

**MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL  
HELD ON MONDAY, JUNE 3, 2013 – 7:00 P.M.  
CITY COUNCIL CHAMBERS, IN THE CITY COUNCIL CHAMBERS  
2 E. MAIN STREET ST. CHARLES, IL 60174**

**1. Call To Order At 7:01 P.M.**

**2. Roll Call.**

**Present:** Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis  
**Absent:** None

**3. Invocation – Alderman Rita Payleitner**

**4. Pledge of Allegiance – Presentation of the Colors – St. Patrick’s School Boy Scout Troop 10.**

**5. Presentations:**

- Recognize achievements of Eagle Scout Kevin Patrick Tierney and Eagle Scout Eric James Vonderhaar – Boy Scout Troop 10.
- Ms. Dorene Tieche and Munhall Elementary School 3<sup>rd</sup> Graders – Thank You notes to the Mayor and City Council for allowing their voices to be heard and their opinions being valued.

*The purpose of these students coming to the meeting is to culminate their learning in class. In Social Studies they have learned about famous individuals who made a difference for many people by standing up and taking action. They have also learned how our community grew and is ever changing and evolving to meet the needs and wants of the people living here. In addition, the writing curriculum for this quarter is opinion writing. These core standards are weaved together in the letters the students have written and submitted to the Mayor. It has been emphasized to the kids that together we can find the best solutions for issues. They want to be part of that process for their city!*

- Recognize David Eilken, St. Charles North High School student, for being awarded the Illinois Municipal Utilities Association (IMUA) scholarship – presented by Ed Cobau, IMUA Director, State Association Services & Communications.

**6. Motion by Martin, seconded by Krieger to approve the Omnibus Vote as presented.**

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
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 May 20, 2013.**

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
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 5/6/13 – 5/17/13 in the amount of \$4,655,056.03.**

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

## I. New Business

- A. Motion by Martin, seconded by Turner to approve a **Resolution 2013-60** Authorizing the Execution of an Agreement Between the City of St. Charles and Metropolitan Alliance of Police St. Charles Chapter 27.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis  
NAY: 0 ABSENT: 0  
MOTION CARRIED

- B. Motion by Turner, seconded by Bessner to approve an **Ordinance 2013-M-35** amending Special Service Area 1A in the City of St. Charles, Kane and DuPage Counties, Illinois (304 Cedar Avenue – Dunham-Hunt House).

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis  
NAY: 0 ABSENT: 0  
MOTION CARRIED

- C. Motion by Stellato, seconded by Silkaitis to approve an **Ordinance 2013-M-36** amending Special Service Area 1B in the City of St. Charles, Kane and DuPage Counties, Illinois (304 Cedar Avenue – Dunham-Hunt House).

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis  
NAY: 0 ABSENT: 0  
MOTION CARRIED

- D. Motion by Turner, seconded by Martin to approve recommendation from Mayor Raymond P. Rogina to approve a **Resolution 2013-61** Authorizing and Directing the Mayor and

City Clerk to Execute a Certain Extension to the Employment Agreement with Mr. Brian Townsend.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
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 Government Operations Committee meeting held on May 20, 2013.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

2. Motion by Turner, seconded by Stellato to approve a Class E1 liquor license for Sculpture in the Park.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Bessner, Lewis

NAY: Martin, Krieger, ABSENT: 0

MOTION CARRIED

- \*3. Motion by Martin, seconded by Krieger to approve Terms of Business Agreement from Moran Consulting Inc.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- \*4. Motion by Martin, seconded by Krieger to approve a **Resolution 2013-62** Authorizing the Director of Human Resources to Execute a Letter of Agreement between the City of St. Charles and Laurus Strategies.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- \*5. Motion by Martin, seconded by Krieger to approve a proposal from CCMSI in the amount of \$19,615 for third party administration services for workers' compensation services for fiscal year 2013/2014.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- \*6. Motion by Martin, seconded by Krieger to award 2013/14 Hauling/Excavation bid to S. Schroeder Trucking, Inc., Villa Park, at unit costs provided on the Bid Results.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- \*7. Motion by Martin, seconded by Krieger to award the bid for 2013/14 Spoils Dumping (Tipping Fees) to C H Hager Excavating, Inc. (West Chicago).

