

**MINUTES FOR THE MEETING OF THE ST. CHARLES CITY COUNCIL
MONDAY JUNE 4, 2018 – 7:00 P.M.
CITY COUNCIL CHAMBER, CITY OF ST. CHARLES
2 E. MAIN STREET, ST. CHARLES, IL 60174
CITY COUNCIL CHAMBERS**

1. **Call to Order** by mayor Rogina at 7pm
2. **Roll Call**
Present – Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Vitek, Bessner, Lewis
Absent – None
3. **Invocation** by Ald. Payleitner
4. **Pledge of Allegiance** by Ald. Vitek

Mayor Rogina – Respectfully, I’m going to ask that we suspend the rules tonight and while the agenda shows several presentations, I’m going to ask council, if they have any objections, to proceed with the Omnibus vote, first of all if Ald. Stellato would move the vote.

Ald. Stellato – Thank you your Honor. I’d like to make the motion to approve the Omnibus items after removing items C – 1 through 5, and items B 15 through 17 off of the Omnibus Vote.

Ald. Silkaitis – I second the motion.

Mayor Rogina – The Omnibus has been moved and seconded with the amendments. Is there further conversation? City Clerk Amenta, please call the vote.

5. **Presentations**
 - Introduction of the Residential Developer, Lennar Corporation/LMC for Charlestowne Mall.
 - Presentation from Fire Chief Joe Schelstreet of the City of St. Charles Citizens Award to James Baratta.
 - Presentation of a Proclamation to the St. Patrick’s Robotics team (The Professor Tsunami Bots Waterlogged) in Recognition of their Illinois State Championship
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 Stellato and seconded by Silkaitis to accept and place on file minutes of the regular City Council meeting held on May 21, 2018.

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

NAY: 0
ABSENT: None
ABSTAIN: 0

MOTION CARRIED

- *8.** Motion by Stellato and seconded by Silkaitis to approve and authorize issuance of vouchers from the Expenditure Approval List for the period of 5/7/2018 – 5/20/2018 the amount of \$6,236,474.31.

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

NAY: 0
ABSENT: None
ABSTAIN: 0

MOTION CARRIED

I. New Business

- A.** Motion by Ald. Turner and seconded by Ald. Lemke to Approve the Historic Walking Tour of Downtown St. Charles as Presented by the Downtown St. Charles Partnership and the St. Charles History Museum.

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

NAY: 0
ABSENT: None
ABSTAIN:

MOTION CARRIED

- B.** Motion by Ald. Stellato and seconded by Ald. Silkaitis for the recommendation for the Partial Release of Executive Session Minutes from the Government Operations Committee and Government Services Committee.

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

NAY: 0
ABSENT: None
ABSTAIN:

MOTION CARRIED

II. Committee Reports

A. Government Operations

- *1. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve a Proposal for a New Class E-Temporary Liquor License for a Special Event, a Random Acts Matter Fundraiser, to be held in Mt. St. Mary's Park.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *2. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve a Proposal for a New Class E-Temporary Liquor License for a Special Event, "Sunset Cider Stroll" to be held Downtown St. Charles and Mt. St. Mary's Park.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *3. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Ordinance** 2018-M-20 Amending Title 5, Entitled "Business Licenses and Regulations" Chapter 5.08, "Alcoholic Beverages", 5.08.090, "License - Classifications" of the St. Charles Municipal Code.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

4. Motion by Ald. Bancroft and seconded by Ald. Turner to approve **Ordinance** 2018-M-21 Amending Title 5, Entitled "Business Licenses and Regulations", Chapter 5.08, "Alcoholic Beverages", 5.08.150, "License – Cessation of Business – Revocation of Licenses – Reduction in Licenses" of the St. Charles Municipal Code.

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

NAY: Silkaitis, Payleitner, Lewis

ABSENT: None

ABSTAIN:

MOTION CARRIED

- *5. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve a Proposal for a New Class E-8 Liquor License for the St. Charles History Museum, located at 215 E Main Street, St. Charles.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *6. Recommendation by Ald. Stellato and seconded by Ald. Silkaitis to approve **Ordinance** 2018-M-22 Ascertainning Prevailing Wages in the City of St. Charles for Kane and DuPage Counties.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *7. Recommendation by Ald. Stellato and seconded by Ald. Silkaitis to Appoint Assurance Agency as the City's Risk Insurance Consultant and Broker at a Cost of \$32,500 Annually for the Five Annual Renewal Periods Beginning December 1, 2018

