

**MINUTES
CITY OF ST. CHARLES, IL
GOVERNMENT OPERATIONS COMMITTEE
MONDAY, APRIL 18, 2016**

1. Opening of Meeting

The meeting was convened by Chairman Stellato at 7:05 p.m.

2. Roll Call

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

Absent: Ald. Krieger

3. Omnibus Vote

Budget Revisions – March 2016

Motion by Ald. Bancroft, second by Lemke to approve the omnibus items as presented.

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

4. Police Department

a. Recommendation to approve a class B liquor license for Main Street City Pub to be located at 104 E Main Street, St. Charles.

Chief Keegan: This is a recommendation for a Class B liquor license for Main Street City Pub to be located at 104 E Main Street, St. Charles. This agenda item was presented earlier this evening at the Liquor Control Commission which is an advisory board. There it received a favorable 3 to 2 recommendation to move forward to advance this to committee. Mr. Peter Zaikowski and wife Daniella are here tonight. This business would like to open up in the former Thirsty Fox or most recently the River House BBQ. The petitioner has a contract to purchase the building and plans on closing the end of April. Both Peter and wife hope to occupy and habituate in the second floor apartment area, so it will be owner occupied. They are also requesting a 1:00 a.m. late night permit. All paperwork is in order.

It's important to note that at the Liquor Control Commission there were some discrepancies in the application materials presented. Each of you should have received this evening the most updated business plan.

Peter Zaikowski, 1572 Knoll Crest, Bartlett, IL: My apologies that in my haste to get on this agenda due to our closing at the end of the month, I gave a raw version of my business plan. There is no gaming in St. Charles and that was removed from the earlier version. My wife and I have been looking at other venues and one was in Fox Lake and Bartlett. The business plan that

we put together, as a whole, doesn't change, just the locations have changed. We've done extensive research on demographics and recently in St. Charles and apologize in giving you the wrong version.

Ald. Turner: Did you say you're not going to have video machines?

Peter Z: No, it's my understanding there is no video gaming in St. Charles and its not in our proposal.

Ald. Lewis: I brought up the question at the Liquor Commission meeting about the business plan because it kind of combined several different businesses. It appears to me like a business plan you used somewhere else. Now with this one I'm comparing it with the previous version we received, and you still only have six tables.

Peter Z: Right now we're not sure what the occupancy limit is. We haven't had a chance to meet with the Fire Marshall to find out the limitations. Whatever they give us we'll seat. We have not had a chance to sit down and work with Community Development or the fire inspector to get the capacity. In the proposal it says 70 to 80 and we're not sure yet.

Ald. Lewis: I didn't see a diagram. I was also curious how you came up with your new annual forecast, how do you come up with these numbers within two hours?

Peter Z: These were done with me and the bank over the last two weeks. We sat down with them and are applying for a government SPA loan. We met the criteria. The whole premise of our business plan is good service and great food. I apologize if I reiterate on it so much but it's a passion for us. My wife and I have been in the business for a number of years and great service and food is what's going to make us successful in St. Charles. We'll be open for lunch as well.

Ald. Lewis: I just felt it moved too quickly and we didn't have enough information to pass along to Government Operations, but it was voted on and its before you this evening.

Ald. Payleitner: There was a floor plan in our original packet and that doesn't apply anymore? And maybe I missed it but I didn't understand it was going to owner occupied as well. That speaks to an investment in the business. The official packet will have the seating chart in it?

Peter Z: Yes, I'll be meeting with the fire marshall and Community Development and will find out what my capacity is and get it updated.

Ald. Payleitner: Understand our goal is to make you successful and we don't want to put you right in the middle of everything to only have you fail and you're closing at the end of the month?

Peter Z: Yes.

Ald. Gaugel: Can you clarify the video gaming piece? The City passed an ordinance to allow

video gaming when the State of Illinois has a budget. So when that does take effect, do you plan on putting video gaming in?

Peter Z: I'm not sure, I'll make that decision later but right now as far the bank is concerned, and me as a businessman, I can't count on that. In the future, if you allow me to, I'll follow whatever procedures to apply and go from there. That's not in our original plan for us to be successful. Granted it would be a nice extra piece if it were allowed, but for this business plan and for us to get started, I can't wait. I have to worry about food, booze, and great service.

Ald. Gaugel: The second piece is the \$25K incentive you're asking from the City. Can you explain on what you're planning on doing to the business?

