AGENDA
CITY OF ST. CHARLES
GOVERNMENT OPERATIONS COMMITTEE
ALD. BILL TURNER, CHAIR

MONDAY, APRIL 21, 2014
IMMEDIATELY FOLLOWING PUBLIC HEARING MEETING
CITY COUNCIL CHAMBERS
2 E. MAIN ST.

1. Call to Order

2. Roll Call

3. Omnibus Vote
Budget Revisions – March 2014.

4. Mayor's Office
a. Consideration of a request for a Class A Liquor License for a Drive-Thru Grocery Store to be located at south-east corner of Randall Road and IL Route 38, St. Charles (former Quick Lube Location).

5. Community/Economic Development Department
a. Recommendation to approve Sales Tax Revenue Sharing Agreement for SC 3800 Main LLC (The Quad).
b. Recommendation to approve a General Amendment to Title 17 of the City Code (Zoning Ordinance) Regarding Regulations for Medical Cannabis Uses.

6. Inventory Control Division
a. Recommendation to approve a Resolution to Award 2014/2015 Asphalt Bids to Allied Asphalt and Superior Asphalt.
b. Recommendation to approve a Resolution to Accept the Extension of the 2013/2014 Line Clearing Contracts (Electric Division) Awarded to Skyline Tree Service and to DeMar Tree & Landscape (St. Charles) to 2014/2015.
c. Recommendation to Approve a Resolution Authorizing the Sale of Scrap Wire and Various Material Owned by the City of St. Charles.
d. Recommendation to approve an Ordinance Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles (Miscellaneous Items).
e. Recommendation to approve a Resolution Authorizing the Mayor and the City Clerk of the City of St. Charles to Approve the Award of the 2014-15 Office Supplies Bid to Warehouse Direct for Routine Office Supplies.
f. Recommendation to waive the bid procedure and approve a Resolution Authorizing the Mayor and the City Clerk of the City of St. Charles to Accept the Blanket Cable Quote from HD Supply for Okonite Cable for Fiscal Year 2014/15.

7. Executive Session

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

8. Additional Items

9. Adjournment

Budget Journal Edit Listing

Time 06:45

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 231 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account		SC	Debit	Credit
1	1000	100	11	210541	54462-0000	FB	4,000.00	
	Repair & Maint - Wells				Desc: For add'l repair - well #9			
2	1000	100	11	210541	54467-0000	FB		4,000.00
	Repair & Maint - Other Equip				Desc: For add'l repair - well #9			

*** Totals For Journal Entry N- 231 , Source Code FB

	Debits	Credits	Difference
Base:	4,000.00	4,000.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 231

	Debits	Credits	Difference
Base:	4,000.00	4,000.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 232 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	100220 51300-0000	FB	390.00	
	Registration and Fees			Desc: For IGFOA Pension Institute			
2	1000	100	11	100220 54131-0000	FB		390.00
	Actuarial Services			Desc: For IGFOA Pension Institute			

*** Totals For Journal Entry N- 232 , Source Code FB	Debits	Credits	Difference
Base:	390.00	390.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 232	Debits	Credits	Difference
Base:	390.00	390.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 233 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	501500 56202-0000	FB	15,000.00	
	Architectural and Engineering			Desc: Add'l svcs/Benesch/IDOT reimb			
2	1000	100	11	501500 56200-0000	FB		15,000.00
	Structures and Improvements			Desc: Add'l svcs/Benesch/IDOT reimb			

*** Totals For Journal Entry N- 233 , Source Code FB	Debits	Credits	Difference
Base:	15,000.00	15,000.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 233	Debits	Credits	Difference
Base:	15,000.00	15,000.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 234 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	513999 48700-0000	FB	250,000.00	
	Donations & Contributions			Desc: Trsf budget from local grants			
2	1000	100	11	513999 44230-0000	FB		250,000.00
	Local Grants - Kane County			Desc: Trsf budget to contributions			

*** Totals For Journal Entry N- 234 , Source Code FB	Debits	Credits	Difference
Base:	250,000.00	250,000.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 234	Debits	Credits	Difference
Base:	250,000.00	250,000.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 235 Correct Previous Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	513999 44230-0000	FB	500,000.00	
	Local Grants - Kane County			Desc: Correct Prevous Transfer			
2	1000	100	11	513999 48700-0000	FB		500,000.00
	Donations & Contributions			Desc: Correct Prevous Transfer			

*** Totals For Journal Entry N- 235 , Source Code FB	Debits	Credits	Difference
Base:	500,000.00	500,000.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 235	Debits	Credits	Difference
Base:	500,000.00	500,000.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 236 Correct FB JE#53 Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	513900 31199-0000	FB		80,000.00
Available Resources				Desc: Correct FB JE #53			
2	1000	100	11	513800 49100-0000	FB	80,000.00	
Transfers-from General Fund				Desc: Correct FB JE #53			
3	1000	100	11	100800 57307-0000	FB		80,000.00
Transfer to Capital Improvements				Desc: Correct FB JE #53			
4	1000	100	11	100900 31199-0000	FB	80,000.00	
Available Resources				Desc: Correct FB JE #53			

