

**MINUTES FOR THE MEETING OF THE ST. CHARLES CITY COUNCIL  
MONDAY, JUNE 15, 2020 – 7:00 P.M.**

**CITY COUNCIL CHAMBER, CITY OF ST. CHARLES  
2 E. MAIN STREET, ST. CHARLES, IL 60174**

1. **Call to Order** at 7pm by Mayor Rogina
2. **Roll Call**  
Present –Silkaitis, Stellato, Payleitner, Lemke, Turner, Bancroft, Vitek, Pietryla, Bessner, Lewis  
Absent – NONE
3. **Invocation** by Ald. Payleitner
4. **Pledge of Allegiance.**
5. **Administrative**
  - a. Fuel Tax Receipts – Information only
  - b. Electric Reliability Report – Information only
6. **Presentations**  
None
7. **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.
- \*8. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file minutes of the City Council Workshop held May 18, 2020.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek, Pietryla, Bessner, Lewis

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

- \*9. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file minutes of the regular City Council meeting held May 18, 2020.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- \*10.** Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file minutes of the Special City Council meeting held May 28, 2020.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- \*11.** Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve and authorize issuance of vouchers from the Expenditure Approval List for the period of May 4, 2020 – May 17, 2020 for the amount of \$1,940,948.29

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- \*12.** Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve and authorize issuance of vouchers from the Expenditure Approval List for the period of May 18, 2020 – May 31, 2020 for the amount of \$4,729,857.80

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

## **I. New Business**

Introduction by Chris Minick and Presentation by Brian Travilla Chair of the 708 Mental Health Board

- A. Motion by Bessner and seconded by Ald. Bancroft to Approve the Funding Allocation Requests of the 708 Mental Health Board for FY 2020-2021.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft,  
Vitek, Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- B. Motion by Ald. Bancroft and seconded by Ald. Payleitner to Approve a **Resolution 2020-47** Authorizing the Execution of an Agreement Between the City of St. Charles and the St. Charles Professional Firefighter's Association I.A.F.F. Local 3322.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- \*C. Motion by Ald. Stellato and seconded by Ald. Silkaitis to Authorize Staff to award Harris Computer Systems the Annual Contract for CityView Software Support and Maintenance for \$27,405.07.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- \*D. Motion by Ald. Stellato and seconded by Ald. Silkaitis to Approve an **Ordinance 2020-M-23** Approving the Plat of Vacation of City Alley between 501 and 511 S. 6th Street.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- \*E. Motion by Ald. Stellato and seconded by Ald. Silkaitis to Approve a **Resolution 2020-48** Approving an Extension of Lease Agreement for Henry Rockwell Baker Memorial Community Center Parking Lot.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

- \*F. Motion by Ald. Stellato and seconded by Ald. Silkaitis to Approve a **Resolution 2020-49** Authorizing the Mayor and the City Clerk of the City of St. Charles to Approve the Award of (1) Kubota RTV x1100 and to Sell the Replaced John Deere Broom #1822.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

- \*G. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve a **Resolution 2020-50** to Award the Bid for Water Treatment Salt.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

- \*H. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve a **Resolution 2020-51** to Waive the Formal Bid Procedure and Award Service Contract to Layne Christensen Company for Emergency Repair to Well #13.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

- \*I. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve Budget Revisions for May, 2020.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- J. Motion by Ald. Turner and seconded by Ald. Bancroft to Approve Funds **Transfer Resolutions 2020-T2** Authorizing Budgeted Transfers in the Aggregate Amount of \$3,443,638.88 for Miscellaneous Transfers.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- \*K. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve a **Resolution 2020-52** Authorizing Reductions to the Budget of the City of St. Charles for the Fiscal Year Ending April 30, 2021.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- L. Motion by Ald. Bancroft and seconded by Ald. Vitek to approve an **Ordinance 2020-M-24** Confirming and Extending a Declared State of Emergency within the City of St. Charles Due to the COVID-19 Pandemic.

