC

APPLICATION CHECKLIST

Check items to confirm all are attached to this application	Applicant	Office Use
Application Fee of \$200 (5.08.070C) non-refundable <small>Non-refundable</small>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Completed Application for all questions applicable to your business. <u>Pending</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of Lease/Proof of Ownership	<input type="checkbox"/>	<input type="checkbox"/>
Copy of Dram Shop Insurance or a letter from insurance agent with a proposed quote.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of Articles of Corporation, if applicable. <u>LLC</u>	<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 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). <u>NO changes - as is</u>	<input 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. <u>NO changes - as is</u>	<input 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"/>	<input checked="" 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. <u>NO</u>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>
Alcohol Tax Acknowledgement and Business Information Sheet	<input type="checkbox"/>	<input checked="" type="checkbox"/>

OFFICIAL USE ONLY

Julien Wahl 375
Signature of Investigating Officer

Badge Number & Rank 375 Detective

Approval Recommended* Approval NOT Recommended
J. Ig 9-27-23

Signature of Chief of Police Date

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

LICENSE INFORMATION:

A Package \$3200-3600 **A1** **A2** **A4** **A5** **A6**

B Restaurant \$2400-3600 **B1** **B2** **B3** Late Night Permit 1:00am \$800 (B/C only)

C Tavern \$2400-3600 **C1** **C2** **C1** Late Night Permit 2:00am \$2300 (B/C only)

D Hotel/Banquet/Arcada/Q-Center/Entertainment/Club - \$varies **D-Type** _____

G Brewery/Restaurant or Site License - \$varies **G1** **G2**

H Catering License - \$varies **H1** **H2**

*Initial Liquor License fees for A, B, C, D, G are reduced by 50% for annual renewals and licenses issued after Nov 1.
*Licenses are valid until April 30 following issuance and a renewal application is required for the next year (May 1-April 30) (5.08.040)

APPLICANT INFORMATION

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

2. Business Name: Main St Liquor LLC

3. Business Address: 203 W. Main St. St. Charles, IL 60174

4. Type of Business (5.08.070-3): [REDACTED]	5. Length of Time in this Business (5.08.070-4): <u>0 years</u>	6. Value of merchandise that normally will be in inventory when in operation (5.08.070-5): \$	
7. Business Phone: <u>630-977-9396</u>	8. Business E-mail: [REDACTED]	9. Business Website: -	10. Illinois Tax ID Number:
11. Applicant/Contact Person Name: <u>Serena Patel</u>		12. Title: <u>owner</u>	13. Email: [REDACTED]
14. Applicant Home Address, and all addresses for the last 10 years: [REDACTED]			
15. Ph #: <u>630-977-9396</u>	DL#: [REDACTED]	16. Date of Birth: [REDACTED]	17. Birthplace: <u>Chicago, IL</u>
18. If Corporation, Corporation Name: <u>Main St Liquor LLC</u>			
19. Corporation Address (city, state, zip code): [REDACTED]			

ADDITIONAL OWNERS, INVESTORS (greater than 5% interest), and MANAGER INFORMATION

Full Name, include middle initial: _____ Title: _____

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

Home Address, and all addresses for the last 10 years: _____ Email Address: _____

Full Name, include middle initial: ~~Sevendra Patel~~ Title: ~~Owner~~
 Birthdate: ~~08/22/94~~ Birthplace: ~~Chicago, IL~~ Driver's License#: _____ Home Phone: ~~(630) 477-093~~
 Home Address, and all addresses for the last 10 years: _____ Email Address: _____

Full Name, include middle initial: _____ Title: _____
 Birthdate: _____ Birthplace: _____ Driver's License#: _____ Home Phone: _____
 Home Address, and all addresses for the last 10 years: _____ Email Address: _____

BUSINESS ESTABLISHMENT LOCATION INFORMATION

1. Exact Street Address for liquor license: 201 W. Main St. St. Charles, IL 60174	2. # Parking Spaces: 0	3. Outside Dining s.f. [17.20.020-R]: —	4. Total Building s.f.: 2,100
5. Total # Seats: —	6. Live Entertainment Area s.f. [5.08.010-H]:		
7. Brief Business Plan description based on type of establishment listed above (5.08.070-6):			

PROPOSED FLOOR PLAN/LAYOUT OF PROPERTY

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

1.	Every application for Liquor license shall have attached thereto a site drawing of the proposed licensed premises, drawn to scale showing the following: <ul style="list-style-type: none"> 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 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, print name(s), date(s), and place(s) of naturalization:</p>
2.	<p>Is the premises owned or leased (5.08.070-6A)? <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Leased</p>
3.	<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: Phone Number: Address of Building Owner: [REDACTED] Mailing Address of Building Owner (if different):</p> <p><i>William C. Grossklag</i> <i>3 South 2nd Street, St. Charles, IL 60174</i></p> <p>Name of Building Owner: Phone Number: Address of Building Owner: E-mail Address: Mailing Address of Building Owner (if different):</p> <p>Name of Building Owner: Phone Number: Address of Building Owner: E-mail Address: Mailing Address of Building Owner (if different):</p>
4.	<p>Does the applicant currently operate, or operated in the past, any other establishment within the City of St. Charles that requires a liquor license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please list the business name(s) and address(es):</p>
5.	<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?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>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. (5.08.050)</i></p>
6.	<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 type="checkbox"/> No Date of permit application _____</p>
7.	<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>

8. Has applicant (and all persons listed on page 2 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)? Yes No

Is applicant (and all persons listed on page 2 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? Yes No

9. List previous liquor licenses issued by any State Government or any subdivision thereof (5.08.070-9). Use additional paper if necessary.

