

**AGENDA  
CITY OF ST. CHARLES  
LIQUOR CONTROL COMMISSION MEETING**

**MONDAY, JULY 21, 2014  
CITY COUNCIL CHAMBERS @ 4:45 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 16, 2014.
4. Discussion regarding Alibi Bar & Grill, Ltd. Violation Notice.
5. Discussion regarding The Filling Station Violation Notice.
6. Recommendation of an Ordinance Amending Title 5 “Business License and Regulations,” Chapter 5.08 “Alcoholic Beverages,” Section 5.08.010 “Definitions” of the St. Charles Municipal City Code (Intoxication) to go before Committee and Council approval.
7. Recommendation of an Ordinance Amending Title 5 “Business License and Regulations,” Chapter 5.08 “Alcoholic Beverages,” Sections 5.08.090, 5.08.100, 5.08.110, and 5.08.130 of the St. Charles Municipal City Code (Class E-7 License) to go before Committee and Council approval.
8. Other Business.
9. Executive Session (5 ILCS 120/2 (c)(4)).
10. Adjournment.

**MINUTES  
CITY OF ST. CHARLES, IL  
LIQUOR CONTROL COMMISSION MEETING  
MONDAY, JUNE 16, 2014**

**1. Opening of Meeting**

The meeting was convened by Liquor Commissioner Rogina at 4:33 p.m.

**2. Roll Call**

**Members Present:** Liquor Commissioner Rogina, Robert Gehm, Ald. Payleitner, Ald. Lewis, and Chuck Amenta

**Absent:**

**Others Present:** Interim Police Chief Huffman, Mark Koenen, Atty. John McGuirk, Atty. Tim O'Neil, Officer Burden and Tina Nilles

**3. Liquor Violation Hearing for Alley 64.**

Minutes taken by Court Reporter – attached.

4. Motion by Mr. Gehm second by Alderman Payleitner to accept and place on file minutes of the Liquor Control Commission meeting held on April 21, 2014 and minutes of the Liquor Control Commission meeting held on May 19, 2014.

Voice Vote: Ayes: unanimous, Nays: none. Motion carried.

**5. House of Tokyo Violation Notice.**

**Mayor Rogina:** Then next order of business is The House of Tokyo Violation.

**Tina Nilles:** Your Honor, if you're done with this Alley 64 item, then are we done with the court recorder? She was specifically here for Alley 64.

**Mayor Rogina:** Yes, she may be released at this point in time because we're moving off of the public hearing.

**Mayor Rogina:** Alright, having said that we'll move along to the next order of business which is House of Tokyo. Thank you, Mrs. Nilles. The petitioner in this case is Chief Steve Huffman. On or about April 30, 2014, the licensee House of Tokyo, Inc., by and through its employees, officers and or agents committed the following violations of the St. Charles Liquor Code, and they are two in nature. Count one: Failed to pay a license fee for the year beginning on May 1, 2014 in that it is presented an insufficient funds check in the amount of \$1200 dollars and count

two: Failed to pay alcohol tax with a penalty of \$150 dollars and has on three occasions filed its alcohol taxes late in violation of 3.42.090 of the alcohol tax ordinance; and for the record the licensee in this matter has pleaded guilty and does not request a hearing. Is there anybody from The House of Tokyo present here today, seeing none, we will deal with this matter again in executive session as to the fine that will be administered here.

**6. Recommendation for direction to draft an E-7 liquor license for Committee and Council approval.**

**Mayor Rogina:** Were going to start with Chief Huffman, who will lay the groundwork for this and then we have a business person in our community, Mr. Paul Lencione who would like to speak to the liquor commission on this matter.

**Chief Huffman:** Blue Goose Market has approached the city to consider the creation of an E-7 liquor license, this would be a brand new liquor license, temporary liquor license. The E-7 license would allow Blue Goose Market to provide catered events for various festivals and what not that we have here in the city. In fact, if we go forward with this, they would like for the inaugural event to be during the Scarecrow Festival. In talking with city staff, Blue Goose and conducting research, the E-7 license would have all the same restrictions to the current E licensing that we have. For example, food must be predominant at the event. The event would be restricted to the business hours of the establishment. Servers must be BASSET certified, etc., all the current restrictions that are in the E licensing now. The license would only be applicable to class A-2 and A-2B license holders, and these are businesses like the market that the primary source, or their primary retail activity is food and other merchandise. The intent of the license is to provide the opportunity to businesses such as the Blue Goose Market to promote the sale of products that they offer in their stores. They would have these events catered, for example, by their beef distributors, which would allow customers to come to the Blue Goose, in the parking lot, and taste the beef that they actually sell in the store before they purchase it. It's proposed that the sale of alcohol under the E-7 would be beer and wine only. I'd like to introduce Paul Lencione to talk about his concept and what he envisions for these types of events.

**Paul Lencione, 300 South Second Street, St. Charles, Illinois:** Thank you all for the opportunity to speak to you today. The idea was during Scarecrow Festival for us to be able to hold what we call a Harvest Festival. The idea of that is to give people attending the festival the opportunity to come in and see for that season, some of the things that we do that are really cool. Have the chefs in our deli make great food, prepare meals, and with that, do a wine paring, have reservations and serve full meals, but focusing on the food that we sell and the things that we do that create excitement to drive business into our store for the season, and show them the things that we do that are very cool. The purpose of the Scarecrow Festival is to bring a lot of people in town, and to give the existing businesses the opportunity to forward their branding to create new retail relationships with those folks. The best way to do it is to put our best foot forward and show them all the cool things that we can do. Getting support from my meat providers, so they can come in and do some advertising and show them what we have. Make awesome prepared meals to forward the culinary expertise of The Blue Goose. Part of that is doing a wine pairing that shows off our culinary expertise. And being that wine is something we sell, we don't have

to create a beer garden or a wine festival, where people are coming in to get drinks, but as a small part of the complete offering that is the Blue Goose and leveraging the fact that we have the festival in town. It wouldn't be a part of The Scarecrow Festival, however, the CVB is in favor of businesses like mine taking advantage of the Scarecrow Festival, it adds an element they are looking for as well as giving back quite a bit to the community. Creating a festival that is based on craftsmanship with the higher ideas of what we do in putting together amazing meals, showing the better side of St. Charles, the culture, heritage and care that the Blue Goose offers as an asset to the City of St. Charles. I am making the request to see if there is a way that we could do this.

**Mayor Rogina:** Alright, I want to start with Mr. Ghem and work our way down. You all may have questions for either Mr. Lencione or Chief Huffman.

**Mr. Ghem:** I think it's a great idea during The Scarecrow Fest. I guess part of me thinks about the logistics on how you would do that. Would it be outside the Blue Goose?

**Mr. Lencione:** It would be outside in our parking lot. Initially the first thing that I have to do is get permission to do it and it will be on site. The idea is to connect the cool things that we're doing with the location. I have to get people coming to my location and going into the store.

**Mr. Ghem:** And the other side would be as the Chief mentioned about being in compliance with the other A-2 and A-3 licenses. BASSET certification, how would we make sure that's done before the event takes place? Do you check the day before? Do you check during the event just to make sure that all those rules are being followed, so that it is in the nature of what's been explained?

**Chief Huffman:** Yes, that would all be vetted through the application. Blue Goose would have to apply, if we create the E-7, and during the background investigation, prior to approval, we ensure that all servers are BASSET certified.

**Mr. Ghem:** Ok, and as you said also just the normal hours of operation would follow this to order?

**Chief Huffman:** That's correct, and if we move forward, you will direct us to create language for an ordinance. We would vet that out as well through the creation of the ordinance what times we'd want to propose for the E-7 to be in effect.

**Mr. Ghem:** Good. That's all I had your honor.

**Ald. Payleitner:** I think it's a great idea, and my questions are more in the logistics of it. Mr. Lencione, are you charging for food and drink?

**Mr. Lencione:** Yes, I will be. They'll be some charge, possibly tickets like any vendors situation would. I have to figure out the business side as I put this together.



**Ald. Payleitner:** OK, I just know that the State of Illinois doesn't allow you to give it away.

**Mr. Lencione:** There is a possibility that there could be some sampling going on in different areas. We have to put it all together to see how it's going to happen, but we would follow the sampling provisions of the law.

