

**AGENDA
CITY OF ST. CHARLES
GOVERNMENT OPERATIONS COMMITTEE
ALD. DAN STELLATO, CHAIR**

**MONDAY, DECEMBER 5, 2016
IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – 2 EAST MAIN STREET**

- 1. Call to Order**
- 2. Roll Call**
- 3. Omnibus Vote**
 - a. November 2016 Budget Revisions
- 4. Administrative**
 - a. Video Gaming Statistics – Information Only
- 5. City Administrator’s Office**
 - a. Recommendation to approve a request for funding to the River Corridor Foundation for the Volunteer Plaza Digital Database.
- 6. Information Systems**
 - a. Recommendation to authorize staff to use Robert Half Technology for temporary help desk support services staff for a not-to-exceed cost of \$28,500.
 - b. Recommendation to authorize staff to use Client First Consulting for network consulting and support services for a not-to-exceed cost of \$32,250.
- 7. Police Department**
 - a. Recommendation to approve an Ordinance amending several sections of Title 9 – Public Peace, Morals and Welfare; Chapter 9.45 -Nuisance Abatement.
 - b. Recommendation to approve an Ordinance Amending Title 9 – Public Peace, Morals and Welfare; Chapter 9.51 – Possession of Cannabis; Section 9.04.040 – Violation – Penalty; and Chapter 9.53 – Drug Paraphernalia; Section 9.53.050 – Violation – Penalty.
 - c. Recommendation to approve an Ordinance amending Title 10 – Vehicles and Traffic; Chapter 10.04 – General Provisions; Section 10.04.022 – Seizure and Impoundment of Motor Vehicles – Use in Connection with Illegal Activity.
- 8. Fire Department**
 - a. Recommendation to approve an Ordinance Amending the St. Charles Municipal Code – Title 15, “Buildings and Construction”, Chapter 15.04 “Building Code”, Section 15.04.020 "One-Family and Two-Family Residences”.

9. 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.

11. Adjournment

ADA Compliance

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

CITY OF ST. CHARLES
Budget Revision Listing

November 2016

JE TYPE	JE #	BUDGET #	COMPANY	FISCAL YEAR	PERIOD	DATE	ACCT-UNIT	ACCOUNT	AMOUNT	DESCRIPTION
Budget Transfer	114	100	1000	2017	7	11/02/2016	100401	52100	900.00	For refreshment supplies
Budget Transfer	114	100	1000	2017	7	11/02/2016	100400	54160	(900.00)	For refreshment supplies
Budget Transfer	114	100	1000	2017	7	11/02/2016	100200	54254	900.00	For internet hosting charges
Budget Transfer	114	100	1000	2017	7	11/02/2016	100200	54253	(900.00)	For internet hosting charges
Budget Transfer	114	100	1000	2017	7	11/02/2016	210540	54110	900.00	For legal
Budget Transfer	114	100	1000	2017	7	11/02/2016	210540	54361	(900.00)	For legal
Budget Transfer	114	100	1000	2017	7	11/02/2016	210541	54301	500.00	For hauling services
Budget Transfer	114	100	1000	2017	7	11/02/2016	210541	54456	(500.00)	For hauling services
Budget Transfer	114	100	1000	2017	7	11/02/2016	210541	54463	900.00	For water line repair
Budget Transfer	114	100	1000	2017	7	11/02/2016	210541	54456	(900.00)	For water line repair
Budget Transfer	114	100	1000	2017	7	11/02/2016	220551	52305	300.00	For safety supplies
Budget Transfer	114	100	1000	2017	7	11/02/2016	220551	52304	(300.00)	For safety supplies
Budget Transfer	114	100	1000	2017	7	11/02/2016	220552	52305	800.00	For safety supplies
Budget Transfer	114	100	1000	2017	7	11/02/2016	220552	52304	(800.00)	For safety supplies
Budget Transfer	114	100	1000	2017	7	11/02/2016	220552	52805	500.00	For street repair materials
Budget Transfer	114	100	1000	2017	7	11/02/2016	220552	52314	(500.00)	For street repair materials
Budget Transfer	114	100	1000	2017	7	11/02/2016	715700	54139	130.00	For sales tax revenue bonds
Budget Transfer	114	100	1000	2017	7	11/02/2016	715700	54133	(130.00)	For sales tax revenue bonds
Budget Transfer	114	100	1000	2017	7	11/02/2016	800223	51600	200.00	For uniforms for new employee
Budget Transfer	114	100	1000	2017	7	11/02/2016	800223	52000	(200.00)	For uniforms for new employee
Budget Transfer	114	100	1000	2017	7	11/02/2016	800223	52305	100.00	For safety supplies
Budget Transfer	114	100	1000	2017	7	11/02/2016	800223	52100	(100.00)	For safety supplies
Budget Transfer	114	100	1000	2017	7	11/02/2016	801512	52300	100.00	For HVAC related supplies
Budget Transfer	114	100	1000	2017	7	11/02/2016	801512	52400	(100.00)	For HVAC related supplies
Budget Transfer	114	100	1000	2017	7	11/02/2016	801512	52305	300.00	For safety supplies
Budget Transfer	114	100	1000	2017	7	11/02/2016	801512	52402	(300.00)	For safety supplies
Budget Transfer	114	100	1000	2017	7	11/02/2016	801512	52305	950.00	For small tools & equipment
Budget Transfer	114	100	1000	2017	7	11/02/2016	801512	52402	(950.00)	For small tools & equipment
114 Total										-
Budget Addition	115	100	1000	2017	7	11/03/2016	507663	56101	60,000.00	Bldg 1 Streetscape-Per RDA F-2
Budget Addition	115	100	1000	2017	7	11/03/2016	507900	31199	(60,000.00)	Bldg 1 Streetscape-Per RDA F-2
Budget Addition	115	100	1000	2017	7	11/03/2016	507663	54189	18,000.00	Bd 1 Strscpe Mgmt Fee-Per RDA
Budget Addition	115	100	1000	2017	7	11/03/2016	507900	31199	(18,000.00)	Bd 1 Strscpe Mgmt Fee-Per RDA
115 Total										-
Budget Addition	116	100	1000	2017	7	11/04/2016	800223	56004	260.00	Replc monitor-frm comp reserve
Budget Addition	116	100	1000	2017	7	11/04/2016	800900	31194	(260.00)	Replc monitor-frm comp reserve
116 Total										-
Budget Transfer	117	100	1000	2017	7	11/04/2016	800223	56004	260.00	For new monitor for counter
Budget Transfer	117	100	1000	2017	7	11/04/2016	800223	52000	(260.00)	Replc monitor-frm comp reserve
117 Total										-
Budget Addition	118	100	1000	2017	7	11/08/2016	520200	56003	8,000.00	Repl Fire Copier-Copier Reserv
Budget Addition	118	100	1000	2017	7	11/08/2016	520900	31191	(8,000.00)	Repl Fire Copier-Copier Reserv

