

**MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL
HELD ON MONDAY, OCTOBER 3, 2016 – 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 Raymond Rogina at 7:01 P.M.

2. Roll Call.

Present: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Gaugel, Bessner, Lewis

Absent: None

3. Invocation by Rita Payleitner.

4. Pledge of Allegiance.

Presentation of the Colors by Boy Scout Troop 13.

5. Presentations

- Proclamation to Celebrate the 40th Anniversary of the Fox Valley Special Recreation Association.
- Proclamation to honor Malcolm Bremen Vincent Greenlee in his achievement of obtaining the rank of Eagle Scout – Troop 13.
- Presentation of Fire Department promotions of Jeremy Mauthe to Captain and Clifford Lo to Lieutenant.

6. Motion by Krieger, seconded by Gaugel to approve the Omnibus Vote.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED

***7. Motion by Krieger, seconded by Gaugel to accept and place on file minutes of the regular City Council meeting held September 19, 2016.**

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

***8. Motion by Krieger, seconded by Gaugel to approve and authorize issuance of vouchers from the Expenditure Approval List for the period of 8/29/2016 – 9/11/2016 in the amount of \$3,454,747.84 and the Expenditure Approval List for the period of 9/12/2016 – 9/25/2016 in the amount of \$5,626,175.71.**

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

I. New Business

- A. Motion by Lemke, seconded by Silkaitis to approve an **Ordinance 2016-M-40** Providing for the Issuance of not to Exceed \$7,600,000 Senior Lien Limited Sales Tax Revenue Refunding Bonds, Series 2016, of the City of St. Charles, Kane and DuPage Counties, Illinois, and Providing for the Execution of a Trust Indenture, a Bond Order and an Escrow Agreement in Connection Therewith and Authorizing the Sale of Said Bonds to Robert W. Baird & Co. Incorporated.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED

II. Committee Reports

A. Government Operations

1. Motion by Stellato, seconded by Turner to approve a Massage Establishment for Tapped in Massage & EFT to be located at 311 S 2nd Street, St. Charles.

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

NAY: Krieger ABSENT: 0

MOTION CARRIED

2. Motion by Stellato, seconded by Silkaitis to approve a new Class A-2 liquor license for CVS Pharmacy #10660 to be located at 1500 Lincoln Highway, St. Charles.

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

NAY: Krieger ABSENT: 0

MOTION CARRIED

3. Motion by Stellato, seconded by Payleitner to approve a new Class B-3 liquor license for Cooper's Hawk Winery & Restaurant to be located at 3710 E Main Street, St. Charles.

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

NAY: Krieger ABSENT: 0

MOTION CARRIED

4. Motion by Stellato, seconded by Turner to approve a new Class C1 liquor license for Global Craft Tap House also contingent upon providing a menu that will include serving pre-packaged sandwiches made and prepared in a microwave to be located at 2100 Prairie Street, St. Charles.

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

NAY: Krieger, Lewis ABSENT: 0

MOTION CARRIED

Mayor Rogina: Now I will go to Ald. Payleitner for a friendly amendment. When I say friendly amendment we do not need to vote twice, we'll just put this as part of the main motion.

Ald. Payleitner: I would like to add a friendly amendment to assure compliance with our ordinance that requires a menu. We talked about this at committee so that it would also include a menu and reflect our discussion and vote at committee.

Mayor Rogina: The motion would read: *Motion to approve a new Class C1 liquor license for Global Craft Tap House also contingent upon providing a menu that will include prepackage sandwiches made and prepared in a microwave to be located at 2100 Prairie Street, St. Charles.*

Ald. Stellato: I would agree with that friendly amendment as stated.

Mayor Rogina: Motion by Stellato, second by Turner on the main motion that includes a friendly amendment as stated above.

Ald. Gaugel: The applicant, if I remember correct, was providing a menu when he presented previously; so this is nothing new.

Ald. Payleitner: No he didn't provide a menu.

Ald. Gaugel: He didn't provide us one but he indicated he would have a menu.

Mayor Rogina: All this does is codify this.

Ald. Gaugel: So if he's fully aware and this is nothing new than what he already stated he was doing.

Ald. Lewis: I have a question on how this is going to work with these sandwiches that are made up; is there going to be a cooler they're kept in? Do I heat them up? I buy them out of the cooler? I was just wondering if that could be explained. It's like walking into a 7-Eleven getting a sandwich and heating up.

Mayor Rogina: The applicant is not present tonight, but to answer your question I think that our staff and particularly Building Code would go in there to see that everything was done in accordance to standards.

Ald. Lewis: I just don't know how that works and I'm surprised that he's not here.

Chief Keegan: We outsource of all our inspections out to the Kane County Health Department and they will look into such matters.

Ald. Lewis: We have a place close to 200 people with one microwave, I'm confused on how that's all going to play out. I wish he was here to answer some questions.

Mayor Rogina: He's not but I would only comment by saying that plenty of restaurants serve pre-package sandwiches here, there, and everywhere such as 7-Eleven.

Ald. Lewis: Yes but that's a convenience store and we go in and buy a sandwich, heat up in the one microwave they have there. I'm just feeling that we're hitting a detail here that you have to have a microwave; well how many microwaves? We don't state that.

Mayor Rogina: My comment to that would be is I think the staff, and the Chief has suggested it, that outsourcing to the Health Department is not going to allow for anything that's not going to be according to their rules.

Ald. Lewis: I agree with you that's not going to happen, but if we're talking about the intent of wanting him to be able to provide food for the people that are there; I'm thinking one microwave is probably not going to get the job done.

