

**MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL
HELD ON MONDAY, APRIL 21, 2014 – 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 Raymond Rogina At 7:01 P.M.**

2. **Roll Call.**

Present: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Martin, Krieger, Bessner, Lewis

Absent: None

3. **Invocation – Alderman Rita Payleitner**

4. **Pledge of Allegiance.**

5. **Presentation:**

2014 St. Patrick's Day Parade Awards

Children's Showcase

3rd Place – St. Patrick's Catholic School Girl Scouts

2nd Place – Ferson Creek School

1st Place – Community Unit School District #303

Not for Profit Showcase

3rd Place – Knights of Columbus Council #12497

2nd Place – Pride of the Fox

1st Place – St. Charles Public Library

Business Showcase

3rd Place – Davey Tree Service

2nd Place – JP Jewelers

1st Place – First State Bank

Best of Show

Marquee Youth Stage (My Stage)

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

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, 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 April 7, 2014.**

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, 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 3/31/14 – 4/13/14 in the amount of \$1,856,005.70.**

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

I. New Business

- A. Motion by Martin, seconded by Krieger to approve a proclamation declaring May 3 – 11, 2014 as National Travel and Tourism Week in the City of St. Charles.
VOICE VOTE UNANIMOUS MOTION CARRIED
- B. Motion by Silkaitis, seconded by Stellato to approve a recommendation from Mayor Rogina for re-appointment of City Administrator for Fiscal Year 2014/15.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED
- C. Motion by Stellato, seconded by Silkaitis to approve recommendation from Mayor Rogina to appoint Department Directors as recommended by City Administrator Mark Koenen for fiscal year 2014/15.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED
- D. Motion by Krieger, seconded by Bessner to approve recommendation from Mayor Rogina for re-appointment of Deputy City Clerk for Fiscal Year 2014/15.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED
- E. Motion by Stellato, seconded by Turner to approve recommendation from Mayor Rogina for re-appointment of City Attorney for Fiscal Year 2014/15.

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

- F. Motion by Bessner, seconded by Turner to approve a **Resolution 2014-19** providing for the Adoption of the City of St. Charles Annual Budget for Fiscal Year 2014/2015.

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

Chris Minnick, Finance Director

The items and the budget book that was distributed a week ago are consistent with the public hearing. There are no changes. I am available to answer any questions.

- G. Motion by Bancroft, seconded by Krieger to approve consideration of a **Resolution 2014-20** Authorizing the City Administrator to Execute and Deliver a Notice of Termination of the Purchase Agreement By and Between the City of St. Charles and SMN Development, L.L.C.

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

- H. Motion by Stellato, seconded by Silkaitis to approve consideration of a **Resolution 2014-21** Authorizing the City Administrator to Execute and Deliver to the Developer a Notice of Default regarding City of St. Charles Tax Increment Financial Redevelopment Agreement (First Street Project) By and Between the City of St. Charles and First Street Development, L.L.C.

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

- I. Motion by Lemke, seconded by Turner to approve the recommendation from the Liquor Control Commission to approve the requests for late night permits from Class B and C licensees for fiscal year 2014/15.

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

II. Committee Reports

A. Government Operations

- *1. Motion by Martin, seconded by Krieger to approve accept and place on files minutes of the April 7, 2014 Government Operations Committee Meeting.

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

B. Government Services

- *1. Motion by Martin, seconded by Krieger to approve accept and place on file the minutes of the March 24, 2014, Government Services Committee Meeting.

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

Bancroft, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

C. Planning and Development

- *1. Motion to approve funding for the Downtown St. Charles Partnership (DSCP) in the amount of \$250,500 for Fiscal Year 2014-2015.

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

2. Motion by Stellato, seconded by Silkaitis to approve a Class D1 Liquor License for Pheasant Run Resort located at 4051 E. Main St., St. Charles.

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

NAY: Martin ABSENT: 0

MOTION CARRIED

- *3. Motion by Martin, seconded by Krieger to approve accept and place on file Plan Commission Resolution No. 2-2014 A Resolution recommending approval of a General Amendment to the Zoning Ordinance pertaining to requirements for the regulation of Pet Care Facilities and Kennels.

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

4. Motion by Stellato, seconded by Silkaitis to approve an **Ordinance 2014-Z-5** Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning" Table 17.14-1 "Business and Mixed Use Districts Permitted and Special Uses", Section 17.20.030 "Standards for Specific Uses", Table 17.24-3 "Required Off-Street Parking", and Chapter 17.30 "Definitions" Regarding Pet Care Facilities and Kennels.

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

NAY: 0 ABSENT: 0

ABSTAIN: Krieger

MOTION CARRIED

- *5. Motion by Martin, seconded by Krieger to accept and place on file Plan Commission Resolution No. 3-2014 A Resolution recommending approval of an Application for a Special Use for a Pet Care Facility (Fydoland – 1317 E. Main St.).

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

6. Motion by Stellato, seconded by Silkaitis to approve an **Ordinance 2014-Z-6** Granting Approval of a Special Use for Pet Care Facility (1317 E. Main Street – FYDoland, Inc.).

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

NAY: Lemke ABSENT: 0

ABSTAIN: Krieger

MOTION CARRIED

7. Motion by Stellato, seconded by Silkaitis to approve a **Resolution 2014-22** Denying an Office Certification Appeal for ALE Solutions to Occupy 1 W. Illinois St., Unit #120 (Fox Island Square).

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

NAY: 0 ABSENT: 0

MOTION CARRIED

Alder. Turner

There is a 90-day cure on this, with a 30-day review at each 30 days period.

Rita Tungare

Yes, that is correct.