Government Unit: State of IL liquor control Commission Location, City/State: Eff 579 WIL Rte 173
 Date: 01/25/23 Special Explanations: MARIQUAN, IL 60002

Government Unit: Location, City/State:

Date: Special Explanations:

10. Have any liquor licenses possessed ever been revoked (5.08.070-9)? Yes No

If yes, list all reasons on a separate, signed letter accompanying this application.

Has any director, officer, shareholder, or any of your managers, ever been denied liquor license from any jurisdiction? Yes No

If yes, proceed to Question 15. If more space is needed, please attach a separate sheet of paper with the information.

11. Complete ONLY if yes was answered to the question above (10):

Name: Name of Business:

Position with the Business: Date(s) of Denial:

Reason(s) for Denial of License:

12. Date of Incorporation (Illinois Corporations) (5.08.070-10): 8/3/23

Date qualified under Illinois Business Corporation Act to transact business in Illinois (Foreign Corporation):

13. Has the applicant and all designated managers read and do they all understand and agree not to violate any 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)? Yes No

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? Yes No

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? Yes No

Have you ever been convicted of a gambling offense? Yes No (If a partnership or corporation, include all partners and the local manager(s).)

Will you and all your employees refuse to serve or sell alcoholic liquor to an intoxicated person or to a minor? Yes No

14. 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 2 of this application must be fingerprinted by the City of St. Charles Police Department (5.08.070-A12).
 Has this been done? Yes No
 If yes, date(s):

15. 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)? Yes No
 If already furnished, date of delivery:

16. 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

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, Middle, Last): Severna Patel Birthdate: [REDACTED]

Home Street Address, Incl City, State, Zip: [REDACTED]

Date of Course: 12/2/22 Place Course was Taken: Learn 2 Sew Certificate Granted? Y Expiration:

Name (First, Middle, Last): Birthdate:

Home Street Address, Incl City, State, Zip:

Date of Course: Place Course was Taken: Certificate Granted? Y/N Expiration:

Name (First, Middle, Last): Birthdate:

Home Street Address, Incl City, State, Zip:

Date of Course: Place Course was Taken: Certificate Granted? Y/N Expiration:

Name (First, Middle, Last): Birthdate:

Home Street Address, Incl City, State, Zip:

Date of Course: Place Course was Taken: Certificate Granted? Y/N 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.

COMMENTS/ADDITIONAL INFORMATION

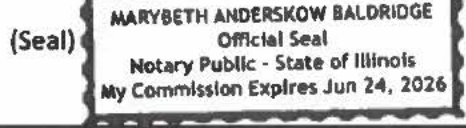
Business Name:

SIGNATURES

[Handwritten Signature]

Applicant's Signature

Subscribed and sworn before me this 07 day of August, 2023



[Handwritten Signature]
Notary Public

ADDENDUM TO RETAIL LIQUOR LICENSE APPLICATION

To be completed by the City of St. Charles Police Department

Date: 9/6/2023 Name of Applicant: Serena Patel

Name of Business: Main St. Liquor LLC

Address of Business: 203 W. Main St. Ward Number: 4

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:

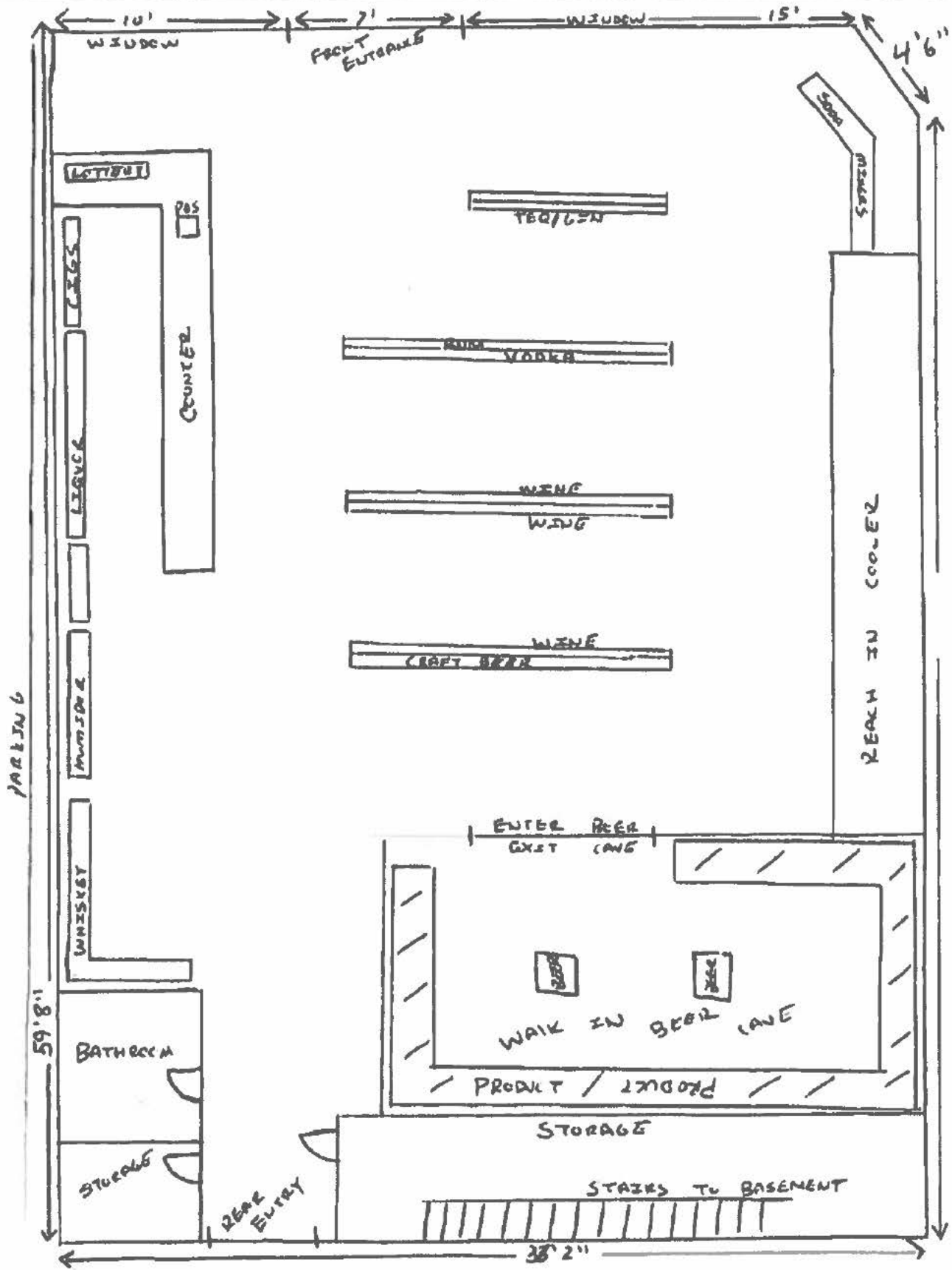
1. Date on which applicant will begin selling retail alcoholic liquors at this location:
As soon as possible
2. Is the location within 100 feet of any church; school; hospital; home for the aged or indigent persons; home for veterans, their wives/husbands or children; or any military or naval station? Yes No
3. 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? Yes No

If yes, answer a, b and c:
a. State the kind of such business:
b. Give date on which applicant began the kind of business named at this location:
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?
 Yes No
4. 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? Yes No

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? Yes No

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 checked="" 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 checked="" 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 checked="" type="checkbox"/> No</p>
8.	<p>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</p>
9.	<p>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</p>
10.	<p>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</p>
11.	<p>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</p>
12.	<p>From your observation and investigation, has applicant—to the best of your knowledge—truthfully answered all questions?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, state exceptions:</p>
13.	<p>Have all persons named in this application been fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Fingerprinted by: <i>IEP Catt</i> Date: <i>8/10/23</i></p>
14.	<p>Other necessary data:</p>