*** Totals For Journal Entry N- 236 , Source Code FB	Debits	Credits	Difference
Base:	160,000.00	160,000.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 236	Debits	Credits	Difference
Base:	160,000.00	160,000.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 237 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	100220	54133-0000 FB	85.00	
	Banking Service Charges				Desc: For Amalgamated invoice/2013A		
2	1000	100	11	100220	54131-0000 FB		85.00
	Actuarial Services				Desc: For Amalgamated invoice/2013A		
3	1000	100	11	100300	54010-0000 FB	3,000.00	
	Natural Gas				Desc: Natural Gas account short		
4	1000	100	11	100300	54350-0000 FB		3,000.00
	Tri-Com Dispatch Service				Desc: Natural Gas account short		
5	1000	100	11	100300	54011-0000 FB	6,000.00	
	City Electric				Desc: City Electric account short		
6	1000	100	11	100300	54350-0000 FB		6,000.00
	Tri-Com Dispatch Service				Desc: City Electric account short		
7	1000	100	11	100501	54189-0000 FB	1,552.00	
	Other Professional Services				Desc: Screening of donated property		
8	1000	100	11	100501	54511-0000 FB		1,552.00
	Pool Car Rental				Desc: Screening of donated property		
9	1000	100	11	100501	51600-0000 FB	100.00	
	Uniforms				Desc: For boots for Brian Herrmann		
10	1000	100	11	100501	52002-0000 FB		100.00
	Books and Subscriptions				Desc: For boots for Brian Herrmann		
11	1000	100	11	100300	54250-0000 FB	7,500.00	
	Software Licenses & Subscription				Desc: For WASP Asset Mgmt System		
12	1000	100	11	100300	54399-0000 FB		7,500.00
	Other Contracted Services				Desc: For WASP Asset Mgmt System		
13	1000	100	11	100300	52902-0000 FB	500.00	
	Crime Lab Supplies				Desc: For crime lab supplies		
14	1000	100	11	100300	52901-0000 FB		500.00
	Police Supplies				Desc: For crime lab supplies		
15	1000	100	11	100300	56004-0000 FB	5,000.00	
	Computer Equipment				Desc: For iPad and new work station		
16	1000	100	11	100999	45107-0000 FB		5,000.00
	Reimburse of Escrow Funds				Desc: For iPad and new work station		

Budget Journal Edit Listing

		Debits	Credits	Difference
*** Totals For Journal Entry N- 237 , Source Code FB	Base:	23,737.00	23,737.00	0.00
	Unit:	0.00	0.00	0.00

		Debits	Credits	Difference
*** Totals For Journal Entry N- 237	Base:	23,737.00	23,737.00	0.00
	Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 238 Budget Addition Adjustment Code ADD Budget Addition Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account		SC	Debit	Credit
1	1000	100	11	715700	54110-0000	FB	4,500.00	
General Legal					Desc: Arbitrage Calc-Sales Tax Bonds			
2	1000	100	11	715900	31199-0000	FB		4,500.00
Available Resources					Desc: Arbitrage Calc-Sales Tax Bonds			

*** Totals For Journal Entry N- 238 , Source Code FB	Debits	Credits	Difference
Base:	4,500.00	4,500.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 238	Debits	Credits	Difference
Base:	4,500.00	4,500.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 239 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	100603 54110-0000	FB	100.00	
General Legal				Desc: Legal svcs for lien claim			
2	1000	100	11	100603 54120-0000	FB		100.00
Labor Related Legal				Desc: Legal svcs for lien claim			
3	1000	100	11	100110 55203-0000	FB	33.00	
Recording and Filing Fees				Desc: Recording of ordinance			
4	1000	100	11	100110 52000-0000	FB		33.00
Office Supplies				Desc: Recording of ordinance			

*** Totals For Journal Entry N- 239 , Source Code FB	Debits	Credits	Difference
Base:	133.00	133.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 239	Debits	Credits	Difference
Base:	133.00	133.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 240 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	10	200800	49100-0000 FB		12,015.00
	Transfers-from General Fund				Desc: Correct FB JE#212		
2	1000	100	10	100800	57309-0000 FB	12,015.00	
	Other Operating Transfers				Desc: Correct FB JE#212		
3	1000	100	10	200800	49100-0000 FB		12,015.00
	Transfers-from General Fund				Desc: Correct FB JE#212		
4	1000	100	10	100800	57309-0000 FB	12,015.00	
	Other Operating Transfers				Desc: Correct FB JE#212		
5	1000	100	10	100999	48800-0000 FB		90,000.00
	Inter-Fund Proceeds-Debt				Desc: Correct FB JE#225		
6	1000	100	10	100900	31199-0000 FB	90,000.00	
	Available Resources				Desc: Correct FB JE#225		
7	1000	100	10	100999	48800-0000 FB		90,000.00
	Inter-Fund Proceeds-Debt				Desc: Correct FB JE#225		
8	1000	100	10	100900	31199-0000 FB	90,000.00	
	Available Resources				Desc: Correct FB JE#225		

*** Totals For Journal Entry N- 240 , Source Code FB	Debits	Credits	Difference
Base:	204,030.00	204,030.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 240	Debits	Credits	Difference
Base:	204,030.00	204,030.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 241 Budget Tranfser Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	100511 54399-0000	FB	50.00	
	Other Contracted Services			Desc: For shredding services			
2	1000	100	11	100511 54467-0000	FB		50.00
	Repair & Maint - Other Equip			Desc: For shredding services			

*** Totals For Journal Entry N- 241 , Source Code FB	Debits	Credits	Difference
Base:	50.00	50.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 241	Debits	Credits	Difference
Base:	50.00	50.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 242 Budget Transfers Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	100200	51300-0000 FB	300.00	
	Registration and Fees				Desc: For training from Transp Exp		
2	1000	100	11	100200	51400-0000 FB		300.00
	Transportation Expense				Desc: For training		
3	1000	100	11	100200	51300-0000 FB	1,143.00	
	Registration and Fees				Desc: For training from lodging		
4	1000	100	11	100200	51401-0000 FB		1,143.00
	Lodging				Desc: For training from lodging		
5	1000	100	11	100200	51402-0000 FB	970.00	
	Meals-Travel & Training				Desc: For training from meals		
6	1000	100	11	100200	51402-0000 FB		970.00
	Meals-Travel & Training				Desc: For training from meals		
7	1000	100	11	220551	56160-0000 FB	65,000.00	
	Construction Engineering - Capit				Desc: Split out CE from Const		
8	1000	100	11	220551	56200-0000 FB		65,000.00
	Structures and Improvements				Desc: Split out CE from Const		
9	1000	100	11	100210	54532-0000 FB	750.00	
	Employment Notices				Desc: For employement notices		
10	1000	100	11	100210	51500-0000 FB		750.00
	New Hire Testing				Desc: For employement notices		
11	1000	100	11	100510	52101-0000 FB	700.00	
	Meals-Business				Desc: For OT meals for snow events		
12	1000	100	11	100510	52805-0000 FB		700.00
	Asphalt and Paving Materials				Desc: For OT meals for snow events		
13	1000	100	11	100400	51500-0000 FB	923.00	
	New Hire Testing				Desc: For post offer testing		
14	1000	100	11	100400	51501-0000 FB		923.00
	Current Employee Testing				Desc: For post offer testing		
15	1000	100	11	100210	54120-0000 FB	950.00	
	Labor Related Legal				Desc: For labor related legal		
16	1000	100	11	100210	54110-0000 FB		950.00
	General Legal				Desc: For labor related legal		

