

**MINUTES FOR THE MEETING OF THE ST. CHARLES CITY COUNCIL
HELD MONDAY, AUGUST 21, 2017 – 7:00 P.M.
IN THE 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 – Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Lewis
Absent – Bessner
3. **Invocation** by Ald. Payleitner
4. **Pledge of Allegiance** by Ald. Payleitner
5. **Presentations**
 - Swearing in of Officers Justin Bennett and Joshua Rowoldt to the City of St. Charles Police Department.
 - Presentation from Diana Brown the Chair of the Art in Public Places (AiPP) Task Force and Elizabeth Bellaver from the St. Charles Arts Council to discuss the AiPP Project.
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.
- *7. **Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file minutes of the regular City Council meeting held August 7, 2017.**
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Lewis
NAY: 0 ABSENT: Bessner MOTION CARRIED
- *8. **Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file the Treasurer’s Report for periods ending May 31, 2017, June 30, 2017, and July 31, 2017.**
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Lewis
NAY: 0 ABSENT: Bessner MOTION CARRIED
- *9. **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 7/17/2017 – 7/30/2017 the amount of \$1,898,867.53.**
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Lewis
NAY: 0 ABSENT: Bessner MOTION CARRIED

I. Old Business

- A. Recommendation from Chief Keegan to approve and extend the original dates for “Unwind Wednesday” via a temporary E-4 Liquor License September 6, 13, 20 and 27, 2017, as well as Saturday, September 16, 2017 as the “Half Way to St. Patrick’s Day”. Motion by Ald. Turner and seconded by Ald. Bancroft.

Shay Clark – 109 W. Main Street, St. Charles, IL Representing McNally’s

Mayor Rogina – I would like to start with the council, we’re in council mode here, not committee mode. The motion here is an amendment to the main motion that was passed, as the Chief indicated several months ago, so as far as procedure is concerned, that’s how we’re handling this. I’ll start with questions from the council.

Alderman Payleitner – Mr. Clark, you run a very tight ship. I’ve experienced this diligence personally. I have attended many, I didn’t realize that you had so many rainouts; maybe that’s why I didn’t go to those. The gentleman in charge of wristbands was stopping people with ginger ale. It was a lovely event. I was looking for violations and nothing! Just the opposite and I’d like to compliment you on that. I know back when, you requested all the extra dates and we talked about it being a possibility, if for example, rain days, that you might be wanting to add those dates. No issue whatsoever. My concern, thought, is with the added on “Half way to t. Patrick’s Day”, sounds like fun we have nothing on this event, am I right Chief Keegan? There isn’t anything in the packet about this; does this fall within the 90-day event window?

Clark – I was thinking of it being exactly & precisely the same as Wednesday.

Payleitner – That’s how it would be, the same?

Clark – Yes. The same hours and the same rate just on that day (Saturday).

Rogina – That’s why I suggested that this be an amendment to the main motion that you all passed. No rules are changed. Same exact rules, same exact times and the same exact procedures. This is to celebrate half way to St. Patrick’s Day as part of the process.

Payleitner – My only concern is the plaza neighbors, they are well aware of what goes on Wednesdays we haven’t heard anything negative from them.

Clark – They absolutely approve of this.

Payleitner – You’re run it by the other businesses that would be using the plaza that day and they have no issue with the Sunday or Saturday?

Clark – I originally asked the Chief about if the Sunday would be ok as it is the halfway day and in the mean time I asked if maybe Saturday would be an option and the reason for that is Guinness is bringing in a band from Ireland that they have offered for us, a traditional Irish band, that we could have Saturday, not Sunday. That’s why I asked for both.

Rogina – Help us out on this point. If someone makes a motion on the amendment, we're going to need clarity. We agree on the 4 Wednesdays in September, at least that is the published number and we're going to have to have the 16th or the 17th, one or the other. If the 16th is your pleasure that's the motion as opposed to what is printed now and that is the 17th. It's an amendment and this council can do whatever it well pleases but I am trying to apply proper rules.

Payleitner – All that to say, then there wouldn't be music on Sunday but there would be on Saturday?

Clark – No

Rogina – Any other questions?

Ald. Turner – Move for approval.

Ald. Lewis – I do.

Rogina – We can still comment. If I may, are you moving for approval for the 16th?

Turner – Yes.

Ald. Bancroft – I second that motion.

Rogina – Seconded by Bancroft It's been moved and seconded, now further conversations.

Lewis – I don't have a problem with the 4. It's a sad story that you were rained out so many times. I think that we all feel that way.

Clark – These new 4 could become 2 just as easily also.

Lewis – I know, that was my request though the downtown partnership that I was more than willing to approve 4 but you know my fellow councilmen are ok with the 4, I'm ok with the 4. I did have some concerns with this Saturday night and I was wondering if we could make those into two separate motions.

Rogina – The motion on the floor here, now, the main motion is to approve as printed with the adjustment of the 16th. What's in order here, you can amend the main motion in any way you desire.