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *8. Recommendation by Ald. Stellato and seconded by Ald. Silkaitis to approve Funds Transfer Resolutions Authorizing Budgeted Transfers in the Aggregate Amount of \$2,652,427.73 for Miscellaneous Transfers.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *9. Motion by Ald. Stellato and seconded by Ald. Silkaitis to accept and place on file minutes from the Government Operations Committee Meeting held on May 21, 2018.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

B. Government Services

- *1. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Ordinance** 2018-M-23 Amending Title 9 “Public Peace, Morals and Welfare”, Chapter 9.04 “False Alarms”, Section 9.04.020 “Conditions for Connection to the City Remote Activating Equipment”; Chapter 9.05 “Intrusion Alarm Systems”, Section 9.05.110 “False Alarms – Fines – Notifications”; Chapter 9.08 “Assault, Battery”; Chapter 9.14 “Fraudulent Schemes”, Section 9.14.010 “Fraudulent Schemes”; Chapter 9.21 “Loitering”, Section 9.21.010 “Loitering”; Chapter 9.24 “Noise”; Section 9.24.120 “Noise-generating Activity Prohibited – Penalty”; Chapter 9.28 “Begging”, Section 9.28.010 “Begging”; Chapter 9.44 “Trespass”, Section 9.44.040 “Trespass to Public Property”; Chapter 9.49 “Synthetic Alternative Drugs”, Sections 9.49.045 “Use, Sale, or Delivery of Intoxicating Compounds” and 9.49.050 “Penalty”; Chapter 9.50 “Public Sale of Drug Paraphernalia”, Section 9.50.030 “Violation – Penalty”; and Chapter 9.52 “Curfew”, Section 9.52.050 “Violation-Penalty” of the St. Charles Municipal Code.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *2. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Ordinance** 2018-M-24 Amending Title 8 “Health and Safety”, by adding Chapter 8.06 “City/Public Owned Boat Launch”, Section 8.06.010 “Restrictions”, Section 8.06.020 “Exemptions”, and Section 8.06.030 “Violation – Penalty”.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *3. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Ordinance** 2018-M-25 Amending Title 5 “Business Licenses and Regulations”, Chapter 5.28 “Peddlers”; Chapter 5.36 “Solicitors”, Section 5.36.020 “Charitable Solicitation; Registration”, Section 5.36.030 “Commercial Solicitation/Peddling; Registration”, Section 5.36.040 “Registration Fee”, Section 5.36.100 “Additional Regulations for Charitable Solicitations”, Section 5.36.120 “Violation-Penalty” of the St. Charles Municipal Code.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *4. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve a Street Closure for Baker Memorial Church Car Wash to be held on June 16, 2018.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *5. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Resolution** 2018-62 Authorizing the Mayor and City Clerk of the City of St. Charles to Waive the Formal Bid Procedure for Bid Package #2 and Bid Package #3 for the Police Station Project.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

7. Motion by Ald. Payleitner and seconded by Ald. Vitek to approve **Resolution** 2018-63 Authorizing the Mayor and City Clerk of the City of St. Charles to execute a Contract with Lakeshore Recycling Systems for Refuse and Recycling.

Ald. Stellato – I'm looking to my fellow council members and asking everyone to take a deep breath. This process, for me is new and I've been on this council for 23 years. We have switched waste haulers before and I will tell you that when we have in the past, I don't think anyone has ever shown up. Some of you have been here with me, I'm just going with my experience. I do want to talk about one issue here though and it has nothing to do with anything the staff did. Staff did exactly what they were supposed to do. They presented and vetted the process and they presented the best deal, kudos to the staff for a job well done. Last Tuesday night, at the Government Services Committee Meeting, we had over 24 items on the agenda plus one presentation and Ald. Payleitner, as Chairwoman of the committee, great job running that meeting that long and keeping it moving, it is a difficult time. I will tell you that that happened in the process is that we just didn't have enough time, in my mind to vet, what I think what we're in charge with and that is the public process. The staff did their job, Chairwoman Payleitner of course did her job and did it better than anyone else could have. We still have yet to vet the public process and that's our process, that's what we control and what we are part of. I will tell you that when this process started, I never imagined that we would have this many phone calls and emails and people visiting and talking about it. Yet, look what's happened. There is a lot of support here for Advanced Disposal. It's not just Advanced, it's the process itself. So, I want to point out, a lot of you know me, know what's happened in my neighborhood and I want to point out a special member of the school board with us tonight who was actually on our side in our neighborhood and voted with us, thank you. Once again, one of the complaints I received from people in the neighborhood was that the

