

**MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL
HELD ON MONDAY, AUGUST 6, 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, Carrigan, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
Absent: None
3. **Invocation Alder. Payleitner.**
4. **Pledge of Allegiance – Presentation of the Colors by Boy Scout Troop 10**
5. **Presentations:**
Recognize achievements of two Eagles Scouts – Boy Scout Troop 10: Grant Markowicz and Matthew Zmuda
6. **Motion by Martin, seconded by Krieger to approve the Omnibus Vote as presented.**
ROLL CALL VOTE: AYE: Stellato, Monken, Carrigan, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED
- *7. **Motion by Martin, seconded by Krieger to accept and place on file minutes of the regular City Council meeting held on July 16, 2012.**
ROLL CALL VOTE: AYE: Stellato, Monken, Carrigan, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *8. **Motion by Martin, seconded by Krieger to approve and authorize issuance of vouchers from the Expenditure Approval List for the period of 7/2/2012 – 7/13/2012 in the amount of \$1,575,383.80 and for the period of 7/16/2012 – 7/27/2012 in the amount of \$5,991,995.16.**
ROLL CALL VOTE: AYE: Stellato, Monken, Carrigan, Payleitner, Turner
Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

I. New Business

- A. Motion by Carrignan, seconded by Rogina to approve a request to change Blue Goose to a Class A2 liquor license.

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

- B. Motion by Stellato, seconded by Monken to waive the bid procedure and approve a **Resolution 2012-91** Authorizing the Execution of a Contract with James McHugh Construction for Installation of Electric Duct in Coordination with Water Main Work on Illinois Route 25.

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

II. Committee Reports

A. Government Operations

- *1. Motion by Martin, seconded by Krieger to accept and place on file minutes of the July 16, 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 the St. Charles 708 Mental Health Board funding allocation for FY12/13 in the amount of \$588,100.

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

B. Government Services

- *1. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-92** Authorizing the Execution of a Contract for Sanitary Sewer Service to 36W171 Indian Mound Road.

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 **Resolution 2012-93** Authorizing the Execution of a Lease Agreement Second Amendment with BMO Harris Bank, N.A.

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 a **Resolution 2012-94** Authorizing \$76,000 for a SimTek Fence adjacent to IL Rt. 25 in the Woods of Fox Glen 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 a **Resolution 2012-95** Authorizing a Budget Addition for Redevelopment of the Property at 1510 E. Main Street.

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 waive the bid procedure and approve a **Resolution 2012-96** Authorizing the Execution of a Contract with United Septic, Inc. for Storm Sewer Catch Basin Cleaning Services.

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 2012-97** Authorizing a Budget Addition for Tree Watering Services.

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 a **Resolution 2012-98** Authorizing a Budget Addition for Storm Damage Services.

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 street and parking lot closures for the 2012 Scarecrow Festival.

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 an IDOT **Resolution 2012-99** Authorizing the Closure of 2nd Street (IL Route 31) at Illinois Street for the St. Charles North High School Homecoming Parade on Friday, October 12, 2012.

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 an IDOT **Resolution 2012-100** Authorizing the Closure of 2nd Street (IL Route 31) at Illinois Street for the St. Charles East High School Homecoming Parade on Friday, September 28, 2012.
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 2012-101** Authorizing the Closure of North 4th Avenue between Main and Cedar for the Baker Memorial Annual Picnic on Sunday, September 9, 2012.
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 2012-102** Authorizing the City Administrator of the City of St. Charles to Execute the Agreement for Services by and between the City of St. Charles and Downtown St. Charles Partnership.
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 2012-103** Authorizing the City Administrator of the City of St. Charles to Execute the License Agreement by and between the City of St. Charles and Downtown St. Charles Partnership.
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 accept and place on file the minutes of the June 25, 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)
- *15. Motion by Martin, seconded by Krieger to accept and place on file the minutes of the June 25, 2012 Red Gate Bridge Field Tour and Presentation.
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 accept and place on file the minutes of the July 23, 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)