**Ald. Payleitner:** Good you took care of my question on that. Remind me Chief, there's something about events held the same weekend as Scarecrow, correct?

**Chief Huffman:** There is. Our current E licenses have specific language that prohibits the issuance of the license on Columbus Day Weekend or Scarecrow Fest.

**Ald. Payleitner:** OK

**Chief Huffman:** This E-7 would be written to not contain that prohibitive language.

**Ald. Payleitner:** OK. Thank you.

**Mayor Rogina:** Alderman Lewis

**Ald. Lewis:** I like the concept. Some of my questions have already been answered. How about age? Twenty-one and older?

**Mr. Lencione:** Actually that's a good question. We were talking about that because this is not a beer garden concept. I would like this to be family friendly. I don't see the drinking of beer and wine being essential to this. I would like to be able to have families come in, so; no I wouldn't want a beer garden circumstance where you have to be twenty-one to come in. I would prefer to card anyone who requested it, but most of the things that would be available in this would have nothing to do with beer and wine. I just want those elements to be available.

**Ald. Lewis:** So you would be selling wine by the glass, and beer by the glass?

**Mr. Lencione:** It's possible to have a prefixed meal, but yes, I could imagine selling wine by the glass.

**Ald. Lewis:** So, a vendor would come in, like your Boars Head Meat.

**Mr. Lencione:** Absolutely.

**Ald. Lewis:** He wants to sample his food and would I pay for that food and my glass of wine?

**Mr. Lencione:** No, That's a great question because some of this has to come through the concept stage; there's a couple ways we see this going. Possible for a later seating to do a prefixed meal, so there would be like a pairing. Imagine it like a seminar where there's a schedule of events and some of those events would not contain drinking at all. There might be a

couple preparations, such as, you buy a flight of wine and there would be two preparations of food to pair it with. It would be a package that you'd buy, and you wouldn't have to do the wine, but you would have that opportunity. They'd have a wine vendor there that's making pairings and talking about wines, and so it would be very educational. But it wouldn't be where you would come in buy a glass of wine and slug it down. We are calling this - Harvest Festival.

**Ald. Lewis:** OK, I like that idea. It probably would be more adult orientated if you were going to do it. Now you have you're cookout during Scarecrow Festival. How would that interact with what you're doing here?

**Mr. Lencione:** To be determined. I honestly, don't know. This is something we had a conversation about last year; and this is something that Amy from the Convention & Visitor's Bureau and I have talked about for over a year and are now trying to figure out. We didn't do it last year, because we were trying to figure out the right way to do it. The brat stand would probably stay the brat stand and the two would inter-mingle. You would be over here and there would be booths, such as, the Boar's Head people talking about the things that are seasonal for Boar's head and possibly having samples of the new things that they're doing; or bring in Heritage Prairie Farm to talk about their farm program and showing some of those things during the day, and maybe or maybe not even having beer and wine even associated at any point with that. Maybe get the Penrose guys to do a sampling during the cookout because I have a lot of people there at times.

**Ald. Lewis:** Your focus is the food?

**Mr. Lencione:** Yes, it's the food. It's about all the things that I do and the entire concept.

**Ald. Lewis:** Ok, and you get this license, it's a temporary license, is there a limit as to how many times a year? Two times, three times a year?

**Chief Huffman:** This is of the things that we discussed, is putting a limit on the number of E-7 licenses that can be issued to any one business in a calendar year.

**Ald. Lewis:** Ok.

**Chief Huffman:** If I may also address your concerns about minors. Currently in the E licensing language, the only time minors are allowed in a special event, or an E licensing event is with the express written permission of the liquor commissioner. I don't imagine this E-7 licensing having different language than that, and so it's a case by case basis, and I don't recall, Mr. Mayor, if you do recall, the last time we actually allowed minors in, but it's on a case by case basis.

**Mayor Rogina:** I haven't during my term here, but I have written that point down and I'll comment after all the alderman and other members talk about it. But, it hasn't happened in the last year, Chief.

**Mr. Amenta:** The benefit I have is that they get to ask all the great questions and all my questions get answered. The one that I do have is you talked about beer and wine being paired with food. Would there be any sales of beer and wine alone and separate from food?

**Mr. Lencione:** Possibly, but not for the intention of that. We had this conversation when we were first trying to conceive of it, and how does it work together because, hopefully a lot of these things that I'm selling are going to be paid for by my vendors. That's kind of part of it. I need to tap into the marketing stream to make this all viable. So, I can imagine that would be the case. But if it was it wouldn't be any different than going to a restaurant. There's special language because it's not focused around that. I can imagine a scenario where it would be possible; so yes is my only answer at this point. I'm happy to hear guidance on that.

**Chief Huffman:** I would also like to add the current language in all the E licensing is that food has to be predominating. There has to be more food sold or given away than the amount of alcohol. I don't imagine us changing the language on that. But it's certainly something we can discuss.

**Mr. Amenta:** Would that be separate from your cookout stand?

**Mr. Lencione:** It would, this would be out in the far end of my parking lot during Scarecrow Festival. I have a little bit of leeway in the parking lot. It would be separate from the cookout. I expect people from the cookout will come over. I hope they would come over.

**Mr. Amenta:** I guess specifically my question was, if I wanted to grab a brat from the one side and walk over and get a beer. Does the food from that also add into?

**Mr. Lencione:** No. That's not the intention at all.

**Mr. Amenta:** OK

**Mr. Lencione:** At no point would the intention focus away from the food. Everything would be intended to work together. Like I said I don't have a ton of details. We were looking to do this first before we work it all out.

**Mr. Amenta:** OK. Thank you.

**Mayor Rogina:** First of all I want to start by saying that it's been my belief on any and all festivals, as alderman, or even now as mayor, that I'd like to see more participation by our businesses in the community, as opposed to vendors who come in from the outside, they do pay a fee, I'll give them that credit, but then they sell their wares and leave town. If we can do the businesses of our community a favor by providing an atmosphere, whether it be a festival or something else, that allows them to market their product. I'm in favor.

I want the members of the committee to know, no special events petition is needed. So, we're not under the gun on some time frame of 90 days out. There's no special events requirement here.

We're in a position for the staff to craft an ordinance to come back to us at the next meeting, perhaps. Certainly, Mr. Lencione is in a position where he wants to know sooner than later, then he can start making plans for it. We're not under the gun, where we have to do this by Government Operations.

**Ald. Lewis:** Is that because it's on private property?

**Mayor Rogina:** The Chief will tell you.

**Chief Huffman:** It is private property. No city services are needed. It's a simple application by the Blue Goose for an E-7 license.

**Mayor Rogina:** The second point I want to make, that should be very clear to everyone, is that this applies to all A2 and A2B licenses. It's not just the Blue Goose that's being granted this, but any other licensee that fits that category. If licensees want to on that particular weekend, or as the ordinance is crafted, they get a certain amount of times to be able to do exactly this model they can. This does not apply to one licensee.

On to the family point, which I think is a very good point. I would make the analogy to restaurants that are family oriented and do serve alcohol. I think that we're in a position to create an atmosphere that is family oriented even if alcohol is being served; and to be very successful at it without any incidents, problems or concerns. The most important is that all you need to do here today if you like the concept; the staff is going to draft an ordinance that is very specific. We already highlighted the fact that the dominant theme of this license is food. You'll be able to see first-hand at the next meeting in July as to whether or not you think the staff has done a good job of creating an ordinance that can be moved along to Government Operations. All licensees will have to adhere to the ordinance whatever the language says.

**Ald. Payleitner:** Did you just dream this up or is there a template you are using; are they doing this in another community?

**Mr. Lencione:** It's along the lines of a lot of things the Blue Goose has been doing for a while now. It's an idea I came up with; a way to impact people and earn an ongoing customer following. It's not my intention to make money. I'm doing this for the purpose of earning the business of people who are not aware of what the Blue Goose offers. It's a marketing outreach, not intended to be a profit driven event

**Ald. Lewis:** I would like to reiterate what the Mayor said. I too like the idea that business are trying to embrace the festivals vs. complaining. Businesses saying, while this is going on what can I do to be more profitable?

