

**MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL
HELD ON MONDAY, MAY 7, 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 accept and place on file minutes of the regular City Council meeting held on April 16, 2012.**
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 and authorize issuance of vouchers from the Expenditure Approval List for the period of 4/9/12 – 4/20/12 in the amount of \$1,373,921.43.**
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 accept and place on file the City Treasurer Report for the periods ending December 31, 2011, January 31, 2012, February 29, 2012, and March 31, 2012.**
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 Stellato to recommend approval of a proclamation declaring May 19, 2012 as Armed Forces Day in the City of St. Charles.
VOICE VOTE UNANIMOUS MOTION CARRIED
- B. Motion by Carrignan, seconded by Stellato to recommend approval of a proclamation declaring May 5 – 13, 2012 as National Travel and Tourism Week in the City of St. Charles.
VOICE VOTE UNANIMOUS MOTION CARRIED
- C. Motion by Carrignan, seconded by Stellato to recommend approval of a proclamation declaring May 20 – 26, 2012 as Emergency Medical Services Week in the City of St. Charles.
VOICE VOTE UNANIMOUS MOTION CARRIED
- D. Motion by Carrignan, seconded by Stellato to recommend approval of a proclamation declaring May 13 – 19, 2012 as National Police Week in the City of St. Charles.
VOICE VOTE UNANIMOUS MOTION CARRIED
- E. Motion by Carrignan, seconded by Stellato to recommend approval of a proclamation declaring May 17, 2012 as National Curves Day in the City of St. Charles.
VOICE VOTE UNANIMOUS MOTION CARRIED
- F. Motion by Martin, seconded by Krieger to approve recommendation from Mayor Donald P. DeWitte to re-appoint Brian Townsend as City Administrator for fiscal year 2012/13.
VOICE VOTE UNANIMOUS MOTION CARRIED
- G. Motion by Martin, seconded by Krieger to approve recommendation from Mayor Donald P. DeWitte to re-appoint the staff officers as recommended by City Administrator Brian Townsend for fiscal year 2012/13.
VOICE VOTE UNANIMOUS MOTION CARRIED
- H. Motion by Martin, seconded by Krieger to approve recommendation from Mayor Donald P. DeWitte to re-appoint Tina Nilles as Deputy City Clerk for fiscal year 2012/13.
VOICE VOTE UNANIMOUS MOTION CARRIED
- I. Motion by Martin, seconded by Krieger to approve recommendation from Mayor Donald P. DeWitte to re-appoint City Attorney Gerald Gorski of Gorski & Good Law Offices of Wheaton IL.
VOICE VOTE UNANIMOUS MOTION CARRIED

- J. Motion by Martin, seconded by Krieger to approve recommendation from Mayor Donald P. DeWitte to appoint City Boards and Commissions for fiscal year 2012/13.
VOICE VOTE UNANIMOUS MOTION CARRIED
- K. Motion by Martin, seconded by Krieger to approve an **Ordinance 2012-M-18** Reserving Volume cap in Connection with Private Activity Bond Issues and Related Matters.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED
- L. Motion by Carrignan, seconded by Turner to approve an **Ordinance 2012-M-19** 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
- M. Motion by Carrignan, seconded by Turner to approve a **Resolution 2012-36** Granting a Fifth 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
- N. Motion by Stellato, seconded by Monken to approve an **Ordinance 2012-M-20** Amending Title 5 "Business Licenses and Regulations," Chapter 5.08 "Alcoholic Beverages of the St. Charles Municipal Code – Various Provisions.

Motion by Martin, seconded by Krieger to Table the above motion.

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

- Brian Townsend presented information on this motion. Mr. Townsend mentioned that there were changes to Items 5 and 7. First, since Blue Goose wanted to change their liquor license from a A3 to and A2 there would be no more A3 licenses. Therefore the change would be to remove this class of license. Second, some liquor license holders of Class B and C asked to change the requirement that the establishment maintain a full kitchen until the 2:00 am closing time. They

asked if they could serve a full menu until 11:00 pm and then have a limited menu.

II. Committee Reports

A. Government Operations

None.

