

**MINUTES
CITY OF ST. CHARLES, IL
GOVERNMENT OPERATIONS COMMITTEE
MONDAY, JUNE 6, 2016**

1. Opening of Meeting

The meeting was convened by Chairman Stellato at 7:32 p.m.

2. Roll Call

Members Present: Chairman Stellato, Ald. Silkaitis, Payleitner, Lemke, Turner, Bancroft, Krieger, Gaugel, Bessner, Lewis

Absent:

3. Omnibus Vote

- a. Recommendation to approve Funds Transfer Resolutions Authorizing Budgeted Transfers in the Aggregate Amount of \$2,550,669.14 for Debt Service Payments and Miscellaneous Transfers.**

Motion by Ald. Turner, second by Bancroft to recommend approval of Funds Transfer Resolutions Authorizing Budgeted Transfers in the Aggregate Amount of \$2,550,669.14 for Debt Service Payments and Miscellaneous Transfers.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion Carried.**

4. Police Department

- a. Recommendation to approve a proposal for a new Class E-4 Temporary Liquor License for a Special Event, "Wine Down Wednesday," for this series of three (3) events to be held on the 1st Street Plaza. The requested dates are: July 6, August 3, and September 7, 2016 from 5:00 p.m. to dusk. (The businesses involved are ZaZa's Trattoria, Puebla Modern Mexican, Pizzeria Neo, and McNally's Traditional Irish Pub.)**

Chief Keegan: This is a recommendation to approve a proposal for a new Class E-4 Temporary Liquor License for a Special Event, "Wine Down Wednesday," for this series of three (3) events to be held on the 1st Street Plaza. The requested dates are: July 6, August 3, and September 7, 2016 from 5:00 p.m. to dusk. The businesses involved are ZaZa's Trattoria, Puebla Modern Mexican, Pizzeria Neo, and McNally's Traditional Irish Pub. This item was presented at the May16 Liquor Control Commission. In your packet is a site map indicating the layout of the event, there's an identification agreement that has been executed from the four businesses, and their paperwork is in order. There are a couple of outstanding issues that we want to discuss tonight. The Liquor Control Commission didn't give consensus on the snow fencing or how they're going to contain the event; there's a difference of opinion. Some wanted some sort of

barrier and some didn't. This is modeled after what Dundee is doing up north. They haven't had any issues with alcohol leaving the exit points with police involvement. With that being said, we are going to try this for the first three months on Wednesdays in conjunction with our entertainment that performs in the courtyard. We are not going to have a police presence; rather we are going to ask the establishments to police themselves. Each of the four businesses are respected in downtown St. Charles. I feel comfortable with the plan but tonight we need to determine if we are going to fence it at all.

Shay Clark – McNally's Irish Pub: This is something we've been working on for several years. When we met last we were talking about having snow fence up to cordon the area and the commission thought it would not look very nice and I agreed as well. We thought we could put something up like theatre rope and the owner of McNally's agreed to make that for us.

Ald. Payleitner: As the Chief presented, I wanted to make clear that this was an aesthetics issue that we didn't want the snow fence and we're looking for something more attractive.

Ald. Lewis: I agreed as well. We also want to have dusk defined and I thought we agreed that last call would be 8:30 p.m. and 9:00 would end the event.

Shay: Yes that's exactly what was agreed upon.

Chief Keegan: Also it states in the memo that alcohol will not be served in the courtyard but it will be served and poured in the establishments and allowed in the courtyard so long as they're credential with wristbands and if there's a glass cup they are exiting with, it will be transferred to plastic. There won't be liquor sales taking place in the courtyard – just consumption.

Ald. Lewis: We also talked about the number of 2 or 3 and not doing it in September, do you have any more thought if you are going forward with September or wait and see?

Shay: What we talked about last time is if the first one is successful, we try a second one and that the number should not exceed three. July, August, September is what we've asked for. We all feel the same way that if it's not a wonderful thing then why bother doing it.

Motion by Ald. Turner, second by Bancroft to recommend approval of a proposal for a new Class E-4 Temporary Liquor License for a Special Event, "Wine Down Wednesday," for this series of three (3) events to be held on the 1st Street Plaza. The requested dates are: July 6, August 3, and September 7, 2016 from 5:00 p.m. to dusk. (The businesses involved are ZaZa's Trattoria, Puebla Modern Mexican, Pizzeria Neo, and McNally's Traditional Irish Pub.)