MAIN ST / 64



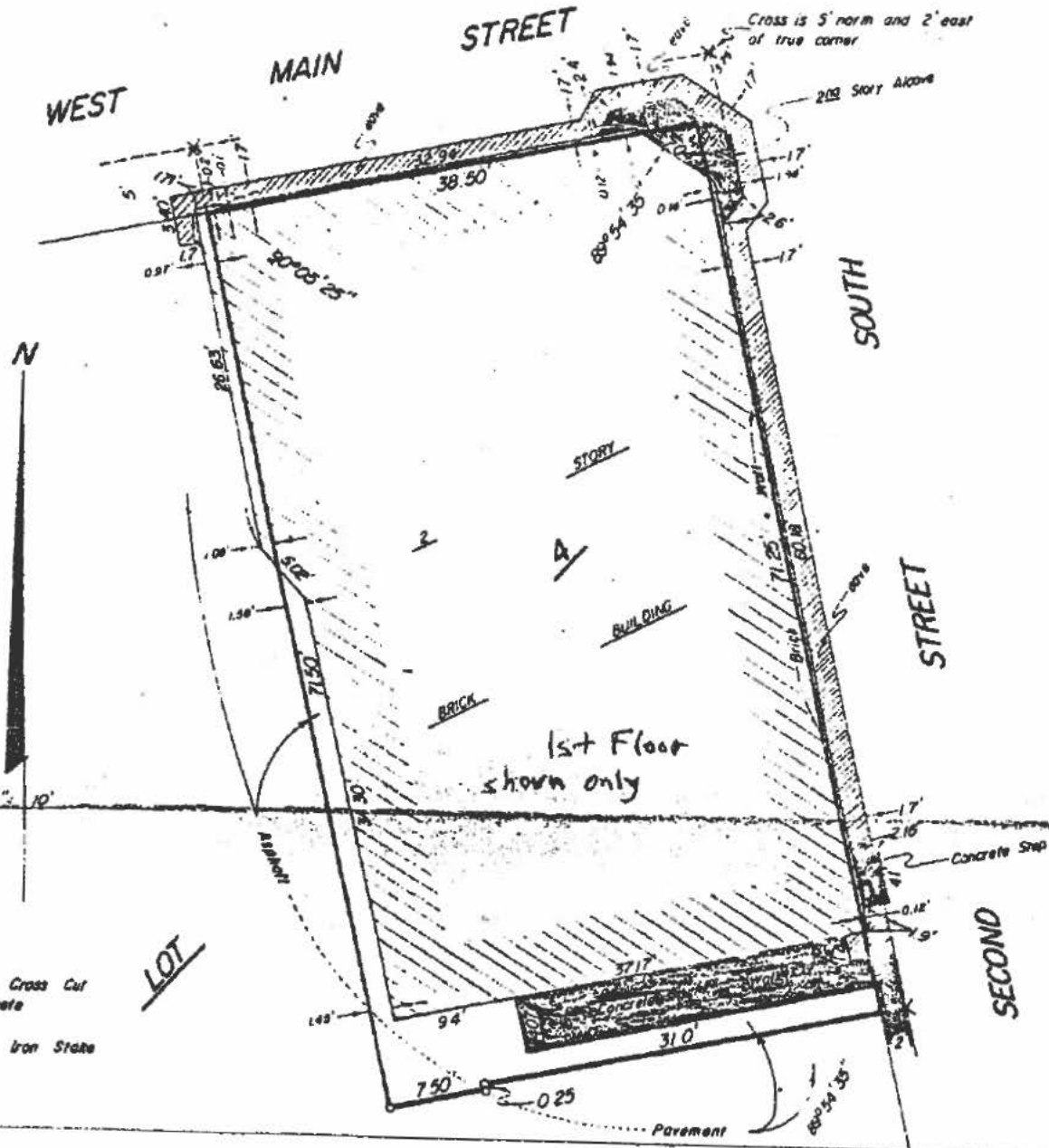
2nd STREET / ROWE 31

PARKING

PARKING

EXHIBIT "A"