discussions with the schools, they didn't have a chance to be listened to, speak and were limited when they were allowed to speak, and the felt the public process was flawed. The process that that school board, and a lot of school boards have set up, they only allow so many minutes to talk. In the process of talking to all my neighbors, if you remember there was a Facebook page that had 800 people involved, I talked to a lot of them and said that I was proud of the fact that at City Council, St. Charles, in these chambers, 23 years on the council, 6 years on the planning commission before that. We let everyone talk, we listen to everybody, and we let the public participate. The way this process has worked is that staff did their job and they have been working on it for 5 or 6 months and we've known about it a little in advance, but we haven't let the public really enter this discussion. One of my comments the other night was "are you sure you want to do this after one meeting? Only allowing maybe 10-15 minutes for input, we have the right as a council, we have the power, and authority and the responsibility to be responsible leaders, we can pull this back, we can take a deep breath and we can buy some time to vet this process in the public setting. That is the part I'm worried about. It's not so much about the decision, the decision to close the school in our neighborhood, everyone knew people were going to be unhappy with that, and that's the deal. The decision is the decision, it's how you get to that decision that worried me then and worries me now. I'm laying it out there for those of you, that's my concern. Nothing against the other companies that bid, I'm sure everyone was qualified, there could have been another group we were talking about today, it could have been Advanced. It doesn't matter, but when I get this push back, emails, calls, visits, people bringing it up over dinner, that concerns me a little bit that we didn't listen enough. That's nothing to do with anyone there, that's us, the public process. We do have the opportunity to re-do this, take a chance to blow it up and start over again but I don't think tonight we should vote to approve this without going through that public process.

Ald. Payleitner – I hear Ald. Stellato, and I appreciate his vast experience and his knowledge and I too was part of the school process. Learning from that experience, I received a lot emails and phone calls and until I had to leave for this meeting, I take pride that I answered every email. Everyone wasn't a canned answer, and some there was back and forth on. I apologize, there is one that I still have to do and I have 2 phone calls to return. Unlike my school board experience, I only heard from one. I want to say that everybody who reached out to me, save for those three, I responded. Secondly, When I add it all up, and those in my ward who voiced an opinion and asked questions. It was roughly about 1% of the households in my ward. I'm not sure, and in my experience, I'm not sure that is an overwhelming response in the pro for Advanced, I would qualify in advance. I also had responses for Lakeshore and I just want to defend that, and if I could just take one second more, to defend comments at the meeting I chaired last Tuesday, because I knew the hour was late and we had a lengthy agenda. I wanted to make sure, it wasn't how many people we heard from as much as what we heard. No one was timed, anyone who I did ask, as was protocol here, this isn't the first time we have restricted comments, that if someone has something new to offer, for sure they would get priority and we'd want to hear from them. Just as a courtesy to my colleagues up here, and to everyone else, staff, residents, whomever, I want to make sure that there was enough time and as the hour approached 10 pm, that was the latest I've ever been here for a meeting in 7 years. I just want to defend that and this is why I did that as a courtesy and following protocol in the past.

Ald. Gaugel – I couldn't agree more with you Dan (Stellato) in terms of vetting the public process. I was also involved with the school discussion from the Lincoln school side and as your experience was and also Rita's, I only received one response from any school board members as well. The question I have for you Ald. Stellato is, are normal process is we vet at a committee meeting, and then we vote at the council meeting on what ever motion is passed. I know you said that this one was fairly unique in

that standpoint, but what I'm missing is how is this unique? Because this same process has flowed through.

Ald. Stellato – I think that what I see in the process is when we vet even a roadway improvement, typically that's done-staff makes a recommendation, we get the lowest bid, we might put notice out, we might not, but typically no body shows up and we don't receive any push back. It affects a small section of the community. In this case, the process and watching us go through this, the light was shinned on me that this impacts every single household, every week for the next 5 years. Not only did we not have enough time to discuss the actual vendor, then we had the second option that was confusing about how many bags, should we use toters, we had a lot of input from that. We didn't really spend a lot of time listening to everyone talk. I had a few people call me and say, what are we doing with that? And I was confused myself. I know we are kind of keeping everything fairly status quo but I think that because it impacts every single household and it will, every week we will be judged by how we're doing. Whoever does it will be, I'm not saying anything bad about Lakeshore or Advanced but there is nothing here about the alternative. I'm just talking about what we have now and it works and the comments I've heard is if it isn't broken, don't fix it. So, because of the push back, if we would have had a roadway done and we had one a few years ago where we did 13th Ave and we only improved half the driveway that we cut up as opposed to going all the way to the sidewalk, Ron remembers, everybody called on that street and they all showed up at a meeting because of that we changed our policy. Now when we do a driveway on a roadway, we go all the way to the sidewalk and the folks take it up to their garage. It's basing on public input, public feedback, and so when I saw what happened here and how much activity happened I thought that this was a little different than before. Does that answer your question?