CITY OF ST. CHARLES
Budget Revision Listing

November 2016

JE TYPE	JE #	BUDGET #	COMPANY	FISCAL YEAR	PERIOD	DATE	ACCT-UNIT	ACCOUNT	AMOUNT	DESCRIPTION
Budget Addition	118	100	1000	2017	7	11/08/2016	200520	54110	1,790.00	For Hoscheit Legal bill
Budget Addition	118	100	1000	2017	7	11/08/2016	200900	31199	(1,790.00)	For Hoscheit Legal bill
Budget Addition	118	100	1000	2017	7	11/08/2016	210540	54110	480.00	For Hoscheit Legal bill
Budget Addition	118	100	1000	2017	7	11/08/2016	210900	31199	(480.00)	For Hoscheit Legal bill
118 Total										-
Budget Transfer	119	100	1000	2017	7	11/08/2016	100510	54399	1,000.00	Reimb Travelers-Vehicle Repair
Budget Transfer	119	100	1000	2017	7	11/08/2016	100510	54450	(1,000.00)	Reimb Travelers-Vehicle Repair
Budget Transfer	119	100	1000	2017	7	11/08/2016	100510	54014	110.00	For cable charges
Budget Transfer	119	100	1000	2017	7	11/08/2016	100510	54305	(110.00)	For cable charges
Budget Transfer	119	100	1000	2017	7	11/08/2016	200521	54014	110.00	For cable charges
Budget Transfer	119	100	1000	2017	7	11/08/2016	200521	54000	(110.00)	For cable charges
119 Total										-
Budget Transfer	120	100	1000	2017	7	11/09/2016	100400	54142	150.00	For background checks
Budget Transfer	120	100	1000	2017	7	11/09/2016	100400	54110	(150.00)	For background checks
Budget Transfer	120	100	1000	2017	7	11/09/2016	220551	54142	132.00	For background checks
Budget Transfer	120	100	1000	2017	7	11/09/2016	220551	54371	(132.00)	For background checks
Budget Transfer	120	100	1000	2017	7	11/09/2016	100221	54401	471.00	For postage machine
Budget Transfer	120	100	1000	2017	7	11/09/2016	100221	54500	(471.00)	For postage machine
120 Total										-
Budget Addition	121	100	1000	2017	7	11/09/2016	501500	56200	256,057.00	Final payment to IDOT for RGB
Budget Addition	121	100	1000	2017	7	11/09/2016	501900	31199	(256,057.00)	Final payment to IDOT for RGB
121 Total										-
Budget Addition	122	100	1000	2017	7	11/10/2016	800223	53001	12,000.00	For add'l obsolete inventory
Budget Addition	122	100	1000	2017	7	11/10/2016	800900	31199	(12,000.00)	For add'l obsolete inventory
122 Total										-
Budget Transfer	123	100	1000	2017	7	11/10/2016	100130	50200	200.00	For BPFC Overtime-Carole M
Budget Transfer	123	100	1000	2017	7	11/10/2016	100130	50101	(200.00)	For BPFC Overtime-Carole M
Budget Transfer	123	100	1000	2017	7	11/10/2016	100130	54141	550.00	For Fire Testing for BPFC
Budget Transfer	123	100	1000	2017	7	11/10/2016	100130	54532	(550.00)	For Fire Testing for BPFC
Budget Transfer	123	100	1000	2017	7	11/10/2016	100510	52307	400.00	For plumbing supplies
Budget Transfer	123	100	1000	2017	7	11/10/2016	100510	52313	(400.00)	For plumbing supplies
Budget Transfer	123	100	1000	2017	7	11/10/2016	220551	52701	900.00	For WWTP lab supplies
Budget Transfer	123	100	1000	2017	7	11/10/2016	220551	52314	(900.00)	For WWTP lab supplies
Budget Transfer	123	100	1000	2017	7	11/10/2016	220551	55150	60.00	For WC Medical Payment
Budget Transfer	123	100	1000	2017	7	11/10/2016	220551	54399	(60.00)	For WC Medical Payment
Budget Transfer	123	100	1000	2017	7	11/10/2016	800223	52306	5.00	For signage
Budget Transfer	123	100	1000	2017	7	11/10/2016	800223	52310	(5.00)	For signage
Budget Transfer	123	100	1000	2017	7	11/10/2016	801512	52301	100.00	For HVAC Supplies
Budget Transfer	123	100	1000	2017	7	11/10/2016	801512	52312	(100.00)	For HVAC Supplies
Budget Transfer	123	100	1000	2017	7	11/10/2016	801512	52310	950.00	For small tools & equipment
Budget Transfer	123	100	1000	2017	7	11/10/2016	801512	52402	(950.00)	For small tools & equipment
123 Total										-

CITY OF ST. CHARLES
Budget Revision Listing

November 2016

JE TYPE	JE #	BUDGET #	COMPANY	FISCAL YEAR	PERIOD	DATE	ACCT-UNIT	ACCOUNT	AMOUNT	DESCRIPTION
Budget Addition	124	100	1000	2017	7	11/14/2016	100510	51205	8,330.00	3rd Quarter Unemployment
Budget Addition	124	100	1000	2017	7	11/14/2016	100300	51205	5,588.00	3rd Quarter Unemployment
Budget Addition	124	100	1000	2017	7	11/14/2016	100900	31199	(13,918.00)	3rd Quarter Unemployment
124 Total										-
Budget Transfer	125	100	1000	2017	7	11/14/2016	220552	51300	10.00	For registration and fees
Budget Transfer	125	100	1000	2017	7	11/14/2016	220552	51501	(10.00)	For registration and fees
Budget Transfer	125	100	1000	2017	7	11/14/2016	100510	51401	125.00	Lodging IPSI Training-Craft
Budget Transfer	125	100	1000	2017	7	11/14/2016	100510	51400	(125.00)	Lodging IPSI Training-Craft
125 Total										-
Budget Transfer	126	100	1000	2017	7	11/16/2016	507663	54189	5,000.00	Reallocate 1st St Phs 3 Budget
Budget Transfer	126	100	1000	2017	7	11/16/2016	507663	56200	(5,000.00)	Reallocate 1st St Phs 3 Budget
Budget Transfer	126	100	1000	2017	7	11/16/2016	100110	54500	28.00	Office supply shipping-emergen
Budget Transfer	126	100	1000	2017	7	11/16/2016	100110	52000	(28.00)	Office supply shipping-emergen
126 Total										-
Budget Transfer	127	100	1000	2017	7	11/18/2016	100130	54141	550.00	Fire Testing
Budget Transfer	127	100	1000	2017	7	11/18/2016	100130	54140	(550.00)	Fire Testing
127 Total										-
Roll Forward Budget for Non PO	129	100	1000	2017	7	11/23/2016	100650	54643	625.00	R/F 2nd half 15/16 scholarship
Roll Forward Budget for Non PO	129	100	1000	2017	7	11/23/2016	100900	31197	(625.00)	R/F 2nd half 15/16 scholarship
129 Total										-
Budget Addition	130	100	1000	2017	7	11/29/2016	200521	56001	56,000.00	Emerg Repl - Approved 11.21.16
Budget Addition	130	100	1000	2017	7	11/29/2016	200900	31192	(56,000.00)	Emerg Repl - Approved 11.21.16
130 Total										-
Grand Total										-

The revisions shown herewith have been approved by the City Council, except as noted below.