Turner – We talked about the stress about this situation before in regards to mental health, I understand the need before but I am not seeing the need now. Being in a constant state of emergency is not warranted and we are meeting on a more regular basis and if we need to reinstate this, I'll be in favor of that but for now, I think that we can show we are moving forward and that we are coming out of this sooner than later. I am going to vote against this, right now, because I don't think we need it at this time.

Payleitner – I agree 100% with everything Ald. Turner said, I take into consideration that there would possibly be an issue with any federal funding and that it could be in jeopardy without this order. In name, I think we need to extend this.

Turner – Is it correct, if we don't do this then we can lose funding?

Rogina – There has been no official funding of any kind coming to our door. As the Metro West Organization, trying to see some monies of the \$92 million that is sitting in the Kane County Board's control. There have been regular and on going discussion about another federal bill that is in the works to provide municipalities with funds. We think that anything that is sitting on the records, already, are there for reimbursement already. If there is any further emergency expenses between now and the future, we would be taking off the books at this point. There are several factors at this point but I want to clarify other questions we may have at this point.

Vitek – I'm concerned about the possible loss of funding and I feel that if we like it or not, we are still in a somewhat altered, not normal everyday, life. I understand Ald. Turner's comments but I don't want to see any delays to decisions that might be needed right away because of this. I'm not against this, I don't think that anything that's happened to this point under a state of emergency has been a negative impact to our residents. From my point of view, I'd rather it stay in place and have that protection for funding. Our businesses are still struggling and I think most cities are under an emergency order still so I wouldn't want to see anything happen because we removed our state of emergency.

Lemke – I think we should continue like this until we can have meetings, with all in attendance, before we remove this order.

Rogina – If I may make a few comments, we might be missing things that are not easy to see here, specifically I'll point to the 4<sup>th</sup> ward. There are several permits in the 4<sup>th</sup> that are 30 day permits, if the Governor were to, on June 26<sup>th</sup>, and declare that restaurants can open, it would be a decision by me, under emergency powers, or require the council to extend any permits that are currently out. For example, the closure of Walnut Street, partially of the bit lot, the tent on parking lots, my point is on the 26<sup>th</sup>, the governor might say these permits would end on that date. We don't meet again until the 29<sup>th</sup>, that weekend could be a lost weekend because all these permits would expire and be not in play. As the mayor, acting in emergency, did not extend them. Cutting to the quick, making other points, this is a very active council, I see that and appreciate that. I said before, I will keep everyone in the loop on everything going on and I will go back to the first re-opening plan that was thrust on us. We had the emergency power and there was desire to get together and talk about this but we had timing issues, we did meet before the order went in and we met and you all did a great job going through it. That is my point, there is no power grab here, I need to say that, I'm not making a power grab.

Turner – I wasn't implying that.

Rogina – I know that, I just wanted to make it clear, this is me trying my best to react to the governor. The legislator, if I may say, is asleep somewhere. They left and won't come back until November. The governor is working under emergency power, hats off to him that we are leading in case drops of COVID. You'll choose what you want here but I wanted to make those few comments.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: Turner  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- M. Motion by Ald. Turner and seconded by Ald. Payleitner to Approve a **Resolution 2020-53** for a Budget Addition for City Hall Façade Improvements.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- N. Motion by Ald. Turner and seconded by Ald. Payleitner to Approve a **Resolution 2020-54** Authorizing the Director of Public Works to Execute Change Order Nos. 1-5 for the City Hall Façade Improvement Project to Berglund Construction.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- O. Motion by Ald. Turner and seconded by Ald. Payleitner to approve a **Resolution 2020-55** Authorizing the Director of Public Works to Execute Change Order Nos. 1 and 2 for the City Hall Façade Improvement Project to Walker Consultants.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis  
NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE

MOTION CARRIED

- P. Discussion to Review Results and Feedback Received Regarding the Temporary Outdoor Dining Program Implemented on May 29, 2020.

Koenen discussed feedback received from establishments, patrons, local law enforcement, and the Kane County Health Board regarding the new rules and procedures in place for outdoor dining.



Chief Keegan discussed the feedback directly to the STCPD and said the calls received were people not wanting to wait in lines and that the rest of the feedback has been positive.