**Mr. Lencione:** I can tell you that although this is a homegrown idea. I don't intend to keep it a secret. It would do well for me the more other businesses in town take this approach to create stronger connections with their customers.

**Mayor Rogina:** I appreciate that last remark more than any other thing you have said. You would like to see other businesses in our community do the same thing; connect with their customers in a positive manor. That's good for St. Charles.

We are asking today for you, through a motion, to give staff direction to bring back to The Liquor Commission, a model E-7 license for your perusal and possible approval to the Government Operations Committee.

**Mayor Rogina:** We are going to go into Executive Session.

**Voice Vote:** Ayes: Unanimous; Nays: None; Absent: Amenta. Chrmn. Rogina did not vote as chair. **Motion carried.**

## **7. Other Business**

## **8. Executive Session (5 ILCS 120/2 (c)(4)).**

Motion by Mr. Gehm, second by Mr. Amenta to move into Executive Session at 5:05 p.m. to discuss liquor violations.

**Roll Call:** Ayes: Gehm, Payleitner, Lewis, and Amenta; Nays: none. Chrmn. Rogina did not vote as Chairman. **Motion carried.**

Motion by Mr. Gehm, second by Ald. Payleitner to return from Executive Session at 5:33 p.m.

**Voice Vote:** Ayes: Unanimous; Nays: none. Chrmn. Rogina did not vote as Chairman. **Motion carried.**

## **9. Adjournment**

Motion to adjourn by Mr. Amenta, second Ald. Lewis 5:35 p.m.

**Voice Vote:** Ayes: Unanimous; Nays: none. Chrmn. Rogina did not vote as Chairman. **Motion carried.**

1 S100816

2 STATE OF ILLINOIS )  
3 ) SS.

4 COUNTY OF K A N E )

5 BEFORE THE LIQUOR CONTROL COMMISSION  
6 OF THE CITY OF ST. CHARLES

7 In Re the Matter of: )

8 CHIEF JAMES LAMKIN, )

9 Petitioner, )

10 and )

11 ALLEY 64, 212 West Main )

12 Street, St. Charles, )

13 Illinois, )

14 Respondent. )

15 REPORT OF PROCEEDINGS

16 City of St. Charles Council Chambers

17 2 East Main Street

18 St. Charles , Illinois

19 June 16, 2014

20 4:30 p.m.

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22  
23 Reported by: Geri L. Denson  
24 CSR, RPR

1 PRESENT:

2 MR. RAY ROGINA, Chairman;

3 MR. CHUCK AMENTA, Member;

4 MR. ROBERT GEHM, Member;

5 MS. MAUREEN LEWIS, Member;

6 MS. RITA ANNE PAYLEITNER, Member.

7 ALSO PRESENT:

8 MS. TINA NILLES, Administrative Assistant;

9 MR. JOHN M. MCGUIRK,  
Attorney for the Commission; and

10 MR. TIMOTHY D. O'NEIL,  
11 Attorney for the Petitioner; and

12 MR. DANIEL HANLON,  
Attorney for the Respondent.

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## REPORT OF PROCEEDINGS -- 6/16/2014

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1 CHAIRMAN ROGINA: Good afternoon. I  
2 would like to call the June 16th, 2014, meeting of  
3 the Liquor Control Commission to order.

4 Tina, call the roll.

5 MS. NILLES: Gehm.

6 MEMBER GEHM: Here.

7 MS. NILLES: Payleitner.

8 MEMBER PAYLEITNER: Here.

9 MS. NILLES: Amenta.

10 MEMBER AMENTA: Here.

11 MS. NILLES: Lewis.

12 MEMBER LEWIS: Here.

13 CHAIRMAN ROGINA: Let's start by a  
14 motion to accept and place on file minutes of the  
15 Liquor Control Commission meeting held on  
16 April 21st, 2014, and the minutes of the Liquor  
17 Control Commission meeting held on May 19th, 2014.

18 MEMBER GEHM: Make the motion.

19 MEMBER PAYLEITNER: Second.

20 CHAIRMAN ROGINA: Moved and seconded.

21 Any further conversation?

22 (No response.)

23 CHAIRMAN ROGINA: Hearing none, all in  
24 favor indicate by saying, "aye."

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1 (The ayes were heard.)

2 CHAIRMAN ROGINA: Opposed?

3 (No response.)

4 CHAIRMAN ROGINA: That motion has been  
5 carried.

6 Item 3 on your agenda. I did Item 4. Going  
7 back.

8 Item 3, Liquor violation hearing for  
9 Alley 64. Section 5.08.030 of the St. Charles  
10 Municipal Code provides that the local liquor  
11 control commissioner may revoke for cause all  
12 local liquor licenses issued to persons or  
13 entities for premises within the city and to  
14 impose fines as authorized in the St. Charles  
15 Municipal Code.

16 Both under the section cited above and under  
17 Chapter 235, Section 5/7-5 of the Illinois  
18 Compiled Statutes, the local liquor commissioner  
19 is required to hold a public hearing after notice  
20 to the licensee in which the licensee is afforded  
21 an opportunity to appear and defend.

22 Pursuant to Section 5.08.030 and Section  
23 5.08.35B of the St. Charles Municipal Code, this  
24 hearing is being conducted by the Local Liquor

## REPORT OF PROCEEDINGS -- 6/16/2014

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1 Commission at the request of the Local Liquor  
2 Commissioner.

3 Alley 64 has been charged with a violation of  
4 Section 5.08.250-0 of the St. Charles Municipal  
5 Code in that on March 14, 2014, at approximately  
6 2:03 a.m., it both sold alcoholic beverages during  
7 hours in which the sale of alcoholic liquor is  
8 prohibited and remained open for business and  
9 permitted individuals to remain within its  
10 premises during hours in which the sale of alcohol  
11 is prohibited.

12 The licensee, after being served, has plead  
13 not guilty to the complaint. For the record, the  
14 licensee is present pursuant to notice.

15 Mr. Casiello, you are here today. And you do  
16 acknowledge notice of this proceeding, do you not?

17 MR. CASIELLO: Yes, I do.

18 CHAIRMAN ROGINA: Are you represented  
19 here today by an attorney?

20 MR. HANLON: He is.

21 CHAIRMAN ROGINA: State your name and  
22 address for the record.

23 You may come to the microphone.

24 MR. HANLON: Good afternoon.

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1           My name is Dan Hanlon, H-a-n-l-o-n, with the  
2 law firm of Marquardt & Belmonte. Our address is  
3 311 South County Farm Road, Suite I, Wheaton  
4 Illinois, 60187.

5           It is our intention to admit the violation.  
6 Is that what you are asking at this point?

7           CHAIRMAN ROGINA: Sure.

8           MR. HANLON: We are in need of some  
9 clarification. The violation you read states that  
10 they sold alcohol after 2:00 a.m.

11           The -- what we are admitting to is there were  
12 patrons present after 2:00 a.m.

13           CHAIRMAN ROGINA: I am sure it is in the  
14 same section, so I am not sure it matters.

15           Mr. O'Neil?

16           MR. O'NEIL: Tim O'Neil,  
17 O-apostrophe-N-i-e-l, 10 West State Street, Suite  
18 200, St. Charles.

19           The charge is remained open for business and  
20 permitted individuals to remain within the  
21 premises. That was the basis upon which the Chief  
22 is proceeding today.

23           CHAIRMAN ROGINA: So we will then, for  
24 the record, strike "sold alcoholic beverages" and

## REPORT OF PROCEEDINGS -- 6/16/2014

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1 suggest that the charge would be just simply that  
2 it remained open after business.

3 MR. O'NEIL: Correct, with the alcohol  
4 still being present.

5 CHAIRMAN ROGINA: I am not putting words  
6 in your mouth. You are saying the licensee pleads  
7 guilty to that--

8 MR. HANLON: We admit that violation.

9 CHAIRMAN ROGINA: All right. Then as  
10 always, after a guilty plea, we invite the  
11 licensee to make any mitigating statements because  
12 we will go into the executive session for purposes  
13 of penalties.