Chairman, Government Operations Committee

Date

Vice Chairman, Government Operations Committee

Date

Finance Director

Date

Exceptions:

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 4a

Title:	Video Gaming Statistics – Information Only
Presenter:	Chief Keegan

Meeting: Government Operations Committee Date: December 5, 2016

Proposed Cost: \$ Budgeted Amount: \$ Not Budgeted: **Executive Summary** *(if not budgeted please explain):*

Latest statistics on video gaming of what businesses have been approved by the state and city staff of the St. Charles Police Department, pending applications into the state for approval, and September-October report for St. Charles video gaming revenue as of November 22, 2016.

Attachments *(please list):*

Table – Video Gaming Establishments/Pending Applicants
Illinois Gaming Board Video Gaming Report – September-October 2016

Recommendation/Suggested Action *(briefly explain):*

None – For Information Only

Video Gaming Statistics as of November 22, 2016

Approved Establishments		
Name	# Machines	Address
A'Salute Lounge & Grill	5	2400 E Main Street, St. Charles
Alibi Bar & Grill Ltd.	5	12 N 3 rd Street, St. Charles
Alley 64	5	212 W Main Street, St. Charles
Dawn's Beach Hut	2	8 N 3 rd Street, St. Charles
Kane County Rookies	5	1545 W Main Street, St. Charles
Riverside Pizza & Pub	3	102 E Main Street, St. Charles
St. Charles Moose	5	2250 W Rt. 38, St. Charles
The Evergreen Pub & Grill	5	1400 W Main Street, St. Charles

Pending Applicants		
Name	# Machines	Address
Charleston on the Fox	?	1 W Illinois Street, St. Charles
Corfu Restaurant	?	2520 E Main Street, St. Charles
BeeHive Tavern & Grille	?	204 W Main Street, St. Charles
Gino's East	?	1590 E Main Street, St. Charles
Pub 222	?	222 W Main Street, St. Charles
St. Charles Bowl	?	2520 W Main Street, St. Charles
Trattoria ZaZa	?	5 S 1 st Street, St. Charles
Spotted Fox Ale House	?	3615 E Main Street, St. Charles

**ILLINOIS GAMING BOARD
VIDEO GAMING REPORT
St. Charles**

11/22/2016
11:38 am

September 2016 - October 2016

Municipality	Establishment	License Number	VGT Count	VGT Wagering Activity			VGT Income		VGT Tax Distribution			
				Amount Played	Amount Won	Net Wagering Activity	Funds In	Funds Out	NTI	NTI Tax Rate (30%)	State Share	Municipality Share
St. Charles	A'Salutè Inc.	160702452	5	\$146,252.03	\$133,705.09	\$12,546.94	\$44,071.00	\$31,523.91	\$12,547.09	\$3,764.22	\$3,136.85	\$627.37
St. Charles	ALIBI BAR & GRILL LTD.	150704430	5	\$5,561.17	\$4,631.28	\$929.89	\$2,193.00	\$1,263.11	\$929.89	\$278.97	\$232.48	\$46.49
St. Charles	BK & MM VENTURES LLC	160702415	5	\$339,529.29	\$317,551.77	\$21,977.52	\$110,364.00	\$98,386.46	\$21,977.54	\$6,593.34	\$5,494.45	\$1,098.89
St. Charles	DAWNS CAFE, LTD.	160702454	2	\$22,008.38	\$20,062.29	\$1,946.09	\$7,213.00	\$5,266.91	\$1,946.09	\$583.83	\$486.52	\$97.31
St. Charles	Riverside Pizza, Inc.	160702553	3	\$4,794.14	\$4,398.13	\$396.01	\$2,511.00	\$2,114.96	\$396.04	\$118.81	\$99.01	\$19.80
St. Charles	St. Charles Lodge No. 1368, Loyal Order of Moose	160802392	5	\$38,124.80	\$34,700.99	\$3,423.81	\$12,027.00	\$8,603.19	\$3,423.81	\$1,027.15	\$855.96	\$171.19
REPORT TOTAL:				6 Establishments	\$515,049.55	\$41,220.26	\$178,379.00	\$137,158.54	\$41,220.46	\$12,366.32	\$10,305.27	\$2,061.05

**AGENDA ITEM EXECUTIVE SUMMARY**Agenda Item number: **5a**

Title:	Recommendation to Approve a Request for Funding to the River Corridor Foundation for the Volunteer Plaza Digital Database
Presenter:	Mark Koenen and Larry Maholland – River Corridor Foundation

Meeting: Government Operations Committee

Date: December 5, 2016

Proposed Cost: \$2,500.00

Budgeted Amount: \$

Not Budgeted: **Executive Summary** *(if not budgeted please explain):*

This is request from the River Corridor Foundation (RCF) for financial assistance for the Volunteer Plaza Digital Database. The funding will be used to finalize the development of this database with their vendor Vision Friendly from Naperville. The concept would be to have a small pedestal structure with information and it would also include a QR code that could be scanned with a smart phone to look up information about a volunteer while at the Plaza. The RCF is proposing to make this a collaborative venture with the Park District, the City, and themselves.

Larry Maholland will be available to respond to any concerns. Also the RCF is managing the long-term maintenance, upkeep and any liability for this e-device.

Attachments *(please list):*

Memo

Quote for Volunteer Database

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve a request for funding to the River Corridor Foundation for the Volunteer Plaza Digital Database.

Volunteer Database

OVERVIEW: St. Charles is a community of people and businesses bound by a geographic area. The viability and vitality of the community, though, depends on the involvement of residents. In this regard, St. Charles has a long history of residents contributing their time and talent for the betterment of the community. This is the essence of volunteerism.

The cumulative contributions of volunteers since St. Charles was settled in 1834 are immeasurable. Social service, community events, public art, education, conservation, and public improvements are some of the areas that have benefitted by the work of volunteers. It is obvious from even limited observation that these benefits have greatly enhanced the quality of life in our community.

Many agencies formally recognize the efforts of volunteers. The most prominent is the Charlemagne Award given by the Chamber of Commerce for lifetime achievement of service to St. Charles. There are, however, literally hundreds of volunteers who happily give to the community with little, or no, recognition.

With the above thoughts in mind, the River Corridor Foundation recommended that the newly constructed parking lot plaza behind the Municipal Building be designated as Volunteer Plaza. The focus of the plaza is the sculpture titled Reflections. It is meant to memorialize and honor Max and Doris Hunt, who, over time have embodied the ideal of volunteerism. As part of that theme, the Charlemagne Award winners are prominently displayed around Reflections. Missing from the plaza, however, is any form of recognition for all the volunteers who have contributed to the community.

