

**MINUTES**  
**SPECIAL ST. CHARLES CITY COUNCIL MEETING**  
**RAYMOND P. ROGINA, MAYOR**  
**THURSDAY, MAY 28, 2020 – 7:00 P.M.**  
**CITY COUNCIL CHAMBERS**  
**2 E. MAIN STREET**

**1. Call to Order**

The meeting was called to order by Mayor Rogina at 7:00 pm.

**2. Roll Call.**

**Present:** Ald. Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Vitek, Pietryla, Bessner, Lewis

**Absent:** None

**3. Invocation** by Ald. Payleitner

**4. Pledge of Allegiance**

**I. New Business**

Mark Koenen reviewed items IA and IB on the agenda. Item IA addresses the extension if a declared state of emergency within the City of St. Charles. The duration of the extension is until June 15, 2020 the date of our next City Council Meeting. Additionally, he explained the executive order that was put into effect regarding specific aspects of outdoor dining. Item IB details the outdoor dining program to be implemented on May 29, 2020.

A team was put together including the Police, Fire, Public Works, Community & Economic Development as well Jenna Sawicki and her team from the St. Charles Business Alliance. A program was put together with guidance on how to review the temporary applications for outdoor dining permits and to give the restaurateurs and bars the ability to navigate the rules.

Staff will explain how to best implement outdoor dining. Criteria was created that offers structure to evaluate applications, but also allows the City something to work with when evaluating requests.

After releasing the Outdoor Dining Program, feedback was received from the local establishments that they would like to see the hours extended. The reason given is so they don't miss out on business later in the evening, patrons stopping in after gatherings/events. Originally the hours were Sunday – Wednesday, 7:00 am – 9:00 pm, and Thursday – Saturday, 7:00 am – 10:00 pm. After some discussion the team conclude that the hours may be too restrictive and changed the hours to Sunday – Wednesday, 7:00 am - 10:00 pm, Thursday – Saturday, 7:00 am – 11:00 pm. The restaurant owners were still concerned with the hours and asked that it be extended even later. How flexible do we want to be with the hours for food and alcohol service?

Mayor Rogina said that the Governor's Order focuses on outdoor dining. The beverage, soft drinks or alcohol, became a supplement to that, and was the thought behind creating the 30-day temporary permit.

Mark Koenen indicated that the permit issued will be for 30 days, allowing us to walk before we run, and knowing that we have the opportunity to change the program after some experience. The struggle is that the Governor's order is for outdoor dining. Some other communities are open until midnight or later. Mark stated that he'd like to make sure we keep our reputation as a good entertainment venue for guests and residents of the community.

Ald. Payleitner asked if the places of business are looking to extend the hours to allow for extra turnover. Mark Koenen answered that he believes it would be for extra turnover and to make sure they are open for people who were out later.

Ald. Silkaitis indicated that he would like see what happens after two weeks. If it goes well it can be increased.

Ald. Turner asked if the various time that food service closes vs. the time when the business actually closes. Some serve up until 11pm, some until 10pm. Were the cut off times thought of? Mark answered that food service would have to go on throughout the outdoor dining duration.

Ald. Vitek said she's happy to see we're moving quickly to get businesses open. There are still limits on numbers, if someone wants to eat at 11pm and these establishments are typically open, grocery stores are open, as well as other establishments that sell food and beverage. Ald. Vitek said she's not opposed to a midnight close if the businesses are requesting. Ald. Vitek asked Chief Keegan if he has any concerns with keeping things open until 12:00pm, and if he doesn't then what is the concern? Police already know how to patrol businesses at those hours.

Chief Keegan explained that other some other communities have similar models. From a safety and policing perspective, a midnight closing could be policed, as long as food is offered concurrent with that. The Chief said he wouldn't advocate for later than a midnight close. Of the communities creating outdoor dining plans there has only been one at midnight. Grocery stores and liquor stores can sell until midnight. Late night permits should not be honored at this time. That's not the intent here. Officers are taxed and we will have to see how things go before making any recommendations.

Ald. Lewis verified the original proposed hours and said she's comfortable with the Sunday – Wednesday 10 pm close and Thursday - Saturday 11pm close.

Ald. Lemke said he agrees with the Chief that there is no reason for late night permits. If we were open until midnight we might see the restaurants setting an earlier last call time.

Ald. Stellato said that he would like to see how things go for a couple weeks with the midnight and 11pm close. It also means employment for a lot of people.

Ald. Bancroft said that he agrees about the late-night permits, but would keep the midnight timeframe. It demonstrates a commitment to the business community. It's important that we demonstrate that kind of leadership, and that we have faith in their ability to run their establishments.