Lewis – Like Ald. Payleitner said, we didn't get any information on it (1/2 way to St. Patrick's Day addition). It's not just in addition to, just an extension of. It's another night. It's a Saturday night. We're heading into a different avenue and there will be other Saturday nights and other Sunday afternoons that will be coming and it's a public plaza. To me it's like a public sidewalk or a public street that people will want us to close down. There is a policy, a 90 application, this is not a part of your application in the original, I didn't see the date on it. As I scroll down, there is no September 16th or 17th that appears on this application. So we, in my mind, have to get our policy how we want to move forward with doing these things. I know we do it case by case, and I

am not sure that this is the most appropriate way. I would like to vote yes for the 4, I am not comfortable with voting yes for the Saturday. Is your music outside or inside?

Clark – It would be outside, exactly where the music takes place now.

Lewis – So now we need an application for sound, right? An application for amplification also?

Keegan – If I may, with this being continuation from his previous application, we entered it under “Old Business” with the thought that he had initially asked for the September dates for rain and this is the same except for that 5th date on Saturday.

Lewis – He doesn’t have the application for the Downtown Partnership, has the application for the amplification.

Keegan – I think that is all part of the same package. When he came in through special events and applied for his “Un-Wind Wednesday’s” the entire process was open, not only the plaza but the music and the timing from 5:00 – 8:30 we thought that continuing forward we would consider some of the dates because they others were washed out.

Rogina – Maureen, if I may, the way I interpreted it and looking through Robert’s Rules, was that the Chief said basically the Council here is addressing their own particular motion that was passed back in June or May, whenever that dates was. Now, the motion here is to amend that and the package is exactly the same, there is no adjustment. I suppose, at the end of the day, someone could dig deeper into Robert’s Rules and say ‘well, are we violating our own policy?’ I don’t believe we are in this case because of the exactness and the exactness of the number of make up dates and exactly what he wants to do does not violate the spirit of that but is simply an amendment to the main motion.

Lewis – I know we’re talking about the ‘spirit of things’ but I do have concerns with the amplification.

Rogina – What I’d ask is, do you want to amend the main motion or not?

Lewis – Yes, I’d like to amend the motion.

Rogina – To do what?

Lewis – To put it into two separates. The 4 Wednesdays and the Saturday.

Rogina – Alright, so the amendment here to the main motion, and we vote on the amendment first, is simply to split the question, that’s all. To split the question and have two separate votes. Do you have a second on that? Motion dies for a lack of a second.

Payleitner – I’ll second.

Rogina – Any further conversation on Maureen’s amendment? To Make it clear again, the amendment is simply to split the question, that’s all, nothing more. We would go through two separate motions.

C. Planning and Development

- *1. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Resolution 2017-113** Authorizing the Mayor and City Clerk of the City of St. Charles to Execute a Four Season Corridor Improvement Agreement between the City of St. Charles and Dove Thiselton (228 W. Main St. – Ghoulish Mortals & As Cute As It Gets Photography Studio).
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Lewis
NAY: 0 ABSENT: Bessner MOTION CARRIED
- *2. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept the proposed Monotony Code standards for Anthem Heights Subdivision.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Lewis
NAY: 0 ABSENT: Bessner MOTION CARRIED
- *3. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file Plan Commission Resolution 14-2017 A Resolution recommending approval of a Final Plat of Subdivision for BMO Harris Bank Subdivision.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Lewis
NAY: 0 ABSENT: Bessner MOTION CARRIED
- *4. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve an **Ordinance 2017-Z-16** Granting Approval of a Final Plat of Subdivision for BMO Harris Bank Subdivision.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Lewis
NAY: 0 ABSENT: Bessner MOTION CARRIED
- *5. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file Plan Commission Resolution **12-2017** A Resolution Recommending Approval of a Special Use to amend Ordinance 2008-Z-18 (Corporate Reserve PUD), PUD Preliminary Plan and Final Plat of Subdivision for Everbrook Academy, Corporate Reserve Lot 2 (St. Charles, IL (NEC Main and Corporate Reserve) LLC & Pinewood Capital LLC)
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Lewis
NAY: 0 ABSENT: Bessner MOTION CARRIED
- *6. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve an **Ordinance 2017-Z-17** Amending Ordinance No. 2008-Z-18 (Corporate Reserve of St. Charles PUD) and Granting Approval of a PUD Preliminary Plan and Final Plat of Subdivision for Corporate Reserve Lot 2 (Everbrook Academy).
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Lewis
NAY: 0 ABSENT: Bessner MOTION CARRIED

- *7. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file Plan Commission Resolution **13-2017** A Resolution Recommending Approval of a Special Use for a Homeless Shelter for Lazarus House, 214 Walnut St.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Lewis
NAY: 0 ABSENT: Bessner MOTION CARRIED
- *8. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Ordinance 2017-Z-18** Granting Approval of Special Use for a Homeless Shelter for Lazarus House, 214 Walnut St.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Lewis
NAY: 0 ABSENT: Bessner MOTION CARRIED

D. Executive Session - NONE

- 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)

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

10. Adjournment

Motion by Ald. Turner and seconded by Ald. Gaugel at 7:40

VOICE VOTE: AYE-UNANIMOUS ABSENT: Bessner MOTION CARRIED

Charles Amenta, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Charles Amenta, City Clerk