

**MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL
HELD ON TUESDAY, JANUARY 22, 2013 – 7:00 P.M.
CITY COUNCIL CHAMBERS, IN THE CITY COUNCIL CHAMBERS
2 E. MAIN STREET ST. CHARLES, IL 60174**

1. Call To Order By Mayor Donald DeWitte At 7:01 P.M.

2. Roll Call.

Present: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis

Absent: Carrignan

3. Invocation Alder. Payleitner.

4. Pledge of Allegiance.

5. Presentations:

- Swearing in of St. Charles Fire Department Personnel:
 - Firefighter/Paramedic Joseph Stalker
 - Lieutenant Tony Centimano
 - Captain Joel Meeter
 - Battalion Chief Nick McManus

- Presentation of 2012 Downtown St. Charles Partnership Electric Parade Winners:

Children's Category

Cub Scout Pack #146 – Matthew Janecek (1st place)
Ted Lomos/Cub Scout Pack #251 (2nd place)
Linda Culley/St. Mark's Preschool (3rd place)

Non-Profit Category

Harry Klimek/Kane Co. Car Club (1st place)
Tom Tarvis/St. Charles Breakfast Rotary (2nd place)
Donna Bauer/Lazarus House (3rd place)

Business Category

Mandy Lutz/Filling Station (1st place)
Gary Fritz/Fritz Realty (2nd place)
AV Overhead Garage Door (3rd place)

Best in Show

Mike Worthington/Cub Scout Pack #151

- Presentation by St. Charles Arts Council – Information Only – Sue McDowell and Elizabeth Bellaver

6. Motion by Martin, seconded by Krieger to approve the Omnibus Vote as presented.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: Carrignan

MOTION CARRIED

***7. Motion by Martin, seconded by Krieger to accept and place on file minutes of the regular City Council meeting held on January 7, 2013.**

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner

Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: Carrignan

MOTION CARRIED (Omnibus Vote)

***8. Motion by Martin, seconded by Krieger to approve and authorize issuance of vouchers from the Expenditure Approval List for the period of 12/31/12 – 1/11/13 in the amount of \$944,746.14.**

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner

Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: Carrignan

MOTION CARRIED (Omnibus Vote)

I. New Business

A. Motion by Martin, seconded by Krieger to appoint of Ms. Stacy Anderson to the St. Charles Youth Commission.

VOICE VOTE UNANIMOUS MOTION CARRIED

B. Motion by Bessner, seconded by Krieger to approve an **Ordinance 2013-M-5 Proposing the Enlargement of Special Service Area No. 1A in the City of St. Charles, Kane and DuPage Counties, Illinois, and Providing for a Public Hearing and Other Procedures in Connection Therewith (304 Cedar Avenue).**

VOICE VOTE UNANIMOUS MOTION CARRIED

- Rita Tungare

- I will cover both items IB and IC. This ordinance relates to the Dunham Hunt property. Staff is proposing to add that property to SSA 1A and 1B. That would enable the building to be occupied by any future user without requiring additional parking to be provided on the property. Properties located within both the SSAs can be exempt from onsite parking requirements as long as there is public parking within the vicinity of the property. This property is contiguous to the existing SSAs as there is a parking lot across from the property. Reducing the need for parking onsite would increase the marketability of the property and would also add to the historic value of this property. State statute requires that the City Council pass ordinances proposing the enlargement of the SSAs and also establish a date for the public hearing. At this time, I am proposing that this date be April 1, 2013 for the

public hearing. The public hearing can be held no sooner than 60 days from the passage of the ordinance, which is today. Subsequent to the public hearing, the City Council will then pass the ordinance for the enlargement of the SSAs and that can happen no sooner than 60 days after the public hearing. So that can happen no sooner than June 1, 2013.

- C. Motion by Bessner, seconded by Krieger to approve an **Ordinance 2013-M-6** Proposing the Enlargement of Special Service Area No. 1B in the City of St. Charles, Kane and DuPage Counties, Illinois, and Providing for a Public Hearing and Other Procedures in Connection Therewith (304 Cedar Avenue).
VOICE VOTE UNANIMOUS MOTION CARRIED

III. Committee Reports

A. Government Operations

- *1. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-1** transferring \$726,595.67 from Corporate Fund 100 restricted cash to Red Gate Bridge Fund 501 for FY12/13.
ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)
- *2. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-2** transferring \$22,224.92 from the General Fund to the 2002A G.O. Debt Service Fund 704 for FY12/13 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)
- *3. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-3** transferring \$324,240.00 from the General Fund to the 2004 G.O. Debt Service Fund 719 (Century Station/PD Renovations) for FY12/13 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)
- *4. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-4** transferring \$26,250.71 from the General Fund to the 2005A G.O. Debt Service Fund 718 (Public Works Garage) for FY12/13 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)
- *5. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-5** transferring \$287,021.25 from the Electric Fund to the 2005A G.O. Debt Service Fund 718 (Public Works Garage) for FY12/13 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)

- *6. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-6** transferring \$97,319.75 from the Water Fund to the 2005A G.O. Debt Service Fund 718 (Public Works Garage for FY12/13 as budgeted).

