# AGENDA CITY OF ST. CHARLES LIQUOR CONTROL COMMISSION MEETING MONDAY, JULY 17, 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 June 19, 2023.
- 4. Motion to accept and place on file executive session minutes from the meeting held on June 19, 2023.
- 5. Recommendation 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.
- 6. Recommendation 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.
- 7. Discussion Regarding a Complaint of Violation and Hearing Notice for Spotted Fox Ale House, located at 3615 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 <a href="mailto:imcmahon@stcharlesil.gov">imcmahon@stcharlesil.gov</a>. 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, JUNE 19, 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: Zollers, Bancroft, Pietryla

Absent: Gehm

3. Motion by Ald. Pietryla, second by Ald. Bancroft to accept and place on file minutes of the Liquor Control Commission meeting held on May 15, 2023.

**Roll Call Vote:** Ayes: Ald. Bancroft, Ald. Pietryla. Nays: None. Absent: Mr. Gehm. Abstain: Ms. Zollers. Mayor Vitek did not vote as Commissioner. **Motion Carried** 

4. Motion by Ald. Pietryla, second by Ald. Bancroft to accept and place on file minutes of the Liquor Control Commission Execution Session meeting held on May 15, 2023.

**Roll Call Vote:** Ayes: Ald. Bancroft, Ald. Pietryla. Nays: None. Absent: Mr. Gehm. Abstain: Ms. Zollers. Mayor Vitek did not vote as Commissioner. **Motion Carried** 

5. Motion by Ms. Zollers, second by Ald. Pietryla to approve a proposal for a C-1 Liquor License Application and 1 am Late Night Permit for SCMC Enterprises dba Rudy's Bar, Located at 214 W. Main St., St. Charles.

Chief Keegan explained that this will be the fourth business in St. Charles for these owners, including two with current liquor licenses. The location is undergoing construction and appropriate permits are in place. There is no outdoor seating at this business.

**Roll Call Vote:** Ayes: Ald. Bancroft, Ald. Pietryla, Ms. Zollers. Nays: None, Absent: Mr. Gehm. Mayor Vitek did not vote as Commissioner. **Motion Carried** 

6. 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, 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. 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 (i) pay the City alcohol tax for the tax period ending April 30, 2023, due May 1, 2023, and (ii) prior late fee for failure to timely pay prior alcohol tax payments 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**

Pursuant to Section 5.08.180(A) and (E) and 5.08.070(12) of the St. Charles Municipal Code, failure to fingerprint current manager of the Licensee for the licensed premises.

# **OFFENSE**

Pursuant to Section 5.08.210, failure by Licensee to cause a current license to be displayed in plain view in a conspicuous place on the licensed premises.

- 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, 2023.
- 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, (ii) Sections 5.08.180(A) and (E) and 5.08.070(12) of the St. Charles Municipal Code, and (iii) Section 5.08.210 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, 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 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, and that is required three days before this hearing. The licensee is deemed guilty of the charges due to failure to file the arraignment form.

The Licensee representative, Marwan Taib, stated that the business's manager was fingerprinted today. Mr. Taib has previously made it clear to City staff that the business is facing financial difficulties. Spotted Fox did not get grants from the state and county during the COVID-19 period and large nearby attractions such as Pheasant Run have closed. The customer traffic is not high enough to support the business and Mr. Taib is considering closing. Costs are increasing, margins are slim, and he cannot afford to continue to pay fines.

Attorney Peppers reiterated the issues before the commission today. He reminded the attendees that the City's alcohol tax fees are collected up front by the business from the customers. The manager was fingerprinted earlier today, and the establishment does not have a liquor license posted, as required by state law.

Mr. Taib spoke again about his business challenges.

Further discussion will be conducted in Executive Session.

7. Discussion Regarding a Complaint of Violation and Hearing Notice for Lundeen's Liquor East, 614 East Main Street, St. Charles.

Commissioner Vitek read the Complaint of Violation for the record.

# **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.

# **OFFENSE**

- 2. On or about May 10, 2023, Lundeen's Liquor East, Inc. ("Licensee") was operating under a Tobacco License issued by the City of St. Charles for the location at 614 East Main Street, St. Charles, Illinois 60174 ("Premises").
- 3. On or about May 10, 2023, at approximately 2:50 p.m., Licensee, by and through its employees, officers and/or agents on the Premises, committed the following violation of the St. Charles Tobacco Code:

#### **OFFENSE**

Sold tobacco/alternative nicotine product to a minor, in violation of Section 5.16.070 of the St. Charles Municipal Code.