Mayor Rogina: I guess the rhetorical question I would ask is we approve the restaurants, Cooper's Hawk for example, we don't sit here and ask them a lot of specificity when we make a main motion as to the number of microwaves they're going to have or number of stoves they're going to have, etc.; we just assume it's going to be according to code and it's going to be according to proper standards – that's how I view the whole thing.

Ald. Lewis: Correct, this group was the one that put in that motion that he has to have a microwave. I did vote no on it last week but this group put it in that was what they wanted in there. Most people come forward with a whole plan that shows where their kitchen is and then that kitchen has a menu and shows us their menu. We see all that before we ever vote on it. I'm not seeing that.

Mayor Rogina: If this liquor license is approved tonight and the buildout takes place, I'm confident staff will oversee anything and everything that's proper and will call him on anything and everything that is improper. That's my view and I'm not voting on this unless I have to break a tie.

Ald. Payleitner: For clarification his license will be contingent on that.

Mayor Rogina: It says that in the main motion, "also contingent on". In order for him to serve liquor and as Liquor Commission, I rely upon Chief Keegan and staff to go in there, and if liquor is being served, it's contingent upon this provision that's made here.

Ald. Payleitner: Thank you.

- *5. Motion by Krieger, seconded by Gaugel to approve a 3-year contract for utility billing software application development and support services to Respect Technology, Inc. not-to-exceed cost of \$311,164.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

6. Motion by Stellato, seconded by Krieger to approve a **Resolution 2016-108** Authorizing the Mayor and the City Clerk of the city of St. Charles to Approve the Award of Ford F-150 XL 4x2 Pickup to Zimmerman Ford and Sell Replaced Vehicle #1982.

ROLL CALL VOTE: AYE: Stellato, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis

NAY: 0 ABSENT: 0

ABSTAIN: Silkaitis

MOTION CARRIED

- *7. Motion by Krieger, seconded by Gaugel to approve a **Resolution 2016-109** Authorizing the Mayor and City Clerk of the City of St. Charles Approve Purchase of 2016/2017 Treated Rock Salt From Compass Minerals through the State of Illinois Joint Purchasing Program.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *8. Motion by Krieger, seconded by Gaugel to approve and accept the minutes of the September 19, 2016 Government Operations Committee meeting.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

B. Government Services

- *1. Motion by Krieger, seconded by Gaugel to approve a **Resolution 2016-110** Authorizing the Mayor and City Clerk of the City of St. Charles to approve Subsidy to the Homeowners Sewer Assistance Policy for the Homeowners at 1231 South 10th Street.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *2. Motion by Krieger, seconded by Gaugel to approve a **Resolution 2016-111** Authorizing the Mayor and City Clerk of the City of St. Charles to execute an Intergovernmental Agreement with the Park District and River Corridor Foundation for the River Park Concept Study.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *3. Motion by Krieger, seconded by Gaugel to approve a **Resolution 2016-112** Authorizing the Mayor and City Clerk of the City of St. Charles to award Contract for Fiber Modeling Software to Schneider Electric.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *4. Motion by Krieger, seconded by Gaugel to approve a **Resolution 2016-113** Authorizing the Mayor and City Clerk of the City of St. Charles to award Agreement for Engineering Services for Sub-basin SC02 Flow Monitoring Study to Engineering Enterprises, Inc.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *5. Motion by Krieger, seconded by Gaugel to waive the Formal Bid Procedure and approve a **Resolution 2016-114** Authorizing the Mayor and City Clerk of the City of St. Charles to approve a Purchase Order to Xylem Water Solutions USA, Inc. for a Return Activated Sludge Pump.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *6. Motion by Krieger, seconded by Gaugel to approve a **Resolution 2016-115** Authorizing the Mayor and City Clerk of the City of St. Charles to award a Contract for Concept Engineering with WBK Engineering for the North 2nd Avenue and Delnor Avenue Improvement Project.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *7. Motion by Krieger, seconded by Gaugel to approve a **Resolution 2016-116** Authorizing the Mayor and City Clerk of the City of St. Charles to Abandon the Existing Utility Easement at 811 State Street.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *8. Motion by Krieger, seconded by Gaugel to approve a **Resolution 2016-117** Authorizing the Mayor and City Clerk of the City of St. Charles to approve a Permanent Utility Easement Agreement for 811 State Street with Susan M. and Kaile E. Judge.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *9. Motion by Krieger, seconded by Gaugel to approve An **Ordinance 2016-M-41** amending title 10 "Vehicles and Traffic", Section 10.40.010 "Parking Time Limits" of the St. Charles Municipal Code.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *10. Motion by Krieger, seconded by Gaugel to approve a **Resolution 2016-118** Authorizing the Mayor and City Clerk of the City of St. Charles to approve the Adoption of the Update Kane County Natural Hazards Mitigation Plan.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

C. Planning and Development

- *1. Motion by Krieger, seconded by Gaugel to accept and place on file minutes of the September 12, 2016 joint Planning & Development Committee and Plan Commission meeting.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *2. Motion by Krieger, seconded by Gaugel to accept and place on file minutes of the September 12, 2016 Planning & Development Committee meeting.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Krieger, Gaugel, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

9. No Executive Session

10. Additional Items from Mayor, Council, Staff, or Citizens

11. Adjournment

Motion by Gaugel, seconded by Turner, to adjourn meeting

VOICE VOTE UNANIMOUS MOTION CARRIED

Meeting adjourned at 7:13 P.M.

Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Nancy Garrison, City Clerk