Ald. Lewis – Dan you said it very eloquently, I think your reasons for moving forward or not moving forward at this point. I'm in agreement with you as I was last week. We were the two voters that thought that we should take some time. I've been on this council 7 years and haven't seen anything quite like this. The comments and phone calls are very thoughtful, they're not angry calls. They are people who are a little confused and maybe not understanding what is happening and why it's happening. They are willing to pay more money, even with the original bid, whatever that-We're not even going to get into the other two bids. I agree with that, we don't need to look at those. Even the original bid is lower than what we're paying now with Advanced. They are willing to do that. I talked to a woman this afternoon, she's on dialysis, She said the service she gets from Advanced when they come to her house, She's a widow, she has in home dialysis, she can't get out and the service Advanced provides her, she's afraid she might lose. I don't really know how to answer her that she will or she won't, I can't answer that question. I think there is so much talk right now that we do need to take a step back and we do need to pause. I don't think we'll be without service if we do that, I think there is a way to extend our service contract, we can ask Advanced if they are willing to do that for a few weeks, not a long time but we need to get this settled so we are all on the same page and we feel good about it when we move forward.

Ald. Silkaitis – A friend of mine lives in Wheaton and I called him up last week. He said he is very satisfied with Lakeshore and he has had no problems with them. They don't make a mess or anything. That's my comment.

Ald. Turner – My wife's son and daughter-in-law live in Highland Park, they have no problems with Lakeshore.

Ald. Lewis – I have family who lives in Winnetka, I talked to her and they said that Lakeshore only picks up their recycling, not their refuse garbage. I don't know if that is true or now but they don't have

complete service. Just the recycling service that I believe they pay for that. I keep finding out more things as I look.

Mayor Rogina – And that is good. I have many comments to make, in the interest of what Ald. Stellato said, we like to be as transparent as possible. Ald. Gaugel is correct, the committee process is where we try to work things out, ask questions, get information, and get community input. Before we carry this forward to much further, if there is a rep from Advanced and a rep from Lakeshore that would like to make any closing comments, I'd respectfully offer that, at this time. Who would like to go first?

Bob Phister, Municipal Marketing Manager-Advanced Disposal – I'd like to make one final appeal tonight, I'm here to ask you to reconsider your direction and award the residential to Advanced Disposal for a number of reasons. Number 1, our sticker price is \$2.95, \$.45 cheaper than the current rate (with Advanced Disposal), this is a significant cost savings to the residents. In all the comparisons done by staff last week, none of those comparisons included our revised price. Lakeshore was allowed to lower their prices after the RFP was open. Lakeshore's price reductions you saw on the presentation last week were not clarifications \$2.00 reductions in the senior rate is not clarification, in our opinion. It was just to make Lakeshore's offering more attractive. We think it is unfair to use Lakeshore's revised pricing last week when you didn't use ours. Second, in my opinion, there isn't sufficient time remaining before the current contract and what Lakeshore takes over if they are awarded the contract to transition St. Charles, Geneva, and Lisle all at the same time. That's around 20,000 units, single-family units, and 5,000 multi-family units. They have to begin placing carts in two weeks. All I can do is sound the alarm. Third, we are part of the community; we've done so while providing support to the city and its organizations with in-kind donations, volunteers, and sponsorships above and beyond the contractual obligations. We've provided excellent service for the last 13 years and it is attested to by the overwhelming support from the St. Charles residents that you've seen over the past two-week period. You have heard from your constituents and they want to keep Advanced Disposal. I ask you to please listen to them. In closing, I urge you to reconsider your direction and not risk going with an unknown service provider solely on a low-ball price. I urge you to seriously consider the question the transition, of Geneva, Lisle, and St. Charles all at the same time, all over a holiday week starting in two weeks. You can save all of your residents considerable money, keep the same service standards, keep the same collection days, keep CNG trucks collecting in your neighborhoods, keep safe trucks equipped with Drive Cam in your neighborhoods, and not have to risk a rocky transition over a holiday week if you stay with Advanced Disposal. This is one of the most important decisions you'll make as an elected official and I ask for your vote to stay with Advanced Disposal. Thank you.

Mayor Rogina – Thank you. Rebuttal?