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- \*8. Motion by Martin, seconded by Krieger to waive the bid process and accept the quotations for office supplies to Staples Advantage and US Communities (on-line) for routine office supplies, and Illinois Paper & Copier Company (Bolingbrook) for multiuse paper.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- \*9. Motion by Martin, seconded by Krieger to award 2013/14 low bid to S. Schroeder Trucking, Inc. (six [6] pits), for six (6) types of stone and gravel, and Koz Trucking, Inc. for four (4) types of stone and gravel and hauling.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

10. Motion by Turner, seconded by Stellato to approve an **Ordinance 2013-M-37** Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles to two licensed firearms dealers (Streicher's \$2,675 and Alpha Armament Co. \$3,200), and approve destroying an Intra-Tec 9 and an UZI pistol.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin

NAY: Krieger, Bessner, Lewis ABSENT: 0

MOTION CARRIED

- Alder. Lewis

- Two weeks ago I voted yes to the sale of no longer needed and obsolete firearms. I assumed all the weapons for sales were police owned and were being sold to a broker who would sell them to other police departments. In my opinion it was much like the sale of no longer needed and obsolete fire equipment. I have no problem with this type of sale and will continue to authorize that particular kind of sale. Police to Police.

I have now learned that some of the firearms we have been asked to authorize the sale of are ones that were given to the police dept by the courts or acquired from other sources. Some of these firearms are decades old and have very little value if any. It's much like things in your garage or basement that you keep for whatever reason, but one day you say to yourself "we need to just get rid of this" "should we

throw it away or sell” “we could probably get a little money for it if we sold it.” I believe this was the intention of the police department. That they had only good intentions and I am very supportive of our Police Department.

We usually talk of crime in our conversations about firearms, but here is another point of view: I am aware of circumstances where a family, who’s loved one, was a victim of a tragic accident, a suicide or attempted suicide, may not want these weapons in the hands of others. They would prefer them to be destroyed. They hand the firearm over to the police department to “just get rid of it” and in their grief forget to ask for the firearm to be destroyed. These particular firearms were not purchased by the taxpayers of St. Charles. I do not condone the selling of firearms that were court case or acquired from other sources to be sold to brokers who will then sell them to the general public. I believe these particular firearms should be destroyed and am asking the Council to consider this alternative.

- Alder Krieger

I am changing my mind on this vote, because I didn’t fully understand that the guns would be resold on the open market. The information I received says these items, these firearms were for disposal. My bigger concern is how many items have come before us where we have been painted a broad brush picture with a minimum amount of information. It is my feeling that all information should be available and that is the responsibility of our department heads and City administrator. I think we were kind of led astray but when it says firearms disposal, it never says that they would be resold.

- Alder. Payleitner

To alderman Lewis’s point, is it possible to discern which weapons were used, to make that division?

- Alder. Lewis

I believe that there is, they know which weapons came from the courts. Versus dropped off which the police department purchased. I think that they can make that distinction.

- Chief Lamkin

To help you understand this, when a weapon is dropped off to us, and the family asks for it to be destroyed. It is destroyed, we don’t keep it. If a weapon is dropped off and placed into evidence, or it is turned into evidence at some point for us to dispose or destroy it, that is what we do. If a weapon comes to us as a piece of evidence for a case that is pending in court, it goes into evidence. And at the time that we are ordered to dispose of that,

I think part of it is the dispose and destruct, we look at it as disposing it from our evidence room standpoint. When the clerk tells us that the gun can be turned over to the police, it goes into the armory. Once it goes into the armory, there is no case number that is assigned to that. So, I don’t have a means of going back on every one of these guns because there is no longer evidence. Therefore there is no police case report number that is assigned to it any longer. Some of these guns have been there for 20 years. I can tell you when I have done weapons inspections in our

armory, I have had guns in there that I have raised the question a number of times as to why they have been kept in there because we have no use for them. So we made a decision earlier this year that we would go through those guns we have obtained over time, that we have no use for them. The Police related guns came from when we downsized our SWAT team a couple of years ago, those are very specific to Strikers. Then there is the other ones, we have asked to do something else with, so we went around and got competitive quotes so we can dispose of them from our armory. As opposed to destruct them. When we say destruct them we take out parts and anything that has a frame number is destroyed.

