

**MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL
HELD ON TUESDAY, FEBRUARY 21, 2012 – 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 Donald DeWitte At 7:01 P.M.**
2. **Roll Call.**
Present: Stellato, Monken, Carrignan, Payleitner,
Turner, Rogina, Martin, Krieger, Bessner, Lewis
Absent: None
3. **Invocation Alder. Payleitner.**
4. **Pledge of Allegiance.**
5. **Motion by Martin, seconded by Krieger to approve the Omnibus Vote as presented.**
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED
- *6. **Motion by Martin, seconded by Krieger to approve and authorize issuance of vouchers from the Expenditure Approval List for the period of 1/28/12 to 2/10/12 in the amount of \$1,707,870.23.**
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED (Omnibus Vote)

I. New Business

- A. Motion by Carrignan, seconded by Monken to refer Variation Application V-1-2012 for the property at 1120 East Main Street to the St. Charles Zoning Board of Appeals for their review and decision.
VOICE VOTE UNANIMOUS MOTION CARRIED
- B. Motion by Stellato, seconded by Turner to waive the bid procedure and approve the purchase of a 2012 Escape-XLT package from Zimmerman Ford.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED

- C. Motion by Stellato, seconded by Monken, to approve an Acceptance Resolution of the public watermain system and appurtenances constructed for the Pottawatomie Park – Swanson Pool Rehabilitation.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED
- D. Motion by Carrignan, seconded by Turner, to approve an **Ordinance 2012-M-4** Approving and Authorizing the Execution of an Amendment to Purchase Agreement By and Between the City of St. Charles and SMN Development L.L.C.
ROLL CALL VOTE: AYE: Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
ABSTAIN: Stellato
MOTION CARRIED
- E. Motion by Carrignan, seconded by Stellato to approve a **Resolution 2012-15** Granting a Fourth Extension to Begin Construction Following Recording of the PUD Final Plat for the First Street Redevelopment PUD Phase III.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED
- F. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-16** to Adopt Legislative Positions and Priorities for the City of St. Charles for the 2012 Legislative Session.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED

- Brian Townsend

A brief summary of this item. What we have done is ask the Council to adopt this program to provide guidance to staff when we are contacted about various pieces of legislation that may come out of the general assembly. There are some things in this program that do not apply to us. It does provide good guidance for us as staff so we ask the Council to adopt this for that purpose.

- Alder. Rogina

I am going to vote yes on this and I have reviewed it. My only hope is that municipalities, in particular the league, the Council of Mayors in DuPage, work with public employee organizations to arrive at a good solid ground on pension reform. Some of the press get a little overzealous in how it is reported. I hope that both sides find middle ground.

- Mayor DeWitte

I couldn't agree more. I think people on both sides of the table agree that the current state of affairs is absolutely unsustainable in its current forms. I have heard all of the legislative leaders say that they want everyone at the table to come up with a solution to this problem.

II. Committee Reports

A. Government Operations

- *1. Motion by Martin, seconded by Krieger to accept and place on file minutes of the February 6, 2012 Government Operations Committee meeting.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED (Omnibus Vote)
- *2. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-1** transferring \$155,000.00 from Corporate Fund 100 to Fund 803 (WC & Liability) for FY11/12.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED (Omnibus Vote)
- *3. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-2** transferring \$132,925.00 from Mall TIF Special Revenue Fund 322 to Debt Service Fund 705 (2002 GO) for FY11/12.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED (Omnibus Vote)
- *4. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-3** transferring \$23,983.32 from the General Fund to the 2002A G.O. Debt Service Fund 704 for FY11/12 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED (Omnibus Vote)
- *5. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-4** transferring \$76,244.00 from the General Fund to the 2003 G.O. Debt Service Fund 710 for FY11/12 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED (Omnibus Vote)
- *6. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-5** transferring \$200,881.00 from the TIF 5 Special Revenue Fund 306 to the 2003 G.O. Debt Service Fund 710 for FY11/12 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

- *7. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-6** transferring \$379,025.00 from the General Fund to the 2004 G.O. Debt Service Fund 719 (Century Station/PD Renovations) for FY11/12 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

- *8. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-7** transferring \$73,316.84 from the General Fund to the 2005A G.O. Debt Service Fund 718 (Public Works Garage) for FY11/12 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

- *9. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-8** transferring \$276,611.06 from the Electric Fund to the 2005A G.O. Debt Service Fund 718 (Public Works Garage) for FY11/12 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

- *10. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-9** transferring \$93,789.99 from the Water Fund to the 2005A G.O. Debt Service Fund 718 (Public Works Garage) for FY11/12 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

- *11. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-10** transferring \$177,963.03 from the Sewer Fund to the 2005A G.O. Debt Service Fund 718 (Public Works Garage) for FY11/12 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