Josh Connell, 76 Riverside Drive, Deerfield, IL – Good evening, first I'd like to say please don't be scared. I said this last week, we've done more transitions than any other waste and recycling company in the metropolitan area over the last 5 years. We've got all brand new trucks ordered, we've got over 55,000 carts ordered with teams that are ready to be deployed on June 18. We've gone through a detailed transition plan with city staff as to how the plan will work and how detailed it is. We've got customers over the past few years that can vet our plan and our transition. We've learned from some mistakes and none of those were critical mistakes. None of those mistakes resulted in people missing their pickup days or going weeks on end without carts. We're very good at transition and we can do that. We're excited by the fact that we have three communities starting July 1. We hope to have a couple more come September 1. At the same time I do want to defend our equipment too, we also have Drive Cam in our trucks, these will be brand new trucks. We also have a 360 degree camera system, this is a

little newer technology made by the equipment manufacturer that we are placing in these trucks. So, we will have eyes on this camera like no other truck in the industry and in this marketplace. We will have good equipment. We will continue to be part of the community and will be even more a part with the residential contract. We will be active in the Chamber of Commerce, our street sweeping business-we've been a street sweeper in St. Charles, for years. Again we are the second largest portable toilet company in the state of Illinois. We've got plenty of services to donate and in-kind services and donations and charitable activities. We do this and go above and beyond in all the communities we work with. We understand that in the waste and recycling, you touch every single homeowner, we want residents to feel like our drivers are part of the community and that we are part of the community. I don't think there is a community that we're involved in where our name isn't on the back of a little league baseball team jersey. That's what you can expect from Lakeshore Recycling Systems. Again, I think when you look at the residents in, some one mentioned Wheaton and Highland Park, and Winnetka-yes we only do the recycling there. Public works still does the garbage there. We've talked with them about that as a next entry and they do it with their own public works vehicles. This is something we are very excited about. We will not let St. Charles down, not have we with our other communities. We understand the value proposition and to just talk about price, we're talking a pretty substantial difference from either price that Advanced Disposal threw out, that they submitted. Our price is still significantly less, and for the 35-40% of the subscription homes that pay a flat fee, we are talking about \$4.50-\$5.00 per month, per home. That part is a significant difference too, in price. Again, we are nimble, small, we are a local company, we are looking to build additional infrastructure in this market as well. With all that said, thank you.

Mayor Rogina – Thank you. I just wanted to ask, there were comments made with mention made about pricing that I wondered if staff has any reply or anything else they wanted to add.

Peter Suhr, St. Charles Public Works Director– I don't think there is anything further to offer at this time in regards to that. I think you'll find the information presented last Tuesday was accurate.

Mayor Rogina – Thank you Mr. Suhr. Before we proceed with the motion and a second on the table, before we take the vote, the Mayor was very quiet during committee because that's what I'm supposed to do, just sit over there and listen. I would like to echo something said there, to Ald. Stellato's point I couldn't agree with you more that a process like this deserves vetting, deserves careful consideration. To Ald. Payleitner's point, when she talked about the fact that she returned every call, her and I-she's a former student and she should do that because I'd do the same thing. The truth of the matter is, we are not buffaloing you when we say that every email I got I returned as well. Here is what I said; I don't vote up here unless it is to break a tie, I will tell you this, from my heart and not just for this issue but any issue, they pay the mayor or the city council to make decisions. We're not experts, we do seek and we do receive input. I think all of us up here received input. Again, at the end of the day, my observations is that I look at the staff and ask the question, did they carefully go through this process and say to us as council members, this is what you should do. Now, if we do it and it doesn't work, the buck stops up here. Not over there, right here with us. We have to pay that price as decision makers. I think that, as the mayor and someone who was elected here to do their job, I'd like to think that I conversed and talked to people and understand what the issues are and then trust them at this point. There is one analogy that I cant help but make here too as we finish this up, throw darts at me if you need to but this idea, before I say this I would echo what was said last week at committee, for the number of years we've had Advanced Disposal, as a resident myself and listening to all the conversations, they have been a great partner in this community. For whatever reasons we get to this point and ask for a new request for proposal, staff receives that and makes a recommendation. The analogy I would give is this, I may sound

ludicrous, for umpteen years WGN broadcast the Cubs, and now they are on the Score and the White Sox are on WGN. My point is simply, bodies investigate and ask questions and make decisions. I think I'll put in your lap to make that decision here tonight. All together, we are responsible at the end to make sure that our citizens get the best possible service and when there is a registered complaint to someone here, that they will note that to staff and staff will takes care of it. For 5 years as mayor, that's what happened here. I've never had a concern about turning anything over to staff and having it handled. You can be assured of that! With that, is there anything further? City Clerk Amenta, the roll.