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)

- *7. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-7** transferring \$184,660.63 from the Sewer Fund to the 2005A G.O. Debt Service Fund 718 (Public Works Garage for FY12/13 as budgeted).

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)

- *8. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-8** transferring \$433,497.66 from the Public Works Garage Capital Project Fund 518 to the 2005A G.O. Debt Service Fund 718 (Public Works Garage) for FY12/13 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)

- *9. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-9** transferring \$315,126.25 from Baker TIF Special Revenue Fund 304 to Baker TIF Debt Service Fund 706 (2005B GO) for FY12/13 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)

- *10. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-10** transferring \$197,500.00 from First Street TIF Special Revenue Fund 305 to First Street TIF Debt Service Fund 713 (2006 GO) for FY12/13.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)

- *11. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-11** transferring \$87,867.50 from First Street TIF Special Revenue Fund 305 to First Street TIF Debt Service Fund 713 (2007A GO) for FY12/13.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan

MOTION CARRIED (Omnibus Vote)

- *12. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-12** transferring \$70,600.00 from First Street TIF Special Revenue Fund 305 to First Street TIF Debt Service Fund 713 (2007C GO) for FY12/13.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: Carrigan

MOTION CARRIED (Omnibus Vote)

- *13. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-13** transferring \$261,005.53 from the General Fund 100 to First Street TIF Debt Service Fund 713 (2008A GO) for FY12/13.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: Carrigan

MOTION CARRIED (Omnibus Vote)

- *14. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-14** transferring \$267,713.22 from First Street TIF Special Revenue Fund 305 to First Street TIF Debt Service Fund 713 (2008A GO) for FY12/13.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: Carrigan

MOTION CARRIED (Omnibus Vote)

- *15. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-15** transferring \$698,522.50 from the General Fund to the 2008C G.O. Debt Service Fund 720 (Fire Station, Ladder Truck and Riverwall Projects) for FY12/13 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: Carrigan

MOTION CARRIED (Omnibus Vote)

- *16. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-16** transferring \$573,623.51 from the General Fund to the 2009 Refunding G.O. Debt Service Fund 722 for FY12/13 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: Carrigan

MOTION CARRIED (Omnibus Vote)

- *17. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-17** transferring \$307,969.38 from Moline TIF Special Revenue Fund 320 to Moline TIF Debt Service Fund 709 (2009 GO) for FY12/13.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: Carrigan

MOTION CARRIED (Omnibus Vote)

- *18. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-18** transferring \$880,011.32 from the General Fund to the 2010B Refunding G.O. Debt Service Fun 724 for FY12/13 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrignan
MOTION CARRIED (Omnibus Vote)
- *19. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-19** transferring \$50,184.15 from the General Fund 100 to Debt Service Fund 705 (2010C Refunding GO) for FY12/13.
ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrignan
MOTION CARRIED (Omnibus Vote)
- *20. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-20** transferring \$133,189.58 from Mall TIF Special Revenue Fund 322 to Debt Service Fund 705 (2010C Refunding GO) for FY12/13.
ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrignan
MOTION CARRIED (Omnibus Vote)
- *21. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-21** transferring \$163,026.94 from the General Fund to the 2011A G.O. Debt Service Fund 723 for FY12/13 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrignan
MOTION CARRIED (Omnibus Vote)
- *22. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-22** transferring \$17,098.00 from the Electric Fund to the 2011A G.O. Debt Service Fund 723 for FY12/13 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrignan
MOTION CARRIED (Omnibus Vote)
- *23. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-23** transferring \$11,398.00 from the Water Fund to the 2011A G.O. Debt Service Fund 723 for FY12/13 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrignan
MOTION CARRIED (Omnibus Vote)
- *24. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-24** transferring \$11,398.00 from the Sewer Fund to the 2011A G.O. Debt Service Fund 723 for FY12/13 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrignan
MOTION CARRIED (Omnibus Vote)

