

MINUTES
ST. CHARLES CITY COUNCIL MEETING
LORA A. VITEK, MAYOR
MONDAY, MARCH 20, 2023 – 7:00 P.M.
CITY COUNCIL CHAMBERS
2 E. MAIN STREET

1. Call to Order.

The meeting was called to order by Mayor Vitek at 7:01 pm.

2. Roll Call.

Present: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft,
Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber

Absent: Ald. Bongard

3. Invocation by Ald. Pietryla

4. Pledge of Allegiance. – Girl Scout Troop 450

5. Presentations

6. Motion by Ald. Bancroft second by Ald. Lencioni to approve the Omnibus Vote.

Items with an asterisk (*) are considered to be routine matters and will be enacted by one motion. There will be no separate discussion on these items unless a council member/citizen so requests, in which event the item will be removed from the consent agenda and considered in normal sequence on the agenda.

Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.

Motion Carried

***7. Motion by Ald. Bancroft second by Ald. Lencioni to accept and place on file minutes of the regular City Council meeting held March 6, 2023.**

Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.

Motion Carried

***8. Motion by Ald. Bancroft second by Ald. Lencioni to accept and place on file minutes of the City Council Workshop meeting held January 23, 2023.**

Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.

Motion Carried

9. Motion by Ald. Bancroft second by Ald. Lencioni to continue to maintain confidentiality of minutes of the City Council, Government Operations Committee,

Government Services Committee, and Planning & Development Committee executive session meeting minutes for previous meetings.

Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.
Motion Carried

- *10. Motion by Ald. Bancroft second by Ald. Lencioni to approve and authorize issuance of vouchers from the Expenditure Approval List for the period of 2/20/2023 – 3/5/2023 in the amount of \$1,761,469.25.**

Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.
Motion Carried

- *11. Motion by Ald. Bancroft second by Ald. Lencioni to approve and place on file the Treasurer and Finance Report for period ending December 31, 2022.**

Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.
Motion Carried

- *12. Motion by Ald. Bancroft second by Ald. Lencioni to approve and place on file the Treasurer and Finance Report for period ending January 31, 2023.**

Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.
Motion Carried

I. Old Business

- A. None

II. New Business

- A. Motion by Ald. Payleitner second by Ald. Wirball to approve a proposal for a D-8 Liquor License Application for Fox Foodie, LLC dba Fox Den Cooking Located at 131 S. First St., St. Charles.

Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None; Recuse: Ald. Lencioni
Motion Carried

- Chief Keegan explained the LLC in this proposal was previously approved but now is dissolved and refiled under a different LLC. This appeared during the Liquor Commission meeting as was advanced forward with a 5-0 recommendation.

- B. Motion by Ald. Payleitner second by Ald. Bessner to approve a **Resolution 2023-14** Authorizing Publication and Sale of the 2023 City of St. Charles Official Zoning Map.
Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.
Motion Carried

III. Committee Reports

A. Government Operations

- *1. Motion by Ald. Bancroft second by Ald. Lencioni to approve a **Resolution 2023-15** Authorizing the Director of Finance to Enter into an Agreement for Natural Gas Based on the Results of a Reverse Online Auction to be Conducted by Transparent Energy.
Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.
Motion Carried
- *2. Motion by Ald. Bancroft second by Ald. Lencioni to accept and place on file minutes of the March 6, 2023, Government Operations Committee meeting.
Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.
Motion Carried

B. Government Services

- *1. Motion by Ald. Bancroft second by Ald. Lencioni to approve and place on file the minutes of the February 27, 2023 Government Services Committee Meeting.
Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.
Motion Carried

C. Planning and Development

1. Motion by Ald. Weber second by Ald. Lencioni to approve a **Resolution 2023-16** Authorizing the award of a Construction Bid to Martam Construction for the 1st Street East Plaza Expansion Project Phase 2.
Roll Call Vote: Ayes: Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: Ald. Silkaitis, Ald. Pietryla
Motion Carried
- Alder. Payleitner stated that with the total project cost of over \$5 million I do feel strongly that the City should be responsible for the First Street portion of the project. which is 1.2 million. This puts the City's total about half. With the remaining balance the St. Charles Initiative should complete their fundraising for remaining.

2. Motion by Ald. Weber second by Ald. Wirball to approve A **Resolution 2023-17** Authorizing the Mayor and City Clerk to Execute a Temporary License Agreement between the City of St. Charles and Pollyanna Brewing Company (106 Riverside Ave.)
Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.
Motion Carried
- Curt Hurst explained the following:
Frontier development has always maintained our goal is to be a collaborative partner with the City and bring developments to benefit the entire community. We have an opportunity to demonstrate the commitment to that objective by executing the license agreement extending the use of privately owned land for public parking. We have already done so but we need to express frustration with the way the process was handled. The contradiction with the City denying Flagship the use of public land the same way it has the last few years. And in the same meeting, holding another business, Pollyanna's outdoor dining experience captive contingent on Frontier making privately held land available to the City for public parking, free of charge. If Frontier did not agree, this would not be collaboration. Equally frustrating is the lack of communication during this process. Why didn't the alderman who voted no reach out to the business owner to find a solution? Why wasn't any explanation given? On April 12, 2021 Frontier development presented a comprehensive plan to planning and development for the east side of the river that would do away with the need to continue trading license agreements. This plan would benefit the business owners with outdoor dining options and the City with additional parking. The property values and square footage in question are very similar. No effort was made to explore this prior to last week's meeting. Instead, alderman who supported this two years ago, disregarded efforts to reach a long-term solution. Common ground will not be achieved without engaging both sides of the issue. We hope that going forward there will be a Council that is willing to collaborate with everyone in the community.
3. Motion by Ald. Weber second by Ald. Wirball to approve A **Resolution 2023-18** Authorizing the Mayor and City Clerk to Execute a First Amendment to Parking Easement Agreement between the City of St. Charles and STC Morse, LLC.
Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.
Motion Carried
- *4. Motion by Ald. Bancroft second by Ald. Lencioni to accept and place on file Plan Commission Resolution No. 1-2023 A Resolution Recommending Approval of a Special Use to Amend Ordinance 2022-Z-12 (Charlestowne Lakes PUD) pertaining to townhome building height (D.R. Horton, Inc. - Midwest).

Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.
Motion Carried

- *5. Motion by Ald. Bancroft second by Ald. Lencioni to approve an **Ordinance 2023-Z-5** Amending Ordinance No. 2022-Z-12 to increase the maximum townhome building height (Charlestowne Lakes PUD).

Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Nays: None.
Motion Carried

9. Public Comment

- Gordon Galloway stated that at the meeting when the Council voted down Flagship's request for outdoor dining, he felt the majority of the people in the room supported it. He said there were three reasons discussed for not supporting, traffic, parking, and fairness. Mr. Galloway explained that none of the reasons were strong enough to deny Flagship the outdoor dining. He said allowing Flagship outdoor dining is good for the City.
- Steve Mayer, owner of Flagship, thanked Ald. Payleitner for meeting with him to discuss the situation. He wished his alderman would have done the same but they did not reach out to him. He expressed his disappointment in the process and with the lack of communication and transparency.
- Brett Taylor stated he felt that Walnut is a busy street and thanked the Council members who voted no.
- Paula Price said she drives on Walnut Avenue most days because there is no one else driving on it. She said as a property owner on Walnut, she loves outdoor dining and it adds to her City experience.
- Ald. Pietryla stated that the vote last week was not against outdoor dining in general and that he supports outdoor dining. Last year when he voted to support Flagship outdoor dining, he thought it was the right thing to do. But he said it doesn't mean that a single business can use a public street forever. Ald. Pietryla stated that the business can offer outdoor dining on the north and west sides of the building on the sidewalks. Closing a street for a single business sets a bad precedent. He stated he appreciates the comments he received both for and against this issue.
- Ald. Lencioni stated that we need to find permanent proposals instead of the temporary permitting process. We are super inconsistent in this area.

- Ald. Wirball said he supports outdoor dining City wide, which was not the discussion last week. He said the issue was discussed last year in April when I stated I wanted to see other options. The owner of Flagship had one year to come up with a solution and nothing happened. Ald. Wirball said that the ordinance passed in April 2022 does not permit outdoor dining on the streets. It says, Section E: “the proposed use shall not unreasonably interfere with pedestrian or vehicular traffic or with access to parked vehicles. He feels an obligation to follow the ordinance. He is concerned with the quality of life for the residents of that area.
- Ald. Payleitner said she will always have the conversation and thanks for reaching out to me. She said businesses belong to all ten of us up here. There is no way each alderman could reach out to individual citizens. And she encourages citizens to reach out to their alderman.
- Ald. Bancroft said he voted in favor of this because we would be in better position to allow it . Outdoor dining has changed the map of St. Charles. People are impressed with our outdoor dining. We could have put it in place and changed the ordinance. So, we could have voted for it on a temporary basis and continued the discussion.
- Ald. Silkaitis stated he voted no because of fairness to all business. He said if we do it for one, we would have to do it for all. It’s a precedent we don’t want to set.
- Doug Peppers wants the Council to think about the economy and what this may do to small ownership and others coming into the community. In addition, how this may impact people working at Flagship. He emphasized thinking about the macroeconomic and the small business owners.
- Mayor Vitek explained the following:
We live in a great place and I am so happy to be here in St. Charles. But it has been a challenge recently because of so much negativity. I don’t know how it all happened, but it’s unfortunate. I have seen it tonight and I hope as we move ahead we can think more broadly. We have to think more broadly about urbanism, bikeability, etc. instead of getting into the minutia. This is our City. I want every business to succeed and have places for our residents. My goal is to remain positive, and I am trying to work hard to make this City an amazing place. And I will continue to do that and work with business owners and residents. The goal is to think broadly and to think about the growth and direction of the City. We are all here for a purpose and it is not to not collaborate. I hope that is what everyone wants. This is what I want, and this is why I am here. I want to make the City the best place it can be. This is my motivation and I hope everyone has the same motivation. I am willing to talk to anyone on how we can further

collaborate. And I hope the rest of the City Council is too. I wanted you all to know that I want to move the City forward in a positive way.

10. Additional Items from Mayor, Council or Staff

11. No Executive Session

- Personnel – 5 ILCS 120/2(c)(1)
- Pending, Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
- Property Acquisition – 5 ILCS 120/2(c)(5)
- Collective Bargaining – 5 ILCS 120/2(c)(2)
- Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

12. Adjournment

Motion by Ald. Bancroft, second by Ald. Lencioni to adjourn the meeting at 7:40 pm.

Roll Call Vote: Ayes: Ald. Silkaitis, Ald. Kalamaris, Ald. Payleitner, Ald. Bongard, Ald. Bancroft, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Weber; Nays: None.

Motion Carried

Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF
ORIGINAL

Nancy Garrison, City Clerk

ADA Compliance

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the ADA Coordinator, Jennifer McMahon, at least 48 hours in advance of the scheduled meeting. The ADA Coordinator can be reached in person at 2 East Main Street, St. Charles, IL, via telephone at (630) 377 4446 or 800 526 0844 (TDD), or via e-mail at jmcmahon@stcharlesil.gov. Every effort will be made to allow for meeting participation. Notices of this meeting were posted consistent with the requirements of 5 ILCS 120/1 et seq. (Open