Budget Journal Edit Listing

		Debits	Credits	Difference
*** Totals For Journal Entry N- 242 , Source Code FB	Base:	70,736.00	70,736.00	0.00
	Unit:	0.00	0.00	0.00

		Debits	Credits	Difference
*** Totals For Journal Entry N- 242	Base:	70,736.00	70,736.00	0.00
	Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 243 Budget Addition Adjustment Code ADD Budget Addition Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account		SC	Debit	Credit
1	1000	100	11	100650	54110-0000	FB	1,300.00	
General Legal					Desc: For First St legal			
2	1000	100	11	100900	31199-0000	FB		1,300.00
Available Resources					Desc: For First St legal			
3	1000	100	11	100650	54110-0000	FB	850.00	
General Legal					Desc: For First St legal			
4	1000	100	11	100900	31199-0000	FB		850.00
Available Resources					Desc: For First St legal			

*** Totals For Journal Entry N- 243 , Source Code FB	Debits	Credits	Difference
Base:	2,150.00	2,150.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 243	Debits	Credits	Difference
Base:	2,150.00	2,150.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 244 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	100401	54402-0000 FB	425.00	
	Maint Agreemnts - Copiers				Desc: For copier maintenance		
2	1000	100	11	100401	54482-0000 FB		425.00
	Maintenance - Motor Vehicles				Desc: For copier maintenance		
3	1000	100	11	100401	52402-0000 FB	500.00	
	Motor Vehicle Parts				Desc: Account underbudgeted		
4	1000	100	11	100401	51205-0000 FB		500.00
	Unemployment Compensation				Desc: Account underbudgeted		
5	1000	100	11	100401	51401-0000 FB	15.00	
	Lodging				Desc: Account underbudgted		
6	1000	100	11	100401	52100-0000 FB		15.00
	Refreshment Supplies				Desc: Account underbudgted		

*** Totals For Journal Entry N- 244 , Source Code FB	Debits	Credits	Difference
Base:	940.00	940.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 244	Debits	Credits	Difference
Base:	940.00	940.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 245 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	100300 52100-0000	FB	2.00	
	Refreshment Supplies			Desc: For meeting refreshments			
2	1000	100	11	100300 52101-0000	FB		2.00
	Meals-Business			Desc: For meeting refreshments			
3	1000	100	11	100300 52002-0000	FB	63.00	
	Books and Subscriptions			Desc: For Kane County Chronicle			
4	1000	100	11	100300 52101-0000	FB		63.00
	Meals-Business			Desc: For Kane County Chronicle			

*** Totals For Journal Entry N- 245 , Source Code FB	Debits	Credits	Difference
Base:	65.00	65.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 245	Debits	Credits	Difference
Base:	65.00	65.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 246 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jghiott

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	100510 54467-0000	FB	871.00	
	Repair & Maint - Other Equip			Desc: For radio purchase			
2	1000	100	11	100510 54459-0000	FB		871.00
	Repair & Maint - Storm Sewer			Desc: For radio purchase			

*** Totals For Journal Entry N- 246 , Source Code FB	Debits	Credits	Difference
Base:	871.00	871.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 246	Debits	Credits	Difference
Base:	871.00	871.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Journal Entry N 247 Budget Addition Adjustment Code ADD Budget Addition Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	708700	54110-0000	FB 4,500.00	
General Legal					Desc: For SSA21 Arbitrage Calc		
2	1000	100	11	708900	31199-0000	FB	4,500.00
Available Resources					Desc: For SSA21 Arbitrage Calc		
3	1000	100	11	804200	56004-0000	FB 5,250.00	
Computer Equipment					Desc: For add'l pc replacements		
4	1000	100	11	804900	31199-0000	FB	5,250.00
Available Resources					Desc: For add'l pc replacements		
5	1000	100	11	100510	54307-0000	FB 6,000.00	
Snow Removal Services					Desc: For snow removal services		
6	1000	100	11	100900	31199-0000	FB	6,000.00
Available Resources					Desc: For snow removal services		

*** Totals For Journal Entry N- 247 , Source Code FB	Debits	Credits	Difference
Base:	15,750.00	15,750.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 247	Debits	Credits	Difference
Base:	15,750.00	15,750.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 248 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	220551 56201-0000	FB	18,700.00	
	Remodeling and Renovation			Desc: For Royal Fox Lift Station			
2	1000	100	11	220551 56002-0000	FB		18,700.00
	Machinery and Equipment			Desc: For Royal Fox Lift Station			

*** Totals For Journal Entry N- 248 , Source Code FB	Debits	Credits	Difference
Base:	18,700.00	18,700.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 248	Debits	Credits	Difference
Base:	18,700.00	18,700.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 249 Budget Addition Adjustment Code ADD Budget Addition Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	804200 56004-0000	FB	864.00	
	Computer Equipment			Desc: For docking station			
2	1000	100	11	804900 31199-0000	FB		864.00
	Available Resources			Desc: For docking station			