- 4. That the acts detailed in Sections of this Complaint of Violation is prohibited and is in violation of and contrary to Sections 5.16.070 of the St. Charles Municipal Code and the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act.
- 5. Licensee 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 Sections 5.16.180 of the St. Charles Municipal Code, that the Local Liquor Control Commission, a/k/a the Tobacco Commission, hold a hearing on this matter and take such action against Licensee as the Commission shall deem appropriate under the circumstances.

Attorney Peppers confirmed that the arraignment form was received. The Licensee pleaded guilty and did not request a mitigation hearing.

Further discussion will be conducted in Executive Session.

# 8. Public Comment - none

# 9. Executive Session

Motion by Ald. Pietryla, second by Ald. Bancroft to enter executive session at 4:55 pm.

**Roll Call Vote:** Ayes: Ald. Bancroft, Ald. Pietryla, Ms. Zollers. Nays: None, Absent: Mr. Gehm. Mayor Vitek did not vote as Commissioner. **Motion Carried** 

The regular meeting resumed at 5:17 pm.

# 10. Adjournment.

Motion by Ald. Pietryla, second by Mr. Gehm to adjourn the meeting at 5:17 pm.

**Voice Vote:** Ayes: Ald. Bancroft, Ald. Pietryla, Ms. Zollers. Nays: None, Absent: Mr. Gehm. Mayor Vitek did not vote as Commissioner. **Motion Carried** 

:sb

	AGENDA ITEM EXECUTIVE SUMMARY Agenda Item Number: 5								
		Re	Recommendation to approve a Proposal for an E1 Liquor						
	Brewing & Kitchen as part of								
	Title:	the Chicagoland Tour De Cure taking place in							
CITY OF ST. CHARLES ILLINOIS • 1834		Pc	Pottawatomie Park on August 12, 2023.						
	Presenter:	Polic	Police Chief James Keegan						
Meeting: Liquor Co	ontrol Commi	ssion	<b>Date</b> : July 17, 2023						
Proposed Cost: \$ Budgeted Amount: \$ Not Budgeted:					Not Budgeted:				
Executive Summar	r <b>y</b> (if not budg	jeted,	, please explain):						
August 12 from 12 beer and providing any beer. It's impo to enter the beer g	pm to 3 pm. g a bartender ortant to note garden. To ens	As pa at the that o sure e	up with the 2023 Chicagoland Tou art of their partnership, Alter Brew e beer garden to check IDs and isso only individuals who are 21 years of everyone's safety, there will be cle e present on-site.	ring & R ue wris old and	Kitchen will be donating stbands before serving dabove will be allowed				
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# **Recommendation/Suggested Action** (briefly explain):

Recommendation 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.

For Office Use

Received: Fee Paid: \$ Receipt #

# NON-REFUNDABLE

# CITY OF ST. CHARLES

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



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

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

The undersigned hereby makes application for a Liquor Dealer License, Class Et – Not-For-Profit License or E3 – Kane County Fair Commencing August 12, 2023 and ending August 12, 2023

Time Starting 10am and ending 3pm .

Location of Event Pottawatomile Park, 8 North Ave, St. Charles, It.

Nar	ne of Business Alter Brewing + Kitchen				
Add	dress of Business 12 S. 1st Street, St. Charles, IL 60174	Business Phone (331) 901-5949			
Is the Applicant a Not-For-Profit Organization: No		adam @ after brewine, com			
	horized Agent Adam Hooczko	Title Markeling Manager			
Has	Applicant had a Class El License in the previous 365 days? NO	. If YES, on what date:			
Doe	es Applicant have Dram Shop Insurance? Yes	tach evidence of insurance.			
	Requirements of a Class E1 / E3	- Not-For-Profit License			
1.	The Class El license fee is \$50.00 per day.				
2.	A minimum of three (3) liquor supervisors shall monitor liquor ser supervisors with this application.	vice during all times of operation. Please provide a list of all			
3.	Liquor supervisors shall be members of the organization holding the	ne license.			
4.	Beer and/or Wine are the only alcoholic beverages to be sold.				
5.	Hours are restricted to 12 noon to 11:00 p.m.				
5.	Licensee must rope/fence off the licensed premises.  Are children/minors permitted in the licensed premises? Y(N)				
	Each patron must wear a wristband after having identification ch	ecked for legal alcohol consumption age			
).	A sign limited beer and/or wine consumption to the roped off area				
-100	Each server of alcohol must be BASSET certified - need copy				
11.					
12.	All security/police resources needed shall be attached to this applic				
	issuance by Liquor Commissioner.				
-	Affidayi	it			
	te of Illinois )				
Cou	inty of Kane )				
	I/We, the undersigned, being first duly sworn, say that I/w				
	rein are true, complete, and correct and are upon my/our personal ucing the City of St. Charles to issue the Liquor Dealer License, Cla				
will	not violate any of the laws of the United States, the State of Illinois	s or the City Ordinances of the City of St. Charles.			
15	1 1014 15-41-	All Marketines and All Property and All			
-	V V V V V V V V V V V V V V V V V V V	ned: "OFFICIAL SEAL"			
	VII	2023 SHARON J BRINGELSON			
Vol	ary Public Onavon Jones Line	NOTARY PUBLIC, STATE OF ILLINOIS			
	_ 0	MY COMMISSION EXPIRES 12/5/2028			
	ENDORSEMENT OF THE LIQUOR O	CONTROL COMMISSIONER			
Apı	proved: Date: 7-3-23 Chief of Police:	com 10g			
		0			
ADI	proved: Date: Liquor Commissioner:				