Peter Z: We're planning on rehabbing the whole inside, heating and air, the roof. The last tenant in there took everything so we have a lot of rehab with floors, walls, drains, plumbing. Don't know if we need the whole \$25K but we just put it in there. We took that out saying the startup cost was the City's \$25K because I don't know what I might receive. As I was working with the bank they stated I needed to take that out. I also know that if something should happen to us that this is a loan that we have to pay back to the City. We appreciate the incentive plan you offer and will take advantage of it if we receive it.

Ald. Lewis: Your target market is women – 75% women, 25% men and the target age for women is 30 – 65 and I'm curious about that.

Peter Z: We're catering the motif and design. We've hired someone to help make it more comfortable and relaxing. We're not going for the younger market. With women come their husbands.

Ald. Payleitner: You said you didn't put this in your financials' request from the City?

Peter Z: Correct, the quote is in there but I didn't put it in there as my startup cost.

Ald. Silkaitis: So you are going to request that money?

Peter Z: Yes, but I can't do that until I do the work and submit it then.

Ald. Silkaitis: In quickly reading this, your exit strategy is if you drop 20% for four consecutive quarters you are going to close.

Peter Z: An exit strategy had to be put in for the SPA loan in order for me to qualify for it. By no means should I lose 20% for four quarters in a row, but if I do, I had to put something in there for the Federal government and BMO Harris.

Ald. Silkaitis: I bring this up because if you are going to apply for this \$25K grant, we have a requirement that you have to pay it back but if you close how are you going to pay it back?

Peter Z: I'm on the hook whether I fail or not and I can't file bankruptcy with an SPA.

Motion by Ald. Lemke, second by Bessner to recommend approval of a class B liquor license for Main Street City Pub to be located at 104 E Main Street, St. Charles.

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

b. Recommendation to approve a Resolution to Approve the Intergovernmental Agreement with the County of Kane for Animal Control Services for One Year.

Chief Keegan: This is a recommendation to approve a Resolution to Approve the Intergovernmental Agreement with the County of Kane for Animal Control Services for One Year. This is a housekeeping measure. It's a one-year contract negotiated by MetroWest and the various municipalities that make up Kane County. It's a one-year contract with two one-year renewal periods. This is pretty much status quo from previous years with two exceptions. One, there will be some reduction in fees for day time pickups for stray animals from 7:00 a.m. to 8:00 p.m. and there is a slight increase for after-hours overtime cost. It is important to note that in calendar year 2015 we only used the service six times.

Motion by Ald. Turner, second by Bancroft to recommend approval of a Resolution to Approve the Intergovernmental Agreement with the County of Kane for Animal Control Services for One Year.

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

c. Recommendation to approve a Resolution for the Contract and Lease Agreement with AID (Association for Individual Development) for One Year.

Chief Keegan: This is a recommendation to approve a Resolution for the Contract and Lease Agreement with AID (Association for Individual Development) for One Year. I would like to introduce Yesnea Herrera, social worker for AID. The role of key social worker and expansion of this program is to liaison with the Police Department, the community and various social services agencies that serve our residents. A police social worker does not provide long term counseling but rather assesses quality of life issues brought to the attention of the Police Department, attempts to stabilize those issues, and provides the proper referrals necessary to bring the situation in hand to a successful conclusion or at least a manageable situation moving forward.

Examples of such issues that a police social worker may encounter but not limited to are mental health issues, chemical or substance abuse, victim advocacy, neighborhood mediation or conflict resolution, elderly services, youth services, domestic violence orders of protection, and city liaison with the various groups I just mentioned.

AID currently serves greater Kane County and the following communities, Aurora, North Aurora, Batavia, Huntley, Glenbard and DuPage County, South Elgin, City of St. Charles both police and fire, and Geneva. Currently the Police Department utilizes services of AID via a \$15K annual contract to provide victim services on an as needed 24/7 on call basis. This contract relationship has initiated upon my arrival as Chief of Police and has served both the City and our residents well. However, the situation presents that officers sometimes entertain obstacles and immediate referrals and interventions are necessary. This initiative is funded by an annual operating budget. Although this concept has worked well in its first year, we've seen extensive growth and development of the program. Just since FY15/16 initiated, 90 people have been helped thus far within the City with 57 total cases being referred to AID.