Mayor Rogina

If you recall last Monday night, the committee voted regarding the conclusion by Staff that on March 21, information submitted by ALE did not sufficiently demonstrate the business would meet the office certification criteria B, that the function of the business conducted in unit 120 that the function of the business would primarily provide service to customers that are physically present. What staff was doing there what the ordinance says in the language. What I read the paper that the City of St. Charles may be trying to “boot” somebody out of the community. That is the farthest thing from the truth. I heard the City Administrator say we are more than happy to work with brokers and with the tenant to see that the tenant stays in St. Charles. You also heard Alderman Turner ask the question as to whether or not we are asking somebody to leave after 30 days, and the answer is no. We are working with the tenant. We will continue to do so. We appreciate the tenant’s business and we want them to stay in St. Charles. I want that to be clear. I am being very frank and very honest, I had a bad taste in my mouth after the committee meeting.

Alder. Lemke

Was there any concern with the vast majority of the employees of ALE who work on the second and third floor? Does that sound fair?

Rita Tungare

There is no concern with them occupying the upper floors. This issue is occupying the first floor. That is the issue.

Rita Payleitner

I was not at the meeting last week, so I appreciate you offering the clarification and that we are not booting anyone out of town. And that there are still options open, correct?

Mayor Rogina

Absolutely. Staff is more than willing to engage and work with the tenant and the brokers to see that ALE remains a vibrant business for years to come.

Rob Zimmers, 1 West Illinois Street, St. Charles

Alder. Payleitner

Mr. Zimmers it is my understanding that you are looking to find a bigger place in the next year, is that for the whole operation?

Mr. Zimmers

The choice is either to move half the company and remain where we are at. And have a facility of equal size as the one downtown or move the whole thing altogether.

Alder. Payleitner

A year will give you the answer you hope.

Mr. Zimmers

It will give us the time to build the facility. We have plans ongoing.

Alder. Payleitner

Do you have property now?

Mr. Zimmers

No, we have some we are looking at.

Alder. Stellato

Even though the meeting was long, I thought the meeting showed the spirit of cooperation between the owners, Rob and Rowena, did a great job. There was a lot of good input between the Council and the Staff. And the members of the downtown partnership who reached out to us as Alderman to try to find a solution there. While nothing is perfect, I think we are working towards a relationship. It was good to hear from them and meet them for the first time, hear their side of the story. I think they were caught in the middle of this as that came out in the evening regarding the parking situation. As they stated in the meeting they want to be good neighbors and I believe them.

Alder. Lewis

My understanding is that parking has already improved and your employees have been going over to the parking garage.

Mr. Zimmers

It was pretty easy to correct.

Alder. Lewis

It's pretty empty right now. Thank you very much for taking care of that immediately.

- *8. Motion by Martin, seconded by Krieger to accept and place on file Historic Preservation Commission Resolution No. 1-2014 A Resolution Recommending Approval of A Façade Improvement Grant Application (102 E. Main St- MJS Holdings LLC/Riverside Pizza).
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *9. Motion by Martin, seconded by Krieger to approve a Façade Improvement Agreement for 102 E. Main St. (Riverside Pizza).
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *10. Motion by Martin, seconded by Krieger to accept and place on file Corridor Improvement Commission Resolution No. 2-2014 A Resolution Recommending Approval of a Corridor Improvement Grant Application (2536 and 2540 E. Main Street – Melia Linardos).
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *11. Motion by Martin, seconded by Krieger to approve a Corridor Improvement Agreement for 2536 and 2540 E. Main Street (Melia Linardos).
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *12. Motion by Martin, seconded by Krieger to approve an **Ordinance 2014-Z-7** Granting Approval of a Minor Change to a PUD Preliminary Plan (St. Charles Commercial Center PUD – Ashford St. Charles entry signs).
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *13. Motion by Martin, seconded by Krieger to accept and place on file Historic Preservation Commission Resolution No. 2-2014 A Resolution Recommending Approval of a Façade Improvement Grant Application (111 W. Main St. - Steel Beam Theater).
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *14. Motion by Martin, seconded by Krieger to approve a Façade Improvement Agreement for 111 W. Main St. (Steel Beam Theater).
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

15. Motion by Bessner, seconded by Turner to accept and place on file Corridor Improvement Commission Resolution No. 1-2014 A Resolution Recommending Approval of a Corridor Improvement Grant Application (1020 Cedar Avenue – Zack Tentinger).

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

16. Motion by Bessner, seconded by Turner to approve a Corridor Improvement Grant for 1020 Cedar Avenue (Batavia Enterprises).

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

D. No Executive Session

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

• **Ed Barsoti, 37W948 Tanglewood Drive, Batavia, IL**

Some years ago I was working with Del Web to get a senior housing facilities in one of these areas. They were very much interested but you know what happened. Now in the three cities there is no community for seniors and houses and like a building to do things in. Mooseheart in Batavia are interested in annexing, to sell the land. We have senior apartments in the three cities, but they are usually small apartments, active seniors don't like it because there are not any amenities. Del Web was interested years ago, but I haven't contacted them recently. Carlton and Stonegate is filled. They sold quickly. The requirements for Del Web, just to tell you what a potential builder would like, 500-600 acres. They do build on 150-200 acres, a swimming pool, and community house. I am asking you and the other two mayors to look into that. Thank you very much.

• Mayor Rogina

The west side wastewater plant in St. Charles received the plant of the year award from the Illinois Association of Water Pollution Control Operators. Another example of St. Charles leading the way. Congratulations!

F. Adjournment

Motion By Turner, seconded by Stellato, to adjourn meeting

VOICE VOTE UNANIMOUS MOTION CARRIED

Meeting adjourned at 7:45 P.M.

Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Nancy Garrison, City Clerk