

**MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL  
HELD ON MONDAY, JUNE 4, 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, Lewis

**Absent:** Bessner

**3. Invocation Alder. Payleitner.**

**4. Pledge of Allegiance.**

**5. Presentations:**

Recognition of military service and award of Silver Star to Private First Class Richard T. Bennett

Award of the IMEA Scholarship to Matthew Van Gyseghem by Ed Cobau, Director – State Association Services & Communications, Illinois Municipal Electric Agency (IMEA)

**6. 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, Lewis

NAY: 0 ABSENT: Bessner

MOTION CARRIED

**\*7. Motion by Martin, seconded by Krieger to accept and place on file minutes of the regular City Council meeting held on May 21, 2012.**

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

NAY: 0 ABSENT: Bessner

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 5/7/12 – 5/18/12 in the amount of \$4,298,479.68.**

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

## I. New Business

- A. Motion by Martin, seconded by Krieger to approve a proclamation acknowledging Lieutenant Colonel Mark Powell for his years of service in the United States Army.  
VOICE VOTE                      UNANIMOUS                      MOTION CARRIED
- B. Motion by Stellato, seconded by Carrignan to approve one vacant position within the Fire Prevention Bureau to be permanently eliminated.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,  
                                         Rogina, Martin, Krieger, Lewis  
                                         NAY: 0                      ABSENT: Bessner  
                                         MOTION CARRIED
- Chief Mullin explained that this issue has been before the Council before. If you recall there was a vacancy that occurred back in September last year due to a retirement. We wanted the time to look at all our options. State law regarding promotions requires that you fill the vacancy within 60 days or you have to declare it unfunded or vacant. We have reviewed the situation and would like to vacate this lieutenant's position. It results in no new changes in levels in personnel in the fire department.
- C. Motion by Martin, seconded by Krieger to approve an **Ordinance 2012-M-26** Redistricting the City of St. Charles.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,  
                                         Rogina, Martin, Krieger, Lewis  
                                         NAY: 0                      ABSENT: Bessner  
                                         MOTION CARRIED
- Alder Martin stated the ordinance has previously been approved by the Council and is subject to legal review. The Council moved Seventh Street all the way to the railroad tracks in their motion to approve it. Legal counsel advises us, because of difficulties of special census to be able to do that, we should fall back and follow the census block 2000. The data will stay within the 1% we have recognized earlier.
  - Mayor DeWitte thanked the task force for all their hard work and everyone else who contributed to the process.
- D. Motion by Carrignan, seconded by Monken to approve a Class E liquor license for Sculpture in the Park to be held on June 15, 2012 at Mount St. Mary Park.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,  
                                         Rogina, Lewis  
                                         NAY: Martin, Krieger                      ABSENT: Bessner  
                                         MOTION CARRIED
- Mayor DeWitte explained that we did receive an application from the park district this afternoon regarding this event. This is the annual reception for sculpture in the

park. It is an evening event on June 15. There is a wine sampling that requires an E special event license. The park district has followed our process and has submitted an application. Holly Gardels is with us from the park district if there are any questions.

- Alder. Martin asked, what's the E license they are asking for.
- Tina Nilles responded E1.
- Alder. Martin said that the ordinance I have before me says, the dispensing of food is predominant. Is food a predominate factor in this application?
- Holly Gardels responded that food would be available.
- Mayor DeWitte responded that this is wine tasting not service. Wine will be served in one ounce containers. I have to believe that food will be predominate, in this event. All other requirements of the E1 license will be required: hours are restricted, area will be fenced off, each patron must have a wristband, and the servers must be basket certified. Are you going to submit a site plan?
- Holly Gardels responded yes.
- Mayor DeWitte continued, the Chief of Police would have to review. The Chief will have to make a determination if any security personnel will be required.
- Alder. Martin said that he would also take issue with the short time span of the request. I would trust that they do this same process next year; they will get the application in in due course. Four or five days before is not acceptable to me.
- Mayor DeWitte said that the only reason it is coming before the Council this evening is due to the revisions that were made to the E classifications two weeks ago on a Monday night. Had those changes not been made, this would have been dealt with by the Chief of Police and the liquor commissioner without having to interfere in the Council's business. This is brought to you as a courtesy based on revisions in the ordinance.
- Alder. Martin said the ordinance hasn't been passed yet.

