

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X *Waiver of First Requested*
____ Recommendations of Boards, Commissions & Committees (Green)
____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE: December 8, 2015 (B of T) Date: December 17, 2015

TITLE: Amending Lombard Village Code- Alcoholic Beverages
Enchanted Castle – 1103 S. Main Street

SUBMITTED BY: Keith Giagnorio
Liquor Control Commissioner
Village President

BACKGROUND/POLICY IMPLICATIONS:

Attached for your consideration is an ordinance amending Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code and issuing a new Class “M” liquor license to FPS, LLC d/b/a Enchanted Castle, effective January 1, 2016, located at 1103 S. Main Street.

Staff is requesting a waiver of first reading.

Please place this item on the December 17, 2015 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: Scott Niehaus
Village Manager

FROM: Keith T. Giagnorio
Local Liquor Control Commissioner
Village President

DATE: December 17, 2015

SUBJECT: **Class "M" Liquor License – Enchanted Castle
1103 S. Main Street**

Enchanted Castle currently holds a Class "M" liquor license. On November 19, 2015 the Village Board approved Ordinance 7146 reflecting a 100% change in the ownership interest of J. Richard Oltmann Enterprises, Inc. d/b/a Enchanted Castle.

Village staff has now received a letter dated December 3, 2015 from Anthony Urbik, Trustee of the J. Richard Oltmann Revocable Living Trust UAD 5/10/2006, and Frank Sikora, owner of FPS, LLC and prospective liquor license applicant, indicating that the sale of the assets between the J. Richard Oltmann Revocable Living Trust to FPS, LLC will become effective January 1, 2016.

As a result of this transfer of assets, a change of ownership will occur. Village Code Section 112.20(D) would require the termination of the current liquor license issued to J. Richard Oltmann Enterprises, Inc. d/b/a Enchanted Castle and the new ownership, FPS, LLC, making application for a new liquor license.

Please place this item for consideration on the December 17, 2015 Board of Trustees agenda. Staff is requesting a waiver of first reading in order to accommodate their transfer schedule.

If you have any questions, please feel free to contact me.

/jd

ORDINANCE _____

**AN ORDINANCE AMENDING TITLE 11, CHAPTER 112,
SECTION 112.13(A) OF THE LOMBARD VILLAGE CODE IN
REGARD TO ALCOHOLIC BEVERAGES**

**BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS** as follows:

Section 1: That, effective January 1, 2016, Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended by revising the entry relative to the Class "M" liquor license, contained therein, to read as follows:

Class "M" - 0

This decrease in the number of Class "M" liquor licenses reflects the transfer of assets of J. Richard Oltmann Enterprises, Inc. d/b/a Enchanted Castle, located at 1103 S. Main Street, and the termination of the Class "M" liquor license issued to Enchanted Castle in relation thereto.

Section 2: That, effective January 1, 2016, Title 11, Chapter 112, Section 112.13(A) of the Lombard Village Code is amended by revising the entry relative to the Class "M" liquor license, contained therein, to read as follows:

Class "M" - 1

This increase in the number of Class "M" liquor licenses reflects the issuance of a new Class "M" liquor license to FPS, LLC d/b/a Enchanted Castle located at 1103 S. Main Street, Lombard, IL.

Section 3: This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

Passed on first reading this _____ day of _____, 2015

First reading waived by action of the Board of Trustees this _____ day of _____, 2015.

Passed on second reading this _____ day of _____, 2015

Ayes: _____

Nays: _____

Ordinance No. _____

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Absent: _____

Approved this _____ day of _____, 2015

Keith T. Giagnorio
Village President

ATTEST:

Sharon Kuderna
Village Clerk