

**MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL
HELD ON MONDAY, MAY 19, 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, Turner
Martin, Krieger, Lewis
Absent: Lemke, Bancroft, Bessner
- 3. Invocation – Alderman Rita Payleitner**
- 4. Pledge of Allegiance.**
- 5. Presentations:**
 - American Cancer Society Relay for Life – Painting the Town Purple presented by Bob Tardella.
 - Presentation of a Proclamation declaring May 30, 2014 as Memorial Day – Prayer for Peace in the City of St. Charles.
 - Presentation of a Proclamation declaring the week of May 18 – 24, 2014 as Emergency Medical Week in the City of St. Charles.
- 6. Motion by Martin, seconded by Krieger to approve the Omnibus Vote as amended.**
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Turner,
Martin, Krieger, Lewis
NAY: 0 ABSENT: Lemke, Bancroft, 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 5, 2014.**
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Turner,
Martin, Krieger, Lewis
NAY: 0 ABSENT: Lemke, Bancroft, 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 4/28/14 – 5/11/14 in the amount of \$1,340,344.41.**
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Turner,
Martin, Krieger, Lewis
NAY: 0 ABSENT: Lemke, Bancroft, Bessner
MOTION CARRIED (Omnibus Vote)

I. New Business

None.

II. Committee Reports

A. Government Operations

1. Motion by Turner, seconded by Stellato to approve a new Class B liquor license for Riverside Pizza & Pub at 102 E Main Street, St. Charles (former Pi's location).
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Turner, Lewis
NAY: Martin, Krieger, ABSENT: Lemke, Bancroft, Bessner
MOTION CARRIED
- *2. Motion by Martin, seconded by Krieger to approve a **Resolution 2014-46** Authorizing the Execution of a Law Enforcement Mutual Aid Agreement and the Existence and Formation of the Illinois Law Enforcement Alarm System by Intergovernmental Cooperation.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Turner,
Martin, Krieger, Lewis
NAY: 0 ABSENT: Lemke, Bancroft, Bessner
MOTION CARRIED (Omnibus Vote)
- *3. Motion by Martin, seconded by Krieger to approve Construction Service Agreement with Hardin Paving Services for the 2014 MFT Street Rehabilitation Project.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Turner,
Martin, Krieger, Lewis
NAY: 0 ABSENT: Lemke, Bancroft, Bessner
MOTION CARRIED (Omnibus Vote)
- 4-1. Motion by Turner, seconded by Stellato to approval from Phantom Fight Promotions for a Mixed Martial Arts event to take place at the Fox River Harley Davidson dealership on June 14, 2014.
ROLL CALL VOTE: AYE: Stellato, Silkaitis,
NAY: Payleitner, Turner, Martin, Krieger, Lewis
ABSENT: Lemke, Bancroft, Bessner
MOTION NOT CARRIED

- **Interim Police Chief Huffman**

As you recall, Phantom Fight Promotions came before the Government Operations Committee on May 5th, 2014. They presented a request to hold a mixed martial arts event in the Fox River Harley Davidson parking lot on June 14, 2014 from 3:00 PM to 7:00 PM. At that time that request was denied. They are coming to you tonight with this request and I have included the information from government operations meeting in your packet along with new information. In summary, Phantom Fight Promotions is seeking Council approval for outdoor mixed martial arts athletic event. If approved, it would be a through a resolution. An E2 liquor license for Puebla Modern Mexican to serve alcohol at the event. A sound amplification permit for the event per the St. Charles special event policy. I would also note, if the event is approved, Staff would request the approval of four officers for assignment to the event as well as prepayment for police and fire services by June 2nd. Also if approved, Phantom Fight Promotions

- would need to get permitted from the State of Illinois Department of Financial and Professional Regulations to hold this event. They have 20 days to submit the application to the state prior to that event. If approved tonight, they would have time to get that permit.
- **Mayor Rogina**
As a point of clarification, if approved tonight, they would still have to go through this process with the state. If for some reason that did not happen, the City would be in position to say you cannot put on that event even though the Council gave permission.
 - **Chief Huffman**
This permitting process is regulated by the Department of Financial and Professional Regulation and I believe if an event is held without permit from the State they would be fined an amount not to exceed \$10,000.
 - **Alder. Martin**
Is this the original request or is this Plan B?
 - **Rob Tobar, 5634 Winthrop, Chicago Illinois**
This is plan B. This is a 21 and over event. I do have a new rendering of all the safety concerns that the Council has asked of us. We are required to go in front of the State of Illinois Athletic Commission. There is a process that we go through to get approved. This is not a fly by night event. They have strict regulations and policies that we have to follow and are currently going through that process. I can show you a rendering, on June 14 which is Flag Day, so flags will be surrounding the parking lot that evening.
 - **Alder. Martin**
If it is Plan B, I would ask Alder. Turner to include that in the motion.
 - **Alder. Turner**
Yes I will include.
 - **Mayor Rogina**
The motion is really amended to request approval for Phantom Fight Promotions for a mixed martial arts event, as amended in your packets as plan B as Chief Huffman as outlined to the Council. Is that clear to everyone on the Council.
 - **Alder. Turner**
Did you ever get in contact with Costco?
 - **Mr. Tobar**
Yes. Costco is 100%, we have a letter from them. They are considering a promotion. We are trying to attract business to the City of St. Charles and Harley Davidson.
 - **Mayor Rogina**
Chief had in his memo that the Staff had not had a chance to review that letter.
 - **Mr. Tobar**
My apologies Chief.
 - **Alder. Lewis**
It is still held outdoors?
 - **Mr. Tobar**
Yes