ACORD

# CERTIFICATE OF LIABILITY INSURANCE

6/29/2023

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(les) 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 the certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PROP Rob	ils certificate does not confer rights to pucsa ertson Ryan - Oak Brook ily Insurance Group	o the (	certi	ticate noider in hell of se	CONTACT NAME (AC, No, Ext): (630) 4		[AX, No): (630)	468-5432		
	Commerce Drive Brook, IL 60523					URER(B) AFFOR	TOING COVERAGE	NAIC#		
					INSURER A : WEST BEND MUTUAL INSURANCE COMPANY					
IANEA I	RED				wsurer e : Sequoia Insurance Company					
	Mad Ape, LLC dba Alter Bre	wina i	Com	many	INSURER C:					
	2300 Wisconsin Avenue, # 2	09 - 2	17		INSURER D:					
	Downers Grove, IL 60515				INSURER E:					
					INSURER F:		-			
co	VERAGES CER	TIFIC	ATE	NUMBER:			REVISION NUMBER:			
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							MED EXP (Any one person) S	1,000		
							PERSONAL & ADVINJURY S	1,000,000		
	GENTL AGGREGATE LIMIT APPLIES PER	Ш					GENERAL AGGREGATE \$	2,000,000		
	POLICY PRO: LOC	ш			- 1		PRODUCTS - COMP/OP AGG \$	2,000,000		
	OTHER						\$			
A	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (En accident) \$	1,000,000		
	X ANY AUTO	Ш		A902075	6/1/2023	5/1/2024	BODILY INJURY (Per person) \$			
	X OWNED AUTOS ONLY X SCHEDULED	1 1			j Ca		BODILY (NJURY (Per accident) \$			
	X MUTES ONLY X MON-SYNED						PROPERTY DAMAGE (Per accident) \$			
							\$			
A	X UMBRELLA LIAB X OCCUR			1007-2100-1007-1			EACH OCCURRENCE \$	6,000,000		
	EXCESS LIAB CLAIMS-MADE			A902075	5/1/2023	5/1/2024	AGGREGATE \$	5,000,000		
	OED RETENTION \$						S			
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				=		X PER OTH-	1 444 444		
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICERAMEMBER EXCLUDED?	N/A		QWC1259305	1/1/2023	1/1/2024	E.L. EACH ACCIDENT \$	1,000,000		
	(Rendetory in NH)	""					E.L. DISEASE : EA EMPLOYEE \$	1,000,000		
	If yes, describe under IDESCRIPTION OF OPERATIONS below	$\sqcup$		1.048446	BIATRASA	84410001	E.L. DISEASE - POLICY LIMIT \$	1,000,000		
A	LIQUOR LIABILITY			A917116	5/1/2023	5/1/2024	Limit	1,000,000		
DES	CRIPTION OF OPERATIONS / LOCATIONS / VEHIC	LES (A	CORE	D 181, Additional Remarks Sched	dule, may be attached if mor	re spece is requi	fred)			
ÇE	RTIFICATE HOLOER				CANCELLATION					
	American Diabetes Associa 8 Noreth Avenue St. Charles, IL	tion			SHOULD ANY OF THE EXPIRATIO ACCORDANCE W	N DATE T	DESCRIBED POLICIES BE CANCI HEREOF, NOTICE WILL BE ICY PROVISIONS.	ELLED BEFORE DELIVERED IN		
					Good Voule					
				TUN VOUL						

# Requirements for a Class E1/E3 Liquor License

# Liquor supervisors:

- Olivia Martin
- Kayla Carter
- Rebecca Johnson
- Doris del Valle
- Mary Agnes Zellmer

Donated Beer from Alter Brewing will be served only to participants of the 2023 Chicagoland Tour de Cure. When they receive their bib with their race number, they will also receive a drink ticket (good for one Beer or one non-alcoholic beverage), which they must present at the Beer Garden. Once they present their ticket, the bartender for Alter Brewing will check their ID and issue them a wrist band before giving them their allotted one (1) free beer.