CONCEPT: While it would be impractical to display the names of all volunteers in the plaza, it is important that they have the opportunity to be recognized in some way. To this end, a digital database is being developed as a repository for volunteer names and related information. Instructions for accessing the database will be displayed in the plaza. When completed, the plaza and database will encourage people to contemplate the important role of volunteerism to St. Charles, as well as provide a way to demonstrate the community's appreciation.

OPERATION: Initially, each volunteer organization will register by providing its name, a brief description of the organization, and a contact person with related information. Once the organization is set up, names of volunteers can be entered. Volunteer Information will have the person's name, e-mail address, phone number, dates served, awards and comments. A volunteer will also be able to enter their information into the database; however, it will not become part of the database until the organization authorizes the addition. If the organization does not make a decision within three business days then an e-mail will be automatically sent to a system administrator to follow up with the organization to determine the reason for the delay.

Once the database is established, the name of a volunteer can be retrieved as well as all information related to his or her organizational involvement. Personal information such as e-mail or phone number

will not be available to the public. Cumulative information can also be pulled from the database. For example, someone might want to know the total for number of volunteers, volunteer hours, etc.

REQUEST OF THE CITY: The River Corridor Foundation (RCF) and the St. Charles Park District (SCPD) have developed the concept and a proof-of-concept database. In addition, the RCF has invested-\$1,200 for this initial development work. Based on ~~our~~ discussion with our web developers, we believe the remaining work necessary to fully implement the database can be completed for less than \$2,500. The RCF and SCPD respectively request that the city provide funding up to ~~for~~ this amount for completion and implementation of the database.



VISIONFRIENDLY.COM
• WEB ENGINEERING •

EVERYTHING INTERNET

November 27, 2016

Larry Maholland
River Corridor Foundation of St. Charles
1750 Forest Ridge Road
St. Charles, IL 60174

Larry,

We are excited to continue to work with you as a partner to further improve your volunteer directory website.

To get us started, we have identified the upgraded features discussed, and we also list the estimated investment needed make it happen. I can be reached at 630-553-0000 to answer any questions you may have.

Sincerely,

Eric Kinsey
President
VisionFriendly.com



Estimated Design & Development Services

Website Design Feature	Cost	Hours
Domain Name - Configuration and Registration 5 years	120	1
Migration to separated hosting (no-charge for first year)	340	2
Modification to Existing Volunteer Pages	1,680	14
<ul style="list-style-type: none"> • Change all references to Category to say Organization • Attempt to change Registration form to be multiple pages • Rearrange the signup process to match the outline provided as much as is possible • Upgrade to its own theme and install graphic header of the plaza • Look into customized reporting options for export • See if we can have email address not required for registration • Get modified instructions for working without moderators • Perform usability tests to improve user experience 		
Project management consultation and testing time	360	3
Total for Website Design (one-time costs)	\$2,500	20

What to Expect

Content

Larry, we need your help in providing content for the site. Your input and review is required to get the correct message across. If the content delivery is delayed, or there are many revisions or changes that occur it can delay the final delivery date and/or affect the cost of the website.

Ownership

All content will be the property of River Corridor Foundation of St. Charles once payments are fulfilled. Any stock graphics provided by VisionFriendly.com will be properly licensed.

Summary

Larry, we look forward to moving ahead with your upgrades.

Sincerely,

Eric Kinsey
President
VisionFriendly.com



**AGENDA ITEM EXECUTIVE SUMMARY**Agenda Item number: **6a**

Title:

Recommendation to Authorize Staff to use Robert Half Technology for Temporary Help Desk Support Services Staff for a Not-to-Exceed Cost of \$28,500

Presenter:

Larry Gunderson, Director of Information Systems

Meeting: Government Operations Committee

Date: December 5, 2016

Proposed Cost: \$28,500

Budgeted Amount:

Not Budgeted: **Executive Summary** *(if not budgeted please explain):*

The Information Systems Department has utilized Robert Half Technology to provide temporary help desk staff. These staff have filled a need for help of desk/user support, PC maintenance and software support without having to hire additional staff.

Due to the unexpected loss of a key staff member, the Information Systems Department has utilized temporary staff from Robert Half Technology to fill the role of the PC and Network Specialist position. This has enabled the Information Systems Department to meet some of the need for PC user support, while also allowing for time to recruit a new full-time staff position.

The cost for temporary help desk support services staff has exceeded \$25,000 for the current fiscal year. The Information Department is seeking authorization to use Robert Half Technology for temporary help desk support services staff for a not-to-exceed cost of \$28,500.

Attachments *(please list):*

None

Recommendation/Suggested Action *(briefly explain):*

Recommendation to authorize staff to use Robert Half Technology for temporary help desk support services staff for a not-to-exceed cost of \$28,500.

**AGENDA ITEM EXECUTIVE SUMMARY**Agenda Item number: **6b**

Title:

Recommendation to Authorize Staff to use Client First Consulting for Network Consulting and Support Services for a Not-to-Exceed Cost of \$32,250

Presenter:

Larry Gunderson, Director of Information Systems

Meeting: Government Operations Committee

Date: December 5, 2016

Proposed Cost: \$32,250

Budgeted Amount: \$32,250

Not Budgeted: **Executive Summary** *(if not budgeted please explain):*

The Information Systems Department has utilized out-sourced computer support and consulting services to assist in the implementation of network and server systems for the past four years. Out-sourcing these services has provided Information Systems with experienced network specialists and consultants that have augmented the City's staff and provided valuable expertise in new technologies.

Client First Consulting was selected to provide network consulting services through a qualifications-based evaluation process. Since that time Client First has provided as-needed project and task-based support services on a time and materials basis. Some of Client First's projects have included the following: implementation of a system that provides for a fail-over of computer servers to ensure continuity of critical business processes, implementation of network monitoring software and installation of network security hardware.

Although Client First was selected based on their qualifications, their labor costs of \$135 per hour are on the lower end of costs for computer support consultants that the City has used recently; typical hourly labor costs range between \$125 and \$160.

Due to the fact that Client First has already completed \$25,000 of work this fiscal year and the current backlog of network and server implementation projects, it is expected that using the entire budgeted amount will be required. As a result, it is recommended that City Council authorize the Information Systems Department to use Client First Consulting for network consulting services for a not-to-exceed cost of \$32,250.

Attachments *(please list):*

None

Recommendation/Suggested Action *(briefly explain):*

Recommendation to authorize staff to use Client First Consulting for network consulting and support services for a not-to-exceed cost of \$32,250.

**AGENDA ITEM EXECUTIVE SUMMARY**Agenda Item number: **7a**

Title:	Recommendation to Approve an Ordinance Amending Several Sections of Title 9 – Public Peace, Morals and Welfare; Chapter 9.45 -Nuisance Abatement
Presenter:	Chief Keegan

Meeting: Government Operations Committee

Date: December 5, 2016

Proposed Cost: \$N/A

Budgeted Amount: \$N/A

Not Budgeted: **Executive Summary** *(if not budgeted please explain):*

This agenda item returns to Government Operations after it was presented as a concept and advanced forward from the October Planning and Development Meeting. Highlights of the ordinance modifications now presented for consideration include:

- Review period advances from 6-months to 1-year.
- After two qualifying offenses, a warning letter is sent to the owner and tenant.
- A third qualifying offense mandates a sit-down meeting and an abatement plan.
- Failure to meet and construct an abatement plan or a fourth qualifying offense allows the City to cite and advance a violation to either the circuit court or local adjudication. Fines can be levied at \$750.00 per occurrence.
- We reserve the right to ask for an eviction or petition the court for a temporary injunction on the subject property.
- Numerous building code type violations were added to the list of qualifying offenses (uninhabitable property, structural issues, etc.)