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

MOTION CARRIED

- *7. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Resolution** 2018-64 Authorizing the Mayor and City Clerk of the City of St. Charles to choose Option 1 on the Refuse and Recycling Program to maintain the current sticker, bag and toter combination program as it currently exists.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft,
Gaugel, Vitek, Bessner, Lewis
NAY: 0
ABSENT: None
ABSTAIN: 0

MOTION CARRIED

- *8. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Resolution** 2018-65 Authorizing the Mayor and City Clerk of the City of St. Charles to execute a Limited License Agreement with Syndeo for Fiber Installation within St. Charles Right of Way.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft,
Gaugel, Vitek, Bessner, Lewis
NAY: 0
ABSENT: None
ABSTAIN: 0

MOTION CARRIED

9. Motion by Ald. Payleitner and seconded by Ald. Bessner to approve **Resolution** 2018-66 Authorizing the Mayor and City Clerk of the City of St. Charles to execute a Franchise Agreement with Comcast.

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

ABSENT: None

ABSTAIN:

MOTION CARRIED

10. Motion by Ald. Payleitner and seconded by Ald. Gaugel to approve **Resolution** 2018-67 Authorizing the Mayor and City Clerk of the City of St. Charles to execute a Pole Attachment Agreement with Comcast.

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

NAY: Silkaitis

ABSENT: None

ABSTAIN:

MOTION CARRIED

- *11. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Resolution** 2018-68 Authorizing the Mayor and City Clerk of the City of St. Charles to approve a Purchase Order to Sauber Manufacturing Company for Electric Line Pole/Cargo Combination Trailer.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *12. Motion by Ald. Stellato and seconded by Silkaitis to approve **Resolution** 2018-69 Authorizing the Mayor and City Clerk of the City of St. Charles to approve a Purchase Order to Archon Construction for Electric Manhole Frame and Cover Adjustments.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *13. Motion by Ald. Stellato and seconded by Silkaitis to approve **Resolution** 2018-70 Authorizing the Mayor and City Clerk of the City of St. Charles to approve a Purchase Order to Green Planet 21 Utility for Cable Removal Contractor Services for a Two Year Period beginning May 1, 2018 through April 30, 2020.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *14. Motion by Ald. Stellato and seconded by Silkaitis to approve **Resolution** 2018-71 Authorizing the Mayor and City Clerk of the City of St. Charles to accept an Electric Easement at 315 S. Kirk Road.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- 15 Motion by Ald. Payleitner and seconded by Ald. Lemke to approve **Resolution** 2018-72 Authorizing the Mayor and City Clerk of the City of St. Charles to approve a Budget Addition to the Ohio Avenue Roadway Improvement Project.

VOICE VOTE: AYE: Silkaitis, Payleitner, Lemke, Turner, Bancroft
Gaugel, Vitek, Bessner, Lewis

NAY: 0

ABSENT: Stellato

ABSTAIN:

MOTION CARRIED

16. Motion by Ald. Payleitner and seconded by Ald. Lemke to approve **Resolution** 2018-73 Authorizing the Mayor and City Clerk of the City of St. Charles to execute a Construction Contract for the Ohio Avenue Roadway Improvement Program.

VOICE VOTE: AYE: Silkaitis, Payleitner, Lemke, Turner, Bancroft
Gaugel, Vitek, Bessner, Lewis

NAY: 0

ABSENT: None

ABSTAIN: Stellato

MOTION CARRIED

17. Motion Ald. Payleitner and seconded by Ald. Lemke to approve **Resolution** 2018-74 Authorizing the Mayor and City Clerk of the City of St. Charles to execute a Construction Engineering Agreement for the Ohio Avenue Roadway Improvement Project.

VOICE VOTE: AYE: Silkaitis, Payleitner, Lemke, Turner, Bancroft
Gaugel, Vitek, Bessner, Lewis

NAY: 0

ABSENT: None

ABSTAIN: Stellato

MOTION CARRIED

- *18. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Resolution 2018-75** Authorizing the Mayor and City Clerk of the City of St. Charles to execute a Construction Engineering Agreement for the Campton Hills Road Roadway Improvement Project.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *19. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Resolution 2018-76** Authorizing the Mayor and City Clerk of the City of St. Charles to execution a Construction Contract for Pavement Rejuvenation.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *20. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Resolution 2018-77** Authorizing the Mayor and City Clerk of the City of St. Charles to approve a Budget Addition to the 7th Avenue Creek Project.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *21. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Resolution 2018-78** Authorizing the Mayor and City Clerk of the City of St. Charles to approve a Real Estate Purchase Agreement for 1734 Riverside Avenue.