The Beer Garden will be a small fenced off area containing one 10x10 tent, and a few high boy tables for guests to consume their beverage at. All alcohol consumption must be done inside the Beer Garden. No persons under the age of 21 shall be permitted inside the Beer Garden. There will be clear signage indicating the Beer Garden and its rules, and at least one Liquor Supervisor will be always present to ensure the rules are being enforced.



# Congratulations!

You have successfully completed the ServSafe® Training and Certificate Program. This is your official ServSafe Alcohol Certificate Card and provides confirmation that you have studied, and are knowledgeable about how to serve alcohol responsibly.

Thank you for participating in the ServSafe Alcohol program. Responsible alcohol service begins with the choices you make, and ServSafe Alcohol training will help you make the right decision when the moment arises.

By completing the ServSafe Alcohol program, you show your dedication to safe and responsible alcohol service. The ServSafe Alcohol program and the National Restaurant Association are dedicated to helping you continue to raise the bar on alcohol safety.

To learn more about our full suite of responsible alcohol service training products, contact your State Restaurant Association, your distributor or visit us at ServSafe.com.

We value your dedication to responsible alcohol service and applicately you for making the commitment to keep your operation, your customers and your community safe.

Sincerely,

Sherman Brown

Executive Vice President, National Restaurant Association Solutions



In Alaska you must laminate your card for it to be valid.

NOTE: You can access your score and certification information anytime at ServSofe.com.

If you have any questions regarding your certification please contact the National Restaurant Association Service Center at ServiceCenter Prestourant.org of 800.765.2122, ext. 6703

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Chicagoland Tour de Cure: August 12th

Pottawatomie Park, 8 North Ave,

St. Charles, IL 60174



Chicagoland Tour de Cure: August 12th Pottawatomie Park, 8 North Ave,

St. Charles, IL 60174





630,4/9,8116





26 South Third Street, #637 Geneva, IL 60134

# Invoice -081223-1

Date:

June 26, 2023

Payable To:

Chicago Race Management, LLC

1800 W. Hawthorne Lane, Suite I

West Chicago, IL 60185

Client:

American Diabetes Association

Contact:

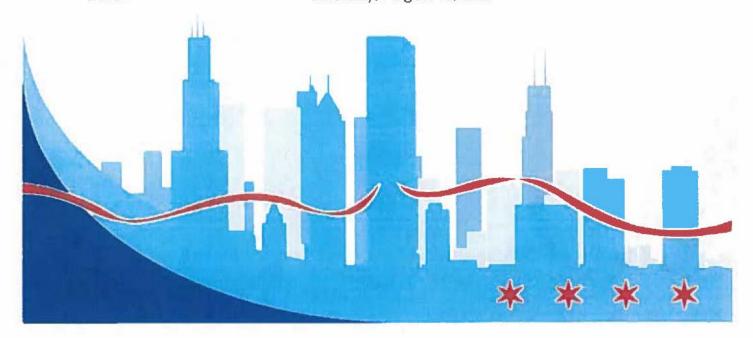
Ms. Olivia Martin

Event:

Tour de Cure - Chicagoland

Date:

Saturday, August 12, 2023



# Services & Deliverables

# SERCURITY SERVICES

CRM has contracted with STT Security, for security at beer garden

One (1) officer for three (3) hours to provide security during the Tour de Cure at the Beer Garden

