

**MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL
HELD ON TUESDAY JANUARY 18, 2011 – 7:00 P.M.
CITY COUNCIL CHAMBERS, IN THE CITY COUNCIL CHAMBERS
2 E. MAIN STREET ST. CHARLES, IL 60174**

1. **Call To Order By Mayor Don DeWitte At 7:01 P.M.**
2. **Roll Call.**
Present: Stellato, Monken, Penny, Carrignan, McGuirk
Turner, Martin, Krieger, Bessner, Lewis
Absent: None
3. **Invocation Alder. Penny.**
4. **Pledge of Allegiance.**
5. **Presentation: 2010 Downtown St. Charles Partnership Electric Parade Winners:**

Children's Showcase

Cub Scout Pack 146 – 1st Place
Brownie Girl Scout Troop 4622 – 2nd Place
Geneva Angels Cheerleading – 3rd Place

Not-For-Profit Showcase

Anderson Animal Shelter – 1st Place
Life Church – 2nd Place
Fox Valley Model A Club – 3rd Place

Business Category

The Filling Station – 1st Place
Focas Hair Salon – 2nd Place
AV Overhead Garage Doors – 3rd Place

Best in Show

Cub Scout Pack 151

6. **Motion by Martin, seconded by Krieger to approve the Omnibus Vote as presented.**
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED

- *7. **Motion by Martin, seconded by Krieger to accept and place on file minutes of the regular City Council Meeting held on December 20, 2010 and minutes of the regular City Council Meeting held January 3, 2011.**

ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)

- *8. **Motion by Martin, seconded by Krieger to approve and authorize issuance of vouchers from the Expenditure Approval List as of January 13, 2011 in the amount of \$893,603.50 and the Hand-Issued List of January 13, 2011 in the amount of \$1,298.91.**

ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)

I. New Business

- A1. Mayor DeWitte read the proclamation declaring recognition for the Greater St. Charles Education Foundation.
- A2. Mayor DeWitte read the proclamation declaring recognition for Anderson Animal Shelter to Sandy Shelby.
- B. Motion by McGuirk, seconded by Turner to approve resolutions for submittal for Illinois Department of Commerce and Economic Development Opportunity Public Infrastructure Program – CDBG Disaster Recovery “IKE” Program.
- **Resolution 2011-1** for Council Support for Community Development Block Grant (CDBG) Disaster Recovery Program.
 - **Resolution 2011-2** for Committing Local Funds for Community Development Block Grant (CDBG) Disaster Recovery Program.
 - **Resolution 2011-3** for Meeting Urgent Need National Objective for Community Development Block Grant (CDBG) Disaster Recovery Program.

ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED

- C. Motion by McGuirk, seconded by Turner to approve Acceptance Resolution of Public Water Main Acceptance – St. Charles Park District Otter Cove Aquatic Facility located in the West Side Community (formerly Campton Hills Park).

ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None

MOTION CARRIED

- D. Motion by McGuirk, seconded by Turner to approve Acceptance Resolution of Foundry Street, less sidewalk or street trees located in the public right of way for Porter Business Park.

ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED

- E. Motion by McGuirk, seconded by Turner to approve Acceptance Resolution of Public Water Main Acceptance – Resnick Mercedes Benz Dealership located at 255 N. Randall Road.

ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED

II. Committee Reports

A. Government Operations

- *1. Motion by Martin, seconded by Krieger to accept and place on file the minutes of the January 3, 2011 Government Operations Committee meeting.

ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)

- *2. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-1** transferring \$172,695.00 from Mall TIF Special Revenue Fund 322 to Debt Service Fund 705 for FY10/11.

ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)

- *3. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-2** transferring \$871,800.00 from the General Fund to the 2000 G.O. Debt Service Fund 703 for FY10/11 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)

- *4. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-3** \$3,777.50 from the General Fund to the 2002 G.O. Debt Service Fund 705 (TIF 3) for FY10/11 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *5. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-4** transferring \$23,377.61 from the General Fund to the 2002A G.O. Debt Service Fund 704 for FY10/11 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *6. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-5** transferring \$78,939.00 from the General Fund to the 2003 G.O. Debt Service Fund 710 for FY10/11 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *7. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-6** transferring \$196,261.01 from the TIF 5 Special Revenue Fund 306 to the 2003 G.O. Debt Service Fund 710 for FY10/11 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *8. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-7** transferring \$373,615.00 from the General Fund to the 2004 G.O. Debt Service Fund 719 (Century Station/PD Renovations) for FY 10/11 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *9. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-8** transferring \$448,743.46 from the General Fund to the 2005A G.O. Debt Service Fund 718 (Public Works Garage) for FY10/11 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)

