

**MINUTES**  
**ST. CHARLES CITY COUNCIL MEETING**  
**LORA A. VITEK, MAYOR**  
**MONDAY, NOVEMBER 6, 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 7:00 pm.

**2. Roll Call.**

**Present:** Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz, Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber

**Absent:** Ald. Gehm

**3. Invocation.** – Ald. Pietryla

**4. Pledge of Allegiance.** – Ald. Bessner

**5. Presentations**

- Mayor Vitek read the Veterans Day Proclamation.

**6. 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. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber, Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz; Nays: None.

**Motion Carried**

**\*7.** Motion to accept and place on file minutes of the regular City Council meeting held October 16, 2023.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber, Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz; Nays: None.

**Motion Carried**

**\*8.** Motion to approve and authorize the issuance of vouchers from the Expenditure Approval List for the period of 10/2/2023 – 10/15/2023 in the amount of \$7,739,102.74.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber, Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz; Nays: None.

**Motion Carried**

- \*9. Motion to approve and authorize the issuance of vouchers from the Expenditure Approval List for the period of 10/16/2023 – 10/29/2023 in the amount of \$1,688,071.67.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber, Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz; Nays: None.

**Motion Carried**

- \*10. Motion to approve and place on file the Treasurer and Finance Report for the period ending September 30, 2023.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber, Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz; Nays: None.

**Motion Carried**

- \*11. Motion to approve the Budget Revisions for October 2023.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber, Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz; Nays: None.

**Motion Carried**

## I. Old Business

- A. None

## II. New Business

- A. None

## III. Committee Reports

### A. Government Operations

1. Recommendation to approve a Proposal for a Class A Liquor License Application for MainStreet LLC dba Puffs & Pours, Located at 201/203 W. Main Street, St. Charles.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber, Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz; Nays: None.

**Motion Carried**

- \*2. Recommendation to authorize the Finance Director to execute the risk insurance program renewal for the year beginning December 1, 2023 in the amount of \$970,918.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber, Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz; Nays: None.

**Motion Carried**

- 3. Recommendation to approve the Preliminary Estimate of the 2023 Property Tax Levy for the City of St. Charles in the Amount of \$24,465,744.

**Roll Call Vote:** Ayes: Ald. Lencioni, , Ald. Bessner, Ald. Weber, Ald. Foulkes, Ald. Bongard, Ald. Muenz; Nays: Ald. Pietryla, Ald. Wirball, Ald. Silkaitis

**Motion Carried**

- \*4. Recommendation to approve **Resolution 2023-109** Authorizing the Approval of a One-year Agreement with the Center for Internet Security for \$27,600.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber, Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz; Nays: None.

**Motion Carried**

- \*5. Motion to accept and place on file minutes of the October 16, 2023, Government Operations Committee meeting.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber, Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz; Nays: None.

**Motion Carried**

**B. Government Services**

- \*1. Motion to approve a **Resolution 2023-110** Approving the Intergovernmental Agreement with St. Charles Township for Snow and Ice Control Services.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz, Nays: None.

**Motion Carried**

- \*2. Motion to approve a **Resolution 2023-111** Approving the Intergovernmental Agreement with St. Charles School District 303 Regarding Snow and Ice Control Materials.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz, Nays: None.

**Motion Carried**

- \*3. Motion to approve a **Resolution 223-112** Awarding the Bid for Fire Station Improvements to Midwest Construction Partners, Inc.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz, Nays: None.

**Motion Carried**

- \*4. Motion to approve a **Resolution 2023-113** Authorizing a Contract for the Replacement of City Hall and Century Station Rooftop Air Handler Units to RJ O'Neil, Inc.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz, Nays: None.

**Motion Carried**

- \*5. Motion to approve and place the minutes of the October 23, 2023 Government Services Committee Meeting on file.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber; Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz, Nays: None.

**Motion Carried**

C. Planning and Development

None

9. **Public Comment**

On behalf of the Central Kane County League of Women voters, Debbie Modder invited the City Council and residents to a community meeting on November 15 at 7 p.m. at the Baker Community Center. The topic is the Tri-Cities Coal Problem and what can be done about it. Too many residents do not know that their public utilities purchase electricity from coal-burning power plants in southern Illinois. The impetus of the meeting is to discuss what can be done about this and to share their vision of a cleaner future for the Tri-Cities.

10. **Additional Items from the Mayor, Council or Staff**

- The Mayor mentioned that the Veterans Day Ceremony will be held at Fire Station One on Saturday, November 11, 2023.
- Mayor Vitek recognized Native Americans in the Fox Valley area in honor of Native American Heritage Month.
- The Mayor wished Derek Conley and Lisa Gahan Happy Birthday.

Ald. Foulkes asked if the City has been in contact with the owners of the parking lot behind Pollyanna and Flagship on the Fox to renegotiate the lease/agreement. Heather McGuire explained that the owners aren't interested in extending the lease and are considering doing something else with that property. The City continues to maintain the relationship with the owners and is keeping the door open should something change.

Ald. Foulkes asked about the barriers being used in the lots and mentioned that the barriers can and have been moved. Ald. Foulkes asked if something could be done about this so it's not a liability on our end. Heather McGuire explained that the lots are being monitored, and the reason behind the moveable barriers was to give time to rearrange the schematics of the parking lot, restripe, gain access, etc.

Ald. Wirball asked Atty. Peppers about the information pertaining to the liability issues arising from illegal cross-access between the two lots, which was provided in a recent City Council Update. Ald. Wirball stated that construction horses are being used as obstacles to keep cars from entering the private lot and from the private lot to the public lot, and they are being moved on the weekend to allow cars in and out. Ald. Wirball asked if we should be allowing this to happen when it conflicts with the legal opinion provided.

Atty. Peppers answered that with the lapse of the agreement, it's correct that there is a liability issue between the properties to the extent that the City can control its property; you can't put up barriers to stop the migration to the private lot, which then blocks migration to the public lot. The goal was to try to keep the flow of traffic. But from a liability standpoint, the preferred course would be not setting the City up for having cross-access problems.

Ald. Wirball stated that we are setting ourselves up for a liability issue. He noted that no one is going to the public lot on the corner of Illinois and Riverside because of the barriers, and those are being monitored and moved to allow access by private ownership. Ald. Wirball said we should follow the legal advice to avoid liability and barricade it off as recommended, noting that it's the responsible thing to do.

Heather indicated that this is the first time staff has been made aware of the issue with the barricades and that it will be addressed. Ald. Wirball asked if the orange barricades will be put across so we don't have any further issues or liability. Heather confirmed that the orange barricades will be put up.

Ald. Wirball asked about the status of the WBK Engineering Master Agreement from 2018. Russell Colby explained that an RFP was issued in August 2023 to solicit firms to conduct engineering services for community development. The responses have been received, interviews have been completed, and a contract for services will be presented at the December Planning & Development Committee Meeting.

**11. 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. Bessner, second by Ald. Wirball to adjourn the meeting at 7:15 pm.

**Roll Call Vote:** Ayes: Ald. Lencioni, Ald. Pietryla, Ald. Wirball, Ald. Bessner, Ald. Weber, Ald. Silkaitis, Ald. Foulkes, Ald. Bongard, Ald. Muenz; Nays: None.

Motion Carried

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Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

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Nancy Garrison, City Clerk