The items before you seek to bring a social worker into our day-to-day operations and have office hours within our police operations. This will start between 15-20 hours per week. The concept is to develop strong relationships with our staff, the community at large, and social service groups that service our greater area. I've budget \$30K in the upcoming 2016/17 operating budget to fund this service by seeking matching funds from the 708 Mental Health Board in the amount of \$15K. However, the on-call 24/7 services will remain and Yesenia will be available to my staff 2 to 3 days a week. She has been working for AID for several years and she is bi-lingual. Her skills have been a great addition to our services.

The contract before you this evening is a 50% split between the City and 708 Mental Health Board. This agenda seeks a recommendation to not only approve the resolution for the contract but also a lease agreement to staff AID within the Police Department. Current operations and the layout will not be affected.

To summarize, I really wanted to initiate this upon my arrival. I started slow and I crawled before I walked. The officers have seen the fruits of the labor of Yesenia in the group and we're here to take it to the next step. I've been given a favorable recommendation from the 708 Board and that grant will be announced in August. There are some processes in place if funding should not be established or awarded by the 708 Board; we can either rescind the contract or scale back the services.

Ald. Lewis: I think this a wonderful idea. I served on the 708 Board for 12+ years and this is a good place for this money to come from and good use of our 708 dollars. I see things in my neighborhood that this will help and I am very excited about it and support it whole heartedly.

Motion by Ald. Turner, second by Lewis to recommend to approval of a Resolution for the Contract and Lease Agreement with AID (Association for Individual Development) for One Year.

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

5. Public Works Department

a. Consideration of change to Red Gate Water Tower logo and paint color.

Peter Suhr: This agenda item is in regard to the Red Gate Water Tower in particular for a consideration to approve the logo and/or the paint color requested by the Woods of Fox Glen Homeowners Association (HOA). Recognizing this project is underway and is scheduled for painting in the next couple of weeks, we respectfully request that you give us some direction tonight to avoid any unnecessary project delays. That being requested, I'm certainly going to try to give you as much detail tonight so that you can make an informed decision in moving forward. There are also some representatives here from the HOA tonight to talk as well.

Slide: Water Tower Project Background: This was part of the 2007 Water Utility Master Plan. When it's completed it will provide 1.5 million gallons storage to the system. This will assist with meeting peak water supplies and demands and provide redundancy needed to maintenance other towers. The other two water towers we have are in need of painting as well and are in the next 4-year budget. So once this water tower is on-line, it will give us the ability to drain one tower at a time and repaint. We had some discussion on the color and logo of this particular design that was to be the trend or example for the next two water towers for painting. This tower will also ensure fire flow reserves are adequate and this was financed through IEPA low interest loan.

Slide: Woods of Fox Glen HOA recently contacted the PW Department about some concerns they had. After several conversations and emails, we felt it was necessary to meet with them and understand what their requests were. We met a week ago and the basis of their concerns are the colors and appearance of the water tower itself. They've moved beyond the fact that the water tower is there to stay; it's more of an appearance discussion.

- They want a color that is more rustic or complements more of the natural surroundings. We made reference to the current condition of the water tower that is a rust and dark green that is the color of the steel before it's painted. They felt that was a better solution conceptually than the proposed color scheme.
- We discussed the orientation of the lettering and logo as it relates to facing east towards their community and I believe they would prefer no logos on the tower and have a solid natural color.
- They contacted their ward alderman Steve Gaugel who met with them recently in their neighborhood to see their perspective and recognize what they're requesting here.

In preparation for tonight, PW has been working diligently with the general contractor and engineer to piece together as much information as we can to provide you with details on perhaps the consequences of the changes at this stage of the game with regards to financial and scheduling impacts that might vary based on decisions that could be made tonight.

(Showed slides of examples of color combinations and schematics and the current chosen and approved water tower)

Slide: Around April 2014 is when we were presenting these two types of concepts to the committee in a public forum. This is when we started to talk about colors and graphics on the water tower. Through discussion and detail presentations of the PW Department and our engineers we can to one single solution (chosen/approved tower slide). This was selected and

approved on May 2014. This concept was chosen for the following reasons:

- There are two fox logos – one on each side – north and south – going down Rt. 25 going south you see the foxes.
- The words of St. Charles on the east and west sides of the tower which as people come across the Red Gate Bridge they would see the words on the tower.
- Colors – white is the base color and industry standard for most water towers. White is also the color of the existing towers that we currently own and also the least expensive paint. The darker the color, the more pigments need to be added; therefore that adds costs.
- The lighter colors don't fade as fast as the dark colors do; especially the top part of the bowl.
- The size of the letters and graphics; the 12-foot letters is an industry standard given to us by our engineers based on the height of the tower and distance. A smaller 8-foot graphic was discussed but felt 12 feet lettering was appropriate for St. Charles.
- Colors maroon and teal are the City's colors; and this also becomes the standard for the next two water towers that will be painted here in the future.
- The bottom band of the bowl is painted a darker color and that discussion was really about the visibility of the form of the water tower in that location. Dew forms and water evaporates down to that section of the tower and sits there. In lighter color water towers you can see that over time. Darker colors tend to hide that mildew. We're not so concern about the fading in that area because the tower, itself, casts a shadow on that area. So that's an appropriate location on the tower for a darker color.