Attachments *(please list):*

Ordinance

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve an Ordinance amending several sections of Title 9 – Public Peace, Morals and Welfare; Chapter 9.45 -Nuisance Abatement.

City of St. Charles, Illinois
Ordinance No. 2016-M- _____

**An Ordinance Amending Title 9 “Public Peace, Morals and Welfare”,
Chapter 9.45 “Nuisance Abatement”, Section 9.45.020 “Definitions”, Section
9.45.030 “Remedy”, Section 9.45.050 “Procedure”, Section 9.45.060
“Commencement of Action – Burden of Proof”, of the St. Charles Municipal
Code**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES,
KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:**

SECTION ONE: That Title 9 “Public Peace, Morals and Welfare” Chapter 9.45 “Nuisance Abatement” Section 9.45.020 “Definitions”, of the St. Charles Municipal Code, be and is hereby amended as follows:

- A. Chronic Nuisance Property: *Any P*roperty upon which ~~two~~*three* (3) or more of the behaviors listed below have occurred during any ~~180-day~~*12-month* period, as a result of any ~~two~~*three* (23) separate factual events that have been independently investigated by any law enforcement agency *or community development department, or three (3) or more citations of nuisance activity within a twelve (12) month period, which have been adjudicated and findings of liable or guilty have been entered either by the City administrative hearing officer or court of competent jurisdiction.*
1. Disorderly Conduct as defined in 720 ILCS 5/26-1.
 2. Unlawful Use of Weapons as defined in 720 ILCS 5/24-1, et seq.
 3. Mob Action as defined in 720 ILCS 5/25.1.
 4. Discharge of a Firearm as defined in 720 ILCS 5/24-1 .2 and 1.5.
 5. Gambling as defined in 720 ILCS 5/28-1.
 6. Possession, Manufacture or Delivery of Controlled Substances as defined in 720 ILCS 570/40, et seq.
 7. Assault or Battery or Any Related Offense as defined in 720 ILCS 5/12-1, et seq.
 8. Sexual Abuse or Related Offenses as defined in 720 ILCS 5/ 12-15, et seq.
 9. Public Indecency as defined in 720 ILCS 5/ 11-9, et seq.
 10. Prostitution as defined in 720 ILCS 5/11-14, et seq.
 11. Criminal Damage to Property as defined in 720 ILCS 5/21-1, et seq.
 12. Possession, Cultivation, Manufacture or Delivery of Cannabis as defined in 720 ILCS 55011, et seq.
 13. Illegal consumption or Possession of Alcohol as defined in 235 ILCS 5/ 1, et seq.
 14. Violation of any City of St. Charles ordinance or State of Illinois statute controlling or regulating the sale or use of alcoholic beverages.
 15. Violation of City of St. Charles property maintenance code section 305, or any successor code section, relative to rubbish and garbage.
 16. Violation of chapter 8.28 of this code relative to plants and weeds.
 17. Violation of chapter 5. 20 of this code relative to massage licensing.
(Ord. 2015-M-27 § 1; Ord. 2012-M-9 § 1.)

18. *Structure unfit for human occupancy or unsafe structure as defined in the international building code or international property maintenance code as adopted by title 15 of this code.*

19. *Unlawful structure as defined in the international building code or international property maintenance code as adopted by title 15 of this code.*

17-20. *Three (3) or more separate violations of the City's property maintenance code continuing after disposition or finding of guilty by the Circuit Court of Kane County, or finding of liable for such violations by the City administrative hearing officer at an administrative hearing, for those violations.*

- B. Control: the ability to regulate, restrain, dominate, counteract or govern conduct that occurs on that property.
- C. Owner: any person, agent, firm or corporation having any legal or equitable interest in the property. Owner includes but is not limited to: (1) a mortgagee in possession in who is vested (a) all or part of the legal title to the property or (b) all or part of the beneficial ownership and the right to the present use and enjoyment of the premises; or (2) an occupant who can control what occurs on the property.
- D. Permit: to suffer, allow, consent to, acquiesce by failure to prevent, or expressly ascent or agree to the doing of an act.
- E. Person: any natural person, association, partnership or corporation capable of owning or using property in the City of St. Charles.
- F. Person in charge: any person ~~in actual~~ *in actual* or constructive possession of a property including but not ~~limited~~ *limited* to an owner, occupant of property under his or her domain, ownership, or control.
- G. Property: any real property, including land in that which is affixed, incidental or pertinent to land, including but not limited to any premises, room, house, building, or structure or any separate part or portion thereof whether permitted or not. (2015-M-27: § 1; 2007-M-10: § 1)

SECTION TWO: That Title 9 "Public Peace, Morals and Welfare" Chapter 9.45 "Nuisance Abatement" Section 9.45.030 "Remedy", of the St. Charles Municipal Code, be and is hereby amended as follows:

- A. In the event *the City administrative hearing officer or the a*-court determines *the* property to be a chronic nuisance property, the *City hearing officer or the* court may order that the property be closed and secured against all use and occupancy for a period of not less than thirty (30) days, but not more than one hundred and eighty (180) days, or the *hearing officer or* court may employ any other remedy deemed by it to be appropriate to abate the nuisance.
- B. In addition to the remedy provided in paragraph A above, *the City hearing officer or the* court may impose upon the owner of the property a civil penalty in the amount of up to ~~One Seven Hundred and Fifty Dollars (\$100750.00)~~ *per day, payable to the City of St. Charles, for each day the owner had actual knowledge that the property was a public nuisance property and permitted the property to remain a public nuisance property.*

- C. In determining what remedy or remedies shall be allowed, *the City hearing officer or the court* may consider evidence of other conduct that has occurred on the property, including but not limited to:
1. The disturbance of neighbors.
 2. The recurrence of loud and obnoxious noises.
 3. Repeated consumption of alcohol in public.
 4. The repeated sale or possession of controlled substances on the premises.