14 But the licensee is in a position to come  
15 forward --

16 MR. CASIELLO: I would appreciate that.  
17 But Dan is going to take care it.

18 MR. HANLON: I am speaking for  
19 Mr. Casiello.

20 It is my understanding that this is the --  
21 they have been open for approximately six years.  
22 This is the second time they have been before this  
23 board. Obviously, it is two too many.

24 It is my understanding that the previous

## REPORT OF PROCEEDINGS -- 6/16/2014

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1 violation was a similar violation to this one.

2 CHAIRMAN ROGINA: Correct.

3 MR. HANLON: I can tell this board and  
4 your Honor, Mr. Mayor, that prior to receiving the  
5 violation, Mr. Casiello reached out to the police  
6 department on at least two occasions asking for  
7 some assistance in guiding them to enact or  
8 initiate proper procedures and better procedures  
9 in clearing out the establishment.

10 They are still hoping to get that guidance  
11 from the police department. I don't know if the  
12 police department can schedule something with  
13 them.

14 But they are looking to get a better  
15 procedure and have some questions answered as to  
16 how to handle some certain situations that they  
17 just don't know --

18 CHAIRMAN ROGINA: I will let Chief  
19 address that.

20 CHIEF LAMKIN: Well, I guess I would  
21 ask -- they are asking for help on how to get  
22 people to leave the bar?

23 MR. CASIELLO: Just like at our last  
24 meeting with all the other bar owners, we do have

## REPORT OF PROCEEDINGS -- 6/16/2014

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1 an issue. I called twice -- I understand the  
2 police department is overburdened by a ton of  
3 calls. They can't answer every single one. I  
4 understand 100 percent.

5 We realize that with summer coming on, there  
6 are a lot more kids in the community -- a lot more  
7 kids and adults coming out, maybe because of the  
8 winter that we have had that hasn't stopped. But  
9 summer is now here.

10 So I made the call. And I knew they said we  
11 don't have time to accommodate my staff. We have  
12 been good within six years.

13 We know changes are happening with the City  
14 Council and the Liquor Commission is changing from  
15 the Mayor to now a board here. There is changes  
16 going on in this town. And we want to make sure  
17 we are updated with it.

18 We are having issues with people straggling  
19 out. People going, "Hey, can we use the  
20 washroom?"

21 "You can't. It is after 2:00 o'clock."

22 We also don't want them using a bush outside.

23 Do we break the code of 2:00 o'clock and let  
24 them use the washroom or go use the bush outside?



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1 Is there a grace period? Is there a time frame  
2 where -- you know, drinks are still on the bar.  
3 We have the staff trying to get people out. There  
4 is a half a beer over here. There is a glass  
5 still sitting over here.

6 CHAIRMAN ROGINA: Chief, I would suggest  
7 simply to the licensee that both -- and I know  
8 that you and I are more than happy to sit down and  
9 talk to Mr. Casiello regarding the issue and to  
10 attempt to resolve the matter.

11 So that is our promise on the record. We are  
12 happy to sit with you. You set up a time. We  
13 will be happy to -- I am not necessarily -- I may  
14 or may not be present. I certainly trust the  
15 police department can sit down and be able to work  
16 with you to find a means to make sure that this  
17 doesn't happen again. If you are committed to  
18 that, certainly we are committed to help you make  
19 sure.

20 But I think off top of my head I can think of  
21 a few ways to resolve that. That may be relative  
22 to last call -- last call would come to mind -- in  
23 my mind.

24 But I am not going -- I don't pretend to be

## REPORT OF PROCEEDINGS -- 6/16/2014

11

1 the expert here. The police department are the  
2 experts here. So we will sit with you on that and  
3 go from there.

4 MR. HANLON: Thank you very much.

5 CHAIRMAN ROGINA: So for the record,  
6 then, that is the end of the mitigation. We will  
7 go to executive session for purposes of penalty.

8 Any other questions?

9 (No response.)

10 CHAIRMAN ROGINA: All right. Thank you.

11 PROCEEDINGS CONCLUDED AT 4:41 P.M.  
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## 12

IN TESTIMONY WHEREOF I have hereunto set my  
hand on this 19th day of June, 2014.

*Meri L. Benson*  
Certified Shorthand Reporter  
Registered Professional Reporter



 <b>ST. CHARLES</b> SINCE 1834	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>					
	Title:		Discussion Regarding Citation and Notice for Alibi Bar & Grill, Ltd.			
	Presenter:		Mayor Rogina			
<i>Please check appropriate box:</i>						
		Government Operations				Government Services
		Planning & Development				City Council
		Public Hearing		X		Liquor Control Commission (7/21/14)
Estimated Cost:				Budgeted:	YES	NO
If NO, please explain how item will be funded:						
<b>Executive Summary:</b>						
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 liquor license issued for The Filling Station or impose a fine upon by reason of the Complaint of Violation filed by the Police Department of an occurrence on or about June 6, 2014.						
<b>Attachments:</b> <i>(please list)</i>						
Citation and Notice of Hearing Complaint of Violation						
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>						
Discussion regarding Citation and Notice for The Filling Station.						
For office use only:		Agenda Item Number: 4				

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 2014-LC-07  
ALIBI BAR & GRILL, LTD. )

**CITATION AND NOTICE OF HEARING**

TO: ALIBI BAR & GRILL, LTD.  
12 N. Third Street  
St. Charles, IL 60174

**PLEASE TAKE NOTICE THAT** on July 21, 2014 at the hour of 4:45 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 5.08.270 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 Commissioner, 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, by reason of the Complaint of Violation filed by the Chief of Police, Steve Huffman, 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. IF YOU FAIL TO FILE THE ARRAIGNMENT FORM WITHIN SEVEN (7) CALENDAR DAYS PRIOR TO THE HEARING AND 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 COMMISSIONER 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(A) 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 IN ACCORDANCE WITH SECTION 5.08.320(A). ANY AND ALL QUESTIONS MUST BE DIRECTED TO THE CITY ATTORNEY, JOHN McGUIRK, AT 630/513-8700 OR TO THE DEPUTY CITY CLERK, TINA NILES, AT 630/377-4422.**

DATED this 7<sup>th</sup> day of July, 2014.



Raymond Rogina  
Local Liquor Control Commissioner  
City of St. Charles

cc: Mark Koenen, City Administrator  
Chief of Police, Steve Huffman

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 service a copy of the Citation and Notice of Hearing upon the person to whom it is directed by leaving a copy with said individual as follows: ✓ Rich Simpson at ✓ 12 W 3rd street  
July 9th 4:45pm on the 9th day of July, 2014. St Charles IL 60174

Sgt Tom Shaw

SUBSCRIBED AND SWORN TO  
before me this 10th day of July, 2014.

Sara K Cass  
NOTARY PUBLIC



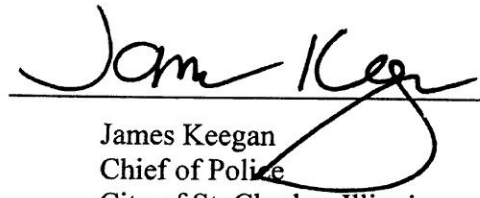




4. That the acts detailed in Section 2 of this Complaint of Violation each are prohibited and are in violation of and contrary to Section 5.08.260(E) and Section 5.08.260(D) of the St. Charles Municipal Code and the Liquor Control Act of 1934.

5. That the Licensee, THE FILLING STATION, 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 THE FILLING STATION, as the Commissioner shall deem appropriate under the circumstances.

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

John M. McGuirk  
Attorney for the City of St. Charles  
Hoscheit, McGuirk, McCracken  
& Cuscaden, P.C.  
1001 East Main Street, Suite G  
St. Charles, IL 60174  
630/513-8700



## ARRAIGNMENT FORM

I, \_\_\_\_\_, as agent for ALIBI BAR & GRILL, LTD. being a licensee charged with a violation of Chapter 5.08 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 **12 N. Third 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.

◇

Signature: By: \_\_\_\_\_

Date: \_\_\_\_\_

Subscribed and sworn to before me

This \_\_\_\_\_ day of July, 2014.