- *10. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-9** transferring \$280,150.88 from the Electric Fund to the 2005A G.O. Debt Service Fund 718 (Public Works Garage) for FY10/11 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *11. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-10** transferring \$94,990.22 from the Water Fund to the 2005A G.O. Debt Service Fund 718 (Public Works Garage) for FY10/11 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *12. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-11** transferring \$180,240.44 from the Sewer Fund to the 2005A G.O. Debt Service Fund 718 (Public Works Garage) for FY10/11 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *13. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-12** transferring \$197,500.00 from the First Street TIF Special Revenue Fund 305 to First Street TIF Debt Service Fund 713 (2006 GO) for FY10/11.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *14. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-13** transferring \$87,867.50 from the First Street TIF Special Revenue Fund 305 to First Street TIF Debt Service Fund 713 (2007A GO) for FY10/11.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *15. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-14** transferring \$70,600.00 from First Street TIF Special Revenue Fund 305 to First Street TIF Debt Service Fund 713 (2007C GO) for FY10/11.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)

- *16. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-15** transferring \$213,718.75 from First Street TIF Special Revenue Fund 305 to First Street TIF Debt Service Fund 713 (2008A GO) for FY 10/11.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrigan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *17. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-16** transferring \$917,192.20 from the General Fund to the 2009 Refunding G.O. Debt Service Fund 722 for FY10/11 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrigan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *18. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-17** transferring \$830,366.03 from Corporate Fund 100 restricted cash to Red Gate Bridge Fund 501 for FY10/11.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrigan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *19. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-18** transferring \$21,127.30 from Corporate Fund 100 restricted cash to Riverwall Project Fund 511 for FY10/11.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrigan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *20. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-19** transferring \$270,646.25 from Baker TIF Special Revenue Fund 304 to Baker TIF Debt Service Fund 706 for FY10/11.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrigan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *21. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2011-T-20** transferring \$299,968.75 from Moline TIF Special Revenue Fund 320 to Moline TIF Debt Service Fund 709 from FY10/11.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrigan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)

- *22. Motion by Martin, seconded by Krieger to approve a 3-year Enterprise Agreement with CDW-G and Microsoft under the State of Illinois Licensing Program for a total cost of \$119,946.75.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *23. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-4** Requesting that IDOT approve the Closure of Routes 64 and 31 for the St. Patrick's Day Parade.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *24. Motion by Martin, seconded by Krieger to deny request for four Mixed Martial Arts Events at the Arcada Theatre.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *25. Motion by Martin, seconded by Krieger to approve an **Ordinance 2011-M-1** Amending Title 2 "Administration and Personnel," Chapter 2.30 "Fire Department," Section 2.30.160 "Funds – Foreign Fire Insurance Company Tax Board" of the St. Charles Municipal Code.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *26. Motion by Martin, seconded by Krieger to approve an **Ordinance 2011-M-2** Amending Title 2 "Administration and Personnel," Chapter 2.04 "City Council," Section 2.04.020 "Meetings – Time and Place" of the St. Charles Municipal Code.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *27. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-5** Authorizing the Mayor and City Clerk of the City of St. Charles to Execute a License Agreement between the City of St. Charles and the Arts Council.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)

B. Government Services
None.

C. Planning and Development

- *1. Motion by Martin, seconded by Krieger to accept and place on file Historic Preservation Commission Resolution No. 9-2010 A Resolution Recommending Approval of Certificate of Appropriateness Administrative Approval List.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *2. Motion by Martin, seconded by Krieger to approve A **Resolution 2011-6** Adopting the Historic Preservation Certificate of Appropriateness Administrative Approval List.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
- *3. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-7** Declaring Default and Authorizing the Mayor to Demand Payment Under A Letter Of Credit-Remington Glen Subdivision.
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)
4. Motion by Stellato, seconded by Monken to recommend approval of a **Resolution 2011-8** Authorizing a Mixed Martial Arts Event to be held on March 12, 2011 at the DuPage Expo Center in Accordance with Section 5.08.250(H)(2) of the St. Charles Municipal Code.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan,
Turner, Bessner, Lewis
NAY: Penny, McGuirk, Martin, Krieger ABSENT: None
MOTION CARRIED

Alder. Krieger: I would like to say that I don't think this is a very family friendly activity for the City of St. Charles. I can't see a sporting event where two people are in a cage hitting each other, it is not the sort of image I think St. Charles deserves.

Mayor DeWitte stated that there is a request to change the date for the event. And that the team originally scheduled to compete in Febuary had to cancel.