SECTION THREE: That Title 9 “Public Peace, Morals and Welfare” Chapter 9.45 “Nuisance Abatement” Section 9.45.050 “Procedure”, of the St. Charles Municipal Code, be and is hereby amended as follows:

When the Chief of Police of the City of St. Charles receives two (2) or more police reports, *community development inspection reports, or any other City data* documenting the occurrence of nuisance activity on or within a property, the Chief of Police shall independently review such reports to determine whether they describe ~~criminal~~ *acts that meet the definition of nuisance activity*. Upon such findings, the Chief may:

- A. ~~Notify the person in charge in writing that the property has been determined to be a chronic nuisance property.~~ *Notify the owner, person(s) in charge, tenant, or any local property manager, in the event the property is a rental residential property, in writing, that the property is a potential chronic nuisance property. Such notice shall be provided by either personal delivery or by certified mail, return receipt requested. The Chief of Police shall also send notice by personal service or certified mail, return receipt requested, to the tenant in possession in the event the property is a residential rental property, at the address of the property.* The notice shall contain the following information.
1. The street address or a legal description sufficient for identification of the property.
 2. A statement that the Chief of Police has information that the property may be a chronic nuisance property, with a concise description of the nuisance activities that may exist, or that have occurred. The Chief of Police shall offer the person in charge an opportunity to propose a course of action that the Chief of Police agrees will abate the nuisance activities giving rise to the violation.
 3. ~~Demand that the person in charge respond to the Chief of Police within ten (10) days to discuss the nuisance activities.~~
- B. *If* ~~After~~ complying with the notification procedures described herein when the Chief of Police receives a police report, *community development inspection report, or any other City data* documenting the occurrence of a third (3rd) nuisance activity at or within a property and determines that the property has become a chronic nuisance property, the chief of Police shall:
1. Notify the person in charge in writing that the property has been determined to be a chronic nuisance property. The notice shall contain the following information:
 - a. Demand that the person in charge respond within ten (10) days to the Chief of Police *to discuss the nuisance activities* and propose a course of

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- action that the Chief of Police agrees will abate the nuisance activities giving rise to the violation.
- b. A statement that the Chief of Police has determined the property to be chronic nuisance property with a concise description of the nuisance activities leading to his/her findings.
 - c. The street address or legal description sufficient for identification of the property.
2. Service shall be made either personally or by first class mail, postage prepaid, return receipt requested, addressed to the person in charge at the address of the property believed to be a chronic nuisance property, or such other place which is likely to give the person in charge notice of the determination by the Chief of Police.
 3. A copy of the notice shall be served on the owner at such address as shown on the tax records of the county in which the property is located, and/or the occupant, at the address of the property, if these persons are different than the person in charge and shall be made either personally or by first class mail, postage prepaid.
 4. A copy of the notice shall also be posted at the property after then (10) days has elapsed from the service or mailing of the notice to the person in charge, and the person in charge has not contacted the Chief of Police.
 5. The failure of any person to receive notice that the property maybe a chronic nuisance property shall not invalidate or otherwise affect the proceedings under this chapter.
- C. *At the meeting between the Chief of Police and the parties notified, the Chief of Police may request that the owner, person in charge, or the tenant(s), and property manager (in the case of a residential rental property), implement a reasonable abatement plan designed to alleviate and prevent future occurrences of the nuisance activity upon the property. The mitigation or abatement plan shall be reasonable under the circumstances in its objective, cost, and scope, and shall be implemented within ten (10) days of the meeting with the Chief of Police or such longer period if not practically feasible to do so within ten (10) days.*
- D. If after the notification *and the abatement meeting*, but prior to the commencement of legal proceedings by the City pursuant to this chapter, a person in charge stipulates with the Chief of Police that the person in charge will pursue a course of action the parties agree will abate the nuisance activities giving rise to the violation , the Chief of Police may agree to postpone legal proceedings for a period of not less than ~~ten-thirty~~ (34) days nor more than ~~thirty-ninety~~ (930) days, except in the case of a nuisance activity where a search warrant was executed at the property. If the agreed course of action does not result in the abatement of the nuisance activity or if no agreement concerning abatement is reached within thirty (30) days, the Chief of Police shall commence a legal proceeding to abate the nuisance.
- E. *It shall be a violation of this chapter for:*
1. *The owner or person(s) in charge of the property, within thirty (3) days of the meeting or such other reasonable amount of time under the circumstances, fail to cause the implementation of a reasonable mitigation or abatement plan as requested by the Chief of Police, or*

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2. *The owner or person(s) in charge fail to respond and meet with the Chief of Police within the ten (10) day period without good cause.*
- 6.F. *If the nuisance activity complained of has or is being conducted by a tenant residing in or on the property, the Chief of Police may request that the owner evict the tenant. If eviction is requested, the owner shall proceed with such an action in good faith. The City shall assist in the eviction action by reasonably cooperating with the owner, person(s) in charge, or property maintenance company, including, but not limited to, providing law enforcement officers or other municipal employees as witnesses regarding the nuisance activity, if relevant.*
- 7.G. Concurrent with the notification procedures set forth herein, the Chief of Police shall maintain copies of the notice, as well as any other documentation, which supports legal proceedings.
- 6.H. When a person in charge makes a response to the Chief of Police as required above, any conduct or statements made in connection with the furnishing of that response shall not constitute an admission that any nuisance activities have or are occurring. This subsection does not require the exclusion of any evidence that is otherwise admissible or offered for any other purpose.
- I. The Chief of Police shall have the authority to delegate procedural responsibilities to enforce this ordinance to another member of the Police Department, while maintaining oversight of the process. (2015-M-27: § 1; 2007-M-10: § 1)
- D.J. *If, after complying with the procedures of this section, within one year from the date of the first report of nuisance activity after the meeting, the Chief of Police receives a report documenting the occurrence of a subsequent instance of nuisance activity upon the property; the property may be declared a chronic nuisance property. Subsequent violations will be cited accordingly and brought without delay to either local adjudication or the Circuit Court of Kane County.*

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SECTION FOUR: That Title 9 “Public Peace, Morals and Welfare” Chapter 9.45 “Nuisance Abatement” Section 9.45.060 “Commencement of action – Burden of proof”, of the St. Charles Municipal Code, be and is hereby amended as follows:

- ~~A. In an action seeking closure of a chronic nuisance property, the City shall have the initial burden of showing the preponderance of the evidence that the property is a chronic nuisance property.~~
- ~~B. It is a defense to an action seeking the closure of chronic nuisance property that the owner of the property at the time in question could not, in the exercise of reasonable care or diligence, determine that the property had become a public nuisance property, or could not, in spite of the exercise of reasonable care and diligence, control the conduct leading to the finding that the property is a chronic nuisance property.~~
- ~~C. In establishing the amount of any civil penalty requested, the court may consider any of the following factors if they need to be found appropriate, and shall cite those found applicable:~~
- ~~1. The actions or lack of action taken by the person in charge to mitigate or correct the problem at the property.~~
 - ~~2. Whether the problem at the property was repeated or continuous.~~
 - ~~3. The magnitude or gravity of the problem.~~

~~4. The cooperation of the person in charge with the City.~~

~~5. The cost of the City investigating and correcting or attempting to correct the condition.~~