*** Totals For Journal Entry N- 249 , Source Code FB	Debits	Credits	Difference
Base:	864.00	864.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 249	Debits	Credits	Difference
Base:	864.00	864.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 250 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	100501	54001-0000 FB	335.00	
	Cellular Service				Desc: For Verizon cell phone		
2	1000	100	11	100501	54451-0000 FB		335.00
	Repair & Maint - Office Equip				Desc: For Verizon cell phone		
3	1000	100	11	220551	54001-0000 FB	411.00	
	Cellular Service				Desc: For Verizon cell phone		
4	1000	100	11	220551	52314-0000 FB		411.00
	Parts for Equipment				Desc: For Verizon cell phone		
5	1000	100	11	100110	54500-0000 FB	25.00	
	Postage				Desc: For FedEx charges		
6	1000	100	11	100110	52000-0000 FB		25.00
	Office Supplies				Desc: For FedEx charges		
7	1000	100	11	200520	52310-0000 FB	450.00	
	Small Tools and Equipment				Desc: For cell phone equipment		
8	1000	100	11	200520	54001-0000 FB		450.00
	Cellular Service				Desc: For cell phone equipment		
9	1000	100	11	100200	54250-0000 FB	2,500.00	
	Software Licenses & Subscription				Desc: For software licenses		
10	1000	100	11	100200	54256-0000 FB		2,500.00
	IT Consulting Services				Desc: For software licenses		
11	1000	100	11	100120	50200-0000 FB	835.00	
	Overtime				Desc: For OT for Tina		
12	1000	100	11	100120	51401-0000 FB		835.00
	Lodging				Desc: For OT for Tina		
13	1000	100	11	100301	51400-0000 FB	1,000.00	
	Transportation Expense				Desc: From Refreshment supplies		
14	1000	100	11	100301	52100-0000 FB		1,000.00
	Refreshment Supplies				Desc: For Transportation Exp		
15	1000	100	11	100300	52002-0000 FB	500.00	
	Books and Subscriptions				Desc: From refreshment supplies		
16	1000	100	11	100301	52100-0000 FB		500.00
	Refreshment Supplies				Desc: To Books & Subscriptions		
17	1000	100	11	100511	54011-0000 FB	5,000.00	
	City Electric				Desc: Electric for City Hall-underbu		

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 250 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
18	1000	100	11	100511	54450-0000 FB		5,000.00
	Repair & Maint - Facilities				Desc: Electric for City Hall-underbu		
19	1000	100	11	800223	51300-0000 FB	40.00	
	Registration and Fees				Desc: For reimbursement to Jo Hacket		
20	1000	100	11	800223	51304-0000 FB		40.00
	Memberships and Dues				Desc: For reimbursement to Jo Hacket		

*** Totals For Journal Entry N- 250 , Source Code FB	Debits	Credits	Difference
Base:	11,096.00	11,096.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 250	Debits	Credits	Difference
Base:	11,096.00	11,096.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 251 Biudget Addition Adjustment Code ADD Budget Addition Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	803500 54110-0000	FB	9,352.00	
General Legal				Desc: For legal for DeFalco case			
2	1000	100	11	803900 31199-0000	FB		9,352.00
Available Resources				Desc: For legal for DeFalco case			

*** Totals For Journal Entry N- 251 , Source Code FB	Debits	Credits	Difference
Base:	9,352.00	9,352.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 251	Debits	Credits	Difference
Base:	9,352.00	9,352.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 252 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	100650 54250-0000	FB	432.00	
Software Licenses & Subscription Desc: For Creative Cloud program							
2	1000	100	11	100650 54540-0000	FB		432.00
Advertising Desc: For Creative Cloud program							
3	1000	100	11	220551 52100-0000	FB	100.00	
Refreshment Supplies Desc: For water cooler rental							
4	1000	100	11	220551 52305-0000	FB		100.00
Safety Supplies Desc: For water cooler rental							
5	1000	100	11	220551 52300-0000	FB	50.00	
Janitorial Supplies Desc: Account under budget							
6	1000	100	11	220551 52305-0000	FB		50.00
Safety Supplies Desc: Account under budget							
7	1000	100	11	220551 52304-0000	FB	7,500.00	
Chemicals & Sprays Desc: For chemicals for WWTP							
8	1000	100	11	220551 52314-0000	FB		7,500.00
Parts for Equipment Desc: For chemicals for WWTP							
9	1000	100	11	220551 52700-0000	FB	100.00	
Water Line Repair Materials Desc: Account under budget							
10	1000	100	11	220551 52701-0000	FB		100.00
Lab Supplies Desc: Account under budget							
11	1000	100	11	220551 54000-0000	FB	2,000.00	
Telephone Service Desc: Account under budget							
12	1000	100	11	220551 54010-0000	FB		2,000.00
Natural Gas Desc: Account under budget							

*** Totals For Journal Entry N- 252 , Source Code FB	Debits	Credits	Difference
Base:	10,182.00	10,182.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 252	Debits	Credits	Difference
Base:	10,182.00	10,182.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 253 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account		SC	Debit	Credit
1	1000	100	11	513500	56150-0000	FB	8,000.00	
	Design Engineering - Capital				Desc: Add'l design svcs/parking lot			
2	1000	100	11	513500	56160-0000	FB		8,000.00
	Construction Engineering - Capit				Desc: Add'l design svcs/parking lot			
3	1000	100	11	100501	51600-0000	FB	10.00	
	Uniforms				Desc: Acct short-for safety coats			
4	1000	100	11	100501	52000-0000	FB		10.00
	Office Supplies				Desc: Acct short-for safety coats			
5	1000	100	11	100300	54250-0000	FB	3,550.00	
	Software Licenses & Subscription				Desc: 2AF Advanced Authentication			
6	1000	100	11	100300	56004-0000	FB	5,595.00	
	Computer Equipment				Desc: 2AF Advanced Authentication			
7	1000	100	11	100300	54350-0000	FB		9,145.00
	Tri-Com Dispatch Service				Desc: 2AF Advanced Authentication			
8	1000	100	11	100120	52001-0000	FB	400.00	
	Computer Related Supplies				Desc: For new monitors			
9	1000	100	11	100120	52000-0000	FB		400.00
	Office Supplies				Desc: For new monitors			

*** Totals For Journal Entry N- 253 , Source Code FB	Debits	Credits	Difference
Base:	17,555.00	17,555.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 253	Debits	Credits	Difference
Base:	17,555.00	17,555.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 254 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	200520 51402-0000	FB	100.00	
	Meals-Travel & Training			Desc: For meals for travel			
2	1000	100	11	200520 51400-0000	FB		100.00
	Transportation Expense			Desc: For meals for travel			

*** Totals For Journal Entry N- 254 , Source Code FB	Debits	Credits	Difference
Base:	100.00	100.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 254	Debits	Credits	Difference
Base:	100.00	100.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 255 Budget Addition Adjustment Code ADD Budget Addition Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	100603	54110-0000 FB	9,570.00	
	General Legal				Desc: For legal for McIlvaine projec		
2	1000	100	11	100900	31199-0000 FB		9,570.00
	Available Resources				Desc: For legal for McIlvaine projec		
3	1000	100	11	210541	55180-0000 FB	1,750.00	
	Liability Claims				Desc: Property dmg claim-Annarella		
4	1000	100	11	210900	31199-0000 FB		1,750.00
	Available Resources				Desc: Property dmg claim-Annarella		
5	1000	100	11	803500	55180-0000 FB	109.00	
	Liability Claims				Desc: Adj Fee-Dmg to Veh/City plow		
6	1000	100	11	803900	31199-0000 FB		109.00
	Available Resources				Desc: Adj Fee-Dmg to Veh/City plow		