\_\_\_\_\_  
Notary Public

**Form can be faxed to 630/377-4440  
or e-mailed to the attention of Tina Nilles  
at [tnilles@stcharlesil.gov](mailto:tnilles@stcharlesil.gov)  
Hard copy must follow by U.S. Mail**



# Case Report Summary



Print Date/Time: 07/16/2014 09:39  
Login ID: krust  
Case Number: 2014-00010905

ST CHARLES POLICE DEPARTMENT  
ORI Number: IL0451400

## Case

Case Number: 2014-00010905  
Location: 12 N 3RD ST  
SAINT CHARLES, IL 60174  
Reporting Officer ID: 0104 - Runkle  
Incident Type: 7325 OTHER ORDINANCE VIOLATIONS  
Occurred From: 06/01/2014 01:50  
Occurred Thru: 06/01/2014 01:50  
Disposition:  
Disposition Date:  
Reported Date: 06/01/2014 01:24 Sunday

## Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	IL0451400	7325	5-08-300	OPEN ALCOHOL IN A PUBLIC PLACE	1

## Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
ARRESTEE	1	LATHROP, AMANDA K	202 N 15TH ST SAINT CHARLES, IL 60174		WHITE	FEMALE	21
OTHER PERSON	1				WHITE	MALE	23
OTHER PERSON	2				WHITE	FEMALE	21

## Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
18466 A	LATHROP, AMANDA K	12 N 3RD ST SAINT CHARLES, IL 60174	06/01/2014 01:24	ON VIEW	21

## Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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## Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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# Case Report

## Summary



**Print Date/Time:** 07/16/2014 09:39

**Login ID:** krust

**Case Number:** 2014-00010905

ST CHARLES POLICE DEPARTMENT

**ORI Number:**

IL0451400

**OfficerID:** Brunkle, Narrative

On 060114 around 0150 I was on foot patrol near the west side bars when I observed a female subject ( ) who was highly intoxicated sit on the ground after she dropped her purse and was unable to keep her balance when trying to bend over to pick it up. simply sat on the sidewalk so I decided to go check her wellbeing. As I was walking over towards her, her friends (Amanda Lathrop and ) were quick to come over. As her friends came over I noticed that was carrying a clear plastic cup that contained a red beverage with a straw and ice in it as well. I asked if the cup contained an alcoholic beverage and he said it did. set the beverage on the ledge right outside the rear or north door of Alibi. I asked where he had come from and told me he just left the Alibi Bar. was reluctant to provide me with many clear details and eventually asked to speak to me around the corner away from his girlfriend Amanda Lathrop. Prior to me walking around the corner The owner of the Alibi Richard Simpson Sr. cracked the rear door just enough to reach his arm out and grabbed the drink from the ledge pulling it into the bar. I quickly stopped him informing him that it was my evidence at this point. Speaking to around the corner he told me that the drink was Lathrop's and that she had handed it to him when she saw me walking over to told me that he didn't want to rat his girlfriend out but he was on probation and didn't want any trouble. I asked Lathrop if it was in fact her drink and she admitted it was hers telling me that it was vodka with cranberry juice. I asked Lathrop where she had purchased the drink. Lathrop told me she got it from Alibi. I asked Lathrop if she had just left the Alibi and she said she did. I asked her if she snuck the drink out and she told me that she simply walked out the west (3rd St.) door with the drink in her hand (holding her right hand at waist level when demonstrating how she walked out). I asked her if anyone checked as she walked out and she said no she just walked out. Lathrop was informed that she would be issued a citation for open alcohol in a public place. Lathrop was issued an ordinance citation for the offense. I did notice when walking around the exterior of the Alibi that there were two other used plastic cups the same as the one Lathrop had laying on the sidewalk outside the Alibi that had been discarded. At this time I have no further information in regard to this incident. Case closed by adult arrest.

JAC

**Routing:**

### **History of Alibi Bar & Grill Incidents/Violations**

Violation on premise after hours	May 2012	\$1000 fine/ \$500 legal
Violation gave away alcohol for commercial purpose (free)	September 2012	\$1000 fine/ \$500 legal
Violation loitering of intoxicated person(s) on premise and sold alcohol to intoxicated person(s)	January 2013	\$2000 fine/ \$500 legal and license suspended for 3 business days (March 20 -23, 2013)

 <b>ST. CHARLES</b> SINCE 1834	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>					
	Title:		Discussion Regarding Citation and Notice for The Filling Station			
	Presenter:		Mayor Rogina			
<i>Please check appropriate box:</i>						
<input type="checkbox"/> Government Operations			<input type="checkbox"/> Government Services			
<input type="checkbox"/> Planning & Development			<input type="checkbox"/> City Council			
<input type="checkbox"/> Public Hearing			<input checked="" type="checkbox"/> X		<input type="checkbox"/> Liquor Control Commission (7/21/14)	
Estimated Cost:				Budgeted:	YES	NO
If NO, please explain how item will be funded:						
<b>Executive Summary:</b>						
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 liquor license issued for The Filling Station or impose a fine upon by reason of the Complaint of Violation filed by the Police Department of an occurrence on or about July 10, 2014.						
<b>Attachments:</b> <i>(please list)</i>						
Citation and Notice of Hearing Complaint of Violation						
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>						
Discussion regarding Citation and Notice for The Filling Station.						
For office use only:		Agenda Item Number: 5				



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 2014-LC-08  
THE FILLING STATION )

**CITATION AND NOTICE OF HEARING**

TO: THE FILLING STATION  
300 W. Main Street  
St. Charles, IL 60174

**PLEASE TAKE NOTICE THAT** on July 21, 2014 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 5.08.270 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 Commissioner, 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, 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. IF YOU FAIL TO FILE THE ARRAIGNMENT FORM WITHIN SEVEN (7) CALENDAR DAYS PRIOR TO THE HEARING AND 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 COMMISSIONER 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(A) 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 IN ACCORDANCE WITH SECTION 5.08.320(A). ANY AND ALL QUESTIONS MUST BE DIRECTED TO THE CITY ATTORNEY, JOHN McGUIRK, AT 630/513-8700 OR TO THE DEPUTY CITY CLERK, TINA NILES, AT 630/377-4422.**

DATED this 14<sup>th</sup> day of July, 2014.



Raymond Rogina  
Local Liquor Control Commissioner  
City of St. Charles

cc: Mark Koenen, City Administrator  
Chief of Police, James Keegan

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 2014-LC-08  
 THE FILLING STATION )  
 300 W. Main Street )  
 St. Charles, IL 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 July 10, 2014 at approximately 2:01 a.m., the Licensee, THE FILLING STATION by and through its employees, officers and/or agents, committed one (1) or more of the following offenses in or upon the licensed premises at 300 W. Main Street, St. Charles, Illinois 60174:

**FIRST OFFENSE**

Sold alcoholic beverages outside its licensed premises and/or allowed the consumption of alcoholic beverages purchased on its premises to be consumed outside its licensed premises.

## SECOND OFFENSE

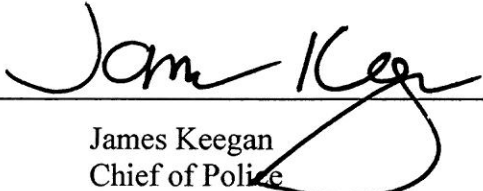
Failed to maintain an employee or agent posted during the required hours at each entrance to the licensed premises.

3. On or about July 10, 2014, THE FILLING STATION was operating under a Class B liquor license issued by the City of St. Charles.

4. That the acts detailed in Section 2 of this Complaint of Violation each are prohibited and are in violation of and contrary to Section 5.08.260(E) and Section 5.08.260(D) of the St. Charles Municipal Code and the Liquor Control Act of 1934.

5. That the Licensee, THE FILLING STATION. 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 THE FILLING STATION. as the Commissioner shall deem appropriate under the circumstances.

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

John M. McGuirk  
Attorney for the City of St. Charles  
Hoscheit, McGuirk, McCracken  
& Cuscaden, P.C.  
1001 East Main Street, Suite G  
St. Charles, IL 60174  
630/513-8700

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 service a copy of the Citation and Notice of Hearing upon the person to whom it is directed by leaving a copy with said individual as follows: PETER MULLIGAN at 1205  
\_\_\_\_\_ on the 14 day of July, 2014.