- A. *At any hearing before the City's administrative hearing officer to determine whether the property in question is a chronic nuisance property, such hearing shall be conducted pursuant to provisions of this code, the City shall have the initial burden of proof to show, by a preponderance of evidence, that the property in question is a chronic nuisance property.*
- B. *The City's representative shall present evidence in support of its claim that the property is a chronic nuisance property. The property owner, person(s) in charge, or the person in charge's local representative, or an attorney on behalf of the responding party, shall be permitted to rebut such evidence.*
- C. *No continuances shall be authorized by the hearing officer in proceedings under this chapter unless for good cause shown or except where a continuance is absolutely necessary to protect the rights of the property owner, person(s) in charge, or tenant (in the event the property is a rental property), or the City. Lack of preparedness shall not be grounds for a continuance.*
- D. *At any time prior to the hearing date, the hearing officer may, at the request of either party, direct witnesses to appear and give testimony at the hearing. The formal rules of evidence will not apply at the hearing and hearsay evidence, including police reports, shall be admissible only if it is the type commonly relied upon by reasonable, prudent persons in the conduct of their affairs.*
- E. *At the conclusion of the hearing, the hearing officer shall make a determination on the basis of the evidence presented at the hearing, whether or not a violation exists and whether or not the property is a chronic nuisance property. The determination shall be in writing and shall be designated as the findings, decisions, and order. The hearing officer's decision shall be final and binding, except that the provisions of the Illinois administrative review law shall apply with respect to judicial review of the hearing officer's findings, decision, and order. The findings, decision, and order shall include the hearing officer's finding of fact, a decision whether or not a violation exists, a determination as to whether the property in question is or is not a chronic nuisance property based upon the findings of fact, and sanctioning the person in charge/owner/tenant or occupant, as specified in subsection F of this section, or dismissing the case in the event a violation is not proved. A copy of the findings, decision, and order shall be served upon the person in charge, owner, or tenant or occupant, within fourteen (14) business days of the date of the hearing.*
- F. *If the hearing officer makes a finding that a property was, or is, a chronic nuisance property, the hearing officer may fine the person in charge and/or the owner, tenant or occupant of the property if those persons are different than the person in charge, an amount not to exceed seven hundred and fifty dollars (\$750.00) for each violation of this section. Each day a nuisance activity occurs or continues shall be considered a separate and distinct violation for purposes of determining a property to be a chronic nuisance property. The hearing officer may, in his or her discretion, impose such a fine for each day the nuisance activity goes unabated. No person shall be found in violation of this section unless the City proves the violation by a preponderance of the evidence.*
- G. *Alternative enforcement:*

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1. *Abatement of Nuisance: the City, as an alternative to administrative adjudication, may commence an action in the Circuit Court of Kane County for a determination that the property is a chronic nuisance property and/or to abate a chronic nuisance property as described above.*
2. *Upon being satisfied by affidavits or other sworn evidence that an alleged chronic nuisance property exists, the court may, without notice or bond, enter a temporary restraining order or a preliminary injunction to enjoin any defendant from maintaining such chronic nuisance property and may enter an order restraining any defendant from occupying, using, or interfering with all property used in connection with the chronic nuisance property.*

(2015-M-27: § 1; 2007-M-10: § 1)

SECTION FIVE:

That, after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council of the City of St. Charles, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

SECTION SIX: This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this ____ day of _____, 2016.

PASSED by the City Council of the City of St. Charles, Illinois this ____ day of _____, 2016.

APPROVED by the Mayor of the City of St. Charles, Illinois, this ____ day of _____, 2016.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes : _____

Nays : _____

Absent : _____



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: **7b**

Title:	Recommendation to Approve an Ordinance Amending Title 9 – Public Peace, Morals and Welfare; Chapter 9.51 – Possession of Cannabis; Section 9.04.040 – Violation – Penalty; and Chapter 9.53 – Drug Paraphernalia; Section 9.53.050 – Violation - Penalty
Presenter:	Deputy Chief Kintz

Meeting: Government Operations Committee

Date: December 5, 2016

Proposed Cost: \$N/A

Budgeted Amount: \$N/A

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

The state statute recently changed to create a new offense for the possession of a small amount of cannabis. It is now considered a civil offense. There is a similar section in our local ordinance. The Police Department recommends the following amendment be made to this section of the code to keep within the parameters of the state statute:

9.51.040 – Violation - Penalty

Any person, firm or corporation violating any provision of this Chapter having not more than 10 grams shall be fined two hundred dollars for each offense, and a separate offense shall be deemed committed on each day on which a violation occurs or continues. Any person, firm, or corporation violating any provision of this Chapter having more than 10 grams but less than 30 grams shall be fined not more than seven hundred fifty (\$750) dollars for each offense.

9.53.050 – Violation - Penalty

Any persons, firm or corporation violating any provision of this Chapter while also in violation of 9.51 with an amount not more than 10 grams shall be fined \$200. Any persons, firm or corporation violating any provision of this Chapter shall be fined not more than seven hundred fifty (\$750) dollars for each offense, and a separate offense shall be deemed committed on each day on which a violation occurs or continues.

Attachments *(please list):*

Ordinance

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve an Ordinance Amending Title 9 – Public Peace, Morals and Welfare; Chapter 9.51 – Possession of Cannabis; Section 9.04.040 – Violation – Penalty; and Chapter 9.53 – Drug Paraphernalia; Section 9.53.050 – Violation – Penalty.

City of St. Charles, Illinois
Ordinance No. 2016-M- _____

**An Ordinance Amending Title 9 “Public Peace, Morals and Welfare”,
Chapter 9.51 “Possession of Cannabis”, Section 9.51.040 “Violation -
Penalty”, of the St. Charles Municipal Code**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES,
KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:**

SECTION ONE: That Title 9 “Public Peace, Morals and Welfare” Chapter 9.51 “Possession of Cannabis” Section 9.51.040 “Violation – Penalty”, of the St. Charles Municipal Code, be and is hereby amended as follows:

Any person, firm or corporation violating any provision of this Chapter *having not more than 10 grams* shall be fined ~~not more than five-two~~ hundred dollars for each offense, and a separate offense shall be deemed committed on each day on which a violation occurs or continues. *Any person, firm, or corporation violating any provision of this Chapter having more than 10 grams, but less than 30 grams, shall be fined not more than seven hundred and fifty (\$750.00) dollars for each offense.*

SECTION TWO:

That, after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council of the City of St. Charles, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

SECTION THREE: This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this ____ day of _____, 2016.

PASSED by the City Council of the City of St. Charles, Illinois this ____ day of _____, 2016.

APPROVED by the Mayor of the City of St. Charles, Illinois, this ____ day of _____, 2016.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes : _____

Nays : _____

Absent : _____



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: **7c**

Title: Recommendation to Approve an Ordinance Amending Title 10 – Vehicles and Traffic; Chapter 10.04 – General Provisions; Section 10.04.022 – Seizure and Impoundment of Motor Vehicles – Use in Connection with Illegal Activity

Presenter: Deputy Chief Kintz

Meeting: Government Operations Committee

Date: December 5, 2016

Proposed Cost: \$N/A

Budgeted Amount: \$N/A

Not Budgeted:

Executive Summary (if not budgeted please explain):

The state statute recently changed to create a new offense for the possession of a small amount of cannabis. It is now considered a civil offense. In keeping with the spirit of that change the Police Department recommends the following amendment be made to this section of the code:

10.04.022 – Seizure and impoundment of motor vehicles – Use in connection with illegal activity

6. Operation or use of a motor vehicle while soliciting, possessing, or attempting to solicit or possess cannabis or a controlled substance, as defined by the Cannabis Control Act or the Illinois Controlled Substances Act, except the vehicle shall not be subject to seizure or impoundment if the violation for possession of cannabis is not more than 10 grams; or

Attachments (please list):

Ordinance

Recommendation/Suggested Action (briefly explain):

Recommendation to approve an Ordinance amending Title 10 – Vehicles and Traffic; Chapter 10.04 – General Provisions; Section 10.04.022 – Seizure and Impoundment of Motor Vehicles – Use in Connection with Illegal Activity.