## II. Committee Reports

### A. Government Operations

- \*1. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-54** Authorizing the Director of Human Resources to Execute a Letter of Agreement with Laurus Strategies for benefits consulting/management services for FY12/13.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,  
Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)
- \*2. Motion by Martin, seconded by Krieger to approve an **Ordinance 2012-M-27** Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles (miscellaneous vehicles).  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,  
Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

- \*3. Motion by Martin, seconded by Krieger to approve an Ordinance 2012-M-28 Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles (miscellaneous items).

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

- \*4. Motion by Martin, seconded by Krieger to approve an Ordinance 2012-M-29 Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles (transformers/switchgear).

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

- \*5. Motion by Martin, seconded by Krieger to waive the bid procedure and allow spot buying of transformers on as as-needed basis.

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

- \*6. Motion by Martin, seconded by Krieger to approve the St. Charles Convention and Visitor's Bureau funding request for FY12/13.

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

- \*7. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-55** Expressing Official Intent Regarding Capital Expenditures to be Reimbursed from Proceeds of an Obligation to be Issued by the City of St. Charles, Kane and DuPage Counties, Illinois.

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

- \*8. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-56** Authorizing the Mayor and City Clerk of the City of St. Charles to Execute a Certain Agreement – BRICOR Consulting Inc.

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

9. Motion by Stellato, seconded by Monken to approve an **Ordinance 2012-M-30** Amending Title 5 "Business License and Regulations," Chapter 5.08 "Alcoholic Beverages" of the St. Charles Municipal Code – Various Provisions including the ten amendments.

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

NAY: 0 ABSENT: Bessner

ABSTAIN: Martin

MOTION CARRIED

- Mayor DeWitte explained that this motion is separate from the motion later in the meeting. This item is the original 10 amendments that we had approved at committee. They are not the same the motions and we need both.
- Alder. Martin asked are you approving it with the changes that were already made?
- Mayor DeWitte said that is the next agenda item.

10. Motion by Stellato, seconded by Monken to approve a Class B2 liquor license application for The Original Gino's East of Chicago located at 1590 E Main Street, St. Charles (new owner).

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

NAY: Martin, Krieger ABSENT: Bessner

MOTION CARRIED

- \*11. Motion by Martin, seconded by Krieger to accept and place on file minutes of the May 21, 2012 Government Operations Committee meeting.

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

## **B. Government Services**

- \*1. Motion by Martin, seconded by Krieger to waive the bid procedure for Items 2, 3, 4, 5, 8, 9, 10, 12, 16, and 17.

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

- \*2. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-57** Authorizing the Execution of a Contract with K. Hoving Companies for Street Sweeping Services.

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

- \*3. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-58** Authorizing the Execution of a Contract with Raise Rite for City Sidewalk Maintenance.

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

- \*4. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-59** Authorizing the Execution of a Contract with Safe Step for City Sidewalk Maintenance.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,  
Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)
- \*5. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-60** Authorizing the Execution of a Contract with Skyline Tree Service for Ash Tree Removal Services.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,  
Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)
- \*6. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-61** Authorizing the Execution of a Contract with Martam Construction for Remaining Sanitary Work as part of IL Department of Transportation Contract (7<sup>th</sup> Avenue to Dunham Road).  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,  
Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)
- \*7. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-62** Authorizing the Execution of a Contract with Encap, Inc. for the Bob Leonard River Walk Extension (Brownstone Segment).  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,  
Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)
- \*8. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-63** Authorizing the Execution of a Contract with Novinium for Cable Injection Services.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,  
Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)
- \*9. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-64** Authorizing the Execution of a Contract with Archon Construction for Directional Boring Services.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,  
Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)
- 10. Motion by Stellato, seconded by Monken to approve a **Resolution 2012-65** Authorizing the Execution of a Contract with B&L Landscape Contractors for Landscape Restoration Services.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,  
Rogina, Martin, Lewis  
NAY: 0 ABSENT: Bessner  
ABSTAIN: Krieger