*[Signature]* #311

SUBSCRIBED AND SWORN TO  
before me this 14 day of July, 2014.

*Sara K. Cass*  
NOTARY PUBLIC



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 14th day of July, 2014.

Laura K. Cass  
NOTARY PUBLIC



## ARRAIGNMENT FORM

I, \_\_\_\_\_, as agent for THE FILLING STATION being a licensee charged with a violation of Chapter 5.08 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 **300 W. 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.

THE FILLING STATION

Signature: By: \_\_\_\_\_

Date: \_\_\_\_\_

Subscribed and sworn to before me

This \_\_\_\_\_ day of July, 2014.

\_\_\_\_\_  
Notary Public

**Form can be faxed to 630/377-4440  
or e-mailed to the attention of Tina Nilles  
at [tnilles@stcharlesil.gov](mailto:tnilles@stcharlesil.gov)  
Hard copy must follow by U.S. Mail**



# Case Report Summary



Print Date/Time: 07/16/2014 12:15  
Login ID: kschult  
Case Number: 2014-00014140

ST CHARLES POLICE DEPARTMENT  
ORI Number:

IL0451400

*Filling Station*

## Case

Case Number: 2014-00014140  
Location: 300 W MAIN ST  
SAINT CHARLES, IL  
60174  
Reporting Officer ID: 0074 - Burden

Incident Type: 7325 OTHER ORDINANCE VIOLATIONS  
Occurred From: 07/10/2014 02:01  
Occurred Thru: 07/10/2014 02:08  
Disposition:  
Disposition Date:  
Reported Date: 07/10/2014 02:08 Thursday

## Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	IL0451400	7325	5-08-260-E	SALE/CONSUMP OF ALC ON A LICENSED PREMISE ONLY	1

## Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
OTHER PERSON	1	PHILLIPS, EMILY	300 W MAIN ST SAINT CHARLES, IL 60174				
SUSPECT/OFFENDER	1	THE FILLING STATION	300 W MAIN ST SAINT CHARLES, IL 60174	(630)584-4414			

## Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
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## Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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## Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
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## Case Report Summary



**Print Date/Time:** 07/16/2014 12:15

**Login ID:** kschult

**Case Number:** 2014-00014140

ST CHARLES POLICE DEPARTMENT

**ORI Number:**

IL0451400

**OfficerID:** Jburden, Narrative

07/10/2014 (Thursday)- at approx 0201 hrs, I noticed several subjects (15-20) that were standing on the sidewalk directly in front of THE FILLING STATION'S south side patio gate-300 block of W. Main Street. As I drove closer to them (unmarked squad #23-full uniform) I could see that some of them were holding open 12 oz bottles of alcohol (found to be at least 1/2 full). I exited my squad and counted 5 male subjects holding the open alcohol. A female subject was seen drinking from a plastic cup, but the content of said cup was found to be water. One of the male subjects put his open beer bottle on the brick wall just west of the gate entrance and the others put their open beer bottles on the sidewalk as I confronted them.

They all said that they had just exited THE FILLING STATION and that nobody stopped them from walking out onto the sidewalk-nor did they try to conceal the beer. They were all looking for a taxi ride to THE Q CENTER on N. 5th Ave. The subjects are all from out of town and claim they didn't know about the open alcohol laws here. I asked the subjects to place their open beer bottles into the garbage container on the sidewalk in front of THE FILLING STATION, which four of them did do. The fifth bottle remained on the brick wall as I walked into THE FILLING STATION to speak with a manager-or owner PETE MILLIGAN if he was present.

I met with the manager on duty-EMILY PHILLIPS-who acknowledged that the subjects I found with the open beer bottles did come from THE FILLING STATION. She herself removed the beer bottle from the brick wall and disposed of it. From speaking with EMILY PHILLIPS, I learned that only one bouncer/door person was working and that he was securing the north entrance door which is when the 5 subjects with the open beer bottles must have walked out from the patio area undetected.

I advised EMILY PHILLIPS that I would document 2 liquor code violations against the bar which will be forwarded to the liquor commission. One violation is for allowing alcohol consumption off the premises (5.08.260E) and the other for not having an employee at both entrances at all times between 2300 hrs and closing (5.08.260D). I showed her both sections in the liquor code and also answered a question she had regarding times allowed for live entertainment. I took a picture of the four beer bottles placed into the garbage can and will submit same with this report.

**NO FURTHER ACTION**

jac

**Routing:**



### History of Filling Station Incidents/Violations

Incident Report – Consumption of alcohol on public place	2005	No Action
Incident Report – Possession of alcohol on public property	2006	No Action
Violation – Sale of alcohol to underage person	April 2007	\$500 fine/\$500 fee
Violation – Consumption of alcohol on public place	November 2007	\$500
Violation – Sale of alcohol to underage person	2009	Never Processed
Violation – public on premise after hours and consumption of alcohol after hours	2011	\$1,000 fine/\$500 fee
Incident – Outside amplified sound after hours	June 2012	Warning Letter
Allowed a patron to exit premises while in possession of an alcoholic beverage	August 2013	Went to a Public Hearing – found guilty and penalties incur were: 2 hour early closing from midnight to 2:00 a.m. November 9, 2013 and fees of \$2,232.50

	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>					
	Title:		Recommendation to Approve an Ordinance Amending Title 5 "Business Licenses and Regulations", Chapter 5.08 "Alcoholic Beverages", Section 5.08.010 "Definitions" of the City of St. Charles Municipal Code (Intoxicated)			
	Presenter:		Deputy Chief Huffman			
<i>Please check appropriate box:</i>						
<input type="checkbox"/> Government Operations		<input type="checkbox"/> Government Services				
<input type="checkbox"/> Planning & Development		<input type="checkbox"/> City Council				
<input type="checkbox"/> Public Hearing		<input checked="" type="checkbox"/> Liquor Commission (7/21/14)				
Estimated Cost:		\$N/A		Budgeted:	YES	NO
If NO, please explain how item will be funded:						
<b>Executive Summary:</b>						
See the attached memo.						
<b>Attachments:</b> <i>(please list)</i>						
Memo Resolution						
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>						
Recommendation to approve an Ordinance Amending Title 5 "Business Licenses and Regulations", Chapter 5.08 "Alcoholic Beverages", Section 5.08.010 "Definitions" of the City of St. Charles Municipal Code (Intoxicated).						
For office use only:		Agenda Item Number: 6				



# Memo

Date: 7/16/2014  
To: Liquor Commission  
From: Deputy Chief Huffman  
Re: Amending Chapter 5.08, Alcoholic Beverages to include the definition of "intoxicated" under 5.08.010 – "Definitions"

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Recent discussions with St. Charles bar owners and managers regarding the illegal activity of their patrons have brought to light a disparity and disconnect in the definition of "intoxicated". Most have or would agree that the illegal activity is a bi-product of the over indulgence of alcoholic liquor, with patrons being served by the establishments beyond the point of intoxication.

In an effort to address this, staff has discussed the offenses of "Harboring an Intoxicated Person" (5.08.250 (R)) and "Prohibited Sales to an Intoxicated Person" (5.08.250 (S) (1)) as contained within our Municipal Code. Currently the code does not specifically define intoxication, which leaves the business owners and servers to rely on the definition they received during BASSET (Beverage Alcohol Sellers and Servers Education and Training) training. We have reviewed the BASSET program, and have discovered that "intoxicated" as defined by the program is far less a standard than is acceptable in practice. BASSET fails to give specific language, but rather describes intoxicated as "slurred speech", "falling off a bar stool", "slumped over the bar", etc.

Additionally, the lack of a definition of "intoxicated" presents a challenge in education and enforcement efforts with regard to the offenses of "Harboring an Intoxicated Person" and "Prohibited Sales to an Intoxicated Person".

Legal counsel has researched the definition of "intoxicated" as it would relate to our code, and has provided the following definition, which has been previously approved as jury instruction by the Illinois Supreme Court:

"A person is intoxicated when as a result of drinking alcoholic liquor there is an impairment of his or her mental or physical faculties so as to diminish the ability to think and act with ordinary care."<sup>i</sup>

Staff is respectfully requesting consideration in amending Chapter 5.08, "Alcoholic Beverages" to include the above definition of "intoxicated" under 5.08.010 – "Definitions".