City of St. Charles, Illinois
Ordinance No. 2016-M- _____

**An Ordinance Amending Title 10 “Vehicles and Traffic”,
Chapter 10.04 “General Provisions”, Section 10.04.022 “Seizure and
Impoundment of Motor Vehicles – Use in Connection with Illegal Activity”, of
the St. Charles Municipal Code**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES,
KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:**

SECTION ONE: That Title 10 “Vehicles and Traffic” Chapter 10.04 “General Provisions” Section 10.58.022 “Seizure and impoundment of motor vehicles – Use in connection with illegal activity”, of the St. Charles Municipal Code, be and is hereby amended as follows:

A. Violations Authorizing Seizure

A motor vehicle, operated by or with the permission, express or implied, of the owner of record or the agents of that owner (collectively “Owner”), which is used in connection with the following violations, may be subject to seizure and impoundment by the City if the violation prevents the driver from lawfully operating the vehicle, or if a police officer determines that seizure and impoundment of the vehicle is reasonably necessary as a community caretaking function so that the vehicle does not jeopardize public safety and the efficient movement of vehicular traffic. The Owner shall be liable to the City for an administrative fee in the amount of five hundred dollars (\$500.00), in addition to all towing, impoundment and storage fees, as hereinafter provided, with respect to the following violations:

1. Driving under the influence of alcohol, another drug or drugs, an intoxicating compound or compounds, or any combination thereof, in violation of Section 11-501 of the Illinois Vehicle Code.
2. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, a felony or in violation of the Cannabis Control Act; or
3. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act; or
4. Operation or use of motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Section 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.5, 24-1.6 or 24-3.1 of the Criminal Code of 1961; or
5. Driving while a driver’s license, permit, or privilege to operate a motor vehicle is suspended or revoked pursuant to Section 6-303 of the Illinois Vehicle Code; except that vehicles shall not be subjected to seizure or impoundment if the suspension is for an unpaid citation (parking or moving) or due to failure to comply with emission testing; or
6. Operation or use of a motor vehicle while soliciting, possessing, or attempting to solicit or possess cannabis or a controlled substance, as defined by the Cannabis Control Act or the Illinois Controlled Substances Act, except the vehicle shall not

be subject to seizure or impoundment if the violation for possession of cannabis is not more than 10 grams ; or

7. Operation or use of a motor vehicle with an expired driver’s license, in violation of Section 6-101 of the Illinois Vehicle Code, if the period of expiration is greater than one year; or
8. Operation or use of a motor vehicle without ever having been issued a driver’s license or permit, in violation of Section 6-101 of the Illinois Vehicle Code, or operating a motor vehicle without ever having been issued a driver’s license or permit due to a person’s age; or
9. Operation or use of a motor vehicle by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated Section 6-101, 6-303, or 11-501 of the Illinois Vehicle Code; or
10. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Article 16 or 16A of the Criminal Code of 1961.

SECTION TWO:

That, after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council of the City of St. Charles, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

SECTION THREE: This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this ___ day of _____, 2016.

PASSED by the City Council of the City of St. Charles, Illinois this ___ day of _____, 2016.

APPROVED by the Mayor of the City of St. Charles, Illinois, this _____ day of _____, 2016.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes : _____

Nays : _____

Absent : _____

**AGENDA ITEM EXECUTIVE SUMMARY**Agenda Item number: **8a**

Title: Recommendation to approve an Ordinance Amending the St. Charles Municipal Code – Title 15, “Buildings and Construction”, Chapter 15.04 “Building Code”, Section 15.04.020 "One-Family and Two-Family Residences”.

Presenter: Chief Schelstreet

Meeting: Government Operations Committee

Date: December 5, 2016

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted: **Executive Summary** *(if not budgeted please explain):*

On January 1, 2012, the residential building code requirement for the installation of fire sprinklers in all newly constructed 1 and 2-family residential structures within the City of St. Charles went in to effect. This occurred in accordance with the provisions of the 2009 editions of the International Residential Code and the National Fire Protection Association Life Safety Code as adopted by the City Council on July 19, 2010. At the time of adoption, the City Council implemented a temporary moratorium on the residential fire sprinkler provision due to the economic climate. Since that time, the City Council has adopted the updated 2015 edition of the International Residential Code. Additionally, the Fire Department continues to communicate with the Fire Departments in Geneva and Batavia in an attempt to entertain like language on this issue in all three communities. Therefore, staff requests that Council extend the current moratorium on the residential sprinkler requirement until December 31, 2017 in order to further evaluate opportunities and offer additional information.

Attachments *(please list):*

Ordinance

Recommendation/Suggested Action *(briefly explain):*

Recommendation to approve an Ordinance Amending the St. Charles Municipal Code – Title 15, “Buildings and Construction”, Chapter 15.04 “Building Code”, Section 15.04.020 "One-Family and Two-Family Residences”.

City of St. Charles
Ordinance No. _____

**An Ordinance Amending the St. Charles Municipal Code – Title 15,
“Buildings and Construction”, Chapter 15.04 “Building Code”, Section
15.04.020 "One-Family and Two-Family Residences”**

WHEREAS, the City of St. Charles has adopted by reference the 2015 International Residential Code for One and Two Family Dwellings, by International Code Council, Inc., with certain modifications thereto; and

WHEREAS, the City Council found it to be in the interest of the City of St. Charles and the local building community to defer implementation of the requirement for residential fire sprinklers until December 31, 2017, and

WHEREAS, the City Council now finds it to be in the interest of City of St. Charles to determine what the outcome and impact of implementation of residential sprinklers will be to the City of St. Charles;

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, to defer implementation of the requirement for residential fire sprinklers in One and Two-Family Residences as outlined in Section 15.04.020 of the City of St. Charles Municipal Code until December 31, 2017.

That after the adoption and approval hereof the Ordinance shall (A) be printed or published in book or pamphlet form, published by the authority of the City Council, or (B) within thirty (30) days after the adoption and approval hereof, be published in a newspaper in and with a general circulation within the City of St. Charles.

Presented to the City Council of the City of St. Charles, Illinois this ____ day of _____, 2016.

Passed by the City Council of the City of St. Charles, Illinois this _____ day of _____, 2016.

Approved by the Mayor of the City of St. Charles, Illinois this ____ day of _____, 2016.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes : _____

Nays : _____

Absent : _____