Bessner – Have there been any questions about the hours of operation from these establishments?

Keegan – There was some anxiety about the hours of operation being less than what many currently have in place, I think that it was a great compromise to do what was done, one has asked about extending hours and pointed to another community, but that was the only one.

Pietryla – I've been down there, and I have enjoyed it. I've seen nothing but compliance and these places are happy to meet the guidelines in place. I've had nothing but good experiences.

Vitek – I would only add that I would like to see this extended to at least Labor Day. People are happy and excited, Ald. Pietryla and I receive a lot of feedback and everyone is being diligent and careful.

Pietryla – we can talk about this later but there have been suggestions about this being an annual thing.

Rogina – This council is back on schedule to meet every two weeks. Nothing says that you cannot discuss this at the next meeting. This is your pleasure, extend this as it pertains to public property, and the permits that were granted as part of the original plan. You can extend that, now 1<sup>st</sup> street already has a 100 day permit already. The rest of the town is on a 30-day situation. At any time, this council can do what they want in respect to COVID related guidelines. I point this out as we go from meeting to meeting and developing these points.

Vitek – We have had good weather and giving the businesses the opportunity to prepare for that, is this something that a motion can handle? What would that look like, how would we go about that? Today? Do we need to give them notice?

Rogina – We anticipate the governor doing something with respect to indoor dining on the 26<sup>th</sup>. That might be 25%, 50%, or whatever I don't know.

Vitek – Then my comment is, for the people who are comfortable, some may not be comfortable going indoor, but they may appreciate the opportunity to patronize an establishment outdoor.

Rogina – I would only add to that, I think we can agree on this, if you go indoors at less than 100% and you give these businesses a chance to make extra money from something we wouldn't normally grant, the outdoor dining of some nature, you are helping the businesses, no question. This is a boost they need to help over the few months of lost revenues. This helps everyone.

Bancroft – I agree with everything and the overwhelming feedback I have received is make it permanent, it looks spectacular when you drive down 64 and see 1<sup>st</sup> Street and see the activity, it's phenomenal. The comments I hear are what can we do to make this a forever thing?



Turner – I agree with Todd, and if the business owners in the area are willing to accept this, I would agree and say it's working really well.

Payleitner – Outside of 1<sup>st</sup> Street, fabulous. I have been to a couple of establishments and I felt safe and they were going us of their way to make sure the boxes are checked. After we approved this, I went to the Plaza and it was great, exactly as the plan was laid out. I went this week and not so much. It was like tables and chairs were jammed into every nook and cranny they could get into. That is a concern to me, if when on our property, they need to abide by our rules. Is that what you say also? Walkways were totally covered with tables, no access to the parking garage, the elevator yes but not the garage. Za Za's is past their area.

Stellato – Rita, I disagree. I was there as well and it was wide open. I was there at 4 that afternoon.

Payleitner – Maybe it was a different day, but maybe as they perceive it as a busy day or not. I was there Friday.

Stellato – I was there 3 to 5 on Sunday and we walked through, say all the table spaces and it was wonderful. I don't know what you saw, but it was not the same as I saw on Sunday.

Payleitner – I took pictures and drew a diagram and if they improved it by Sunday, so be it. I have no issues otherwise. Just in fairness, these proprietors are not using and giving up their parking spaces, not giving up their sidewalks. These guys are getting it free, on us. I would think that, all the more, we need to make sure they are abiding by the approved diagrams.

Rogina – There may be other comments but I agree that we cannot allow any merchant to not play by the rules. I would toss out a couple of concepts here to make a point. 1-with respect to any owners who are not displaying the rules, they need to be called out. This is all of our responsibilities. With respect to rules and regulations, if you think there is a violation we ask the Department of Health to come check it out. I'm not afraid of that because the county department of health is the authority on COVID, not me, but we are way more knowledgeable now than ever before with the rules.

Payleitner – My issue wasn't the 6 foot, that was okay. There were some more crowded but that was more patrons pushing their chairs over. I'm just saying there weren't, Dan didn't see it on Sunday, I saw it on Friday and that wasn't the case, that's all I'm saying. That isn't the health department, that's code enforcement.