Leased Premises

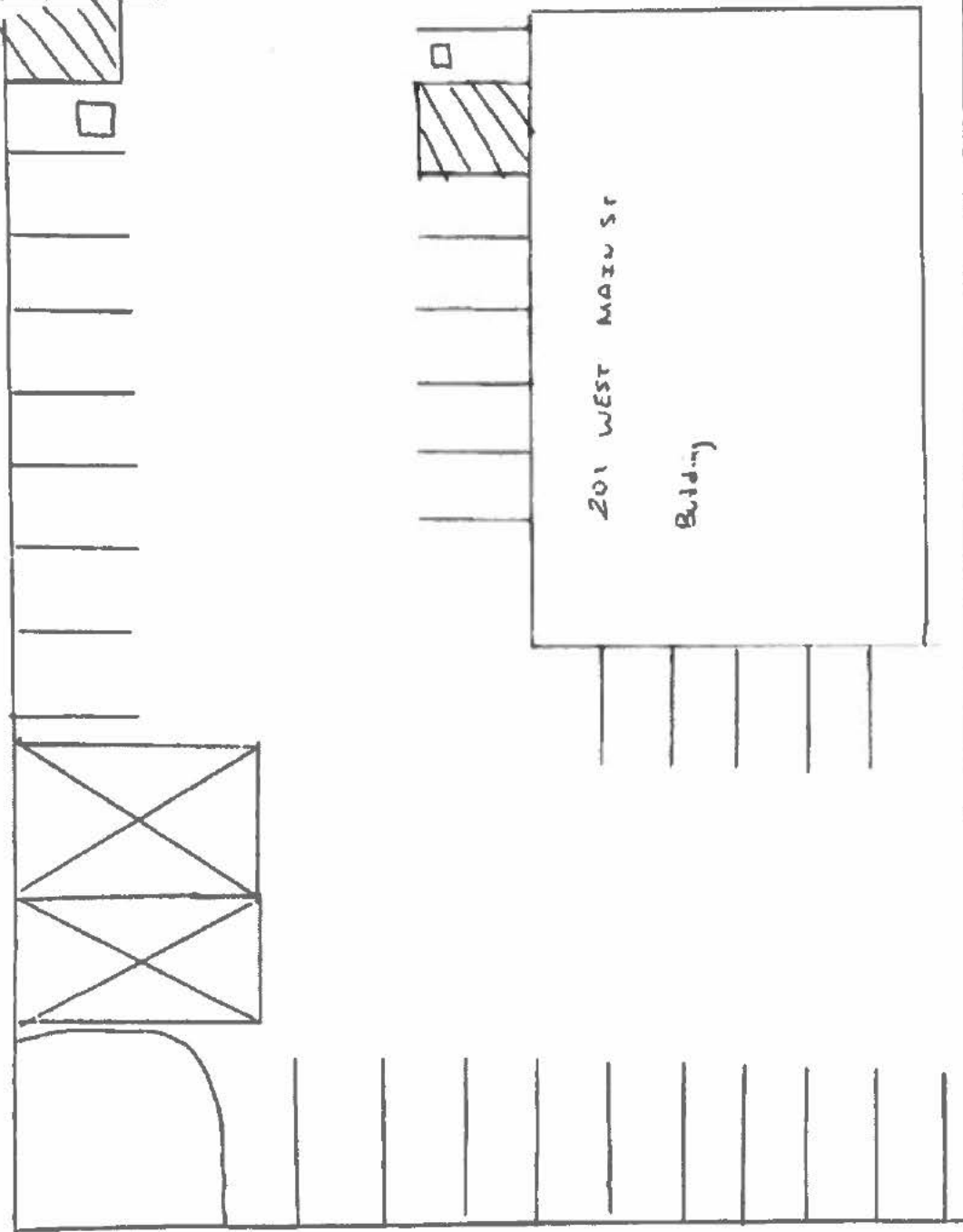


Leased Premises are
Approx. 2,500 sq ft

Initials JP / (Signature)

MAIN ST (64)

2nd St / Route 31



**MAIN ST LIQUOR LLC
BUSINESS PLAN**

Prepared By: Serena Patel

1. Hours of Operation
 - a. Sunday 8:00 am – 11:00 pm
 - b. Monday 8:00 am – 11:00 pm
 - c. Tuesday 8:00 am – 11:00 pm
 - d. Wednesday 8:00 am – 11:00 pm
 - e. Thursday 8:00 am – 12:00 am
 - f. Friday 8:00 am – 12:00 am
 - g. Saturday 8:00 am – 12:00 am
 - h. Open all major holidays
2. Menu
 - a. Domestic Beer
 - b. Craft Beer
 - c. Wine
 - d. Seltzers
 - e. Pre-Mixed Liquor
 - f. Mixers
 - g. Water
 - h. Liqueur
 - i. Vodka
 - j. Gin
 - k. Rum
 - l. Whiskey
 - m. Brandy
 - n. Cognac
 - o. Tequila
 - p. Cigars
 - q. Cigarettes
3. There will not be live music played at this establishment.
4. There is no outdoor seating or outdoor designated smoking area.

For any additional questions please contact
Serena Patel

.com

Form **LLC-5.5**

**Illinois
Limited Liability Company Act
Articles of Organization**

FILE # 13571112

Secretary of State Alexi Giannoulias
Department of Business Services Limited
Liability Division
www.ilsos.gov

Filing Fee: **\$150**

Approved By: **MJH**

**FILED
AUG 03 2023
Alexi Giannoulias
Secretary of State**

1. Limited Liability Company Name: MAIN ST LIQUOR LLC

2. Address of Principal Place of Business where records of the company will be kept:

[REDACTED]

3. The Limited Liability Company has one or more members on the filing date.

4. Registered Agent's Name and Registered Office Address:

SERENA PATEL

[REDACTED]

5. Purpose for which the Limited Liability Company is organized:

"The transaction of any or all lawful business for which Limited Liability Companies may be organized under this Act."

6. The LLC is to have perpetual existence.

7. Name and business addresses of all the managers and any member having the authority of manager:

PATEL, SERENA

[REDACTED]

8. **Name and Address of Organizer**

I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Organization are to the best of my knowledge and belief, true, correct and complete.

Dated: AUGUST 03, 2023

SERENA PATEL

[REDACTED]

Illinois BASSET SELLER / SERVER CERTIFICATION


Trainee Name: Serena Patel

Certificate #: 000027100482

Date of Completion: 12/02/2022

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.


learn²
serve

Corporate Headquarters

5000 Plaza on the Lake, Suite 305

Austin, TX 78746

Phone: 877.881.2235



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/10/2023

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 MFS Insurance Services Inc 1704 W Foster Avenue Chicago IL 60640	CONTACT NAME: Jorge Bravo	
	PHONE (A/C, No, Ext): (847) 985-0062	FAX (A/C, No): 8479850063
E-MAIL ADDRESS: jorgeb@mfsloans.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: The Hartford		30104
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

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

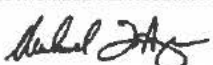
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE 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	ADDITIONAL INSURED	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	X	83SBAAAY20D1	08/15/2023	08/15/2024	EACH OCCURRENCE \$ 100000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100000 MED EXP (Any one person) \$ 10000 PERSONAL & ADV INJURY \$ 1000000 GENERAL AGGREGATE \$ 2000000 PRODUCTS - COMP/OP AGG \$ 2000000
	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) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Liquor Liability Business Personal Property	X	83SBAAAY20D1	08/15/2023	08/15/2024	Liquor Liability \$ 100000 RPP \$ 200000

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

Additional Insured: City of St. Charles

CERTIFICATE HOLDER **CANCELLATION**

City of St. Charles 874 Main Street St. Charles, IL 60174	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 



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item Number: 6

Title:

Discussion Regarding a Complaint of Violation and Hearing Notice for Northwoods Pub & Grill, LLC d/b/a The Evergreen Pub & Grill, located at 1400 W Main Street, St. Charles.