Roll Call: Ayes: Turner, Bancroft, Gaugel, Bessner, Lewis, Silkaitis, Payleitner, Lemke; Nays: Krieger. Chrmn. Stellato did not vote as Chair. **Motion Carried.**

5. Finance Department

- a. **Recommendation to approve funding allocations schedule of the Visitors Cultural Commission for the FY2016/17 and the related funding agreements.**

Chris Minick: We are seeking approval of the funding allocations of the Visitor's Cultural Commission (VCC) for FY2016/17 and the related funding agreements. Each year the City allocates a certain portion of the hotel/motel tax to the VCC. The VCC is then charged with allocating those funds out to groups that promote the arts and culture within the City limits of St. Charles. The process is that the VCC solicits applications from those types of groups. They meet typically twice a year; one to hear the presentations from the groups as to how they expect to spend the proceeds of the grants they will receive, and the second meeting is typically dedicated to allocations of the funding amongst the VCC members. Those two meetings were held on May 9 and May 16, 2016. There were eight groups that provided applications and asked for funding. We have funding available in the amount of \$87,591 for FY16/17 and the proposed allocations are shown in the yellow column of the spreadsheet. The amount for St. Charles FY16/17 does include approximately \$7,100 that was not utilized from FY15/16 as you may recall that Fox Valley Repertory ceased operations around October 1, 2015 and there was \$7,100 that they did not utilize from their allocation. The amounts also reflect the committee and City Council's direction from 2015 to reduce funding to outside groups by the amount of 10%. So once the math was done that leaves a grand total of \$87,591 to allocate. Dr. Anne Becker, Chair of the committee has a few remarks to make.

Dr. Anne Becker, Chair of the Visitor's Cultural Commission: I would like to thank the Council for all your support and I love the fact that you have a new mission statement with a focus on Community and Service which I embrace as well. We are piggybacking on that with the quality of our community. We have eight fabulous groups and we're all sad to see that we lost the Fox Valley Repertory Company. I wanted you to see a little bit that has taken place with the money that you help allocate for this particular group, so I've invited Lynn Caldwell, Executive Director of Fine Line to share some thoughts.

Lynn Caldwell, Executive Director of Fine Line Creative Arts Center: Thank you as well for everything you have done for us over these years. We've come a long way and have been in St. Charles for 30 years. Some of the monies you have provided to us, such as the postcard, which is a new program we started this year in March called "Original Fridays" which showcases three original musicians doing their own original works as well as three visual artists doing trunk show style shows. It is free and open to the public and gives an opportunity for those artists to showcase their work and have a really enjoyable evening. On the back of the postcard is a sticker I added which is the url; with part of the funding we also created a new promotional video for Fine Line. It's 1-1/2 minutes long that highlights everything we are and what we provide to the community. Another endeavor that we've started that will come out next summer and we also wrote a grant for is an outdoor sculpture show; so we hope to talk with the Sculpture in the Park people and get a coordinated effort together.

Ald. Payleitner: I like the chart in the packet showing the information; how do you come across resident benefit?

Lynn: When Mayor DeWitte was in office, we created with a group of members, an initial application form that every applicant gets. There are several questions that we focused on from which areas they are from. Larry Maholland, Kathy Melone, and myself are going to rework the

initial application form and data sheet. There are two/three questions that applied to residents benefit, such as, things for children, time for adults and seniors. We are going to look at that in a more definitive way.

Ald. Payleitner: I know when we do this for the Mental Health distribution of funds that they measure residents who use the facilities.

Lynn: There are some groups that are very good in doing that, but let's use the St. Charles Singers. When they fill Baker there are people from all different communities and we don't know who is from where. They do random surveys every now and then and get an idea of information.

Motion by Ald. Krieger, second by Payleitner to recommend approval of funding allocations schedule of the Visitors Cultural Commission for the FY2016/17 and the related funding agreements

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion Carried.**

b. Recommendation to approve a Resolution of Official Intent Regarding Capital Expenditures to be Reimbursed from Proceeds of an Obligation to be Issued by the City of St. Charles, Kane and DuPage Counties, Illinois.