Silkaitis – Before we vote on anything, I think we should wait and see what the governor does first. Are we going to vote tonight on something?

Rogina – You're absolutely correct, Mark and I talked about this and we don't know and a curveball might be thrown by the governor, maybe he says we're taking all these rules off, who knows, he has that authority. What have you heard, nothing official but, in the way of scuttlebutt.

Koenen – What we are seeing in other states is that the governor has perhaps softened the approach, maybe going to a phase 4. Maybe saying in regards to local agencies have put in place for outdoor dining, when using public lands, or using adjacent private lands, they have turned that over to the local agencies to figure out to advance forward. I think that is because each one is doing it just a little differently than the other. Some are in mid permit issues, some are doing for the summer, some for 30 days or whatever the case might be. The other piece of that is the anticipated thought is that we will move to phase 4 at the end of the month, we are reading that in the press all the time. The thought is that we will be at 50% indoor dining. In regards to video gaming, they are opening at 50% of the machines as the end of the month. If you connect the dots, you might think they will do the same for indoor dining.

Vitek – To Ald. Payleitner's point, I think you're probably right in some instances. It becomes tricky because some of the comments are that if they knew that this would be a longer term event, they would be willing to invest in things, would be willing to invest in maybe a fence, not a chain, to separate things out. I think that would give more people a sense of comfort and people aren't hanging over a fence like they would a chain. For now, we are in a state of flux and it's kind of haphazard and some are doing the best they can for now. If we extend, I know not tonight, they might be comforted and willing to invest into this. I don't think we are ever going back to "normal normal", this is changing the world forever, but we could ask them to do some of these things permanently.

Payleitner – I agree, 100%, I love eating outside and would love to see it repeated and want to make sure our space is okay.

Koenen – Your comment about keeping the walkways free and clear, that is a requirement and part of the plan and that is what we need to practice and seems it was good on Sunday and maybe not as good on Friday, it was good when I saw it on Thursday, maybe we need to beef up our inspections a little more.

Stellato – I appreciate all the comments, I was there last Sunday and this past Sunday, the only time that any server has waited on my, since this started, with a face shield, was at Za Za's. The tables were far enough apart, the walkways were clear, I loved the fact that they delineated with some type of marking and if it becomes a fence, okay but I understand why they did that because of alcohol movement. Where we parked, in the garage, we walked in the walkway between Gia Mia, into and through the plaza and saw the 4 spots that were clearly delineated and chose Za Za's and sat there. While we were there, we saw someone from Florida that was back visiting in the area and with a friend and when they walked the plaza, they said 'oh, that's Gia Mia, that is that? My point is that we are getting people from outside our community here, I have no reason to want to stop, or halt the businesses from doing what they are doing. They are doing a great job of bring people in from outside and if we need to police it, to Rita's point, I get it, but I don't want to see us stop doing this because it is a success.

Lemke – I would support the idea that we allow the outdoor situation and communicate that so that they may improve the tents and fences. The other side is face masks by the staff, and the possibility the weather won't always be like tonight, as soon as the state allows indoor dining, I

would not say we discourage, but there will be days where it might be downright chilly and windy and God forbid, serious rain. Inside is a nice adjunct to an improved outdoor experience.

Lewis – How will we know if we have a COVID spike in St. Charles? Do we get those specific numbers? How will we know that?

Rogina – The total of positive cases are posted on the Kane County Health Department website and as of now we are at 254 cases, there about. You can watch carefully and see and track on a daily basis and they are updated in the press daily, the Daily Herald.

Lewis – I don't get the Daily Herald, I don't get that at home, I don't subscribe to that paper.

Rogina – The county website then is your best way, and if you want to call them and you want to identify yourself as a city council member, I think you can get the number any time you want.

Bancroft – It's on their website too.

Lewis – Is that something we will be keeping track of? Or you are keeping track of?