B. Government Services

- *1. Motion by Martin, seconded by Krieger to approve an Ordinance 2012-M-21 Amending Title 10 "Vehicles and Traffic" Adding Section 10.04.022, "Seizure and Impoundment of Motor Vehicles – use in Connection with Illegal Activity" of the St. Charles Municipal Code.
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 an Ordinance 2012-M-22 Amending Title 5 "Business Licenses and Regulations" Chapter 5.36 "Solicitors" of the St. Charles Municipal Code.
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 modifications to the St. Charles Engineering Design and Inspection Policy Manual.
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 a **Resolution 2012-37** Authorizing the Execution of a Contract with A Lamp Contractors for the 2012 MFT Street Rehabilitation Program.
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 a **Resolution 2012-38** Authorizing the Execution of a Contract with A Lamp Contractors for the 2012 Concrete Roadway Replacement Program.
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 a **Resolution 2012-39** Authorizing the First Amendment to Lease Agreement with BMO Harris Bank, N.A. for Parking Lot "B".
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 an **Ordinance 2012-M-23** Authorizing the Acceptance of the Donation of Certain Property to the City of St. Charles – 807 Illinois Avenue.
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 a **Resolution 2012-40** Authorizing the Execution of an Agreement with Illinois Department of Transportation for the Proposed Highway Safety Improvement Traffic Signal Program.
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 a **Resolution 2012-41** authorizing the Execution of a Service Sidewalk Policy.
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 a **Resolution 2012-42** Authorizing the Execution of a Contract with Skyline Tree Service for Tree Trimming and Stump Removal Services.
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 a **Resolution 2012-43** Authorizing the Execution of a Contract with Dukane Services for Janitorial Services.
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 a **Resolution 2012-44** Authorizing the Execution of a Contract with Kramer Tree Specialists for Brush Pick-up.
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 a **Resolution 2012-45** Authorizing the Execution of a Contract with Kramer Tree Specialists for Leaf Collection.
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 a **Resolution 2012-46** Authorizing the Execution of a Contract with Service Mechanical for HVAC Preventative Maintenance and Inspection.
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 an **Ordinance 2012-M-24** Amending Title 13 "Public Utilities", Chapter 13.16 "Water", Section 13.16.150--Meters--Required--Rates of the St. Charles Municipal Code.
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 a **Resolution 2012-47** Authorizing the Execution of a License Agreement for Alibi Bar & Grill Refuse Enclosure, located at 12 N. 3rd Street.
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 a **Resolution 2012-48** Authorizing the Execution of Change Order No. 6 to Engineering Enterprises, Inc. for the Wells 3 & 4 Radium Removal Project.
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 a **Resolution 2012-49** Authorizing the Execution of a Contract Approving the Demolition Costs of Little Woods School.
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 a **Resolution 2012-50** Authorizing the Approval of an Easement for Culvers Restaurant.
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 an **Ordinance 2012-M-25** Amending Title 13, "Public Utilities", Chapter 13.08, "Electricity" – Renumbering Section 13.08.250, "Rate 6 – Governmental Outdoor Sports Lighting – Rates, Charges, and Service Requirements" and adding a new Section 13.08.292, "Rate 9 – Primary Metered Large General Service – Rates, Charges and Service Requirements" of the St. Charles Municipal Code.

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 a **Resolution 2012-51** Authorizing the Execution of a Commitment Letter to the Ride in Kane Program for FY 2012/2013.

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 accept and place on file the minutes of the April 9, 2012 Government Services Committee Meeting.

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 a **Resolution 2012-52** Authorizing Payment to Nicor Gas for Relocation of Existing Infrastructure Near the Intersection of IL Rt. 31 and Red Gate Road.

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

C. Planning and Development

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

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 an **Ordinance 2012-Z-6** Approving the Final Plat of Subdivision for The Valley Shopping Center Subdivision.

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 Carrignan, seconded by Monken to accept and place on file minutes of the April 9, 2012 Planning & Development Committee meeting.
VOICE VOTE UNANIMOUS MOTION CARRIED

D. Executive Session

Motion by Carrignan, seconded by Turner to enter into Executive Session to discuss Property Acquisition and Collective Bargaining at 7:55.

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

Motion by Carrignan, seconded by Turner to return from Executive Session at 8:28.

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

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

- Mayor DeWitte welcomed Penny Chen the Rotary Exchange Student.
- Gerri Hansen, 200 N. 7th St., St. Charles, IL
 - Ms. Hansen was the representative for her residents from Carol Tower. She asked the City for assistance in dealing with Comcast at Carol Tower. She explained that Comcast has been unfair by describing conversations with Comcast. Additionally, Ms. Hansen presented multiple bills from Comcast of her residents who are upset with Comcast. Ms. Hansen is asking the City to look into any unfair practices by Comcast.
- Mayor DeWitte responded with thanks for sharing the information. The Mayor stated that no company has a monopoly in the City of St. Charles. Mayor DeWitte offered to have Staff meet with the residents as well as Carol Tower management to determine why other companies are not being offered in their building.
- Alder. Martin mentioned that the spring clean up on the east side was successful. Thanks for bringing back the service.
- Alder. Lewis mentioned that she is proud of the Youth Commission for offering the free movie at the Arcada, Fighting Kind.

F. Adjournment

Motion By Carrignan, Seconded By Turner, To Adjourn Meeting

VOICE VOTE UNANIMOUS MOTION CARRIED
Meeting adjourned at 7:45 P.M.

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CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Nancy Garrison, City Clerk