*** Totals For Journal Entry N- 255 , Source Code FB	Debits	Credits	Difference
Base:	11,429.00	11,429.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 255	Debits	Credits	Difference
Base:	11,429.00	11,429.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 256 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account	SC	Debit	Credit
1	1000	100	11	100511 54513-0000	FB	6,000.00	
	Equipment Rental			Desc: Rental of stump grinder			
2	1000	100	11	100511 54400-0000	FB		6,000.00
	Maint Agreemnts - Facilities			Desc: Rental of stump grinder			

*** Totals For Journal Entry N- 256 , Source Code FB	Debits	Credits	Difference
Base:	6,000.00	6,000.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 256	Debits	Credits	Difference
Base:	6,000.00	6,000.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 257 Budget Transfer Adjustment Code TRF Budget Transfer Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account		SC	Debit	Credit
1	1000	100	11	210541	54462-0000	FB	1,944.00	
	Repair & Maint - Wells				Desc: For SCADA repairs			
2	1000	100	11	210541	54371-0000	FB		1,944.00
	Testing & Inspection Services				Desc: For SCADA repairs			

*** Totals For Journal Entry N- 257 , Source Code FB	Debits	Credits	Difference
Base:	1,944.00	1,944.00	0.00
Unit:	0.00	0.00	0.00

*** Totals For Journal Entry N- 257	Debits	Credits	Difference
Base:	1,944.00	1,944.00	0.00
Unit:	0.00	0.00	0.00

Budget Journal Edit Listing

Budget Journal Edit Listing
For Fiscal Year 2014
Budget 100 FY 13/14 Revised Budget USD

Journal Entry N 258 Budget Addition Adjustment Code ADD Budget Addition Active
Status History Operator CI\jherr

Line	Co	Bud	Prd	Account		SC	Debit	Credit
1	1000	100	11	804200	56004-0000	FB	670.00	
	Computer Equipment				Desc: For replc of Police printer			
2	1000	100	11	804900	31199-0000	FB		670.00
	Available Resources				Desc: For replc of Police printer			

		Debits	Credits	Difference
*** Totals For Journal Entry N- 258 , Source Code FB	Base:	670.00	670.00	0.00
	Unit:	0.00	0.00	0.00
*** Totals For Journal Entry N- 258	Base:	670.00	670.00	0.00
	Unit:	0.00	0.00	0.00
*** Totals For Company 1000	Base:	1,340,244.00	1,340,244.00	0.00
	Unit:	0.00	0.00	0.00
*** Totals For Report	Base:	1,340,244.00	1,340,244.00	0.00
	Unit:	0.00	0.00	0.00

The revisions shown herewith have been approved by the City Council, except as noted below.

Signature	Date
Signature	Date
Signature	Date

Exceptions:

ST. CHARLES
SINCE 1834

AGENDA ITEM EXECUTIVE SUMMARY

Title:	Consideration of a Request for a Class A Liquor License for a Drive-Thru Grocery Store to be Located at South-east Corner of Randall Road and IL Route 38, St. Charles (former Quick Lube Location)
Presenter:	Mayor Rogina

Please check appropriate box:

X	Government Operations (4/21/14)		Government Services
	Planning & Development		City Council
	Public Hearing		Liquor Control Commission

Estimated Cost:		Budgeted:	YES		NO	

If NO, please explain how item will be funded:

Executive Summary:

Peter Bogle, founder of The Drive-Thru LLC went before the Liquor Control Commission on February 18, 2014 to discuss his proposal for The Drive-Thru Grocery Store to be located at the south-east corner of Randall Road and Rt. 38, St. Charles, IL. Mr. Bogle is requesting a Class A liquor license to sell beer and wine.

The vote results were split to advance this request to committee: Ayes: 2; Nays: 2. Liquor Commissioner Rogina broke the tie: Ayes: 3; Nays: 2 to allow this to come before Government Operations Committee tonight.

Attached are excerpts from the City Liquor Code Section 5.08.090 License – Classifications regarding the Class A liquor types that detail the qualifications for retail sale of alcohol for packaged liquor; as well as an excerpt Section 5.08.250, Item Q "Licenses – Curb/Drive-Through Service.

Also attached is a letter of support from the Shodeen group agreeing for a potential drive through grocery/beer/wine store at this site location.