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

- *22. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Resolution** 2018-79 Authorizing the Mayor and City Clerk of the City of St. Charles to award the Bid for Water Treatment Salt.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft,
Gaugel, Vitek, Bessner, Lewis
NAY: 0
ABSENT: None
ABSTAIN: 0

MOTION CARRIED

- *23. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Resolution** 2018-80 Authorizing the Mayor and City Clerk of the City of St. Charles to award the Proposal for Environmental Services SCADA Phase #1 Hardware.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft,
Gaugel, Vitek, Bessner, Lewis
NAY: 0
ABSENT: None
ABSTAIN: 0

MOTION CARRIED

- *24. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Resolution** 2018-81 Authorizing the Mayor and City Clerk of the City of St. Charles to award the Proposal for Construction Engineering for 7th and Division Avenue Lift Station Replacement.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft,
Gaugel, Vitek, Bessner, Lewis
NAY: 0
ABSENT: None
ABSTAIN: 0

MOTION CARRIED

C. Planning and Development

Mayor Rogina – Ald. Bessner, item C-1.

1. Motion by Ald. Bessner and seconded by Ald. Stellato to approve **Resolution** 2018-82 Authorizing the Mayor and City Council to Enter into a Certain Annexation Agreement (Meijer PUD – Fourth Amendment).

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Gaugel, Vitek, Bessner, Lewis
NAY: 0
ABSENT: None

ABSTAIN: Bancroft

MOTION CARRIED

2. Motion by Ald. Bessner and seconded by Ald. Silkaitis to accept and place on file Plan Commission Resolution 5-2018 A Resolution Recommending Approval of an Application for Special Use to amend Ordinances 1999-M-24 and 2017-Z-11 (Meijer PUD) regarding a Pharmacy Drive-Thru, Parking, and Signage and Approval of a PUD Preliminary Plan for Meijer, 855 S. Randall Rd. (Craig M. Armstrong, Elevatus Architecture).

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

NAY: 0

ABSENT: None

ABSTAIN: Bancroft

MOTION CARRIED

3. Motion by Ald. Bessner and seconded by Ald. Turner to approve **Ordinance** 2018-Z-8 Amending Ordinances No. 1999-M-24 and No. 2017-Z-11 (Meijer PUD) regarding the Pharmacy Drive-Through, Signage, and Required Parking and Granting Approval of a PUD Preliminary Plan for Meijer, 855 S. Randall Road.

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

NAY: 0

ABSENT: None

ABSTAIN: Bancroft

MOTION CARRIED

4. Motion by Ald. Bessner and seconded by Ald. Stellato to accept and place on file Plan Commission Resolution 6-2018 A Resolution Recommending Approval of Special Use for Planned Unit Development and PUD Preliminary Plan for Meijer Outlot Development (Alrig USA).

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

NAY: 0

ABSENT: None

ABSTAIN: Bancroft

MOTION CARRIED

5. Motion by Ald. Bessner and seconded by Ald. Silkaitis to approve **Ordinance** 2018-Z-9 Amending Ordinance No. 1999-M-24 (Meijer PUD) and Granting Approval of a New Special Use for Planned Unit Development and PUD Preliminary Plan for the Meijer Outlot Development.

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

NAY: 0

ABSENT: None
ABSTAIN: Bancroft

MOTION CARRIED

Mayor Rogina – With those 5 items being voted on, we have now officially confirmed the establishment of a Wahlburger's in St. Charles and I would be remised if I didn't ask the owner of Wahlburger's, Donnie Wahlberg to come forward here and perhaps say a few words. Donnie, if I may, I just want to ask one question. Are we going to have the same problem that you had in Minnesota where people lined up at 3 am to get into the place?

Donnie Wahlberg – I hope so! (Laughter) I had a question too, this is my third time here and we are finally approved and I want to thank you Mr. Mayor and all the Council members and all the people in St. Charles who have gone out of their way to help make this happen. I've said before in earlier meetings, this is a real honor for my family, especially my wife Jenny and our kids. I'm a proud resident of St. Charles, Illinois, proud parent of two students at St. Charles East High School, Go Saints! I also drive a black and orange car on weekends, it's a little loud-that's me, forgive me. I want to reiterate what I've said before we received approval, that this is something that I've dreamed about doing since the first night I set foot in this town. I met you that night, Mr. Mayor, and I met one of my now closest friends, Mr. Ed French, who will be one of our partners in this endeavor and someone I know as a really compassionate and committed part of this community and that is who we are surrounding ourselves with in this project. We really want to do more than just make a big splash. We want to bring jobs, recourses and finances to this community and to reinvest into St. Charles. In the three short years we've been here, it's given my family so much. My son moved from California to be here and it has been one of the greatest things that has happened in my life, to be able to raise him in the wonderful town.