Hours: 12:00pm-3:00pm

Location: Pottawatomie Park, St. Charles, IL

Arrival Time: 11:30am

Duties: Monitor the beer garden entrance/exit, check wrist bands, no children

allowed in beer garden

Rate: 3 hours @ \$75.00 per hour \$225.00

<u>\$225.00</u>







	AG	ENDA ITEM	1 EXECUTIVE SUMMARY	Agen	da Item number: (	6		
			nendation to Approve a Pro	•				
	Title:		mporary Liquor License and Road Closure for St. Patrick's					
		Church t	urch for September 9, 2023					
CITY OF ST. CHARLES ILLINOIS • 1834	Presenter:	Mayor Vi	tek					
Meeting: Liqu	or Control Co	mmission	<b>Date:</b> July 17, 20	023				
<b>Proposed Cost</b>	: \$		Budgeted Amount: \$		Not Budgeted:			
TIF District: Ch	noose an iten	n.						
<b>Executive Sum</b>	mary (if not	budgeted,	please explain):					
St. Patrick's Church is requesting a Class E-1 Temporary Liquor License, authorizing dispensing beer on St. Patrick's Church property, as indicated on the proposed site plan. This temporary license is requested for a single, one-day event to be held on Saturday, September 9, 2023 from 5 – 8:30 p.m. Pollyanna will provide the alcohol and servers for this event. The event will have a fenced-in area that will include a brat stand and a dispensing area for craft beer.  In addition, event organizers are requesting the closure of Cedar Street in front of the church from 4 <sup>th</sup> Street to 5 <sup>th</sup> Street.								
Attachments ( Liquor License		COI, Site Pl	an, Maps					
Recommendat	ion to Appro	ve a Propo	briefly explain): sal for a New Class E-1 Tempora stember 9, 2023.	ry Liquo	r License and Road			

# For Office Use

Received: Fee Paid: \$ Receipt #

# NON-REFUNDABLE

# CITY OF ST. CHARLES

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



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

The undersigned hereby makes application for a Liquor Dealer License, Class

Pursuant to the provisions of Chapter 5.08, Alcoholic Beverages, of the City of St.

State of Illinois County of Kane I/We, therein are true inducing the Ci will not violate Signed: Sworn to before Notary Public	the undersigned, be, complete, and co ty of St. Charles to any of the laws of	rrect and are upon missue the Liquor Deal he United States, the day of Joy	ny/our personal ler License, Classtate of Illinois Sign	knowledge and iss E1 to me/us for the City Ordened:	d information a for the location linances of the C	lication and that the statemen nd are made for the purpose of hereinbefore indicated; that I/w City of St. Charles.  GAIL M BROWN Official Seal Notary Public - State of litinois of Commission Expires Jun 27, 202
State of Illinois County of Kane I/We, therein are true inducing the Ci will not violate Signed: Sworn to before	the undersigned, be, complete, and co ty of St. Charles to any of the laws of	rrect and are upon missue the Liquor Deal he United States, the	ny/our personal ler License, Clar State of Illinois Sign	knowledge and iss E1 to me/us for the City Ordened:	information a for the location linances of the (	nd are made for the purpose of hereinbefore indicated; that I/w City of St. Charles.  GAIL M BROWN Official Seal Notary Public - State of litinois
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	ent <u>MICHAE</u>	nse in the previous 36	S days VE	Title Z V	on what data	WICES COORDINA
	t a Not-For-Profit C		:5	Til 6.1		21.00
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	ess ST.	PATRICK	CATHOL	IC CH	JACH	
Name of Busine			ocation of Ever	nt 408 C	EDAO ST	ST.CHARLES, I
thereto now	in force and effect.	L	anation of E			
Charles, Stat thereto now Name of Busine	e liquors in the te of Illinois and all in force and effect.	amendments T	ime Starting	5 PM	and endir	ng <u>Sept 9, 2023</u> . 19 8:30 2M



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 7/13/2023

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).