- *25. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-25** transferring \$1,346.29 from the General Fund to the 2011B Refunding G.O. Debt Service Fund 725 for FY12/13 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrignan
MOTION CARRIED (Omnibus Vote)

- *26. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-26** transferring \$49,508.48 from the General Fund to the 2011C Refunding G.O. Debt Service Fund 726 for FY12/13 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrignan
MOTION CARRIED (Omnibus Vote)

- *27. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-27** transferring \$72,577.43 from the General Fund to the 2011D G.O. Debt Service Fund 710 for FY12/13 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrignan
MOTION CARRIED (Omnibus Vote)

- *28. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2013-T-28** transferring \$187,984.01 from the TIF 5 Special Revenue Fund 306 to the 2011D G.O. Debt Service Fund 710 for FY12/13 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrignan
MOTION CARRIED (Omnibus Vote)

- *29. Motion by Martin, seconded by Krieger to approve an **Ordinance 2013-M-7** providing for the issuance, in one or more series, of not to exceed \$27,000,000 General Obligation Corporate Purpose Bonds of the City of St. Charles, Kane and DuPage Counties, Illinois, to provide for capital improvements throughout the City, including enhancing the City's electric system located at the Little Woods Site and replacing a failed sub transformer, engineering the City's Elevated Water Tower Number 3 and replacing a lift station at the City's Royal Fox Subdivision, and authorizing the execution of one or more bond orders and one or more escrow agreements in connection therewith, and providing for the levy and collection of a direct annual tax for the payment of principal of and interest on said bonds.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrignan
MOTION CARRIED (Omnibus Vote)

- *30. Motion by Martin, seconded by Krieger to accept and place on file minutes of the regular Government Operations meeting held on January 7, 2013.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)

B. Government Services

None.

C. Planning and Development

- *1. Motion by Martin, seconded by Krieger to approve waiving the bid process and authorizing purchase of new brush truck/multi-purpose response vehicle.

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)

- *2. Motion by Martin, seconded by Krieger to accept and place on file Plan Commission Resolution No. 11-2012 A Resolution Recommending Approval of a General Amendment to Title 17 of the St. Charles Municipal code Entitle "Zoning" Chapter 17.04 "Administration" and Chapter 17.18 "Inclusionary Housing".

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)

- *3. Motion by Martin, seconded by Krieger to approve an **Ordinance 2013-Z-3** amending Title 17 of the St. Charles Municipal Code entitled "Zoning" section 17.04.400.B "Conformance with Codes" and Chapter 17.18 "Inclusionary Housing".

ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Carrigan
MOTION CARRIED (Omnibus Vote)

4. Motion by Bessner, seconded by Martin to accept and place on file minutes of the January 14, 2013 Planning & Development Committee meeting.

VOICE VOTE UNANIMOUS MOTION CARRIED

- Alder. Lewis asked on page 5, on planning and development where I was talking about, a 5 year option if the option is not renewed. Should that be a 10 year option? I thought it had to be a 10 year commitment to the community.
- Chris Aiston responded, they have to be 10 years in the City of St. Charles. The lease that he is negotiating is for five years with an option for five. If they were to not exercise that option for five, in order to be compliant with the agreement, they must find another location and operate a similar business in the city of St. Charles. The discussion that you are referring to now, related to the lease, which is not part in parcel to the agreement, only the commitment in the agreement that they remain in St. Charles is in place. But you are right; it is a five year lease with a five year option.

- Alder. Lewis said, so five years is correct then.
 - Chris Aiston said yes, the lease is for five years with a five year option. But they haven't executed the lease yet, but that seems to be the terms that they are negotiating to date.
 - Alder. Lewis they have to stay here 10 years.
 - Chris Aiston, yes, that will be in the agreement itself which is a free standing document.
 - Mayor DeWitte then the agreement will come back to the Council ultimately before it is approved.
 - Chris Aiston said, yes the agreement is in draft from currently and the parties have not brought it before the Council.
5. Motion by Bessner, seconded by Krieger to direct staff and the City Attorney to draft an Economic Development Incentive Agreement with US Adventure RV (131 S. Randall Rd.).

ROLL CALL VOTE: AYE: Monken, Payleitner, Turner

Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0

ABSTAIN: Stellato

ABSENT: Carrignan

MOTION CARRIED

D. No Additional Items from Mayor, Council, Staff, or Citizens

E. Adjournment

Motion By Bessner, seconded by Turner, to adjourn meeting

VOICE VOTE

UNANIMOUS

MOTION CARRIED

Meeting adjourned at 7:30 P.M.

Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Nancy Garrison, City Clerk