Ald. Pietryla said that he is in favor with the midnight close and that the request should be honored.

Mayor Rogina confirmed with Ald. Bancroft and Ald. Stellato that they are in favor of a midnight weekend close. They both confirmed.

Ald. Turner asked Jenna Sawicki if there is any self-enforcement in the program, and if a restaurant did not follow the guidelines if she would notify them. Jenna answered that information has been sent out that is in line with the executive order. She said that they don't have the ability to self-enforce.

Chief Keegan said that police will be visiting each of the location to ensure that they understand the outdoor dining plan.

Ald. Silkaitis asked how enforcement will be handled by police. Chief Keegan said they will be going out and speaking with the establishments but there will be a clear line established to avoid abuse of the program.

Mayor Rogina added that if there are violations they could go to Liquor Commission. He said the Governor issued outside dining on May 20. This team has worked feverishly to ensure we can open tomorrow.

Ald. Lewis asked how people standing in line will be handled. The Mayor answered that the businesses will have to act responsibly, taking reservations, if not having proper lines separated for social distancing. The establishments are required to abide by the Governor's rules.

Mark Koenen asked about outdoor dining in private parking lots, and ADA parking. In the small lots ADA parking and outdoor dining cannot be achieved. The executive order states that only 50% of a parking lot can be used for outdoor dining. Staff recommends that for small parking lots (20 cars or less) set up for outdoor dining there is no parking and no need for ADA parking and no conflicts. The applications received have included their entire small parking lot for outdoor dining.

Mark Koenen said it was contemplated that people may want to close First Street for this purpose. One of the applications received was to close Walnut Ave. between Flagship and the Arcada in to the parking lot extending around the Flagship/Pollyanna building. As long as ADA issues are satisfied, I would recommend. Both police and Fire agree that services are not being compromised. Public works will set up barricades to protect people in the street.

Ald. Lewis said that she is concerned with eliminating all ADA parking and would like to see something worked out for that. Ald. Lemke suggested that the closest on street parking be temporarily marked for ADA parking. Chief Keegan agreed that could be done. The order will be amended to reflect that change.

Mark Koenen said that the applications have been tracked and that the owners are disappointed that there hasn't been more flexibility with granting permits. Mark checked with some other communities to see how they are dealing with their application process. It's reasonable that we would issue a conditional permit and would state in that conditional permit that there will be follow-up to include a paperwork documentation review, field inspection as necessary over the course of the next week. This allows facilities to open and gives us the opportunity to do a more complete review when time allows. There is one caveat, it has to do with outdoor dining locations on public property. The City of St. Charles has to be named as an additionally insured for anyone starting anything tomorrow.

Ald. Silkaitis agreed, no insurance, no permit.

Ald. Vitek asked if the establishments are going to be notified to take care of the insurance issue.

Rita T. indicated that there have been requests for the insurance information at the time of review.

Ald. Bessner indicated that he agrees with the midnight close on the weekend. He asked if the insurance is for outdoor facilities on public walkways. Mark Koenen answered that it's for dining on public property. It wouldn't apply to all restaurants. He asked if there is a way to establish last call time.

Mayor Rogina said that it seems the consensus is closing at 11pm Sunday – Wednesday, and midnight Thursday – Saturday. On the issue of parking the Council is comfortable with small lots being used in their entirety under the caveat that we allow on street ADA parking in the area. The Council is good on flexibility as long as proper insurance is in place.

The Mayor read the following emails into the record:

**Email No: 1**

Hello,

Before I begin, I'd like to thank you for your transparency throughout this unprecedented time. I appreciate and trust that our opinions are heard and reflected when making decisions about our lovely city.

I have been in favor of the shelter in place, personally. I recognize the hardships put on other community members, and many of our resourceful citizens have found ways to maintain their businesses while still adhering to safety guidelines meant to protect patrons and employees. I admire the fact that our sacrifice of convenience with shelter in place has made Illinois the only state to be fully prepared for the next phase.

Please don't undo the work the governor and all Illinois residents have done over these two and a half months. Let's please continue with the guidelines and precautions. I'd rather our city be safe than hasty. I would rather we are slower to open up, dipping our toes in the hypothetical pool than running to do a cannonball into the deep end.

We are now seeing news from states opening before us; "2 hairstylists with COVID-19 may have exposed 140 people at salon", etc. Notice the blame is phrased on the employee? We as a country are not protecting our employees from general ailments, much less the pandemic. Wouldn't it be more prudent to be hesitant to ensure the safety of our community, whose median age is higher than the state average?