Mayor Rogina – If you recall, one of the first things you said to me, you said 'I want my son to work in this Wahlburger's. I knew then that we were going to get it at some point. (laughter) I didn't know where exactly but that was your responsibility. I think you've done a fine job, you've been a credit to the community in terms of, well you're on the high stage and with that you seem to blend very nicely into this community and for that I think everyone is grateful for that, so we are very happy and very proud that Wahlburger's will be here in St. Charles. Lot of credit goes to your standing here today and your forthrightness on this whole project, so thank you very much.

Donnie Wahlberg – No, thank you. You know I've done a lot of thinking and communicating with my brothers about this location. Of course everyone wants to go downtown Chicago, Wrigleyville, this side of town, that side of town but I really fought hard to make St. Charles the first one. I think in the process, I've got everyone on the Wahlburger's team to remember is that it really isn't about celebrity, it's not about the flash and pizazz and Hollywood. Of course that is a great fun part of it. We are working class people. We grew up with parents who worked really, really hard to feed their children and to raise them the right way. We weren't always perfect. I was perfect! (laughter) Some of my siblings slipped up here and there, I was the good son. That is why I'm my mom's favorite, and I did say that under oath a few weeks ago so it is absolutely true. This opportunity in St. Charles and all of the support has really helped remind me and my bothers and my family and our corporate family what is really important. This is a family restaurant, it's not a big celebrity show, it's not for ritzy places, its for real working people who maybe want a taste of great food, great family atmosphere, and yeah maybe rub elbows with celebrities once in a while. We are celebrities who grew up really with nothing and we never really

forgot that. This has been a great reminder of that, setting up shop in a town where there are real people who treat me like everyone else and not like a celebrity. It means a lot and reminds me I'm in the right place and reminds me and our business family, that this is where we need to target, places like St. Charles where it's a real community with real people who just want good food, good fun, and good times and memories.

Mayor Rogina – We are all lucky people, in my humble opinion, to live in St. Charles and we're happy that you've added us to your list as well. Would any one on the council wish to address our new entrepreneur?

Ald. Stellato – I have a quick story I want to pass along. I was at a real estate convention a few weeks ago in Las Vegas. I was walking the floor and I was telling some people what town I was with and a few times I heard back, "That's the town where Wahlberger's is going." So, thank you. After 200 years of being here, you've put us on the map! (laughter)

Donnie Wahlberg – I can't take all the credit, my wife, she actually lived in Geneva so I'll take 98% of the credit. I dragged her over to St. Charles.

Ald. Lewis – I'd like to welcome you to the 5th Ward! You're in St. Charles, but here are your 5th Ward Aldermen. Welcome to Ward 5!

Mayor Rogina – And if there are concerns, don't call me! Call them! (laughter)

Donnie Wahlberg – We're going to do our best to make you guys proud and thank you all again, so much, for your consideration, support, and you've really given us a chance to do something wonderful.

Mayor Rogina – I'll say to you what I say to everyone here, the door to City Hall is open for all of our businesses and residents all the time. If people have concerns, they know they can come here, talk about them, and so I close with that same promise to you and to all of our business and residents in St. Charles. Thank you Donnie.

- *6. Motion by Ald. Stellato and seconded by Ald. Silkaitis to approve **Resolution** 2018-83 Authorizing the Mayor and City Clerk of the City of St. Charles to approve a Plat of Easement for Public Utilities (1337 Geneva Rd.- Parkside Reserves).

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

NAY: 0

ABSENT: None

ABSTAIN: 0

MOTION CARRIED

D. 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)

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

Ellen Gibson, 706 S. 7th Street, St. Charles – Spoke information only regarding her organization with Dr. Erin Schutte 311 S. 4th Street, St. Charles and Steven Brain 708 South Ave. St. Charles. The group Mom’s Demand Action and started in Kane and Kendal County in January 2018. There are over 1,200 supporters. The group spreads awareness in regards to gun safety programs; we are non-partisan, not political, and supports the Second Amendment. The goal is to raise awareness for gun owners to lock and handle their gun and ammunition carefully and properly. The program is called Program Be Smart, it’s a common sense program to help reduce the risk and increase awareness of safety.

11. Adjournment motion by Ald. Lemke and seconded by Ald. Bessner at 8:13
VOICE VOTE: AYE - UNANIMOUS ABSENT: None MOTION CARRIED

Charles Amenta, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Charles Amenta, City Clerk