MOTION CARRIED

- \*11. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-66** Authorizing the Purchase of a Substation Transformer to ABB c/o T&D Products.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)
- \*12. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-67** Authorizing the Purchase of Pad Mounted Capacitor Banks from Wesco.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)
- \*13. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-68** Authorizing the Execution of a Contract with DeMar Tree Service for Tree Trimming Services.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)
- \*14. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-69** Authorizing the Execution of a Contract with Skyline Tree Service for Tree Trimming Services.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)
- \*15. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-70** Authorizing the Approval of a Utility Easement for Culvers Restaurant located at 4068 E. Main Street.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)
- \*16. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-71** Authorizing the Execution of a Contract with Marc Kresmery Construction LLC. for the North Siphon Rehabilitation.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)
- \*17. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-72** Authorizing the Approval of a Proposal from Viking Chemical Company for Water Treatment Chemicals.  
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
MOTION CARRIED (Omnibus Vote)

- \*18. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-73** Authorizing the Execution of a Kane County Intergovernmental Agreement for Electronics Recycling Program.

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

- \*19. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-74** Authorizing the Execution of Change Order No. 5 to Hampshire Hydro for the Main Treatment Plant Headworks Project Construction Costs.

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

- \*20. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-75** Authorizing the Execution of a Contract with Capital Infrastructure Group, LLC. for Consulting Services.

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

- \*21. Motion by Martin, seconded by Krieger to approve a **Resolution 2012-76** Authorizing the Purchase of three Ford Escape vehicles for the St. Charles Police Department.

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

NAY: 0 ABSENT: Bessner

MOTION CARRIED (Omnibus Vote)

22. Motion by Stellato, seconded by Monken to approve an **Ordinance 2012-M-30** Amending Title 5 "Business Licenses and Regulations," Chapter 5.08 "Alcoholic Beverages" of the St. Charles Municipal Code – Various Provisions.

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

NAY: Payleitner ABSENT: Bessner

MOTION CARRIED

- Mayor DeWitte said that this is the ordinance that will add the consent of the Council language to the liquor license classification.
- Alder. Payleitner explained that as my previous vote as called, I have no issue with the 10 changes that were made to section 5.08 but last week's packet it was unclear to me as to what was original language. So I waited and went back to the previous handout with Alderman Martin's handwritten changes then it was clear to me what were the actual changes. So now I would like to express my opposition to it at this time. I wish the language clearly stated the Council issues and the Commissioner manages. I think this is micro manages. I would like to see the Commissioner manage and the Council issue. I think the minutia is unnecessary and events will be held up.

- Alder. Rogina explained that going along with what Alderman Payleitner said. I thought that the E1 covered everything to begin with and we were being somewhat redundant. But when the vote went down, it seemed like we were adding the advice and consent and that is not a problem. I agree with Alderman Payleitner, and it was Alderman Carrignan's point at that meeting, that he wanted the Council to provide the opportunity to approve and wanted the commissioner to manage. I wanted to voice my agreement with that.

\*23. Motion by Martin, seconded by Krieger to accept and place on file the minutes of the April 23, 2012 Government Services Committee Meeting.

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

**C. Planning and Development**

\*1. Motion by Martin, seconded by Krieger to accept and place on file minutes of the May 14, 2012 Planning & Development Committee meeting.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner,  
Rogina, Martin, Krieger, Lewis  
NAY: 0 ABSENT: Bessner  
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 7:26 P.M.

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Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

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Nancy Garrison, City Clerk