

**MINUTES
CITY OF ST. CHARLES, IL
GOVERNMENT OPERATIONS COMMITTEE
MONDAY, MARCH 3, 2014**

1. Opening of Meeting

The meeting was convened by Chair. Turner at 7:08 p.m.

2. Roll Call

Members Present: Chair. Turner, Ald. Stellato, Silkaitis, Payleitner, Lemke, Martin, Krieger, Bessner, and Lewis

3. Omnibus Vote

Recommendation to approve Funds Transfer Resolutions authorizing budgeted transfers for debt service payments and miscellaneous transfers.

Motion by Ald. Stellato, second by Silkaitis to recommend approval of Funds Transfer Resolutions authorizing budgeted transfers for debt service payments and miscellaneous transfers.

Voice Vote: Unanimous; Nays: None; Chrmn. Turner did not vote as Chairman. **Motion Carried.**

4. Mayor's Office

- a. Recommendation to approve a Class B liquor license for Main Street Saloon to be located at 104 E Main Street (formerly Thirsty Fox).**

Mayor Rogina: All paperwork has been submitted and approved by the Police Department. This is a new license B3 from a C2 which suggests that the applicant is going for a license that will be a restaurant serving alcohol. The business plan is included in your packets. This is a new license as far as the application is concerned but he is looking for the same license until end of the renewal period that Thirsty Fox has which has a 2:00 a.m. closing. After that point he will go through the process like every other licensee in town under our new ordinance to apply for a midnight license with any extended permits he may be requesting.

Ald. Turner: Is all the paperwork completed because a couple of weeks ago it was not.

Mayor Rogina: The question on BASSET is one that stuck out the most in the executive summary.

Interim Chief Huffman: The BASSET training is still being worked on and we'll follow up to make sure all BASSET requirements have been met.

Mayor Rogina: No license will be granted before that BASSET training is completed.

Christopher Muscia, 18881 Wildflower Way, Lake Villa, IL.

Ald. Payleitner: In your business plan you say you have several layers of management running the business at first; the fact you live so far away had me concerned. Will you have a local team in place?

Christopher: Correct, I'll be the operating partner and I'll have a general and assistant managers.

Ald. Payleitner: Secondly I thought oh boy "saloon" but when I saw your menu I thought okay that's conducive to have the BBQ, etc.

Christopher: We want to do a 50/50 mix. We don't want to be a bar.

Ald. Lewis: In the packet it says as of February 7 there was still no fingerprinting done, has that been done?

Christopher: Yes.

Ald. Lewis: I'm confused on this situation. You're applying for a new license that will only take you to May – correct?

Mayor Rogina; He wants to take over the license as it is now. He was told he could wait until the new period at which time we are going through the new process, but he wants to do this now which means he'll pay for the license now and pay for it again in May.

Ald. Lewis: So you plan to open in the next month?

Christopher: Yes as soon as we get to close and get everything wrapped up.

Ald. Lewis: So you'll buy this one license for a month and then apply for a new license for May 1. Do you see yourself going for a 1:00 a.m. or 2:00 a.m. permit?

Christopher: My partner and I are debating that. We'll probably go for a 1:00 a.m. which is up in the air right now. We want to see what the other businesses are doing as well. If everyone is taking a 2:00 a.m. permit, we want to be competitive, of course; but if everyone is in a mix – what's your feeling?

Ald. Lewis: I ask that because you say you want your focus on being a family restaurant and I wonder how a family restaurant ties into a 2:00 a.m. permit because there usually aren't too many families out at 2:00 a.m.

Christopher: True but if there are special events here in the City on the weekend and if we don't have the 2:00 a.m. license we can't stay open but we can always close earlier if we have the 2:00 a.m. permit. It gives us some leeway with special events and other things that go on in St. Charles. I don't want to be there until 2:00 a.m.

Ald. Lewis: On your diagram it shows 12 table tops of four – it doesn't look like very many tables. My question is does that diagram have to stay true to the license because we've seen in the past where we get a site plan and its completely different when it opens. We sometimes make our judgment on a liquor license on the information you give us; so is it open to change?

Mayor Rogina: I would comment by saying that any licensee has from time to time adjusted their floor plan or business plan as need arises and I don't think the license is defined as it is without specifics. We asked him to provide you with a business plan and I would opined that's not etched in stone and he would have flexibility with the plan as long as it conforms to city code.

Ald. Lewis: I just want to make sure that's not going to happen.

Mayor Rogina: I respect this man for taking the courage to walk into an existing establishment and attempting to upgrade it. You can look at his plan and accept it or reject it. I hate to be bold but I think I need to be only because I've heard it too many times already. The option is to deny him the license and perhaps he'll walk away and perhaps that building remains vacant. I recognize there are other options that can go into that but I think his plan is sound and he has made an attempt to come forward here and upgrade these premises and that's why you saw a recommendation from the commissioner and from the staff. We didn't run it by the Liquor Commission other than you recall Ald. Lewis just the name. I have two liquor commissioners up here on the dias and figured he would get a fair hearing.

Ald. Lewis: I would like to say if your plans do change and if your site changes drastically that be communicated to us.

Christopher: We would do that. We want to work with the City and be an improvement as much as we can. Our main business is we really want to cater to the crowd that is going to the Arcada and things of that nature. We'll be pretty transparent.

Motion by Ald. Stellato, second by Silkaitis to recommend approval of a Class B liquor license for Main Street Saloon to be located at 104 E Main Street (formerly Thirsty Fox).