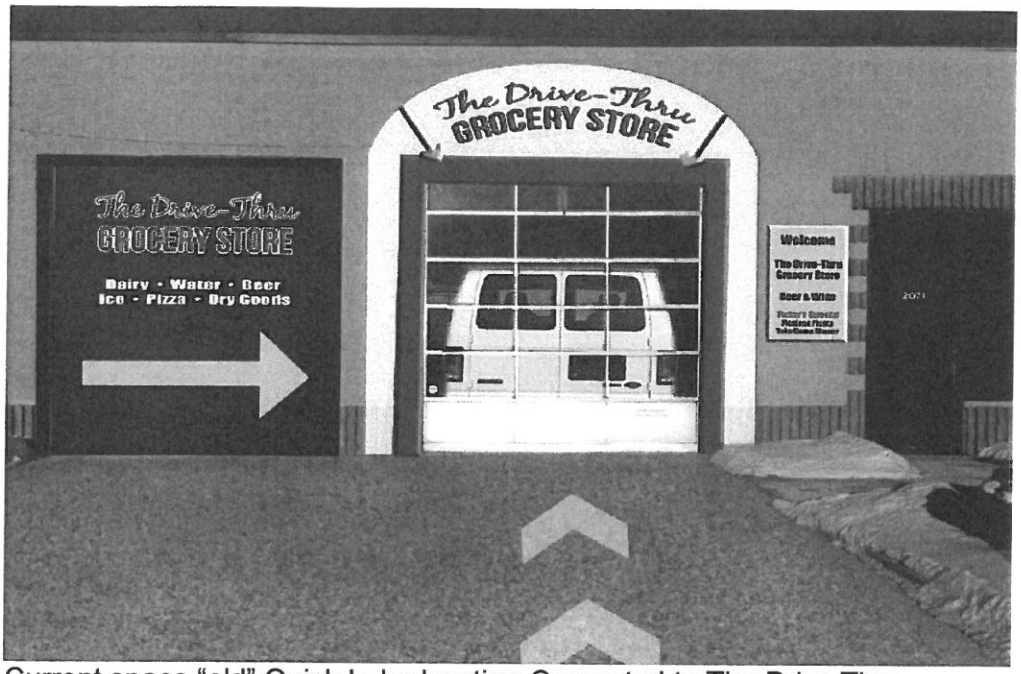
Attachments: *(please list)*

Business Plan
City Code Excerpt 5.08.090
City Code Excerpt 5.08.250, Item Q
Letter of Support from Shodeen Group LLC

Recommendation / Suggested Action *(briefly explain)*:

Consideration of a request for a Class A Liquor License for a Drive-Thru Grocery Store to be located at south-east corner of Randall Road and IL Route 38, St. Charles (former Quick Lube Location).

For office use only:	*Agenda Item Number:* 4a



Current space "old" Quick Lube location-Converted to The Drive Thru

The Drive-Thru Grocery Store
St. Charles, IL
The Drive-Thru LLC

Identification of the Project

Located on the site of the former Quick Lube location, the new Drive-Thru grocery store situated on the South East corner of Randall Road Route 38 in the city of St. Charles, IL. The property has the perfect layout in its 2,800 square feet of space to easily set up one lane of drive thru service. On either side of the space, there will be coolers and dry rack shelf space to keep the refrigerator items cold and to have the dry goods easily available to pick off the shelves. In the pre-application meeting with the city, the project met all PUD requirements and the electric and fire codes, also met what the city expected.

Located on the main North-South thoroughfare in Kane County-Randall Road, this parcel has perfect frontage to allow those heading into the drive-thru to pull out and head, north, south east and west, which is perfect for the daily consumer. From recent studies, it is determined that at this intersection there is approximately over 55,000 vehicles passing per day. Over 131,500 people live within a 15 minute drive to this location and the expected population growth is projected to increase by11% to 145,400 residents by late 2014.

The key attraction for the proposed Drive-Thru Grocery Store will be its location and ease of access during all type of weather conditions. This will be a perfect drive-thru for the busy mother with kids strapped into their car seats, to the father needing to pick up a few items on his way home for dinner, to the hourly worker that needs something quick like a deli sandwich and a drink on their lunch break.

Executive Summary

Current plans for the "Drive-Thru" will feature various dairy products i.e. milk, cream, butter, cottage cheese etc. to breads, muffins to a full line of beer and wine, based on an express model of a high, medium and low price point, to water, juices etc. In addition, there are local restaurants that have already shown interest in wanting to have a few items featured 1-2 days per week on special. These will be already packaged for take-out, but will start to create a buzz in terms of certain days of the week what specials are available at the drive-thru. An example may be, Wednesday is Italian, Monday and Thursday is Mexican etc.

Located on the South East side of Randall Road, just south of Route 38 in St. Charles, the drive thru helps to create a new business opportunity in a retail section that has been quiet the last few years. This will certainly start to create a huge awareness to an area of St. Charles that has not seen a huge amount of activity since the Dominick's had closed their doors. Situated in the heart of a major retail corridor, the Drive-Thru will be a model to build on in other towns or cities, looking to attract potential shoppers via weekend tournaments and general activity in a normal work week.

Knowing that St. Charles has a stacking of cars requirement, the Drive-Thru would be able to accommodate that with the inside location handling 2 cars conservatively which leaves the opportunity for an additional 3 cars in a staging area outside. The way this would work, is a driver would pull up to the far side door, it would automatically open up, the drive then pulls in and is met face to face with a personal shopper or a "picker or runner" as we call them. There would be upwards of three pickers working on a busy day. The picker would get the order from the car as it continues to move forward and hand over the groceries to the driver and pay for the goods at the end of the drive thru bay. Payments will be made electronically and wirelessly via, card swipe on an android phone or I-pad. Cash can be given, with the picker working off of a virtual cash register.

Company Profile

The Drive-Thru LLC is headed up by founder Peter Bogle, a local business owner and a 20 year resident of St. Charles. Going to school in the Midwest, Peter saw this very successful concept first hand in his college town of Wooster, Ohio. This concept has continued to grow with large grocery chains and even major retailers like Meijer trying to work in this arena with curb side shopping. With this vision in mind, Peter and his group have been actively looking for the perfect location to launch this business and the Quick-Lube site opened up. Convenience and ease of

access is what society is looking for. With both parents working and the kids involved in everything under the sun from an activity perspective, the city will thrive with this very convenient business model.

Development Team

Development Team

Planners/Architect	W. Alex Teipel-Architect, Architectural Resources	Architectural Resources
Customer Cooler Engineers	American Walk-In Coolers	Americanwalkincoolers.com
Consultant	Dino's Drive Thru-Ice-House Drive Thru	Wooster, Ohio
Real Estate Development	Shodeen Management Company	Shodeen.com
General Contractors	O-Liminator	O-Liminator.com
Legal Team	Johnson and Associates	
Sales and Marketing	Premier Development Group	JohnGoldsworthy@gmail.com

Inquiries

Please send your contact information to peter@o-liminator.com and reference The Drive Thru St. Charles.