SGH/sgh

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<sup>i</sup> This instruction was approved in *Navarro v. Lerman*, 48 Ill.App.2d 27, 36, 198 N.E.2d 159, 162-163 (1<sup>st</sup> Dist. 1964). See also *Woolley v. Hafer's Wagon Wheel, Inc*, 22 Ill.2d 413, 420: 176 N.E.2d 757, 760-761 (1961).

#### *5.08.010 Definitions*

*H. "Intoxication" or "intoxicated" means that as a result of drinking alcoholic liquor there is an impairment of a person's mental or physical faculties so as to diminish the ability to think and act with ordinary care.*

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~~H~~*I* "Live Entertainment" means the playing of live music by a person or persons using string, brass, reed, woodwind, percussion, electronic or digital instruments not to exceed a volume as provided for in the zoning code of St. Charles, and performances by individuals and/or groups which may involve acting, singing, dancing, comedy and/or the recital of poetry.

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~~I~~*J* "Private function" means a prearranged private party, function, or event for a specific social or business occasion, either by invitation or reservation and not open to the general public, where the guests in attendance are served in a room or rooms designated and used exclusively for the private party, function, or event. **ALCOHOLIC BEVERAGES 5.08-3**

~~J~~*K* "Resort Hotel" or "Resort Motel" means a hotel or motel, as described in Paragraph G above, which provides golfing and swimming.

~~K~~*L* "Restaurant" means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals actually are served and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. The intent of this definition is that the primary business conducted on premises to be licensed as a restaurant shall be the service of meals. No restaurant licensed as such shall sell alcoholic liquor unless its full kitchen, kitchen staff and serving staff are in operation providing the restaurant's full menu to its guests. Alcoholic liquor may be served from a service bar or in a holding bar.  
(Ord. 2012-M-30 § 1.)

~~L~~*M* "Restaurant and Tavern" means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals actually are served and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. The intent of this definition is that the primary business conducted on premises to be licensed as a restaurant and tavern shall be the service of meals. Provided, all tables at which food is served shall only be served alcoholic liquor by waitpersons from a service bar. Alcoholic liquor may be served from a holding bar, provided, a full menu, including entrees and appropriate side dishes, shall be available at all times liquor sales are being conducted until eleven o'clock (11) p.m. Sunday through Thursday, and eleven o'clock (11) p.m. Friday and Saturday. After such times, in the event a full menu is not provided, a reduced menu, which includes only appetizers,

sandwiches, snacks, hors d'oeuvres or other similar foods, shall be available, however provided in no event shall the kitchen cease operating sooner than one hour before closing.

**M.N** "Sale" means any transfer, exchange or barter in any manner, or by any means whatsoever, and includes and means all sales made by any person, whether principal, proprietor, agent, servant or employee.

**N.O** "Sell at retail" and "Sale at retail" refer to and mean sales for use or consumption and not for resale in any form.

**O.P** "Service bar" means a permanent or portable bar from which waitpersons pick up alcoholic beverages for delivery to food service tables or other locations away from the bar. A service bar shall not have seats or stools or other places for patrons to sit or stand while drinking alcoholic beverages. Patrons shall not be served from a service bar.

**P.Q** "Spirits" means any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin, or other spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.

**Q.R** "Tavern," "Bar" or "Saloon" means any place that engages in the retail sale of alcoholic liquor for consumption on the premises. No tavern, bar or saloon shall sell alcoholic liquor unless food/menu items are offered to its guests. In the event a full menu is not provided a reduced menu, which includes appetizers, sandwiches, snacks, hors d'oeuvres or other similar foods, shall be available.  
(Ord. 2012-M-30 § 2.)

**R.S** "To sell" includes to keep or expose for sale and to keep with intent to sell.

**S.T** "Wine" means any alcoholic beverage obtained by the fermentation of the natural contents of fruits, or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits.





## AGENDA ITEM EXECUTIVE SUMMARY

Title:	Recommendation to Approve an Ordinance Amending Title 5 “Business Licenses and Regulations,” Chapter 5.08 “Alcoholic Beverages”, Sections 5.08.090, 5.08.100, 5.08.110, and 5.08.130 of the City of St. Charles Municipal Code (Class E-7 License)
Presenter:	Deputy Chief Huffman

*Please check appropriate box:*

<input type="checkbox"/> Government Operations	<input type="checkbox"/> Government Services
<input type="checkbox"/> Planning & Development	<input type="checkbox"/> City Council
<input type="checkbox"/> Public Hearing	<input checked="" type="checkbox"/> Liquor Commission (7/21/14)

Estimated Cost:	\$N/A	Budgeted:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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If NO, please explain how item will be funded:

**Executive Summary:**

As you are aware, Blue Goose Market has requested consideration for the creation of an E-7 liquor license in order to provide the opportunity to host catered events during in which beer and wine would be served for consumption to patrons. This was initially presented to the Liquor Commission on June 23, 2014, with subsequent direction to staff to proceed with the creation of the ordinance for presentation and consideration.

Please see attached memo.

**Attachments:** *(please list)*

Memo  
Ordinance

**Recommendation / Suggested Action** *(briefly explain):*

Recommendation to approve an Ordinance Amending Title 5 “Business Licenses and Regulations,” Chapter 5.08 “Alcoholic Beverages”, Sections 5.08.090, 5.08.100, 5.08.110, and 5.08.130 of the City of St. Charles Municipal Code (Class E-7 License).

For office use only:	Agenda Item Number: 7
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## Police Department



# Memo

Date: 7/15/2014  
To: Liquor Control Commission  
From: Deputy Chief Huffman  
Re: Recommendation to Approve an Ordinance Amending Title 5 "Business Licenses and Regulations," Chapter 5.08 "Alcoholic Beverages", Sections 5.08.090, 5.08.100, 5.08.110 and 5.08.130

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The ordinance has been written under St. Charles Municipal Code 5.08.090 /Alcoholic Beverages/License Classifications, and the language is attached in the proposed ordinance. This ordinance has been vetted by St. Charles legal counsel, and the key points are as follows:

- Authorizes the retail sale of beer and wine only, for consumption on the licensed premise.
- Issued only to Class A-2 and A--2B\* license holders for special events or catered functions.
- The dispensing of food must predominate the dispensing of beer and/or wine.
- Issuance is at the discretion of the Liquor Commissioner, with advice and consent of City Council.
- No more than four (4) E-7 licenses shall be issued to any one licensee per fiscal year.
- Application for an E-7 license shall be submitted at least 45 days prior to the event.
- Hours of service shall be restricted to the hours of 12:00 p.m. - 9:00 p.m., Monday through Sunday.
- Columbus Day / Scarecrow Festival weekend is not an excluded time period for the issuance of an E-7 license.
- The application fee for an E-7 license is \$100.
- All regulations normally applicable to Class E Temporary Licensing will also apply to E-7 licenses.

The intent of this proposed license is to provide the opportunity for businesses such as Blue Goose Market to promote the sale of products they offer in their stores. For example, the beef distributors for the market would have the opportunity to cater such events, thereby providing patrons with the opportunity to taste the product before they purchase.

The creation of the E-7 license also necessitates a change to Municipal Code Section 5.08.100 "License Fees; Late Night Permits Fees; Fees Established" where the \$100 per application fee is codified; Section 5.08.110 "Number of Licenses"; and Section 5.08.130 "License - Hours of Sale" through the addition of paragraph "L", which defines the hours of service under a Class E-7 license.

\*A-2 and A-2B licenses are defined by St. Charles Municipal Code as the retail sale of alcoholic liquors (A-2) or beer and wine (A-2B) in original packages only, and not for consumption on the premises. The primary purpose shall be for retail sales other than the sale of alcoholic liquor or beer and wine, such as a food store, drug store or mass merchandiser. The premises shall have a minimum gross area of ten thousand square feet, and provided the square footage devoted to the retail sale of alcoholic liquor is 10% or less of the gross square footage.

The Police Department and City staff recommend the addition of the Class E-7 Liquor License be added to the Title 5 of the City of St. Charles Municipal Code.