- *12. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-11** transferring \$369,756.58 from the Public Work Garage Capital Project Fund 518 to the 2005A G.O. Debt Service Fund 718 (Public Works Garage) for FY11/12 as budgeted.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

- *13. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-12** transferring \$295,751.25 from Baker TIF Special Revenue Fund 304 to Baker TIF Debt Service Fund 706 for FY11/12.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *14. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-13** transferring \$197,500.00 from First Street TIF Special Revenue Fund 305 to First Street TIF Debt Service Fund 713 (2006 GO) for FY11/12.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *15. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-14** transferring \$87,867.50 from First Street TIF Special Revenue Fund 305 to First Street TIF Debt Service Fund 713 (2007A GO) for FY11/12.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *16. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-15** transferring \$70,600.00 from First Street TIF Special Revenue Fund 305 to First Street TIF Debt Service Fund 713 (2007C GO) for FY11/12.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *17. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-16** transferring \$213,718.25 from First Street TIF Special Revenue Fund 305 to First Street TIF Debt Service Fund 713 (2008A GO) for FY11/12.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *18. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-17** transferring \$681,352.50 from the General Fund to the 2008C G.O. Debt Service Fund 720 (Fire Station, Ladder Truck, and Riverwall Projects) for FY11/12 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

- *19. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-18** transferring \$933,661.16 from the General Fund to the 2009 Refunding G.O. Debt Service Fund 722 for FY11/12 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *20. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-19** transferring \$297,318.75 from Moline TIF Special Revenue Fund 320 to Moline TIF Debt Service Fund 709 for FY11/12.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *21. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-20** transferring \$866,937.50 from the General Fund to the 2010B Refunding G.O. Debt Service Fund 724 for FY11/12 as budgeted.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *22. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-21** transferring \$48,525.00 from Mall TIF Special Revenue Fund 322 to Debt Service Fund 705 (2010C Refunding GO) for FY11/12.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *23. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-22** transferring \$120,000.00 from Corporate Fund 100 to Fund 230 (Refuse) for FY11/12.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *24. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-23** transferring \$77,446.00 from Corporate Fund 100 to Fund 370 (Ride in Kane) for FY11/12.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *25. Motion by Martin, seconded by Krieger to approve **Funds Transfer Resolution 2012-T-24** transferring \$768,802.17 from Corporate Fund 100 restricted cash to Red Gate Bridge Fund 501 for FY/112.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

- *26. Motion by Martin, seconded by Krieger to approve waiving the bid procedure and approve purchasing a 2012 Sprinter van.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

- *27. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-17** Exercising an Option to Renew for One Year An Intergovernmental Agreement with the County of Kane for Animal Control Services.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

28. Motion by Stellato, seconded by Monken to approve a **Resolution 2012-18** Consenting to an Event to be Conducted at a Premise Holding a Liquor License Issued by the City of St. Charles, Pursuant to Section 5.08.250(H) of the St. Charles Municipal Code – Gabby’s Kitchen (Kane County Fairgrounds).

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner,
Turner, Bessner,

NAY: Rogina, Martin, Krieger, Lewis ABSENT:0

MOTION CARRIED

- Alder. Rogina
Does this particular resolution reduce the age below 18, so that individuals below 18, accompanied by a parent can attend?
- Mayor DeWitte
That’s what I recall to be the recommendation from Chief Lamkin
- Alder. Lewis
I would be in support of this if the age is raised to 18, but I cannot support it allowing anyone under the age of 18 in.

- *29. Motion by Martin, seconded by Krieger to approve replacement of an ambulance for TriCity Ambulance and purchase a 2013 Navistar MEDTEC Ambulance AD 170.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

- *30. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-19** Abating a Portion of the Tax Heretofore Levied for the City of St. Charles, Kane and DuPage Counties, Illinois.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

- *31 Motion by Martin, seconded by Krieger to approve a **Resolution 2012-20** Authorizing the Mayor of the City of St. Charles To Execute an Intergovernmental Agreement – TriCity Ambulance Cooperative.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

32. Motion by Martin, seconded by Bessner to approve the revised alternate ward map (Harvest Hills) for the City of St. Charles.

ROLL CALL VOTE: AYE: Martin,, Bessner, Lewis

NAY: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Krieger

ABSENT:0

MOTION DENIED

Alder. Martin

This started out as a simple meeting with the task force at the onset. At the first task force meeting we had a submittal of a ward remap. Further discussion with the legal council that was assisting us, advised us that the percentages and the rules of changed since the last time this was done. And the rules now state that the variation percentage on each ward must be 1% or less. The precinct boundaries were no longer a consideration that the primary concern was the variation. Thereupon we submitted a map, which was the original map that we approved. Subsequent to that, aldermen requested some minor changes in Harvest Hills area. Those changes were made. At the last operations committee meeting a motion was made to approve it as the alternate. With some opposition discussion, some concerns, that came about, the map was disoriented. However, in keeping with the recommendation of the legal counsel I am supporting the remap as presented.