- Alder. Bessner  
Is there a cost to for destruction?
- Chief Lamkin  
Some of the cheaper made guns you can take a sledgehammer, some departments may do that. Maybe we will find a foundry to throw them into an oven and turn to metal. Some may take a blow torch and cut them up. They dispose of them in such a way that there is no longer any ability to be used as a firearm.
- Alder. Bessner  
I am on the fence with this, on one hand; I see the angst and perception that can be thrown out there as to what we are trying to do. On the other hand, we have a sustainability initiative where we have trimmed so much “baggage” that this seems like a place where we can either can increase a little revenue or trim back. So I am not sure. I see both ways, \$6000 is the number roughly.
- Chief Lamkin  
Six thousand dollars is the number is roughly and you mentioned the sustainability initiative. I can tell you as we work through that, \$6,000 was repeatedly reminded to us that a substantial amount of money. We looked at this and how we can use these funds for other things.
- Alder. Bessner  
Sounds like there are neighboring cities that are not doing this?
- Chief Lamkin  
If we went farther down in the state of Illinois, we would probably a lot different reaction than that. It is a community decision.
- Alder. Lewis  
Would it be fair to say that you can make somewhat of a distinction that these were not weapons that were purchased with taxpayer dollars?
- Chief Lamkin  
I am comfortable saying that, I think the one on the Alpha list I don’t think were taxpayer dollars, to my knowledge.
- Alder. Bessner  
Regarding the dealerships, are they pretty reputable?
- Chief Lamkin  
Strikers we deal with pretty regularly. Alpha Armament, I don’t have the same level of experience. I did speak with the owner myself about this and he, in my

opinion in discussing this with him, he comes across as a reputable dealer. He understands the gravity of this.

- Mayor Rogina  
Whatever decision is made, someone will have a concern, I understand that. I have faith and trust in the St. Charles Police Department to make the right decision in this matter.
- Alder. Lewis  
I am looking at this from a different angle, these firearms that have been used in other circumstances and I think to give these families peace of mind. They would want these weapons destroyed and not resold.

**B. Government Services**

- \*1. Motion by Martin, seconded by Krieger to approve a **Resolution 2013-63** Authorizing the Mayor and City Clerk of the City of St. Charles to Award Contractual Services to Fox Valley Lawn Care for Mowing Maintenance.  
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis  
NAY: 0 ABSENT: 0  
MOTION CARRIED (Omnibus Vote)
- \*2. Motion by Martin, seconded by Krieger to approve a **Resolution 2013-64** Authorizing the Mayor and City Clerk of the City of St. Charles to Award Contractual Services to Raise Rite for Sidewalk Maintenance.  
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis  
NAY: 0 ABSENT: 0  
MOTION CARRIED (Omnibus Vote)
- \*3. Motion by Martin, seconded by Krieger to approve a **Resolution 2013-65** Authorizing the Mayor and City Clerk of the City of St. Charles to Award Contractual Services to Safe Step for Sidewalk Maintenance.  
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis  
NAY: 0 ABSENT: 0  
MOTION CARRIED (Omnibus Vote)
- \*4. Motion by Martin, seconded by Krieger to approve a **Resolution 2013-66** Authorizing the Mayor and City Clerk of the City of St. Charles to Award Contractual Services to Engineering Enterprises Inc. (EEI) for Design and Construction Engineering Services for Red Gate Water Tower.  
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
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 2013-67** Authorizing the Mayor and City Clerk of the City of St. Charles to Approve Proposal from Hawkins Water Treatment Group for Water Treatment Chemicals.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

6. Motion by Payleitner, seconded by Stellato to approve use of amplification equipment and a Class E-1 Temporary Liquor License for the Firin' Up the Fox BBQ Contest.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,  
Lewis

NAY: Martin, Krieger ABSENT: 0

ABSTAIN: Bessner

MOTION CARRIED

7. Motion by Payleitner, seconded by Turner approve a Class E-2 Liquor License and use of amplification equipment on August 17-18, 2013 for The Festival of the Horse and Drum at the Kane County Fairgrounds.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,  
Bessner, Lewis

NAY: Martin, Krieger ABSENT: 0

MOTION CARRIED

- \*8. Motion by Martin, seconded by Krieger to approve parking lot, street closure and use of amplification equipment for St. Charles Cruise Nights.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner  
Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

### **C. Planning and Development**

None.

### **D. Additional Items from Mayor, Council, Staff, or Citizens**

- Mayor Rogina discussed the following:
  - There are three more candidates to interview for the 3<sup>rd</sup> Ward open alderman seat. The plan is to narrow the number down and then interview the final group in executive session. Hope to swear new person in on June 17, 2013.
  - Please shop at the East side businesses especially those affected by Route 64 construction.
  - The ribbon cutting ceremony for the Redgate Pedestrian Bridge is on June 15, 2013.
  - Alder. Turner saved a life in Wisconsin.
- Julie Ferris, 716 S.
  - Ms. Ferris thanked the City of St. Charles on behalf of the Pride of the Fox Riverfest Committee. Ms. Ferris explained many of the events and attractions that will be part of Riverfest.

### **F. Adjournment**

Motion By Bessner, seconded by Turner, to adjourn meeting



VOICE VOTE

UNANIMOUS

MOTION CARRIED

Meeting adjourned at 7:45 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