Rogina – We are in the position to be watching that daily, and let me say this without pointing to St. Charles but more tot the Tri-Cities and the western suburbs, the stats on hospital availability and so forth, it is just tremendous. I was on a phone call last night with Chicago's Mayor Lightfoot and in this area, as compared to Chicago, and Chicago is dropping as well, but the numbers there still beget some issues according to their health director. We are far beyond that in terms of positive numbers, at least at this point. I would be remised if I didn't say that a spike could happen, that is obvious and to your point.

Lewis – My other comment is that I agree with all the other comments and my one concern is that there is really no place in the plaza for anyone to just bring their own lunch and sit and eat. I know the other side of the plaza, but it is hot our there on a 93 degree day. There is not the shade or the ambiance and all the public seating has been taken up by the restaurants. I don't know if there is someway to carve out a little area that the public can still use, kids can still use when they get ice cream and sit in that plaza, there is just no place for them right now. That would be something I want to review.

Rogina – That comment is good and sincere and this is something this council will address in the short and long runs. This phenomenon has occurred because of COVID and so far, it has been a very positive phenomenon with respect to allowing businesses, not just in the plaza but in other spaces to work with restaurants and businesses. That said, this council will have to deal with the short term and how much you want to extend, to Ald. Vitek's point and Ald. Pietryla's point, about this summer. They are not lying to you, I have been hearing for people when down there, many people are saying in person or email about it. Thursday night, I wouldn't take a bite without people telling me how much they appreciated this happening. I think you're right Ald. Lewis, I look around and there are some people without masks on and they are hugging each other and that is a question that, more a philosophic question, but we aren't going to monitor every move people

make in public but the point is good, and if I may, I saw something in the Wall Street Journal today and I want to highlight a few parts. It talks about us, I say that as not the city council of St. Charles, but us. "Officials reacted to the public fears formalized what people had started to do on their own, and that led to an arbitrary enforcement measures which rubbed some people the wrong way", we know that "but it essentially evolved turning the public's revealed preferences into a policy" we created a policy, "most of the public agreed to, lock down for a while. The same thing is happening now around reopening, now only a small number of states met the criteria, Illinois being one, set forth by the White House and public health departments. But as summer approaches, American's got fed up with the isolation; they started to go out again, creating an informal new norm, which officials adapted policies to try to conform safely. They we had mass political protests making the process more complex. Mayors and governors have mostly followed the public's inclination." The last paragraph says it all, "Different places will confront different circumstances and follow different courses, and the public will need to tolerate that and to learn from the evidence it provides, such forbearance is a lot to ask but the first step to achieving it must be to see that" here is the word they use, "vigilant flexibility rather than merely the right set of rules with what the summer might require."

Lewis – I think my point was more about allowing the public seating in the plaza without having to go into the restaurants. The only thing we have now, is to purchase food from those restaurants to sit there. My point was can we carve out a little area somewhere so that people can sit on the benches or a little more room for the public, it is public property after all and the public should be able to use it without having to buy food from someplace.

Rogina – your point is well taken and noted, using public property and are we depriving others from that right to public property, that is where the essence to this whole conundrum. The governor coming out and allowing to extend into public property, other cities jumped on the bandwagon early, I got feedback that says please do that and use some public property and let us get out there and now we have this debate. It is a fair debate.

Vitek – I'd like to respond to one of Ald. Lewis's comments, not to get too deep into the weeds here but, exactly what you're saying is what the St. Charles Initiative Committee, that is working on 1<sup>st</sup> Street, is talking about. We were just out there last week and things like the sun and public seating, aside from dining, if or if not this would continue, all of that will come before the city council before it moves forward, but those are all things, great comments, that we have been talking about and I can tell you that the whole committee is concerned about those things.

Lewis – I think about the younger people, we want this to be open for everybody. Where would they be able to go and mingle? Thank you.

Rogina – Last comment, I was walking away from dinner the other night with my wife on Friday night and there was a tent and it was calm and all tables filled, spaced out, walking by and a woman in a party of 6 yells out to me "Mayor, thank you!" I said for what? She said for allowing outdoor dining. I said it was a group decision but let me ask you a question, "Are you in favor of using public property to allow businesses to use public property for the purpose of what you're experiencing?" Her husband jumped right in "absolutely!" Now that is one person, and I have no

idea that is not scientific at all, just as I was walking away. We have interesting challenges moving forward, and with that, any further comments?

