

APPROVING A BAR LIQUOR LICENSE WITH SUPPLEMENTAL LICENSURE FOR VIDEO GAMING FOR SPAHIU GAMING, LLC, D/B/A CHIPS, 122 E. HILLCREST DRIVE, DEKALB, ILLINOIS.

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, the City regulates the sale of alcoholic beverages in the City's corporate limits pursuant to the applicable provisions of the Illinois Liquor Control Act and Chapter 38 of the City's Municipal Code; and

WHEREAS, the City received and reviewed an application (the "Application") for a Bar Liquor License, with Supplemental Licensure for Video Gaming, for new ownership of the establishment known as Spahiu Gaming, LLC (the "Applicant" or "Licensee") for property located at 122 E. Hillcrest Drive, DeKalb, Illinois (the "Property" or "Premises"); and

WHEREAS, the City's corporate authorities find that approving the Application is in the City's best interests for the protection of the public health, morals and welfare; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: The recitals to this resolution are true, correct, material, adopted and incorporated as Section One to this Resolution.

SECTION 2: The City's corporate authorities approve the Application and authorize the issuance of a liquor license, Bar, with Supplemental Licensure for Video Gaming, to Spahiu Gaming, LLC, for the Premises at 122 E. Hillcrest Drive, DeKalb, Illinois (the "License"), subject to the following terms and conditions:

1. After issuance, the License shall be subject to all provisions of the City's Municipal Code, including those provisions pertaining to the term of an initial issuance of liquor license, renewal of liquor license, and similar provisions, except as may be expressly waived or provided for by this Resolution.
2. The City Council authorizes the Liquor Commissioner to approve of specific regulations of the uses of the Premises in the Business Plan and Premises Plan, either as initially approved or as later amended by the Liquor Commissioner.
3. The License shall be subject to the following conditions precedent to its final issuance:
 - a. The Applicant shall obtain and maintain at all times a Fire Life Safety license for the Premises;
 - b. The Applicant shall adhere to the occupancy limit, once established;
 - c. The Applicant and all managers shall successfully pass all background investigations;
 - d. The Applicant shall pay an initial non-refundable fee in the amount of \$11,319.00 within 30 days of approval of the License;
 - e. The Applicant shall obtain a State of Illinois liquor license prior to commencing liquor and gaming operations;

- f. The Applicant shall obtain a State of Illinois gaming license prior to commencing gaming and liquor operations;
 - g. The Applicant and all employees shall successfully complete a Certified Alcohol Server Education Program that is accredited as a Basset Program by the State of Illinois before serving, preparing or selling alcohol; and
 - h. The Applicant shall operate the Premises in compliance with all applicable laws, regulations, codes, and ordinances, and the Applicant shall collect and remit all taxes required under applicable federal, state, and local laws and ordinances.
4. The License shall be deemed to permanently include the following restrictions:
- a. The Property shall comply with all applicable laws and the City's Municipal Code, ordinances, rules, and regulations.
 - b. The Property shall comply with applicable requirements and parking restrictions provided by the City's Unified Development Ordinance.

SECTION 3: The City's corporate authorities authorize and direct City staff to issue a conditional license to Applicant for the purpose of obtaining any required federal or state licensure which may be relied upon by any superior governmental body, and to issue a License to Applicant upon Applicant's satisfaction of the conditions precedent to the issuance of the License.

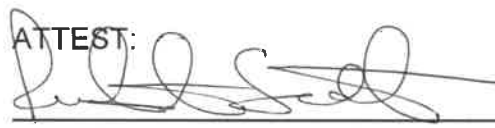
SECTION 4: This resolution and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such resolution should (a) contain terms contrary to the provision of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the City's corporate authorities that to the extent that the terms of this resolution should be inconsistent with any non-preemptive state law, this resolution shall supersede state law in that regard in its jurisdiction.

SECTION 5: This resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, at a Regular meeting thereof held on the 13th day of November 2023 and approved by me as Mayor on the same day. Passed by an 8-0 roll call vote. Aye: Zasada, Larson, Smith, Perkins, McAdams, Verbic, Walker, Barnes. Nay: None.




COHEN BARNES, Mayor

ATTEST:

Ruth A. Scott, Executive Assistant