

MINUTES FOR THE ST. CHARLES CITY COUNCIL MEETING
RAYMOND P. ROGINA, MAYOR
TUESDAY, FEBRUARY 16, 2021 – 7:00 P.M.
CITY COUNCIL CHAMBERS
2 E. MAIN STREET

1. **Call to Order** by Mayor Rogina at 7pm
2. **Roll Call**
Present – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis
Absent – None
3. **Invocation** by Ald. Payleitner
4. **Pledge of Allegiance.**
5. **Presentations**
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 February 1, 2021.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – None
Absent –None
- *8. 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 1/11/2021 – 1/24/2021 in the amount of \$4,773,250.09.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – None
Absent –None
- *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 1/25/2021 – 2/7/2021 in the amount of \$3,346,607.35.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – None
Absent –None

I. New Business

- A.** Motion by Ald. Silkaitis and seconded by Ald. Gruber to approve an **Ordinance 2021-M-9** Confirming and Extending a Declared State of Emergency within the City of St. Charles Due to the COVID-19 Pandemic until the next regularly scheduled City Council Meeting, March 1, 2021.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – None
Absent –None

- B.** Minick – The city has long worked together with the local taxing bodies, sharing the responsibilities for property tax assessment challenges. We entered into an intergovernmental agreement (IGA) in 2008 with conditions regarding challenges and the methods to share the costs. This was amended in 2019 and changed the threshold from \$333,000 to \$100,000 or EAV. The school district has responsibility to coordinate the defense and appeal of this exercise and bill the costs to the taxing district, based on the proportional tax rates. In 2019, Kane County withdrew from the IGA process. The city council adopted the amended agreement in November of 2019, removing Kane County from this process. We received notification that Elgin Community College (ECC) wishes to withdraw from this IGA, there is an amended IGA in the packet tonight with that reflection of withdrawal from this IGA. The rest of the terms of this IGA are unchanged and staff recommends approval of this amended IGA.

Payleitner – With these two taxing groups removed, does that mean they don't get involved in the mix of the division of cost?

Minick – That is correct, they do not participate in the cost of the defense of the appeal.

Lemke – Does that mean the remaining taxing parties share proportionally in the revised portions?

Minick – Yes, our cost would increase from 10.7% up to 11.44%, this would be our new share of the costs to defend.

Pietryla – Did ECC offer any reasons or insight as to why they wish to withdraw?

Minick – I don't have that, they didn't give a reason specifically but I would suspect, this is all my speculation now, that their taxable base is so large, as they are covering such a large area geographically, that they may not deem it worth the time and cost to have an agreement like

this. These types of assessment agreements may not matter a lot to them, again, if I had to guess. This is purely my speculation.

Silkaitis – If they are not participating, that means that if we have success in the defense, they would benefit without paying for that defense?

Minick - Yes

Motion by Ald. Lemke and seconded by Ald. Payleitner to approve an Amendment to an Intergovernmental Agreement Between Certain Taxing Districts located in St. Charles Township Regarding Property Tax Evaluation Appeals.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis

Opposed – None

Abstain – None

Absent –None

- C. Motion by Ald. Payleitner and seconded by Ald. Vitek to approve a proposal for a 2 a.m. Late Night permit for Ed’s Basement, located at 219 W. Main St., St. Charles.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis

Opposed – None

Abstain – None

Absent –None

II. Committee Reports

A. Government Operations

- *1. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file minutes from the February 1, 2021 Government Operations Committee meeting.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis

Opposed – None

Abstain – None

Absent –None

B. Government Services

- *1. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve and place on file the minutes of the January 25, 2021 Government Services Committee meeting.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis

Opposed – None

Abstain – None

Absent –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. 1-2021 A Resolution Recommending Approval of a Special Use to amend Ordinance 1982-Z-6 (St. Charles Commercial Center PUD), 93 Octane Brewery, 1825 Lincoln Hwy., St. Charles Commercial Center PUD (CIMA Developers, LP)

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis

Opposed – None

Abstain – None

Absent –None

- *2. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve an **Ordinance 2021-Z-2** Amending Ordinance No. 1982-Z-6 (St. Charles Commercial Center PUD) to allow 10 ft. interior side yard setback for 93 Octane Brewery, 1825 Lincoln Hwy.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis

Opposed – None

Abstain – None

Absent –None

- *3. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file Plan Commission Resolution No. 2-2021 A Resolution Recommending Approval of a Special Use for PUD and PUD Preliminary Plan for McGrath Business Center (4075 E. Main St.)

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis

Opposed – None

Abstain – None

Absent –None

- *4. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve An **Ordinance 2021-Z-3** Granting Approval a Special Use for Planned Unit Development and PUD Preliminary Plan for McGrath Business Center.

In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis

Opposed – None

Abstain – None

Absent –None

10. 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)

- 11. Adjournment** motion by Ald. Lemke and seconded by Ald. Pietryla at 7:13 PM
In Favor – Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Gruber, Vitek, Pietryla, Bessner, Lewis
Opposed – None
Abstain – None
Absent – Non

Charles Amenta, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Charles Amenta, City Clerk

ADA Compliance

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the ADA Coordinator, Jennifer McMahon, at least 48 hours in advance of the scheduled meeting. The ADA Coordinator can be reached in person at 2 East Main Street, St. Charles, IL, via telephone at (630) 377 4446 or 800 526 0844 (TDD), or via e-mail at jmcmahon@stcharlesil.gov. Every effort will be made to allow for meeting participation. Notices of this meeting were posted consistent with the requirements of 5 ILCS 120/1 et seq. (Open Meetings Act).