Alder Carrignan

At the last meeting, Alder. Stellato and Alder. Krieger brought up some very relative points on how the map is divided. I think there is further information regarding the 1% vs. 5% vs. 10%. We heard a number of different approval, different measurement tools. We get to do this once every 10 years, I think that it is really important that we do it right. I would urge the Council to think to vote no on the recommendation, I will subsequently make a motion to send it back to the task force. And let;s get it right once. It sticks for 10 years.

Alder. Lewis

How much does this cost to redo this map?

Alder. Stellato

It depends on how long we take. If we get it done in one meeting in an hour, insignificant.

Mayor DeWitte

I signed a bill last week for Mr. Luetkehans law firm, it was in the thousands of dollars.

Alder. Lewis

We say we are going to do this until we get it right, are we going to keep doing it? I have a feeling the next time it comes back it won't satisfy some people, etc. How many times do we do it.

Alder. Carrignan

Until we get a yes vote.

Alder. Rogina

I have no problem taking a look at it. But I want to have the answer real clear in my head. At the committee meeting, Mr. Luetkehans did cite US Supreme Court decisions and Illinois Supreme Court decisions that supported 1%. The Illinois Municipal League put out a memo, which Alder. Stellato referred to, that was very informative and footnoted nicely and cited cases. Those cases are federal cases. One goes to 2003 and one goes to 1973. That is respect to the 10% rule. We may have a conflict of laws here, what is really binding? What puts us in the least vulnerable position for litigation down the line.

Mayor DeWitte

I don't think a judicial judge in the 16th Circuit is going to care what the Illinois Municipal League is. That judge is going to refer to case law. Mr. Luetkehans made it clear last week that the case law is firmly established at the 1% number.

Attorney Gorski

I haven't looked at the underlying law independently of Mr. Luetkehans. I did talk to Phil this afternoon briefly. What I took from the conversation with Mr. Luetkehans is that he would prefer the 1%. From a legal perspective, the safest standard he could recommend. The rest of the discussion included, as our databases become more sophisticated, as our use of computers becomes more sophisticated, the closer you can get to true equality, the better off you are. The law will look at it more contemporaneously in terms of the technological ability to achieve equality. So old cases may have taken into account a greater deviation simply because the methodology for narrowing that probably were not as precise. Having said that, there are no cases out there that form a particular line on which you know that on one side you are safe or not safe. What Phil did say was, the wider the differentiation, the more likely a court will look at why. What's the underlying reason for it. He gave me an example of where a court might be more lenient, has recognized in fact the ability to have a factual divergence even if the line has been drawn to protect an incumbent. That is a recognized, permissible, consideration. Other considerations would not be permissible. Therefore, his recommendation is predicated on what is the most bullet proof position. His idea of 1% is that is the most bullet proof legally. But he is not saying that it has to be that or you will be found to be illegal.

Alder. Stellato

I am not suggesting, based on my original conversation a couple weeks back, that we stick that 10% either. We might be able to make some geographical decisions on this ward map, still within the 1-2% range. We have no idea. I don't believe we were able to look at it geographically because the only rule used was the 1% value. I would like to look at it geographically and see if we can blend the two together. That's what I was one other shot at it. Take a look one more time. See what the variance is and go from there. I said publicly, I don't want to be accused of doing anything politically, I don't think we

are, I am not suggesting that. I just want to make sure politics does not overrule good planning. Let's be transparent, let's look at it one more time. Everyone try to respect geographic properties as much as possible, and see how it works. If it doesn't work and this map is the best way to go, then I have no problem with it.

Alder. Rogina

I thought you made very good points last week regarding natural boundaries and feeder streets. And the fact that some people don't even know who their alderman is because of the boundaries that snake all around the place. So, I am with you on this point as well. And what Alder. Carrignan said earlier about getting it right. I just want some clarification on that point before we vote.

Alder. Rita Payleitner

I don't want to disregard the work of the committee I am sure it was exhaustive. However, in the discussion about the 10% rule and the potential for litigation. I am wondering why, when I look through here, another area that might invite litigation, where it says "...wards must be created in matter so that no precinct is divided." I just want to make sure we are above reproach in that.

Mayor DeWitte

I recall Phil talking about the differences between precincts and census blocks. Which I think, the census blocks to be the significant measuring device within this process. Regardless of what it does to ward lines and precincts.