I understand the city, as well as the residents, are on a trajectory to lose money, but life matters more. Ensuring the proper aid would be a valuable effort.

Please separate the desire of people that are bored or wanting to use others services for convenience from the members of the community that are truly struggling and unable to adapt to the "new normal". Can a local business afford bad PR from COVID exposure, or even worse, a death? Can the city of Saint Charles?

As elected officials and representatives of the public, I truly hope and trust that you will chose the right path in this difficult matter.

Thank you for your time.

Christina Keasler

## **Email No. 2**

Thank you kindly for taking the time to read my comments and concerns regarding the reopening of our city.

It is a source of pride to live in the only state in the union that is prepared to enter the next phase. Being that is the case, it should positively reinforce the reasons behind moving slowly, cautiously, and respectfully of all our citizens to open up. I'd rather continue this pace than be back to having to enforce the strictest of guidelines in a month or two.

The deep economic struggles so many have been affected by are not unnoticed. As a community we have to look at the whole, and that cannot be ignored. My fear, though, is that the dire economic disaster caused by more citizen death will be greater than what is presently the case. How can the economy recover if the citizens responsible for it are dead?

As the parent of a school aged, only child, I have seen the emotional drain on my daughter. She is struggling with anxiety and fear. She is frustrated she cannot see her friends and family - she hasn't had face to face contact with another child since March 13 when she attended her last day of kindergarten at school. I get the desire to return to normal. But the reality is, it's my responsibility as her parent to keep her safe, and opening the city with false hope is not going to keep anyone safe.

I do not envy your position to have to make such a difficult, unprecedented decision. It should not be political though, and should be based on the greater good for all our citizens - with special consideration for the elderly and vulnerable.

Thank you again for your time and attention.

Sincerely,  
Tracy Boezwinkle

**Email No. 3**

To whom it my concern,

Thank you for taking time to receive comments from city residents in consideration of reopening St Charles.

I am grateful to live in the only state that is prepared to enter the next phase of reopening. Moving slowly, cautiously, and respectfully of all our citizens should be top priority in opening our city. I would rather continue this careful pace than see a spike in cases leading back to enforcing the strictest guidelines.

It is my wish to see elected officials follow the science and move with caution in reopening St Charles.

We are all in this together and the more responsible we are with reopening the better it will be for everyone in the long term.

Thank you for your time and attention,

Valarie Foulk

Ald. Payleitner asked why we still need to be in a state of emergency. She indicated that she thinks it's time for the City Council to get back to work and partner with the Mayor to handle the COVID-19 response. Having regular meetings again.

Ald. Turner agreed with Ald. Payleitner, stating that there are going to be a lot of questions and the Council should be there, with a regular schedule, and available.

Ald. Bessner indicated that he would like to meet on a regular basis.

The Mayor said that the emergency powers enable him to work with staff to react, adjust and listen to expertise, then present something to Council. That's why we're meeting tonight.

Mark Koenen added that direct expenses and human resource expenses are being tracked as we go through COVID. The anticipation is that we will file an application for reimbursement. If we as a municipality don't maintain the state of emergency it weakens the argument for reimbursement later.

Ald. Payleitner said that all the guidelines being put in place are health related and the Health Department should be overseeing and enforcing the guidelines. Mayor Rogina agreed that they should be the local go to, but they don't have the manpower to monitor the entire county.

Ald. Payleitner asked if we could arrange for more garbage pickup. Mark Koenen said that it was being done by Community Restitution which has been suspended. Public Works crews will be dispatched to deal with this in the public areas, along the Riverwalk, and on First Street. Peter Suhr confirmed.

- A. Motion by Ald. Turner, second by Ald. Silkaitis to approve an Ordinance Confirming and Extending a Declared State of Emergency within the City of St. Charles due to the COVID-19 Pandemic (including Executive Order no. 3).

**With friendly amendments as part of the motion:**

1. Adjust hours to reflect Sunday – Wednesday, 7:00 am – 11:00 pm, and Thursday – Saturday, 7:00 am – 12:00 am.
2. Where small lots are being used for outdoor dining that ADA parking be relocated to on street parking temporarily.

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

NAY: NONE  
ABSENT: NONE  
ABSTAIN: NONE  
**MOTION CARRIED**

- B. Presentation of an overview of the Temporary Outdoor Dining Program.
- C. Presentation from the St. Charles Business Alliance Regarding Their "St. Charles Back to Business Plan".

Jenna Sawicki, Executive Director of the St. Charles Business alliance discussed the different things they have been doing to keep up with the needs of the local businesses during this national crisis.