Slide: Project Timeline on what's going on (showed a list of meetings). In May 2013, the engineering was approved. There were several meetings held that were specific to the lay of the design and color. In January 2015 that is when the construction started and the area became active with contractors and the City was well aware that the project was underway at that time.

Slide: Current Status – January 2016 the tower was erected and has been vacant over the recent winter months. The next stage is painting and now that the weather is nice enough painting has commenced inside the water tower. The outside of the tower is also getting prepared for paint such as sandblasting. One key date is April 22; our contractors and engineers have identified to us that the exterior paint needs to be order by that date to remain on the current schedule. There's a 2-3 week lead time for the paint to be ordered and they are planning to start painting this tower within the next few weeks. If we remain on scheduled April – July; we'll paint the exterior that is a very weather dependent process as moisture is a concern. It's less humid at that time. July – September we do electric work and fill the tank, do sterilization and test of water and site work all in preparation for a grand opening celebration in October.

Slide: If Change is Considered... potential impacts to schedule and project costs – if we decide tonight to change color or logo, we would need a week or two to meet with the HOA and determine what that definition of natural surroundings mean? Is it green, gray or rust? We also need to work with our engineers to provide drawings as they've done in the past so we can see a photograph and it could be approved based on an image. That will take another 2 – 3 weeks to get through that. Once that is approved, we need 2 – 4 weeks for the contractor to prepare shop

drawings on any major change to the logo or color; and if the logo changes significantly enough we may have to create new templates. Then another 2-3 weeks to order yet the new paint and the contractor to re-mobilize. By that I mean, the contractor has already identified they are extremely busy this summer and they will most likely move on to the next project. We'll have to remobilize and scheduled them back to this project to complete the work at a later date. So possible impact to the schedule is 7 – 12 weeks which means in the bigger picture in October of having our grand opening moved to December or beyond.

Slide: Options that will impact schedule and cost – these are little more difficult to determine at this current time because there's so many factors and until we make a decision we can't fill in the numbers to determine a cost.

- Paint color – darker colors are more expensive; we could be talking about an additional color. This could be in the range of \$3K to \$6K or \$7K.
- Engineering work – if our engineers need to be engaged for renderings/drawings, perhaps that a \$3K number.
- Template fabrication – I didn't get a solid number for a template cost, but if we do change it significantly and have to remake a template, there will be costs associated to that. If we're into this project enough, that may also require us to redo the paint preparation where rust might develop that was already painted.
- Contractor remobilization – if the contractors leave the site and pack up their gear and move to a new location and then remobilize to our site – there may be some cost impacts there.
- Weather – this is a good opportunity to get this complete in the prime season and if we delay that; you start to think about Fall and poorer conditions, etc.

In all fairness my portion of this conversation seems one-sided. This perspective is from Public Works and we've been tasked to complete this project on schedule that we presented to you and was approved back in 2014. That's why I'm providing you details here tonight. I understand you have a bigger decision to make and it impacts a larger range than what Public Works' vision is. I've put together four small impact suggestions that may not significantly impact the cost.

1. We could potentially make a decision today to rotate the logo. I can call the contractor tomorrow and there is no time delay or cost impacts for a decision like that.
2. We could eliminate the logo or eliminate the name St. Charles and that would not impact the project.
3. We could change a color to an already approved color, such as change the entire water tower to white or teal that has been selected – that's an easy change to make. Those colors have been vetted through our engineering process.
4. Reduction of the letters or logo size may have some cost impacts to do a new template but as they're preparing/painting the base color, they could do that new template design; therefore holding the schedule.

This completes my presentation and Laura and Denise are here from the HOA to speak.