- **Lewis**

That is one of my concerns. We spend a lot of time and energy to ensure that we don't have fights in parking lots. I am sorry that you did not move it indoors. I don't think this is a proper place for it.
- **Mr. Tobar**

It is our entire objective to make the event attractive and beautify it.
- **Mayor Rogina**

You came before Council committee and initially promoted this as family event. I want to say that did not come off very well, the Council has angst as a family event. I am aware of the fact, the White Sox, Cubs, Bears, Blackhawks, Cougars all are family oriented but they do sell alcohol. Some indoors and outdoors. Second, I am very impressed with the idea of a local restaurant supplying here for food. The Council tried to find middle ground by moving it to a 21 and older event. I think, from my perspective, this is your first time here and you want to walk slowly. Some comments suggested a 21 and older event might be a better approach. Martial arts and self defense sports are popular with kids and adults. Our community is not adverse to martial arts. I did hear that an afternoon event bothered some members of Council, and this is just me speaking, I personally prefer, for a first time event, it is better in the afternoon. Can things go awry, yes, that is why we have police in attendance. I personally would vote in favor of this and give you the opportunity to put this on.
- **Alder. Payleitner**

I take exception in comparing it to martial arts and wrestling. It is my understanding that the intent of full contact mixed martial arts is to injure, disable or incapacitate one's opponents. Whereas martial arts, strives not to injure one's opponents. We did approve of it on the outskirts of town. This is way different. Is this our signature event. Is this what we want?
- **Alder. Silkaitis**

In our motion, are we requesting for four officers? I want to make sure that it is included.
- **Mayor Rogina**

Yes. It says in the memo that the promoter is responsible for costs.
- **Alder. Payleitner**

One other concern I have, as impressed I was with your presentation, is that this is your first MMA event. I know you have done boxing but your first MMA event.
- **Mr. Tobar**

This is not our first MMA event, our MMA matchmaker has over 52 fights himself, over 30 events he has promoted. I want to emphasize, that the union of us three that make up Phantom Fight Promotions has over 35+ years of experience. It is not our first MMA event. When we first presented to the Council we discussed the ESPN Fights at Cellular Park that is a big promotion that I do with boxing. We just signed our contracts on Friday at the park. We put up nice pictures. We hope to cross promote. It's a win-win for all those involved. Although it is my first MMA event, combined it really isn't because I have a professional matchmaker that comes with many years of experience.

- **Alder. Lewis**
I went to your website and saw your promoting this event in St. Charles. You had a call out for ami fighters. What does that mean?
- **Mr. Tobar**
The reason you have to do these call outs so far in advance is we have to go in front of the Illinois Athletic commission. There are time requirements that people have to sign up for an event. You can't give someone a two week notice. It is amateur and professional fighting. Ami means amateur so that person can earn points to move up to the next level. The reason for call outs is that we want coaches and camps to promote this.
- **Alder. Lewis**
So the show that you are going to put on is all amateurs?
- **Mr. Tobar**
It will be amateur and professional fighters.
- **Alder. Lewis**
Do you pay the amateurs?
- **Mr. Tobar**
Each contestant is paid.
- **Alder. Lewis**
It also said you were going to do another type of fighting.
- **Mr. Tobar**
You may be looking at the wrong website. We are Phantom Fight Promotions. You may have been looking at Phantom Promotions an LA-based company. The only types of events are MMA. We do hope to have exhibits from local martial arts schools. Exhibitions are nice because it promotes their business. It's strictly MMA. We are promoting boxing, not boxing but talking about the event at cellular park.
- **Mayor Rogina**
Regarding MMA, we have had MMA events at DuPage Expo Center except for the fact that it is outdoors. Correct?
- **Mr. Tobar**
Yes except that we bring more professionalism to the program. We have much larger sponsors and supporters that allow us to put on a very beautiful experiential event.
- **Mayor Rogina**
I recognize that this Council has gone over many times with MMA events.
- **Mr. Tobar**
In the beginning, we view this event to be held outside. When Harley and us started the conversations, Harley Davidson has been doing outdoor events since World War II. That's what they did. It makes sense to do this outside if it is done correctly. We got national attention with our first proposal. I have a strong media background. People pay attention to what we are doing. Safety is our number one concern. We are doing everything that is required by the state and liquor commission. It is not our intention to taint the town. We are excited that you are celebrating your 180 years. Very excited that it is US Flag day. I am a former Marine myself. We plan on doing this the right way. I totally understand how you feel about this might be our first one,