1. Been in contact with hotels and businesses to help with setting up websites, social media webinars, sending out updates from local, State and Federal resources, providing information on best practices, etc.
2. Dedicated to staying up-to-date on the latest trends and information to help businesses quickly and effectively.
3. Take out Tuesday, Wellness Week, and gift card giveaways were very successful to support St. Charles businesses. They helped a retail shop build an online retail store that has over \$10,000 in revenue.

4. The Good News video series highlighted businesses and what they are doing such as donating food to local healthcare workers, raising funds for those impacted, keeping spirits up with music and much more to demonstrate the supportive and generous community we have in St. Charles.
5. The Alliance continues to send out monthly updates demonstrating their efforts, and collects feedback to see what changes need to be made.

A strong plan was presented in February that included the goals of the St. Charles Business Alliance. The plans have been changed to best fit the businesses, and what the consumer is now focused on.

The St. Charles Back to Business Plan highlights how the what has been changed to meet the needs of businesses in the community and keep the brand moving forward.

1. Promotional Videos- Business owners are the centerpiece of the videos with a cameo from our Mayor. There will be another series featuring “How It’s Made” showing a slowed down St. Charles Chef creating food.
2. Partnered with LA Productions and Effect Tv to have videos made and showcase that St. Charles is ready to serve the community. The commercials will be seen on any streaming service and will be on CNN, HDTV, NBC Sports, Food Channel, and more.
3. Plan to work with St. Charles ambassadors to strengthen our brand, and aligns with other trusted and influential brands.
4. Work will be done with online influencers to explore and showcase the community reaching new audiences.
5. Will have visitors follow their favorite influencers for a weekend in St. Charles with Catered Itineraries. This will go live next month. This can be done with social distancing in mind and can be altered when we enter phases with fewer restrictions.
6. Revamp of Restaurant Week and Restaurant Pick-up Week 2<sup>nd</sup> week in June.
7. Public Art and “Be You” letters are ready. The artist Matthew Hoffman has received a lot of exposure due to his work with Oprah Winfrey. This will bring visitors from all over to St. Charles. Partner with Chicago Today Show to showcase this and promote our new Art Show and Jazz Weekend.
8. We plan to push out a grant in partnership with the City help businesses reopen. The Reopen St. Charles Support Grant is intended to provide financial help to reopen businesses in St. Charles who have been closed or have seen significant reduction in revenue due to the pandemic. We have set aside \$150,000 to help our businesses. Each business can apply on a first come first serve basis and may receive up to \$5,000.



Ald. Payleitner said she's not hearing any collaboration with the Chamber, but is hearing a lot of duplicated efforts. She asked if the Alliance and the Chamber are working together or if there is overlap there?

Mayor Rogina answered that there has been a delineation of what each has done very effectively. The Chamber has reached out businesses about small business loans, PPE, and a variety of things that have come forth during the pandemic. The Alliance is more hands on with the marketing side of things. Both organizations have done a wonderful job, are working hand-in-hand, and have taken a burden off the City.

Ald. Vitek said that the Chamber was there for some businesses to set up their PPP loans, that's not the reason for the Alliance. The St. Charles Business Alliance promotes, markets, brands the City to make it a place that people want to visit. I see it all over social media, received comments from businesses on both fronts, from our City Staff, from what the Alliance does and what the Chamber is doing. Over the past 10 weeks it's been very impressive what all the entities are doing. Thanks for everything.

Jim DiCiaula, President of the Chamber of Commerce said that we are seeing what the delineation is with the marketing and promotion of the City vs. the Chamber work. There are a couple big initiatives at the Chamber, we've created a business and revival economic council, the group is available to all members through a help line. We were working on an initiative for Restaurant Week, reached out to Jenna learned that the initiative was happening and we avoided duplicating efforts. There are always opportunities to partner and make sure we make it more cohesive and will continue to do that.

Mayor Rogina stated that he has watched staff, the Alliance, and the Chamber rise to the occasion to do the best to put together a plan, several individuals, Rita Tungare, Chief Keegan, Mark Koenen, Jenna Sawicki, Jenn McMahan, Peter Suhr, Scott Swanson, Larry Gunderson, Chris Minick have all been there, discussing how to best put this forward and reflect what's being said about being careful in the process. He thanked everyone involved.

## **II. Committee Reports**

### **A. Government Operations**

None

### **B. Government Services**

None

### **C. Planning and Development**

None

### **5. Additional Items from Mayor, Council, Staff, or Citizens**

#### **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)

**6. Adjournment**

VOICE VOTE: AYE – Unanimous, NAY – None, Absent – None, Abstain – None  
MOTION CARRIES

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Charles Amenta, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

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Charles Amenta, City Clerk