Laura Hallpenny, 1002 Glenbriar Court, St. Charles: I understand the timing and financial schedules and everything else might not seem ideal. I'm on the HOA and I support all the

infrastructure and that's not what I'm here tonight for. I'm not sure where we missed the public notice where we could of come and spoke, but after it got built and we had time to look and digest it is when we started getting concern when we saw the color scheme. The concern lies with the colors and position of the logos. It does not add to the beautification of the area. I don't want us to make a hasty decision because of a business card. I'm asking for you to take into consideration some of the homework that Peter has done and come to a better decision on being a leader. We are all trending towards environmental friendly and beautification. We're trying to protect the environment and ask you to reconsider a color. Perhaps have the color in matt finish and reduce the logo size and keep the foxes but change the position to north and south. We are happy to meet with you just as soon as we can all get together. If we work quickly enough, it won't be detrimental to the overall budget. I think about people enjoying the water tank, let this be the trend to how we take in the natural surroundings and our beautiful community for the future tanks that are on the schedule for next 2, 3, 4 years. Let people say "Wow, City Council really thought this through to what would blend better in the community instead of making it look a business card."

(Round table discussion with the alderman, Peter and Ms. Hallpenny commenced. Concerns were expressed on having to go through this with other neighborhoods who may want something done differently when their area water tower gets painted down the road. Discussion regarding about not getting any public notice, how many people in Woods of Fox Glen are making complaints about this new tower. Other water towers in St. Charles residents have not come forward with complaints of the water tower in their neighborhood. There has been plenty of press and posted on the city website regarding this. Discussed the size scale of tower now that it's built and Ms. Hallpenny wants time to discuss possible changes for options that do not significantly impact scheduling and costs. This is not a matter of taste but blending in with the natural surroundings.)

Chrmn. Stellato: Point of order, Peter you are not looking for a motion tonight unless we want to change something? If we do nothing tonight, everything stays the way it is. My question is if we rotate the logo, you'll still see letters. Perhaps make the font smaller; we should put that in a motion.

Ms. Hallpenny: Could I ask if you're not going to change the color scheme that you at least consider going to a single color with the logo rotation and reduction as an amicable resolve?

Motion by Ald. Gaugel, second by Turner to rotate the logo to face east/west and the wording would face north/south to reduce the visibility from the east.

Peter: Rotating the logos would be free, the template is already made and to put the template in a different location on the tower is not a big deal. Changing the size of the template will incur some cost for a new template and I don't have the specific cost for that.

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

Motion by Ald. Gaugel to change the color scheme to a single color for the tank and a single color for the lettering to be recommended by Public Works. No second motion made – **Motion failed.**

Ms. Hallpenny: Since we can't have the color changed, can we have the font sized changed for the lettering.

Peter: We are looking at a new template and going back to the recommendation, we don't anticipate this being a significant cost or a significant time delay, but we don't have that verified today, so there may be a small cost increase for making a new template and may have a schedule delay if they can't get it completed in time when they're ready for it; but this is a low impact decision.

The lettering on the right in the slide are 8 feet high instead of 12 feet high. So you can see the comparison in the photograph of 8 feet versus 12 feet lettering. I think we can make it in time as they paint the base color, we could get the new template done, and the cost will be somewhere between \$3K - \$7K.

Ald. Lewis: Are our other water tower's lettering the same size?

Peter: No, they're different sizes and shapes. We would have to work on the concept of each one independently. The templates are not made to be saved. Once they're use they are scrapped.

Mark: If you're reducing one color right out of the equation, you are already saving some money there. If you're making the template smaller, you are saving money right there on the paint.

Chrmn. Stellato: You've heard the letter size is not going to significantly impact the job or the time. Motion has been made to lower the lettering from 12 feet to 8 feet.

Motion by Ald. Gaugel, second by Lemke to reduce the size of the lettering and logo.

Roll Call: Ayes: Payleitner, Lemke, Bancroft, Gaugel, Stellato; Nays: Turner, Bessner, Lewis, Silkaitis; Absent: Krieger. Chrmn. Stellato broke tie by voting yes. **Motion carried.**

Motion by Ald. Bancroft, second by Bessner to go into Executive Session to discuss Land Acquisition at 8:53 p.m.

Roll Call: Ayes: Payleitner, Lemke, Turner, Bancroft Gaugel, Bessner, Lewis, Stllato Silkaitis; Nays: None; Absent Krieger. Chrmn. Stellato broke tie by voting yes. **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, Bancroft, second by Turner to come out of Executive Session at 9:28.

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

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

9. Adjournment

Motion by Ald. Lemke, second by Gangel to adjourn meeting at 9:30 p.m.

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

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