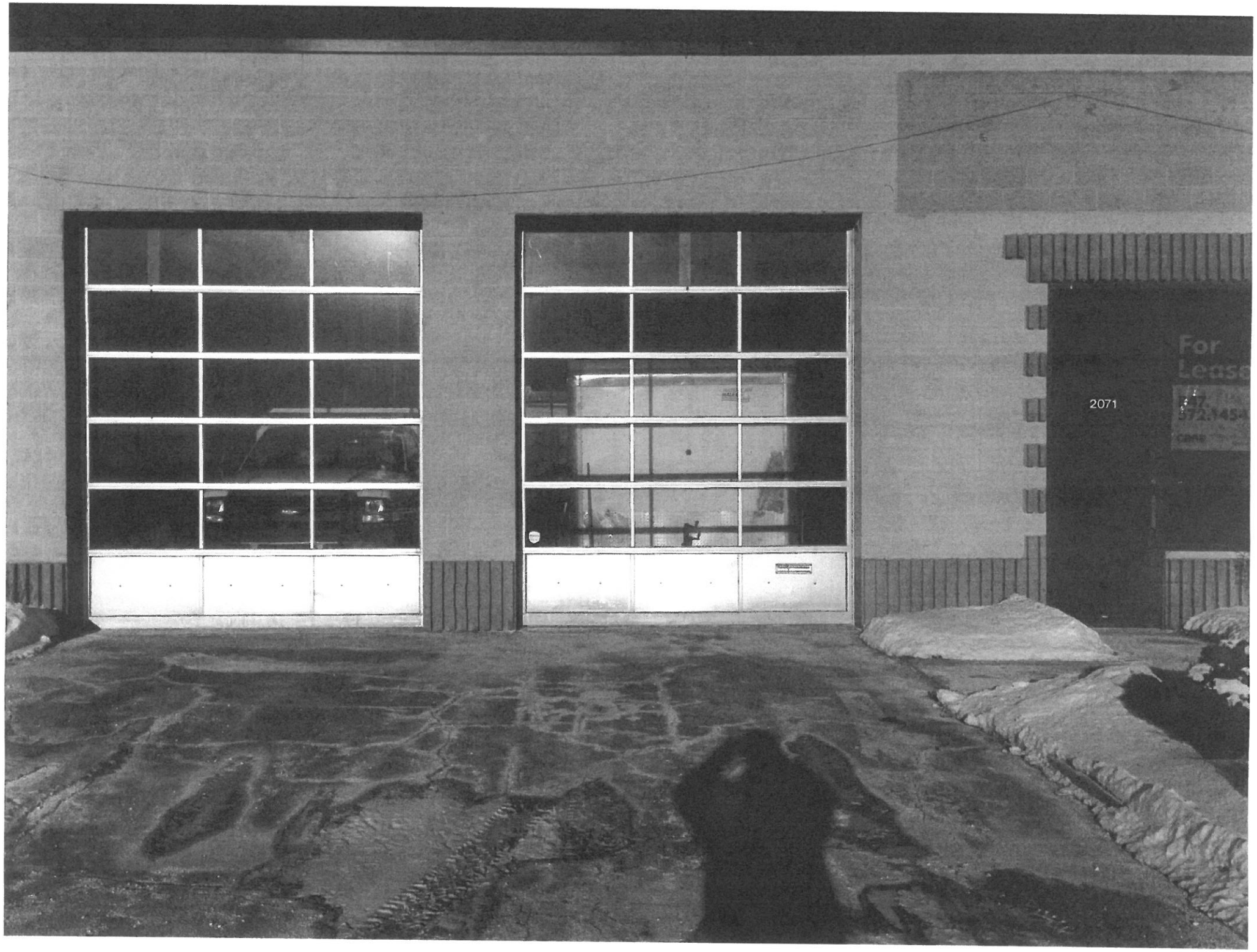
Attachments

Picture 1: Current Building located at Randall and Route 38, 2071 Lincoln Highway, St. Charles, IL, aerial shot. This picture shows the easy access of cars driving into the drive-thru and exiting on the west side of the building. From this location, cars can head north, south, east and west.

Picture 2: Existing building as it sits vacant today. The site of the former Quick-Lube oil change.

Picture 3: The new, Drive-Thru Grocery Store, as it is being proposed to the City of St. Charles.

The
Drive-Thru
Randall Rd
Randall Rd
Rand


2071
For
Lease

The Drive-Thru
GROCERY STORE
The Drive-Thru
GROCERY STORE
Dairy • Water • Beer
Ice • Pizza • Dry Goods
Welcome
The Drive-Thru
Grocery Store
Beer & Wine
Today's Special
Nexdean Fiesta
Take Home Dinner
2071

interested in any way, either directly or indirectly, in the manufacture, sale or distribution of alcoholic liquor;

P. Any person, firm or corporation not eligible for a state retail liquor dealer's license;

Q. Any applicant who fails to obtain a state liquor license;

R. A person who is not a beneficial owner of the business to be operated by the licensee;

S. A person who has been convicted of a gambling offense as proscribed by any of subsections (a)(3) through (a)(11) of Section 28-1 of, or as proscribed by Section 28-1.1 or 28-3 of, the Criminal Code of 1961, approved July 18, 1961, or as proscribed by a statute replacing any of the aforesaid statutory provisions;

T. A person or entity to whom a federal wagering stamp has been issued by the federal government, unless the person or entity is eligible to be issued a license under the Illinois Raffles Act or the Illinois Pull Tabs and Jar Games Act;

U. A person who intends to sell alcoholic liquors for use or consumption on his or her licensed retail premises who does not have liquor liability insurance coverage for that premises in an amount that is at least equal to the maximum liability amounts set out in the Liquor Control Act;

V. A criminal conviction of a corporation is not grounds for the denial, suspension, or revocation of a license applied for or held by the corporation if the criminal conviction was not the result of a violation of any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, the offense that led to the conviction did not result in any financial gain to the corporation and the corporation has terminated its relationship with each director, officer, employee, or controlling shareholder whose actions directly contributed to the conviction of the corporation. The Local Liquor Control Commissioner shall determine if all provisions of this subsection (V) have been met before any action on the corporation's license is initiated;

W. In addition to other grounds specified in this chapter, the Local Liquor Control Commissioner shall refuse the issuance or renewal of a local liquor license, or suspend or revoke such license, for any of the following violations of any Tax Act administered by the Illinois Department of Revenue:

1. Failure to make a tax return,
2. The filing of a fraudulent return,
3. Failure to pay all or any part of any tax or penalty finally determined to be due,
4. Failure to keep books and records,
5. Failure to secure and display a certificate or sub-certificate of registration, if required,
6. Willful violation of any rule or regulation of the Department relating to the administration and enforcement of tax liability.

(Ord. 2010-M-29 § 1; Ord. 2004-M-12 § 1; Ord. 1976-M-5 (part): prior code § 24.005.)