Chris Minick: Next we are seeking approval of a Resolution of Official Intent Regarding Capital Expenditures to be Reimbursed from Proceeds of an Obligation to be Issued by the City of St. Charles, Kane and DuPage Counties, Illinois. When we passed the FY16/17 budget back in April, there were several projects that were intended to be financed with a bond issue. We are now in the process of putting that bond issue together, however there are certain preliminary expenditures for some of these projects that may precede the issuance of the bonds. In order to preserve the tax exempt status and allow the City to reimburse itself and the proceeds of the obligation, the IRS requires us to pass what is known as this Resolution of Official Intent. It does not obligate us to undertake any of the projects nor does it obligate us to issue bonds in any particular set amount. All it does is preserve our ability to issue the bonds and reimburse ourselves for any of the preliminary costs of those projects from the proceeds of the bonds once they're issued. We do anticipate bringing the bond issue forward in the next 90 to 120 days.

Motion by Ald. Bancroft, second by Turner to recommend approval of a Resolution of Official Intent Regarding Capital Expenditures to be Reimbursed from Proceeds of an Obligation to be Issued by the City of St. Charles, Kane and DuPage Counties, Illinois.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion Carried.**

c. Recommendation to approve an Ordinance Amending Title 3 "Revenue and Finance", Chapter 3.42 "Alcohol Tax", Section 3.42.020 "Definitions", and

Section 3.42.030 “Imposition of Tax” of the St. Charles Municipal Code.

Chris Minick: We are seeking a recommendation to approve an Ordinance Amending Title 3 “Revenue and Finance”, Chapter 3.42 “Alcohol Tax”, Section 3.42.020 “Definitions”, and Section 3.42.030 “Imposition of Tax” of the St. Charles Municipal Code. Over the last several months, the City has received various applications for special events or events that are fundraisers or dinners, private tastings and typically these events will have alcohol service as part of their program of the evening. They’ll have one admission price that covers admission, alcohol service and food that might be related to the event. We’re seeking approval to change the alcohol tax code to codify our current practice of taking the 2% alcohol tax and applying it to the total costs of the admission ticket for that particular event. This item did go before the Liquor Commission on May 16. It was discussed and unanimous approval of this.

Motion by Ald. Silkaitis, second by Payleitner to recommend approval of an Ordinance Amending Title 3 “Revenue and Finance”, Chapter 3.42 “Alcohol Tax”, Section 3.42.020 “Definitions”, and Section 3.42.030 “Imposition of Tax” of the St. Charles Municipal Code

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion Carried.**

6. Inventory Control Division

a. Recommendation to award bid to Morse Group for replacing lift-station packaged engine generator and automatic transfer switch.

Mike Shortall: On behalf of the Public Services Department I am seeking approval to accept the only qualified bid for the replacement of the lift-station generator and automatic transfer switch. The qualified bid was received from the Morse Group and this replacement was approved for budget and we’re recommending approval for this qualified bid.

Ald. Silkaitis: Out of all the people you sent requests to, only one came in? I’m surprised the Illinois Power Products didn’t submit something. How come you only got one bid?

Mike: We actually had three. Two of the packets were not sealed and I talked with the City Attorney and it was agreed those two were non-qualified; so basically we had one. I can’t disclose what the costs of those two were but one was fairly close to this bid and one was cheaper. The question would be to go back to that group and ask why their bid was so low? At this point we’re stuck with one bid.

Ald. Silkaitis: Can’t you just reject the bids and have them resubmitted?

Mike: We could but one reason I wouldn’t do that is it’s not really fair to the one bidder who did a good job and followed the rules. We had three bid meetings and all three were in attendance and all had an opportunity to ask questions. I did have a chance to talk to one of the vendors and they admitted they made a mistake. I guess it’s up to you as a committee if you want me to take it back and rebid it, but I feel it’s not fair to the one who had a good true bid.

Ald. Silkaitis: I see where you're coming from but looking at it from my point up here you only got one bid. I'm just iffy on that.

Ald. Lemke: Could you have an engineer's estimate what it might encompass or what the final bid might be?

Mike: I believe there is and I'm not sure what that number is.

Ald. Lemke: When I see at least 5 or 6 no bids, have we made an inquiry with any of those firms as to why or is there something we could do differently for them to participate?

Mike: I could pursue that in the future.

Ald. Gaugel: As is customary on these types of events, they probably waited until the 11th hour to bring in the proposal and didn't have a chance to go back and seal it – was that the case on these two?

Mike: True, they were stamped that morning and Morse was the only company at the bid opening in attendance. The others weren't in attendance so I couldn't even talk to them at that time.

Ald. Gaugel: What's the implication for accepting a bid that is unsealed? Why was it recommended not to accept that?