th	is certificate does not confer rights t	o the	cert	ificate holder in lieu of s				.oquiio uii oiido			Monitority on
	DUCER	_		11.0	CONTACT NAME: Gallagher Bassett Services, Inc.						
	hur J. Gallagher Risk Management 50 Golf Rd	Sen	/Ices	, LLC	PHONE (A/C, No, Ext); 414-203-4053 FAX (A/C, No): 414-258-1250					8-1250	
	lling Meadows IL 60008				E-MAIL ADDRESS:						
					INSURER(S) AFFORDING COVERAGE						NAIC#
					INSURE	RA: National					10083
	RED			DIOCOFR-01				alty Corporation			15105
	cese of Rockford				INSURE						
	ance & Administration Office  D. Box 7044				INSURE						
Rockford IL 61125					INSURER E :						
COVERAGES CERTIFICATE NUMBER: 741305291								REVISION NUM	BER:		
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В	DED X RETENTION \$ 1,000,000 WORKERS COMPENSATION			SP 4066812		7/1/2023	7/1/2024	X PER STATUTE	OTH-	\$	
_	AND EMPLOYERS' LIABILITY V/N			GF 4000012		17112020	11112024			Statut	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?	N/A						E.L. EACH ACCIDEN		\$ 1,000,	
	(Mandatory in NH) If yes, describe under							E.L. DISEASE - EA E			
	DÉSCRIPTION OF OPERATIONS below							E.L. DISEASE - POLI	CYLIMIT	\$ 1,000,	000
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DESC	CRIPTION OF OPERATIONS / LOCATIONS / VEHICL	ES //	COPD	101 Additional Pamarke Schodul	o may bo	attached if more	anno in roquir	nd)			
Ger	neral Liability and Auto Liability limits inc	lusiv	e of \$	250,000 Self-Insured Reter	ntion.		space is require	eu,			
If A	dditional Insured status noted herein, co R: St Patrick Paris (DIOCESE OF ROCK	vera	ge aff	orded by Form #TNC-G118	8 (ed. 0	1/01/12).					
RE	ASON: Parish Picnic 09/09/23 at Lincoln	Parl	k, 400	Block W Main St. St Char	les, IL 6	0174. City of	St Charles i	s named as an ac	dditional i	insured	
^=-	TIFICATE HOLDES				04115	EL L A E 1011					
CE	RTIFICATE HOLDER				CANC	ELLATION					
	City of St Charles				THE	<b>EXPIRATION</b>	DATE THE	ESCRIBED POLICI EREOF, NOTICE Y PROVISIONS.			
	2 É Main Street St Charles II 60174			1	AUTHOR	IZEN DEBDECEN	TATIVE				
	St Charles IL 60174 United States				AUTHORIZED REPRESENTATIVE						

# internal Revenue Service

Date: April 13, 2005

ST. PATRICK'S CHURCH 408 CEDAR ST. ST. CHARLES, IL 60174-1835 Department of the Treasury P. O. Box 2508 Cincinnati, OH 45201

Person to Contact:

Delores Gaskins 31-07428 Customer Service Specialist

Toll Free Telephone Number: 8:30 a.m. to 5:30 p.m. ET

877-829-5500

Fax Number:

513-263-3756

Federal Identification Number:

36-2271231

**Group Exemption Number:** 

0928

Dear Sir or Madam:

This is in response to your request of April 13, 2005 regarding your organization's tax-exempt status.

Our records indicate your organization is exempt under section 501(c)(3) of the Internal Revenue Code. Your organization is included in the group ruling issued to the United States Conference of Catholic Bishops, which is not a private foundation within the meaning of 509(a) of the Code because it is described in sections 509(a)(1) and 170(b)(1)(A)(i).

The United States Conference of Catholic Bishops is listed in Publication 78. Donors may deduct contributions to your organization under section 170 of the code.

As your organization is included in a group ruling, there is not an individual exemption letter for it. The group exemption letter applies to all of the subordinate organizations on whose behalf the United States Conference of Catholic Bishops has applied for recognition of exemption. If you want a copy of the group exemption letter, please contact your central organization.

If you are operating an educational organization that normally maintains a regular faculty and curriculum and normally has a regularly enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on, you are required to file Form 5578, *Annual Certification of Racial Nondiscrimination for a Private School Exempt From Federal Income Tax.* Form 5578 is due annually by the 15<sup>th</sup> day of the 5<sup>th</sup> month following the end of the organization's accounting period.

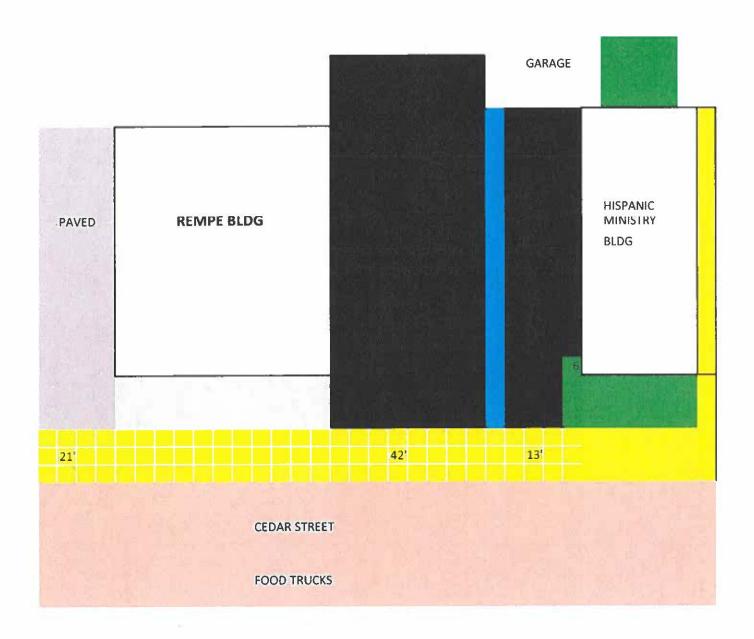
If you have any questions, please call us at the telephone number shown in the heading of this letter.