Presenter:

Police Chief Keegan

Meeting: Liquor Control Commission

Date: October 16, 2023

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted:

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

This is a complaint of violation being brought before the Liquor Control Commission to determine whether the St. Charles Local Liquor Control Commission, pursuant to this authority, shall revoke or suspend the local tobacco license issued or impose a fine upon by reason of the Complaint of Violation filed by the Police Department of offenses happening on or about September 21, 2023, at the establishment of Northwoods Pub & Grill, LLC d/b/a The Evergreen Pub & Grill, located at 1400 W Main Street, St. Charles.

Attachments *(please list):*

Citation, Notice of Hearing, and Arraignment Form

Discussion Regarding a Complaint of Violation and Hearing Notice for Northwoods Pub & Grill, LLC d/b/a The Evergreen Pub & Grill, located at 1400 W Main Street, St. Charles.

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

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

IN THE MATTER OF THE LIQUOR)
LICENSE OF:)
) Case Number 2023-LC-08
NORTHWOODS PUB & GRILL, LLC)
d/b/a THE EVERGREEN PUB & GRILL)

NOTICE OF HEARING

TO: Northwoods Pub & Grill, LLC d/b/a The Evergreen Pub & Grill
1400 West Main Street
St. Charles, IL 60174

PLEASE TAKE NOTICE THAT on October 16, 2023 at the hour of 4:30 p.m., in the City Council Chambers at the St. Charles City Hall, 2 East Main Street, City of St. Charles, Illinois, the St. Charles Local Liquor Control Commission shall conduct a hearing pursuant to Section 5.08.320 of the Municipal Code of the City of St. Charles and the Liquor Control Act of 1934, 235 ILCS 5/1-1 *et seq.*

The purpose of said hearing shall be to determine whether the St. Charles Local Liquor Control Commission, pursuant to this authority, shall revoke or suspend the local liquor license issued to you or impose a fine upon you, or both, by reason of the Complaint of Violation filed by the Chief of Police, James Keegan, a copy of which is attached.

AT WHICH TIME AND PLACE YOU MAY APPEAR AND DEFEND. YOU MAY BE REPRESENTED BY AN ATTORNEY IF YOU SO CHOOSE. ATTACHED HERETO IS AN ARRAIGNMENT FORM, WHICH IS INCORPORATED HEREIN. THE ARRAIGNMENT FORM SHOULD BE COMPLETED AND FILED WITH THE CITY CLERK WITHIN THREE (3) DAYS PRIOR TO THE HEARING. IF YOU FAIL TO FILE THE ARRAIGNMENT FORM WITHIN THREE (3) DAYS PRIOR TO THE HEARING AND/OR IF YOU FAIL TO APPEAR AT THE HEARING, YOU WILL BE FOUND GUILTY OF THE VIOLATION BY DEFAULT AND THE ST. CHARLES LOCAL LIQUOR CONTROL COMMISSION WILL DETERMINE THE APPROPRIATE PENALTY.

YOU ARE ADVISED THAT IF A HEARING IS HELD AND YOU ARE FOUND GUILTY AFTER THE HEARING, THEN, IN ACCORDANCE WITH SECTION 5.08.320 OF THE ST. CHARLES MUNICIPAL CODE, YOU WILL BE REQUIRED TO REIMBURSE THE CITY FOR ANY AND ALL OUT OF POCKET EXPENSES, INCLUDING REASONABLE ATTORNEYS' FEES, COURT REPORTER APPEARANCE FEES AND THE COST OF HAVING POLICE OFFICERS AND WITNESSES PRESENT TO TESTIFY. ANY AND ALL QUESTIONS MUST BE DIRECTED TO THE CITY ATTORNEY, NICHOLAS S. PEPPERS, AT E-MAIL NPEPPERS@SRD-LAW.COM OR 847/318-9500 OR TO THE DEPUTY CITY CLERK, TRACEY CONTI, AT 630/377-4422.

DATED this 3rd day of October, 2023.



Lora A. Vitek, Local Liquor Control Commissioner
City of St. Charles

cc: Heather McGuire, City Administrator
James Keegan, Chief of Police

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

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and states that he did serve copies of the Notice of Hearing and the Complaint of Violation upon the person to whom it is directed by leaving the copies with said individual as follows: Shari Bond at 1406 W. MAIN ST. on the 31st day of OCTOBER, 2023.

[Signature] 395

SUBSCRIBED AND SWORN to before me this 31st day of October, 2023.