Roll Call: Ayes: Bessner, Lewis, Stellato, Silkaitis, Payleitner, Lemke, Bancroft; Nays: Martin, Krieger. Chrmn. Turner did not vote as chairman. **Motion carried.**

5. Finance Department

- a. **Recommendation to approve an Ordinance Amending Title 3 “Revenue and Finance”, Chapter 3.42 “Alcohol Tax”, Section 3.42.090 “Late Payment and/or Filing’ Failure to Pay and/or File” of the City Municipal Code.**

Julie Herr: I'm here representing City staff to request an amendment to City Code Chapter 3.42 "Alcohol Tax" to modify the penalty structure to provide for a small light penalty of 5% of the alcohol tax – whichever is greater. In addition we are looking to propose an actual increase with each offense. The first late penalty would be \$50, the second would be \$100, and the third and subsequent offenses would be \$150. City staff spends a number of hours each month trying to collect our alcohol tax and it seems there are a number of businesses that are the same ones each month that we either have to email, make phone calls, or write letters and so we are trying to provide an incentive to these businesses to pay on time so that we are not wasting city staff time chasing these businesses. This is not a revenue generator, we are not looking to make money off of this, we're just hoping to provide an incentive to businesses to pay their alcohol tax on time so we spend our time doing more efficient things.

Motion by Ald. Stellato, second by Silkaitis to recommend approval of an Ordinance Amending Title 3 "Revenue and Finance", Chapter 3.42 "Alcohol Tax", Section 3.42.090 "Late Payment and/or Filing' Failure to Pay and/or File" of the City Municipal Code.

Voice Vote: Unanimous; Nays: None; Chrmn. Turner did not vote as Chairman. **Motion Carried.**

b. Recommendation to waive the bid procedure and allow the purchase of Inventory Wire #10151 at quoted price.

Chris Minick: This is a request to waive the bid procedure and proceed with the purchase of 25,000 feet of wire. We did solicit five quotes and are recommending that we award the quote to lowest bidder HD Power Solutions – their quote was \$1.52 per linear foot. The quotes did range from \$1.52 up to \$1.99 per foot and when you multiply the 25,000 times the low quote of \$1.52 there is a market price of approximately \$38K. We do typically quote stock purchases of wire rather than go through a formal bid process where we advertise for bidders. We will call suppliers and seek quotes for stock purchases of wire such as this. There is approximately an 8 to 10-week lead time so we'll be getting this in time for the spring season.

Ald. Lemke: In terms of stock is this something they have on the shelf or is it something that they would have to manufacture?

Chris: There is a lead time and will go into production after we place the order. There is about 2-1/2 month lead time on it.

Ald. Lemke: The other experience I've had is that sometimes these come in with a few feet more or less and it's hard to hit it exactly, so I would argue for some flexibility if they deliver more feet or an extra 1% or something like that.

Chris: That would be up to the Committee's discretion and of course fine with staff in the case that you would. What happens in these types of cases is we'll go ahead because there is \$25K staff discretion for approval we would go ahead and approve that if that is the case.

Ald. Lemke: I just don't want to lock anyone in on the precise footage.

Motion by Ald. Stellato, second by Silkaitis to recommend waiving the bid procedure and allow the purchase of Inventory Wire #10151 at quoted price.

Roll Call: Ayes: Bessner, Lewis, Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Martin, Krieger; Nays: None. Chrmn. Turner did not vote as Chairman. **Motion carried.**

6. Information Systems Department

- a. **Recommendation to waive the formal bid process and purchase of high availability/disaster recovery hardware, software, and implementation services in an amount not to exceed \$37,477.93.**

Penny Lancor, Systems Analysts: One of my responsibilities is the support of the Utility Billing application and this project will allow us to put a secondary server in the PW facility in order to provide disaster recovery and high availability which means when data is written to the primary server in Century Station it will also be written at the same time to a server at Public Works so that in the case of a failure in the network or in another server or a physical disaster such as fire in one of the facilities it would automatically switch over to the other server because they both have the same data.

Motion by Ald. Stellato, second by Silkaitis to recommend waiving the formal bid process and purchase of high availability/disaster recovery hardware, software, and implementation services in an amount not to exceed \$37,477.93.

Roll Call: Ayes: Bessner, Lewis, Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Martin, Krieger; Nays: None. Chrmn. Turner did not vote as Chairman. **Motion carried.**

7. Executive Session

- Personnel
- Pending Litigation
- Probable or Imminent Litigation
- Property Acquisition
- Collective Bargaining
- Review of Minutes of Executive Sessions

Motion by Ald. Lemke, second by Bessner to enter into Executive Session to discuss Personnel and Property Acquisition at 7:27 p.m.

Roll Call: Ayes: Bessner, Lewis, Stellato, Silkaitis, Payleitner, Lemke, Bancroft, Martin, Krieger; Nays: None. Chrmn. Turner did not vote as Chairman. **Motion carried.**

Motion by Ald. Stellato, second by Silkaitis to return from Executive Session at 8:20 p.m.

Voice Vote: Unanimous; Nays: None; Chrmn. Turner did not vote as Chairman. **Motion Carried.**

8. Additional Items

None.

9. Adjournment

Motion by Ald, Bancroft, second by Krieger to adjourn meeting at 8:20 p.m.

Voice Vote: Unanimous; Nays: None. Chrmn. Turner did not vote as Chairman. **Motion Carried.**