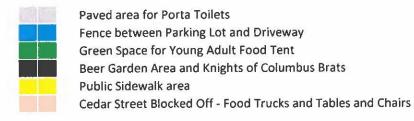
Sincerely,

Janna K. Stufen

Janna K. Skufca, Director, TE/GE

Customer Account Services













# 400 Cedar St

Building



Save







phone



Share



400 Cedar St, St. Charles, IL 60174

# **Photos**

400 Cedar St

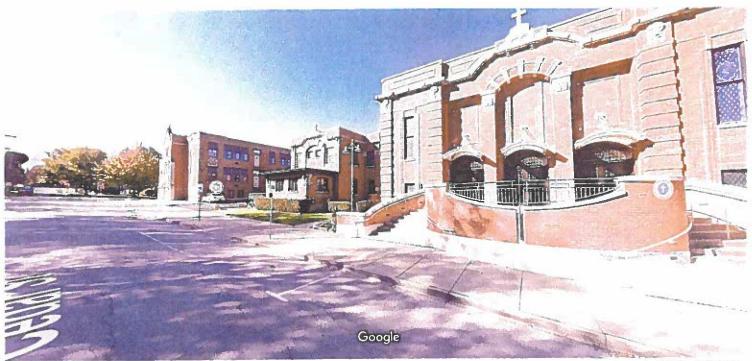


Image capture: Oct 2018 © 2022 Google

St Charles, Illinois

Google





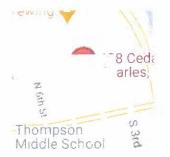
# 400 Cedar St



Image capture: Oct 2018 © 2022 Google

St. Charles, Illinois

Google



# Google Maps 452 Cedar St

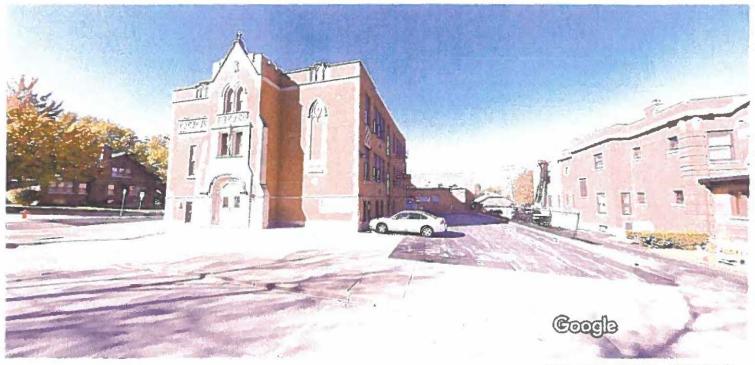


Image capture: Oct 2018 © 2022 Google

440 Cedar St

St. Charles, Illinois

Google



# Google Maps

400 Cedar St



Image capture: Oct 2018 © 2022 Google

St. Charles, Illinois

Google



A PORT	AG	ENDA ITEN	I EXECUTIVE SUMMARY	Agenda Item number: 7					
			on Regarding a Complaint of						
	Title:		or Spotted Fox Ale House, loc	ated at 3615 E Main					
		Street, St. Charles.							
CITY OF ST. CHARLES ILLINOIS • 1834	Presenter:	Police Chi	ef Jim Keegan, Director of Finance	e William Hannah					
<b>Meeting:</b> Liqu	or Control Co	mmission	<b>Date:</b> July 17, 202	3					
Proposed Cost	: \$		Budgeted Amount: \$	Not Budgeted: □					
<b>ΓΙ<b>F District</b>: Ch</b>	noose an iten	n.							
xecutive Sum	mary (if not	budgeted,	please explain):						
Finance Directo period ending I	or William Ha May 31, 2023	annah for f 3, due June	by reason of the Complaint of Vicallure to timely pay the City alcologous 2023. Additionally, the licensee for 27, 2023, served upon them on J	nol tax and late fee for the tax ailed to timely pay the fine and					
Attachments (	please list):								
<b>Attachments</b> ( <sub> </sub> Complaint of V		ice of Hear	ing, Certificate of Service, June 27	, 2023 Order					

House, located at 3615 E Main Street, St. Charles.