[Signature]
NOTARY PUBLIC



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

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

IN THE MATTER OF THE LIQUOR)
LICENSE OF:)
) Case Number 2023-LC-08
NORTHWOODS PUB & GRILL, LLC)
d/b/a THE EVERGREEN PUB & GRILL)
1400 West Main Street)
St. Charles, Illinois 60174)

COMPLAINT OF VIOLATION

NOW COMES the Petitioner, James Keegan, Chief of Police of the City of St. Charles, Illinois, and files this Complaint before the Local Liquor Control Commission of the City of St. Charles, Illinois, and states as follows:

1. The Petitioner is the duly appointed Chief of Police of the City of St. Charles and as such is charged with the duty of enforcing the laws of the State of Illinois and the ordinances of the City of St. Charles.

2. On or about September 21, 2023, at approximately 8:15 p.m., the Licensee, Northwoods Pub & Grill, LLC d/b/a The Evergreen Pub & Grill, by and through its employees, officers and/or agents, committed the following offense in or upon the licensed premises at 1400 West Main Street, St. Charles, Illinois:

OFFENSE

Served alcoholic liquor to a person under the age of 21 years.

3. On or about September 21, 2023, Northwoods Pub & Grill, LLC d/b/a The Evergreen Pub & Grill was operating under a Class STD B and late night 2AM permit issued by the City of St. Charles.

4. That the act detailed in Section 2 of this Complaint of Violation is prohibited and is in violation of and contrary to Sections 5.08.250(19) 1 and 2 of the St. Charles Municipal Code and the Liquor Control Act of 1934.

5. That the Licensee, Northwoods Pub & Grill, LLC d/b/a The Evergreen Pub & Grill, is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said premises.

WHEREFORE, the Petitioner, James Keegan, Chief of Police, requests, pursuant to Section 5.08.320 of the St. Charles Municipal Code, that the Local Liquor Control Commission hold a hearing on this matter and take such action against Northwoods Pub & Grill, LLC d/b/a The Evergreen Pub & Grill as the Commission shall deem appropriate under the circumstances.



James Keegan, Chief of Police
City of St. Charles, Illinois

Nicholas S. Peppers
Storino, Ramello & Durkin
9501 West Devon Avenue
Suite 800
Rosemont, Illinois 60018
(847) 318-9500


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

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and, as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true.


James Keegan, Chief of Police

Subscribed and Sworn to before me
this 30th day of October, 2023


Notary Public



ARRAIGNMENT FORM

Case Number 2023-LC-08

I, Brian Zircin, as agent for Northwoods Pub & Grill, LLC d/b/a The Evergreen Pub & Grill, being a licensee charged with a violation of Sections 5.08.250(19) 1 and 2 of the Municipal Code of the City of St. Charles and the Liquor Control Act of 1934, 235 ILCS 5/1-1 *et seq.*, at 1400 West Main Street, St. Charles, Illinois 60174, do hereby enter a plea of:



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



Guilty, I do not request a hearing.

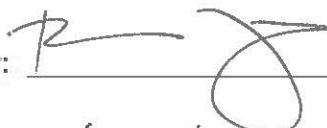


Not Guilty. I request a hearing.

NORTHWOODS PUB & GRILL, LLC
d/b/a THE EVERGREEN PUB & GRILL

Signature:

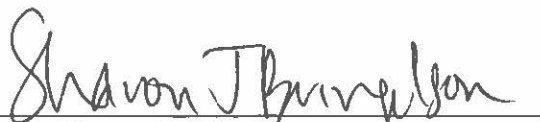
By:



Date:

10/12/2023

Subscribed and sworn to before me
this 12 day of October, 2023.


Notary Public



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



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item Number: 7

Title:	Discussion Regarding a Complaint of Violation and Hearing Notice for Savway Fine Wines & Spirits, located at 2580 E Main Street, St. Charles.
Presenter:	Police Chief Keegan

Meeting: Liquor Control Commission **Date:** October 16, 2023

Proposed Cost: \$	Budgeted Amount: \$	Not Budgeted: <input type="checkbox"/>
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Executive Summary *(if not budgeted, please explain):*

This is a complaint of violation being brought before the Liquor Control Commission to determine whether the St. Charles Local Liquor Control Commission, pursuant to this authority, shall revoke or suspend the local tobacco license issued or impose a fine upon by reason of the Complaint of Violation filed by the Police Department of offenses happening on or about September 21, 2023, at the establishment of Savway Fine Wines & Spirits, located at 2580 E Main Street, St. Charles.

Attachments *(please list):*

Citation, Notice of Hearing, and Arraignment Form

Discussion Regarding a Complaint of Violation and Hearing Notice for Savway Fine Wines & Spirits, located at 2580 E Main Street, St. Charles.

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

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

IN THE MATTER OF THE LIQUOR)
LICENSE OF:)
) Case Number 2023-LC-07
SAVWAY FINE WINES & SPIRITS)

NOTICE OF HEARING

TO: Savway Fine Wines & Spirits
2580 East Main Street
St. Charles, IL 60174

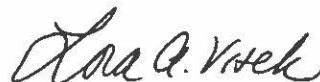
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The purpose of said hearing shall be to determine whether the St. Charles Local Liquor Control Commission, pursuant to this authority, shall revoke or suspend the local liquor license issued to you or impose a fine upon you, or both, by reason of the Complaint of Violation filed by the Chief of Police, James Keegan, a copy of which is attached.