**City of St. Charles, Illinois**  
**Ordinance No. 2014-M-\_\_\_\_\_**

**An Ordinance Amending Title 5 "Business Licenses and Regulations,"  
Chapter 5.08 "Alcoholic Beverages," Section 5.08.090 "License  
Classifications" of the St. Charles Municipal Code**

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

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

**"5.08.090 License Classifications**

*E-7. Class E-7 Temporary License Permits shall authorize the retail sale of beer and wine for consumption on the premises only. Class E-7 licenses shall be issued to only Class A-2 and A-2B liquor licensees for special events or catered functions where the dispensing of food predominates. The issuance of the Class E-7 Temporary License Permit shall be at the discretion of the local Liquor Control Commissioner, with advice and consent of City Council. No more than four (4) permits shall be issued to any one licensee per fiscal year. Application for a Class E-7 Temporary License Permit shall be submitted at least 45 days prior to a scheduled event. The hours of service for beer and wine under the E-7 Temporary License Permit shall be restricted to the hours of 12:00 p.m. – 9:00 p.m., Monday through Sunday."*

SECTION TWO: That Title 5 "Business Licenses and Regulations", Chapter 5.08 "Alcoholic Beverages", Section 5.08.100 "License Fees; Late Night Permit Fees; Fees Established" of the St. Charles Municipal Code, be and is hereby amended as follows:

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

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

<b>Class License</b>	<b>Annual License Fee</b>	<b>Comments</b>
A-1	\$1,600.00	Package Liquor Stores Only
A-2	1,600.00	Grocery Stores
A-2B	1,600.00	Wine/Beer Sales Only
A-4	1,600.00	Brewery Sales
A-5	1,800.00	Wine by Glass & Bottle Sales
B-1	1,200.00	Basic Restaurant Liquor License
B-2	1,200.00	B1 plus bar

B-3	1,200.00	B1 plus live entertainment may be permitted
B-4	1,200.00	Beer/Wine Only
B-5	1,200.00	Beer/Wine @ Counter Service
B-6	1,800.00	Purchase Wine w/Takeout
C-1	1,200.00	Basic Tavern Liquor License
C-2	1,200.00	C1 plus live entertainment may be permitted
C-3	1,200.00	Beer/Wine Only
C-4	1,800.00	Sale of Bottled Wine
D-1	4,000.00	Pheasant Run
D-2	2,000.00	Hotels
D-3	2,000.00	Banquet Halls/Country Clubs
D-4	1,000.00	Moose/Clubs
D-5	2,000.00	Arcada
D-6	2,000.00	Q-Center
E-1	50.00 per day	Not for Profit
E-2	100.00 per day	Special Events B/C licensees
E-3	50.00 per day	Kane County Fair
E-4	100.00 per day	City Owned Premises
E-5	500.00 annual	Harley Davidson 20 events
E-6	100.00 per day	Special Late Night Permit Event
<i>E-7</i>	<i>100.00 per day</i>	<i>Special Events A-2/A-2B licensees</i>

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

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

(Ord. 2014-M-4 § 3.)

**SECTION THREE:** That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.110 “Number of Licenses” of the St. Charles Municipal Code, be and is hereby amended as follows:

#### **5.08.110 Number of Licenses**

The number of local liquor licenses shall not exceed the following:

<b>Class License</b>	<b>Maximum Authorized</b>
<b>Class A – Package Liquor</b>	<b>21</b>
A-1	7
A-2	11
A-3	0
A-4	2
A-5	2
<b>Class B – Restaurants</b>	<b>51</b>
B-1	14



B-2	22
B-3	10
B-4	2
B-5	0
B-6	2
<b>Class C – Taverns</b>	<b>6</b>
C-1	1
C-2	5
C-3	0
C-4	0
<b>Class D – Hotels/Banquets</b>	<b>10</b>
D-1	1
D-2	3
D-3	3
D-4	1
D-5	1
D-6	1
E-1	Liquor Control Commissioner's discretion with advice and consent of City Council
E-2	Liquor Control Commissioner's discretion with advice and consent of City Council
E-3	Liquor Control Commissioner's discretion with advice and consent of City Council
E-4	Liquor Control Commissioner's discretion with advice and consent of City Council
E-5	Liquor Control Commissioner's discretion with advice and consent of City Council
E-6	Liquor Control Commissioner's discretion with advice and consent of City Council
<i>E-7</i>	<i>Liquor Control Commissioner's discretion with advice and consent of City Council</i>

(Ord. 2014-M-5 § 2.)

(Ord. 2013-M-27 § 1; Ord. 2012-M-31 § 1; Ord. 2011-M-37 § 3; Ord. 2010-M-29 § 1; Ord. 2010-M-1 § 1; Ord. 2009-M-66 § 1; Ord. 2009-M-42 § 1; Ord. 2009-M-39 § 2; Ord. 2008-M-65 § 1; Ord. 2008-M-18 § 1; Ord. 2008-M-12 § 1; Ord. 2006-M-23 § 1; Ord. 2004-M-74 § 1; Ord. 2004-M-72 § 1; Ord. 2004-M-60 § 1; Ord. 2004-M-50 § 1; Ord. 2004-M-30 § 1; Ord. 2004-M-12 § 1; Ord. 2003-M-89 § 1; Ord. 2003-M-86 § 1; Ord. 2003-M-69 § 1; Ord. 2003-M-57 § 1; Ord. 2003-M-47 § 1; Ord. 2003-M-35 § 1; Ord. 2002-M-89 § 1; Ord. 2002-M-85 § 1; Ord. 2002-M-77 § 1; Ord. 2002-M-23 § 1; Ord. 2001-M-47 § 1; Ord. 2001-M-16 § 1; Ord. 2001-M-1 § 1; Ord. 2000-M-100 § 1; Ord. 2000-M-82 § 1; Ord. 2000-M-78 § 1; Ord. 2000-M-23 § 1; Ord. 1998-M-66 § 1; Ord. 1998-M-45 § 1; Ord. 1997-M-120 § 1; 1997-M-109 § 1; 1997-M-97 § 1; 1997-M-88 § 1; 1997-M-81 § 1; 1997-M-38 § 3; 1997-M-14 § 1; 1997-M-13 § 1; 1996-M-61 § 1; 1996-M-39 § 1; 1995-M-53 § 4; 1995-M-11 § 1; 1993-M-29 § 1; 1992-M-40 § 1; 1992-M-35 § 2; 1991-M-70 § 1; 1991-M-51 § 2; 1991-M-30 § 2; 1991-M-16 § 1; 1991-M-8 § 1; 1991-M-8 §

1; 1990-M-94 § 3; 1990-M-51 § 1; 1989-M-61 § 1; 1989-M-20 § 2; 1988-M-74 § 1; 1984-M-34 § 2; 1984-M-37 § 3; 1982-M-23 § 1; 1982-M-18 § 1; 1981-M-30 § 1; 1981-M-7 § 2; 1980-M-49 § 1; 1979-M-54 § 1(c); 1979-M-14 § 1; 1978-M-36 § 1; 1978-M-11 § 1; 1977-M-41; 1977-M-3; 1976-M-10; 1976-M-9; 1976-M-5: prior code § 24.030.)

SECTION FOUR: That Title 5 “Business Licenses and Regulations”, Chapter 5.08 “Alcoholic Beverages”, Section 5.08.130 “Hours of Sale” of the St. Charles Municipal Code, be and is hereby amended by adding paragraph “L” as follows:

*L. It shall be unlawful for any person holding a Class E-7 Temporary License Permit issued pursuant to this chapter to sell, offer for sale, or give away for consumption on the licensed premises any beer or wine between the hours of 9:01 p.m. – 11:59 a.m. on the specified date as stated on approved permit by City Council.*

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

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

PRESENTED to the City Council of the City of St. Charles, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2014.

PASSED by the City Council of the City of St. Charles, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2014.

APPROVED by the Mayor of the City of St. Charles, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Raymond P. Rogina, Mayor

ATTEST:

\_\_\_\_\_  
Nancy Garrison, City Clerk

COUNCIL VOTE:

Ayes : \_\_\_\_\_

Nays : \_\_\_\_\_

Absent : \_\_\_\_\_