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-06
ST. CHARLES SPORTS, LLC	)	
d/b/a SPOTTED FOX ALE HOUSE	)	
3615 East Main Street	)	
St. Charles, Illinois 60174	)	

# **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 Director of Finance 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 30, 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".

- 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.

William Hannah, Finance Director

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.

William Hannah, Finance Director

Subscribed and Sworn to before me

this lath day of July

, 2023

Notary Public

"OFFICIAL SEAL"
TRACEY R CONTI
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 2/26/2027

STATE OF ILLINOIS	)
COUNTIES OF KANE AND DU PAGE	) SS )
	LIQUOR CONTROL COMMISSIONER OF OF ST. CHARLES, ILLINOIS
IN THE MATTER OF THE LIQUOR	)
LICENSE OF:	)
	) Case Number 2023-LC-06
ST. CHARLES SPORTS, LLC	)
d/b/a SPOTTED FOX ALE HOUSE	)

# **NOTICE OF HEARING**

TO: ST. CHARLES SPORTS, LLC d/b/a SPOTTED FOX ALE HOUSE 3615 East Main Street St. Charles, Illinois 60174

3615 East Main Street St. Charles, Illinois 60174

**PLEASE TAKE NOTICE THAT** on July 17, 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 Chapter 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 Finance Director, William Hannah, 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 <a href="mailto:npeppers@srd-law.com">npeppers@srd-law.com</a> OR 847/318-9500 OR TO THE DEPUTY CITY CLERK, TRACEY CONTI, AT 630/377-4422.

**DATED** this 12<sup>th</sup> day of July, 2023.

Lora A. Vitek, Local Liquor Control Commissioner

Da a. Vitel

City of St. Charles

cc: Heather McGuire, City Administrator William Hannah, Finance Director

# E XHIBIT A

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-05
St. Charles Sports, LLC	)	
d/b/a Spotted Fox Alehouse	)	
3615 East Main Street	)	
St. Charles, IL 60174	)	

# ORDER

THIS CAUSE COMING ON TO BE HEARD before the Local Liquor Control Commissioner of the City of St. Charles and the Local Liquor Control Commissioner having heard the evidence presented, the following findings of fact are made:

- That the Licensee, St. Charles Sports, LLC d/b/a Spotted Fox Alehouse, was charged with violating (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, (ii) Sections 5.08.180(A) and (E) and 5.08.070(12) of the St. Charles Municipal Code, and (iii) Section 5.08.210 of the St. Charles Municipal Code.
  - 2. That the Licensee was given proper notice of the proceedings.
- That the Licensce failed to submit its Arraignment form, but appeared before the Local Liquor Control Commissioner on June 19,2023, admitting to the allegations contained in the Complaint of Violation but was offered and did provide testimony to mitigate any penalty.
  - That the Liquor Commissioner considered this matter at the June 19, 2023 meeting.
     IT IS HEREBY ORDERED AS FOLLOWS:

That the Licensee shall pay to the City of St. Charles a fine of \$1,000.00, plus costs of \$500.00, for a total of \$1,500.00, in accordance with Section 5.08.320(A) of the St. Charles Municipal Code), with the amount of \$250.00 in fines plus the \$500.00 costs due and payable within seven (7) days from the date of

1149444 |

this Order and the balance of \$750.00 in fines shall be deferred. The Licensee shall be placed on probation, beginning immediately, and extending to the due date for remittance of the alcohol taxes until January 1, 2024 ("Probation Period"). If there is no violation of the timely alcohol tax remittance requirements under City Code by the Licensee during that Probation Period, the deferred fine of \$750.00 shall be waived. Otherwise, should the Licensee fail to make any such timely payments to the City during the Probation Period, the deferred \$750.00 fine shall immediately become due and payable.

Dated at St. Charles, Illinois this 27th day of June, 2023.

ENTER:

Local Liquor Commissioner

RA a. Vitek

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STATE OF ILLINOIS	) } SS
COUNTIES OF KANE AND DUPAGE)	133
	IQUOR CONTROL COMMISSIONER OF OF ST. CHARLES, ILLINOIS
IN THE MATTER OF THE LIQUOR	)
LICENSE OF:	)
	) Case Number 2023-LC 05
St. Charles Sports, LLC	)
d/b/a Spotted Fox Alehouse	)
3615 East Main Street	)
St. Charles, IL 60174	)
CER	TIFICATE OF SERVICE
The good state	aving a copy with said individual as follows: at boves_ on the day of
Subscribed and sworn to before me this 29 day of June, 2023	374
Notary Public  **OFFICIAL SE FRANCE L CEVAL	3

1144446 1