AT WHICH TIME AND PLACE YOU MAY APPEAR AND DEFEND. YOU MAY BE REPRESENTED BY AN ATTORNEY IF YOU SO CHOOSE. ATTACHED HERETO IS AN ARRAIGNMENT FORM, WHICH IS INCORPORATED HEREIN. THE ARRAIGNMENT FORM SHOULD BE COMPLETED AND FILED WITH THE CITY CLERK WITHIN THREE (3) DAYS PRIOR TO THE HEARING. IF YOU FAIL TO FILE THE ARRAIGNMENT FORM WITHIN THREE (3) DAYS PRIOR TO THE HEARING AND/OR IF YOU FAIL TO APPEAR AT THE HEARING, YOU WILL BE FOUND GUILTY OF THE VIOLATION BY DEFAULT AND THE ST. CHARLES LOCAL LIQUOR CONTROL COMMISSION WILL DETERMINE THE APPROPRIATE PENALTY.

YOU ARE ADVISED THAT IF A HEARING IS HELD AND YOU ARE FOUND GUILTY AFTER THE HEARING, THEN, IN ACCORDANCE WITH SECTION 5.08.320 OF THE ST. CHARLES MUNICIPAL CODE, YOU WILL BE REQUIRED TO REIMBURSE THE CITY FOR ANY AND ALL OUT OF POCKET EXPENSES, INCLUDING REASONABLE ATTORNEYS' FEES, COURT REPORTER APPEARANCE FEES AND THE COST OF HAVING POLICE OFFICERS AND WITNESSES PRESENT TO TESTIFY. ANY AND ALL QUESTIONS MUST BE DIRECTED TO THE CITY ATTORNEY, NICHOLAS S. PEPPERS, AT E-MAIL NPEPPERS@SRD-LAW.COM OR 847/318-9500 OR TO THE DEPUTY CITY CLERK, TRACEY CONTI, AT 630/377-4422.

DATED this 3rd day of October, 2023.



Lora A. Vitek, Local Liquor Control Commissioner
City of St. Charles

cc: Heather McGuire, City Administrator
James Keegan, Chief of Police

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

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and states that he did serve copies of the Notice of Hearing and the Complaint of Violation upon the person to whom it is directed by leaving the copies with said individual as follows: Terry Bourbeau at Savway Fine Mines Spirits on the 3 day of October, 2023.

Janis Schuessler

SUBSCRIBED AND SWORN to before me
this 30 day of October, 2023.

Sara K Cass

NOTARY PUBLIC



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

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

IN THE MATTER OF THE LIQUOR)
LICENSE OF:)
) Case Number 2023-LC-07
SAVWAY FINE WINES & SPIRITS)
2580 East Main Street)
St. Charles, Illinois 60174)

COMPLAINT OF VIOLATION

NOW COMES the Petitioner, James Keegan, Chief of Police of the City of St. Charles, Illinois, and files this Complaint before the Local Liquor Control Commission of the City of St. Charles, Illinois, and states as follows:

1. The Petitioner is the duly appointed Chief of Police of the City of St. Charles and as such is charged with the duty of enforcing the laws of the State of Illinois and the ordinances of the City of St. Charles.

2. On or about September 21, 2023, at approximately 6:42 p.m., the Licensee, Savway Fine Wines & Spirits, by and through its employees, officers and/or agents, committed the following offense in or upon the licensed premises at 2580 East Main Street, St. Charles, Illinois:

OFFENSE

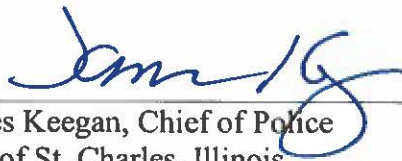
Served alcoholic liquor to a person under the age of 21 years.

3. On or about September 21, 2023, Savway Fine Wines & Spirits was operating under a Class A1 liquor license issued by the City of St. Charles.

4. That the act detailed in Section 2 of this Complaint of Violation is prohibited and is in violation of and contrary to Sections 5.08.250(19)1 and 2 of the St. Charles Municipal Code and the Liquor Control Act of 1934.

5. That the Licensee, Savway Fine Wines & Spirits, is responsible for the acts of its employees, officers and agents and is required to ensure that no violations of state law or ordinances of the City of St. Charles take place on said premises.

WHEREFORE, the Petitioner, James Keegan, Chief of Police, requests, pursuant to Section 5.08.320 of the St. Charles Municipal Code, that the Local Liquor Control Commission hold a hearing on this matter and take such action against Savway Fine Wines & Spirits as the Commission shall deem appropriate under the circumstances.

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

James Keegan, Chief of Police
City of St. Charles, Illinois

Nicholas S. Peppers
Storino, Ramello & Durkin
9501 West Devon Avenue
Suite 800
Rosemont, Illinois 60018
(847) 318-9500

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

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and, as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true.



James Keegan, Chief of Police

Subscribed and Sworn to before me
this 3rd day of October, 2023



Notary Public