but it really isn't. We have done many events and concerts; we have had fortune 500 that support us. We are bringing something to the town. Safety is our number one concern. We will work with merchants so that it is a win-win for everyone. It is our intent to get merchants involved such as Puebla. We did background checks with Puebla they have had no fines or problems with the liquor commission. When we partner, we are just not picking XYZ bar down the street, we want someone with a good clean record.

- 4-2. Motion to approve a Class E2 liquor license for Puebla Modern Mexican for the service of alcohol for the Phantom Fight Promotions Mixed Martial Arts event on June 14, 2014.

MOTION NOT MADE

- 4-3. Motion to approve a sound amplification permit for the Phantom Fight Promotions Mixed Martial Arts event on June 14, 2014.

MOTION NOT MADE

- *5. Motion by Martin, seconded by Krieger to accept and place on file minutes of the April 21, 2014 Government Operations Committee meeting.

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

NAY: 0 ABSENT: Lemke, Bancroft, Bessner

MOTION CARRIED (Omnibus Vote)

B. Government Services

None.

C. Planning and Development

- *1. Motion by Martin, seconded by Krieger to accept and place on file Plan Commission Resolution No. 7-2014 A Resolution Recommending Approval of a Map Amendment from CBD-2 Mixed Use Business District to CBD-1 Central Business District (217-221 S. 2nd St.).

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

NAY: 0 ABSENT: Lemke, Bancroft, Bessner

MOTION CARRIED (Omnibus Vote)

- *2. Motion by Martin, seconded by Krieger to approve an **Ordinance 2014-Z-10** Granting Approval of a Map Amendment from CBD-2 Mixed Use Business District to CBD-1 Central Business District (217-221 S. 2nd St.).

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

NAY: 0 ABSENT: Lemke, Bancroft, Bessner

MOTION CARRIED (Omnibus Vote)

- *3. Motion by Martin, seconded by Krieger to accept and place on file Plan Commission Resolution No. 8-2014 A Resolution Recommending Approval of a General Amendment to Chapter 17.28 "Signs" Regarding Off-Premise Signs in the CBD-1 and CBD-2 Zoning Districts.

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

- *4. Motion by Martin, seconded by Krieger to approve an **Ordinance 2014-Z-11** Amending Title 17 of the St. Charles Municipal Code Entitled “Zoning”, Chapter 17.28 “Signs”, Section 17.28.080.G “Prohibited Signs – Off-Premise Signs” regarding Off-Premise Signs.

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

- *5. Motion by Martin, seconded by Krieger to approve an **Ordinance 2014-Z-12** Granting Approval of a Minor Change to a PUD Preliminary Plan (Randall Road Commercial II PUD – Building Elevations for Wendy’s, 942 S. Randall Rd.).

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

- *6. Motion by Martin, seconded by Krieger to accept and place on file Historic Preservation Commission Resolution No. 3-2014 A Resolution Recommending Approval of a Façade Improvement Grant Application (100 W. Main St. - Hotel Baker).

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

- *7. Motion by Martin, seconded by Krieger to approve a Façade Improvement Agreement for 100 W. Main St. (Hotel Baker).

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

- *8. Motion by Martin, seconded by Krieger to accept and place on file Historic Preservation Commission Resolution No. 4-2014 A Resolution Recommending Approval of a Façade Improvement Grant Application (117 E. Main St. - Berry’s Barbershop).

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

- *9. Motion by Martin, seconded by Krieger to approve a Façade Improvement Agreement for 117 E. Main St. (Berry’s Barbershop).

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

D. No Executive Session

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

- **Alder. Stellato** stated there is not Plan Commission meeting this week.
- **Randy Simonian, 923 Lockwood Lane Batavia**
 - On September 13 we will be holding the world's largest group hug on the planet. It will be 7+ miles long. It will be an epic event. I am asking for attendance and looking for volunteers. I am doing this because the world needs a giant hug.
- **Kathy Livernois** mentioned the Relay for Life website if anyone is interested in donating to the cause.
- **Mayor Rogina**
 - Hope the birthday celebration two weeks ago was special to the Council Members who grew up in St. Charles.
 - The St. Charles Veterans Parking Lot will be dedicated to Jim Martin.

F. Adjournment

Motion By Stellato, seconded by Turner, to adjourn meeting

VOICE VOTE

UNANIMOUS

MOTION CARRIED

Meeting adjourned at 7:51 P.M.

Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Nancy Garrison, City Clerk