Atty. McGuirk: I think they actually disqualified them at the time but I agreed when I looked at them, it didn't conform to the specs. All that was published and available to bidders and they simply didn't comply with the requirements. Consequently they were disqualified.

Ald. Gaugel: There would be grounds for a bid protest from the one who did follow everything?

Atty. McGuirk: There would probably be some exposure if we turned down this bid and rebid the process.

Motion by Ald. Turner, second by Lemke to recommend awarding the bid to Morse Group for replacing lift-station packaged engine generator and automatic transfer switch.

Roll Call: Ayes: Turner, Bancroft, Krieger, Gaugel, Bessner, Lewis, Silkaitis, Payleitner, Lemke; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion Carried.**

- b. Recommendation to approve a Resolution Authorizing the Mayor and the City Clerk of the City of St. Charles to Approve the Award of Four (4) 2017 Ford Utility Police Interceptors to Currie Motors, through the Fleet Suburban Purchasing (SP) Cooperative and Sell Replaced Vehicles #1702, #1712, #1789 and #1790.**

Mike: On behalf of the St. Charles Police Department I'm seeking approval to accept the low quote through the Suburban Cooperative Currie Motors for four identical 2017 Ford Utility Police Interceptors. Quotes were taken from a local vendor Zimmerman Ford and through the SBC Cooperative. All four vehicles have passed budget and were approved through the City Fleet Committee. Additionally I'm seeking approval to sell four replacement vehicles #1702, #1712, #1789, and #1790 and those will be sold here at the City's public auction at publicsurplus.com.

Motion by Ald. Turner, second by Bancroft to recommend approval of a Resolution Authorizing the Mayor and the City Clerk of the City of St. Charles to Approve the Award of Four (4) 2017 Ford Utility Police Interceptors to Currie Motors, through the Fleet Suburban Purchasing (SP) Cooperative and Sell Replaced Vehicles #1702, #1712, #1789 and #1790.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion Carried.**

7. Information Systems Department

a. Recommendation to approve Resolution Authorizing the Mayor and the City Clerk of the City of St. Charles to Approve an ESRI Small Government Enterprise License Agreement for \$35,000 a Year for Three Years.

Keith Nightlinger, GIS Manager, IS Department: This is a recommendation to approve Resolution Authorizing the Mayor and the City Clerk of the City of St. Charles to Approve an ESRI Small Government Enterprise License Agreement for \$35,000 a Year for Three Years.

Ald. Lemke: That's a software utilization license that comes with maintenance and regular releases of antivirus, etc.?

Keith: Yes.

Ald. Silkaitis: Why are we not purchasing this – what's the advantage of leasing it at \$105K.

Keith: Over three years it turns out to be a cost benefit analysis. As we laid out on the form here, we pay maintenance every single year and there are certain items we need to provide redundancy to our servers and to continue providing the services that we do provide today, and should we purchase those additional licensing items that would put us over the mark where now it makes sense for us to buy this Enterprise License Agreement.

Ald. Silkaitis: So you actually crunched the numbers and this is the best way to do it as I'm not a fan of leasing.

Keith: Yes.

Motion by Ald. Lemke, second by Turner to recommend approval of a Resolution Authorizing the Mayor and the City Clerk of the City of St. Charles to Approve an ESRI Small Government Enterprise License Agreement for \$35,000 a Year for Three Years.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion Carried.**

Motion by Ald. Bessner, second by Gaugel to go into Executive Session at 7:57 p.m. to discuss Pending Litigation.

Roll Call: Ayes: Turner, Bancroft, Krieger, Gaugel, Bessner, Lewis, Silkaitis, Payleitner, Lemke; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion Carried.**

7. Executive Session – None.

- Personnel 5 ILCS 120/2(c)(2), 5 ILCS 120/2(c)(5)
- Pending Litigation 5 ILCS 120/2(c)(4)
- Probable or Imminent Litigation 5 ILCS 120/2(c)(4)
- Property Acquisition 5 ILCS 120/2(c)(3)
- Collective Bargaining 5 ILCS 120/2(c)(1)
- Review of Minutes of Executive Sessions 5 ILCS 120/2(c)(14)

Motion by Ald. Lemke, second by Turner to come out of Executive Session at 8:17 p.m.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion Carried.**

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

9. Adjournment

Motion by Ald. Lemke, second by Turner to adjourn meeting at 8:17 p.m.

Voice Vote: Ayes: Unanimous; Nays: None. Vice-Chair Payleitner did not vote as Vice Chairman. **Motion Carried.**

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