C. Planning and Development

- *1. Motion by Martin, seconded by Krieger to accept and place on file Plan Commission Resolution No. 9-2012_A Resolution Recommending Approval of a Special Use for Manufacturing, Heavy (Temporary Concrete Batch Plant-2900 Dukane Drive).
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-9** Granting a Special Use for Manufacturing, Heavy (Temporary Concrete Batch Plant-2900 Dukane Drive).
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 minutes of the July 16, 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. Additional Items from Mayor, Council, Staff, or Citizens

- Rich Simpson, 236 E. Gillette, Elmhurst, IL 60126
 - I would like to ask the City Council to extend my liquor license to 2:00 in the morning. I am trying to survive and it is getting difficult. Some people come in and don't want to stay because they have to leave early. I am changing the dynamics of the downtown area by bringing in the older crowd. I have 40-50 year old people coming in. They are complaining that they have to leave. Some don't come back. They are not leaving the area, they are going next door, not home. My banquets are suffering dramatically because it is too early to cut off. I have had many banquets. I am losing business dramatically.
 - Mayor DeWitte said he had a couple of comments. I checked with Chief Lamkin before he left last week. Aside from a couple of definition issues regarding closing hours early on, Chief Lamkin has reported that there are no issues to deal with at Alibi.
 - Alder. Martin said that this should be a committee item.
 - Mayor DeWitte said that assuming that the Council would choose to take action on his license, I would have to agree.
 - Motion by Martin, seconded by Krieger, to move this to the Government Operations Committee Meeting.

- Mayor DeWitte asked if this is the same as a table motion.
- Attorney Good said it was my understanding that there is no action to be taken, it would not be an action item.
- Mayor DeWitte said continued discussion is appropriate?
- Attorney Good agreed.
- Alder. Turner asked what happens when the younger people come into the bar?
- Mr. Simpson said he doesn't believe that they will come because of the music that I am playing. Alder. Lewis asked how long have you had your liquor license?
- Mr. Simpson said since February 23.
- Alder. Rogina asked how is the Alibi operating? Do you consider yourself a competitor of the other "bars" in the vicinity?
- Mr. Simpson responded that no, I don't compete against them because I bring in a different crowd to the area. Right now I have a party going on, I have 75 people hosted by a doctor. All 40, 50, 60 year old people.
- Alder. Rogina said when we voted to approve your license in February, I recall it was not a unanimous vote. Why did we limit the license to midnight? Was the reason because we did not want another bar in St. Charles?
- Mayor DeWitte recalled the discussion geared around whether we were adding another restaurant with a liquor license or was it another "watering hole." Mr. Simpson has represented to me, that if he were in fact granted a later liquor license that he would keep his kitchen open the entire time. Which is one of the stipulations of a restaurant license. So this is something for this Council to consider. Does this answer your question?
- Alder. Rogina said it does. I think Mr. Simpson should be allowed to be on the same playing field as competitors. Whether the demographics are different, the market place should be the same, and give a level playing field.
- Mayor DeWitte, that makes it an enforcement issue. I don't have to tell you my feelings regarding how good the job, I believe, that our Police Department are doing policing the downtown area.
- Alder. Carrigan said that at the Government Operations meeting he would be interested in having part of that discussion focus on looking at the hours for all the liquor licenses. Maybe we want to revisit Sunday – Thursday at 1:00 AM and Friday/Saturday at 2:00 am. I think it is well past two years since the liquor tax hike. I am curious about the effect, if it has been worthwhile. I would be in favor in a 1:00 am closing Sunday – Thursday and a 2:00 am closing on Friday and Saturday.

Motion by Martin seconded by Turner to call to this item question.

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

NAY: 0 ABSENT: 0

MOTION CARRIED

Motion by Martin seconded by Krieger to move this item the August 20th, Government Operations meeting.

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

NAY: 0 ABSENT: 0

MOTION CARRIED

- Alder. Bessner asked if there has to be formal documents completed.
- Mayor DeWitte said that the restrictions on his current license are restrictions that went along with the license. The simple decision by the Council to change that policy is all that is needed.

F. Adjournment

Motion By Carrignan, Seconded By Monken, To Adjourn Meeting

VOICE VOTE UNANIMOUS MOTION CARRIED

Meeting adjourned at 7:22 P.M.

Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Nancy Garrison, City Clerk