Silkaitis – Can someone just go down there and bring their own lunch down there and eat on the street, not on their property, can someone actually do that and they cannot say no you have to move for a paying customer. I want to clarify that, Maureen made a good point, I hadn't thought about it.

Rogina – You go down with your sandwich we can sit on the street, and on the East side. She is correct, the west plaza is taken up by tables from the 4 restaurants.

Silkaitis – The plaza is still public so someone can still sit there.

Stellato – Ron, to your point, you cannot go into Za Za's unless you're a customer of Za Za's because of the alcohol concern. You just can't do that and why it has to be separated out.

Rogina – That is correct, that is an issue that was also brought up, some people have slipped away from the bullpen, let's say, and into the public area, that is a no, no. We can sight them for that and we have to make sure that all the establishment keep their drinks inside the premises.

Lemke – Those picnic tables out on first street, and maybe to the east part of the plaza are not specific to a business and obviously you don't take your drink out there.

Rogina – Correct.

## II. Committee Reports

### A. Government Operations

None

### B. Government Services

None

### C. Planning and Development

- \*1. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file Plan Commission Resolution No. 8-2020 A Resolution Recommending Approval of a Final Plat of Subdivision (Minor Subdivision) for 1734 Riverside Subdivision (City of St. Charles)

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

- \*2. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve an **Ordinance 2020-Z-13** Granting Approval of a Final Plat of Subdivision for 1734 Riverside Subdivision (1734 Riverside Ave.)

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

- \*3. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file Plan Commission Resolution No. 7-2020 A Resolution Recommending Approval of a Land Bank Parking Request for BEMA Inc., 3620 Ohio Ave. (Heitman Architects Inc.)

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

- \*4. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve an **Ordinance 2020-Z-14** Approving a Land Bank Parking Request for BEMA Inc., 3620 Ohio Ave.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

- \*5. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file Historic Commission Resolution No. 2-2020 A Resolution Recommending approval of a Façade Improvement Grant Application (316 Cedar St.)

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED



6. Motion by Ald. Payleitner and seconded by Ald. Pietryla to approve a **Resolution 2020-56** Authorizing the Mayor and City Council to Execute a Façade Improvement Agreement between the City of St. Charles and Lance & Karen Ramella/210 Cedar LLC (316 Cedar St.)

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner

NAY: Lewis

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

- \*7. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve a **Resolution 2020-57** Authorizing the Mayor and City Council to Execute a Commercial Corridor and Downtown Business Incentive Agreement between the City of St. Charles and Lance Ramella-Cedar LLC (316 Cedar Street)

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

- \*8. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve an **Ordinance 2020-M-25** amending the Commercial Corridor and Downtown Business Economic Incentive Program (Business Improvement Grant)

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek,  
Pietryla, Bessner, Lewis

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION CARRIED

### 13. Additional Items from Mayor, Council, Staff, or Citizens

Rogina – I provided you all with a document and a statement and I would like to read this into the record. Working with the staff, after the fact, on the demonstration/protest that we had at Lincoln Park, Saturday before last. I worked with Mark Koenen, Lisa Garhan and Jim Keegan and I didn't want to over react or say anything until we had a grip on what we experienced. What was the public's reaction? As I said, in the speech that day, listen very carefully, and I also believe we have an obligation to do some teaching in the community, not just me, but the entire city council. Using



that as a predicate, I would like to read the following statement into the record, it has also been provided to the press.