Rob Zibelski, 11320 Kylie Drive, Huntley Illinois said that is correct. We were going to do a mixed martial arts event and we were having a team from Italy to come in to fight. We didn't have enough time to promote the event and handle the air and hotel accommodations. So what we have done we have asked to move the date back a few weeks so we can go with our next event which is Ireland. The date is March 12.

Mayor DeWitte asked if everything else was to remain the same (venue, operational aspects, liquor restrictions, age restrictions). Just moving the date from February 19 to March 12.
Mr. Zibelski agreed.

Alder. Lewis asked if that was the date of the St. Patrick's Day parade?

Mayor Dewitte said it is.

Mr. Zibelski said the event is held in the evening.

Alder. Lewis said the parade is at 3:00.

Mr. Zibelski said the doors will open at 6:00, event at 7:30.

Mayor DeWitte said that this issue has been discussed with the police department. Asked if there are any problems to Chief Lamkin.

Chief Lamkin said he is aware that the parade is the same day. The events are at different times. Since most of the coverage will be extra duty for the parade and this will be separate. I don't see this as a problem for us.

Alder. Penny said that the paramedics and police that are going to be used will be on extra duty, correct?

Chief Lamkin said yes.

Alder Penny said I would like to clarify my decision to not support this was not a knee jerk reaction that was suggested in the press. I too, like others, have done some studying of this, I have watched videos and I have talked to people. And my lack of support of this is, is another opinion of what I observe and saw. I don't think that people who are opposed to this are necessarily having knee jerk reactions. I think that in their opinion they see this as something that is they think fits with the values of St. Chares.

Alder Martin, I was looking at the resolution. Didn't we discuss that no one under 21 years old to enter the building? I don't see that in the resolution.

Mayor DeWitte said I believe that that was part of the staff report that did include over 21 admission only.

Chief Lamkin said that it is not part of the resolution but it is part of the executive summary that was submitted at the time when this event was brought up and this is a recommendation that we had included as subject to approval of the event.

Alder. Martin asked Attorney Gorski if it should be added to the resolution.

Attorney Gorski said that if it is not in there, it should be referred to, yes.

Motion by Martin, seconded by Krieger to amend the motion to include the statement for 21 years of age and over admittance only.

ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED

Alder. Lewis suggested a motion regarding alcohol sales and timing at the event.

Alder Bessner asked how does that work with timing?

Mr. Zibelski said it is hard to say because some fights will end early and we will probably schedule between 10-12 fights that evening. If they end early we could be out of there by 10:30. We would not be out of there any later than 11:30.

Mayor DeWitte asked Chief Lamkin if he is comfortable with the 10:30 cut off.

Chief Lamkin said as long we have some specific time on there. For us, a specified time at the end for alcohol service makes it something we can enforce and for the DuPage Expo to enforce as well.

Alder. Lewis asked if the last fight is at 10:30 would you cut off the alcohol at 9:30?

Mr. Zibelski said you can't schedule how the event is going to go that evening. You schedule your fights to last about three and a half hours in that range.

Alder. Lewis said you could still end up serving alcohol to the very end of the event then?

Mr. Zibelski said it could be pretty close. Eleven o'clock would be an average time the whole event would end.

Alder. Carrignan suggested stating stopping alcohol two events prior to the end or no later than 10:30 pm.

Mr. Zibelski said there will be between 10-12 fights. So if we stopped it 2-3 fights prior the end that would be fine.

Chief Lamkin said that would work.

Motion by Lewis, seconded by Krieger to amend the motion to include the statement that the sale of all alcohol be suspended prior to the last two fights or no later than 10:30 pm, whichever comes first.

ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED

*5. Motion by Martin, seconded by Krieger to accept and place on file Minutes of the January 10, 2011 Planning & Development Committee Meeting.

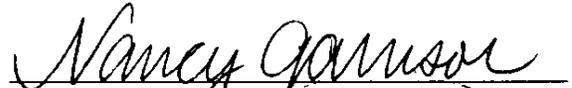
ROLL CALL VOTE: AYE: Stellato, Monken, Penny, Carrignan,
McGuirk, Turner, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: None
MOTION CARRIED (Omnibus Vote)

D. No Executive Session

E. No Additional Items from Mayor, Council, Staff, or Citizens

F. Adjournment

Motion By Carrignan, Seconded By McGuirk . To Adjourn Meeting
VOICE VOTE UNANIMOUS MOTION CARRIED
Meeting adjourned at 7:35 P.M.


Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL


Nancy Garrison, City Clerk