Alder. Stellato

I thought you could only divide a precinct once. You could not have more than 2 divisions in a precinct. Those are the questions I would like to ask, I would like to get Phil here and get this done.

Mayor DeWitte

I understand that we already have precincts that are chopped up.

Alder. Stellato

I would like to correct that.

Alder. Turner

As member of the committee, we really did just go after the 1% rule. This was based on numbers. We really did not take in geography or people's thoughts about having their neighbors in one ward and next door in another. I think it would be a good thing to refer it back. We can look at it again and run the figures. Try to keep it geographically together. Try to keep homogeneous areas together without breaking them up. I would rather try to add a little bit of humanness to this then to add to the number.

Vote taken on first motion.

Motion by Carrignan, seconded by Stellato to refer the redistricting map back to the task force for revision.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
 Rogina, Martin, Krieger, Bessner, Lewis
 NAY: 0 ABSENT:0
 MOTION CARRIED

Mayor DeWitte

I have two items I would like to inject into your motion. If we refer this back to Phil with no parameters as to what to look at. It will not be productive. I would like to make the suggestion to go back to the task force and retain the 1% mark spread between wards.

Alder. Stellato

Why?

Mayor DeWitte

Because that what our legal is telling us.

Alder. Stellato

That completely changes the entire motion. The whole reason this came up in the first place because we were given an introduction of evidence of towns like Aurora that just last month varied by 10%. We can get together as a Council with Phil at one meeting. He has census numbers right there, we lay the map out and figure out. One percent is not acceptable yet.

Mayor DeWitte

The other suggestion that I would make, since three of the wards were represented in this process, I would make the suggestion that a representative of the other two wards that are not represented be represented, ward 1 and ward 5.

Alder. Martin

I will make that motion.

Alder. Carrignan

Need to make it a public meeting.

Alder. Rogina

I would want to see the final product come back maybe not 1% but I don't want it to be 10%.

Alder. Stellato

I agree.

Alder. Rogina

I would like it to be close to 1% maybe 2%. I agree with the Mayor that I would rather be erring towards 1% then 10%.

Mayor DeWitte

What direction is Phil going to have when he goes back.

Alder. Stellato

Let's look at the geographical and collector streets.

Mayor DeWitte

So you are going to give him the boundaries and say make it work within these parameters.

Alder. Stellato

Happy to tell him. As part of the task force.

Alder. Martin

I already anticipated this was going to happen. I will pass out some papers here. I have done the work and I have it within 2%, I have 1.8%. These numbers you will have to compare with your precinct map because I didn't have one available. The natural boundaries in this case are the river and Main St. I took the total census and spread it up between east side and west side according to precinct numbers and the census numbers.

At that point, i took the east side and divided it by 2.5 representing the first ward, the second ward and half of the fourth ward. I did the same thing with the west side. If you look at the numbers you find that the first ward is within 49 people, the second ward within 69 people, extremely close to the 1%. The third ward is within 1%, the fourth ward is within 1% and the fifth ward is just over 1%. I submitting this document as a guideline I may have to adjust a little bit to accommodate the actual census figures. But I would like to present it as something to work with at the task force. I would like to set a date for March 12 at 6:00. By then, this will be all documented with the census numbers and a map. Referring to Alder. Payleitner, I did have to separate her precincts. But no precincts is split no more than twice.

Alder. Lewis

Are we looking at the whole map?

Alder. Martin

Yes.

Motion by Martin, seconded by Krieger to add Aldermen representatives from Ward 1 and Ward 5 to the task force team to revise the ward map.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED

B. Government Services

None.

C. Planning and Development

- *1. Motion by Martin, seconded by Krieger to approve the request from Pride of the Fox for City of St. Charles to serve as Title Sponsor of 2012 St. Patrick's Day Parade.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED (Omnibus Vote)

- *2. Motion by Martin, seconded by Krieger to approve a Plat of Easement between the St. Charles Park District and the City of St. Charles.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED (Omnibus Vote)

- *3. Motion by Martin, seconded by Krieger to accept and place on file Plan Commission Resolution No. 1-2012 A Resolution Recommending Approval of a Final Plat of Subdivision (Tyler Production Subdivision).

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT:0
MOTION CARRIED (Omnibus Vote)

- *4. Motion by Martin, seconded by Krieger to approve an **Ordinance 2012-Z-1** Approving the Final Plat of Subdivision for the Tyler Production Subdivision.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

MOTION CARRIED (Omnibus Vote)

- *5. Motion by Martin, seconded by Krieger to accept and place on file minutes of the February 13, 2012 Planning & Development Committee meeting.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT:0

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 Turner, To Adjourn Meeting

VOICE VOTE UNANIMOUS MOTION CARRIED

Meeting adjourned at 7:32 P.M.

Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Nancy Garrison, City Clerk