*As Mayor, I would like to provide the City Council and the community with a summary of the events surrounding the Black Lives Matter—St Charles demonstration.*

*Prior to the event, organizers of the Black Lives Matter—St. Charles approached the Chief of Police and me to discuss the format and agenda of a peaceful demonstration at noon on June 6 at Lincoln Park. The City did not sponsor the event but I was asked to be one of the speakers. I accepted. Meetings in preparation ensued; a program of speeches took place with representation from our young adults; a peaceful march was conducted from Lincoln Park to Route 25. The event lasted approximately two hours.*

*Peaceful dialogue has always existed in our community and because of the professionalism of the organizers and the St. Charles Police, another such example of this model became a reality.*

*Electronic dialogue by citizens and businesses with the Mayor, Police Chief and some Council Members took place before and has been ongoing after the demonstration. The Mayor and the Police Chief continue to engage citizens on an individual basis.*

*Much of the conversation has focused on police standards of conduct particularly as it relates to the use of force.*

*In order to seek a universal message to our residents, staff has constructed an entry on our City web page entitled the St. Charles Police Department's [Commitment to the Community](#). In it, the standards adopted by the Department in 1989 as an accredited agency by the Commission on Accreditation for Law Enforcement Agencies (CALEA) which are industry best practices, are outlined. It should be noted that transparency and outside scrutiny from a team of law enforcement assessors reviewing policy and day-to-day operations against the aforementioned best practices is Department policy.*

*Further, the Department in July of 2019 adopted Ten Shared Principles affirmed by the National Association of Colored People (NAACP) and the Illinois Association of Chiefs of Police. They are outlined as well.*

*The extended national conversation begets enumeration of some additional department caveats:*

- *Officers are trained in de-escalation techniques and many are certified in crisis intervention.*
- *A full-time social worker and 24-hour system in place to respond to crisis situations.*
- *Over half of the sworn officers started careers elsewhere and came to our city as experienced officers.*

- *There is a zero-tolerance approach toward racial profiling and have a policy against biased-based policing.*
- *Vehicle and pedestrian stops are sent to an outside entity that reviews enforcement from a gender, race and bias perspective.*
- *All use of force incidents are documented, reviewed, and investigated by our command team.*
- *There is a thorough complaint procedure in place.*
- *There is transparency in all of our activities via a yearly report. Such activities include education, prevention, and communication programs that create a strong partnership and engagement with young adults, special needs students and adults, disadvantaged students and adults, and our elderly population.*

*The Mayor and the Police Chief and his staff have doors that are open to a continued constructive dialogue. Our goal is to continue working to assure our community that the intolerable acts by police in other cities causing the genesis for the national conversation at hand have no place in our community and we will work with fellow government agencies to reinforce that message.*

*At the request of the City Council, a public discourse to provide individual or collective dialogue on any and all of these matters can be scheduled.*

Turner – I was at the protest, I think our police handled it amazingly well. There were a lot of outside agencies were there and they were way out of sight and never really at any point of anyone saying that there were a lot of police because there just wasn't. The crowd itself was very young, kids were there and I think that really shows a lot about the age of our city at the moment and they were very respectable but also had a point to make and one of them was a few kids on a wagon, am I going to have to live through this when I am an adult? I think that is the point we all need to take. This has been going on for a while and do you want to pass that on to the next generation? I'm in the older generation and I told one of the presenters, I was out demonstrating in the 60s and 70s but we failed. Nothing changed, it has really just passed the torch to these young people and I think they are calmer then we were back then, I think they are going to take a more calculated approach to it and I think that as the older people in the community, we need to support them. Thank you.

Rogina – Very well said, I might add. I was out there with you in the 60s and 70s at some of those protests, you might have been in New York, but we were there together. I don't think there is need for comment here tonight but I open the door and I thought that this body here has the right, or before the meeting, where we have a public discourse and opportunity with Chief Keegan can be

here, anyone you want, to discuss and reaction to what's happening and what we can do as a community in working with our fellow agencies about this.

**A. Executive Session**

- Personnel – 5 ILCS 120/2(c)(1)
- Pending Litigation – 5 ILCS 120/2(c)(11)
- 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)

- 14. Adjournment** motion by Ald. Bessner and seconded by Ald. Turner at 8:28pm  
VOICE VOTE: AYE – Unanimous, NAY – None, Absent – None, Abstain – None  
MOTION CARRIES

  
Tracey R. Conti, Deputy City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

  
Tracey R. Conti, Deputy City Clerk