5.08.090 License – Classifications

Local liquor licenses for the retail sale of alcoholic liquor shall be divided into the following classes and sub-classes:

A. **Class A – Packaged Alcoholic Liquor Licenses**

Class A licenses shall authorize the retail sale of alcoholic liquor in original packages only and not for consumption on the premises, except as permitted for the Class A-4 license. Class A licenses are divided into the following sub-classes:

A-1. Class A-1 licenses shall authorize the retail sale of alcoholic liquors in original packages only and not for consumption on the premises. **Such licenses shall not be authorized for gasoline filling stations. The primary purpose of the premises shall be the retail sale of alcoholic liquor.** The premises shall have a minimum gross area of two thousand square feet (2,000'). (Ord. 2010-M-29 § 1; Ord. 2008-M-80 § 1.)

A-2. Class A-2 licenses shall authorize the retail sale of alcoholic liquors in original packages only and not for consumption on the premises. The primary purpose of the premises shall be for retail sales other than the retail sales of alcoholic liquor, such as food store, drug store or

mass merchandiser. The premises shall have a minimum gross area of ten thousand square feet (10,000'), and provided the square footage devoted to the retail sale of alcoholic liquor is ten percent (10%) or less, of the gross square footage.
(Ord. 2010-M-29 § 1; Ord. 2008-M-80 § 1; Ord. 2008-M-71 § 1.)

A-2B. Class A-2B licenses shall authorize the retail sale of beer and wine only in original packages only and not for consumption on the premises. The primary purpose of the premises shall be for retail sales other than the retail sales of beer and wine, such as food store, drug store or mass merchandiser. The premises shall have a minimum gross area of ten thousand square feet (10,000'), and provided the square footage devoted to the retail sale of beer and wine is ten percent (10%) or less, of the gross square footage.
(Ord. 2012-M-30 § 4.)

A-3. Deleted in its entirety.
(Ord. 2012-M-30 § 5; Ord. 2010-M-29 § 1; Ord. 2008-M-80 § 1.)

A-4. Class A-4 licenses shall authorize the retail sale of beer for consumption on or off the premises, where brewed on the premises, provided the retail sale of beer for consumption off the premises shall be in original packages only. Class A-4 licenses shall also authorize the retail sale of wine in original packages only and not for consumption on the premises where fermented on the premises.
(Ord. 2010-M-29 § 1; Ord. 2008-M-80 § 1.)

A-5. Class A-5 licenses shall authorize the retail sale of domestic and imported wines, champagne, imported alcoholic liquor and gourmet beer in original packages only and not for consumption on the premises. The retail sale of alcoholic liquor shall be incidental to non-alcoholic liquor retail sales and shall not exceed twenty-five percent (25%) of the annual gross sales of said licensee. Class A-5 licenses shall also authorize the retail sale of wine, by the glass only, for consumption on the premises.
(Ord. 2010-M-52 § 1; Ord. 2010-M-29 § 1; Ord. 2008-M-80 § 1.)

(Ord. 2010-M-29 §1; Ord. 2008-M-80 § 1.)

B. **Class B – Restaurant Licenses**

Class B licenses shall authorize the retail sale of alcoholic liquors, or beer and wine only, for consumption on the premises, whose primary purpose is that of a restaurant or restaurant and tavern as defined in this chapter. Live entertainment may be permitted as otherwise provided in this chapter for Class B-3 licenses only. Class B licenses are divided into the following sub-classes:

B-1. Class B-1 licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of a restaurant.
(Ord. 2010-M-29 § 1; Ord. 2008-M-80 § 1.)

B-2. Class B-2 licenses shall authorize the retail sale of alcoholic liquors for consumption on the premises of a restaurant and tavern.
(Ord. 2010-M-29 § 1; Ord. 2008-M-80 § 1.)

B-3. Class B-3 licenses shall authorize the retail sale of alcoholic liquor for consumption on the premises of a restaurant and tavern. Class B-3 licenses may authorize live entertainment if approved by the Local Liquor Control Commissioner.
(Ord. 2010-M-29 § 1; Ord. 2008-M-80 § 1.)

B-4. Class B-4 licenses shall authorize the retail sale of beer and wine only for consumption on the premises of a restaurant.
(Ord. 2010-M-29 § 1; Ord. 2008-M-80 § 1.)

B-5. Notwithstanding any Class B license provisions to the contrary, Class B-5 licenses shall authorize the retail sale of beer and wine for consumption on the premises only. The premises primary purpose shall be counter service of food. Beer and wine shall be served only by counter service and only in conjunction with the service of food.
(Ord. 2010-M-29 § 1.)

Excerpt from City Code Title 5 "Business Licenses and Regulations", Chapter 5.08 "Alcoholic Beverages", Section 5.08.250 "Regulations Applicable Generally"

Q. Licenses – Curb/Drive-Through Service.
No license issued under this chapter authorizes the sale, gift or delivery of alcoholic liquor utilizing curb service, drive-through window, or any other similar methodology. All such sales, gifts or deliveries are prohibited.

March 23, 2014

Mayor Raymond Rogina

2 E. Main Street
St. Charles, IL 60174-1984

Mayor Rogina,

Please be advised that we have agreed to a Letter of Intent Term Sheet with Peter Bogle for a potential drive through grocery/beer/wine store located at the 2071 Lincoln Highway property which is managed by Shodeen Group, LLC on behalf of the owner of the Property.

To make certain there are no misunderstandings regarding Shodeen Group, LLC's involvement or position, please be advised of the following:

1) We have an agreed to executed Letter of Intent on this location with Peter Bogle;
2) We have presented a Lease on this location to Peter Bogle for attorney review;
3) We are in agreement with the use that Peter Bogle has proposed to us in the Letter of Intent and other discussions.

Thank you,

Justin Heinz
Vice President
Shodeen Group, LLC

cc. **Rita Tungare, AICP** | Director of Community and Economic Development
cc. **Mark Koenen** | City Administrator
cc. **St Charles City Council**

SHODEEN

77 N. First Street
Suite 17
Geneva, Illinois 60134

phone 630.232.8570
facsimile 630.232.8581

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	
	Title:	Recommendation to Approve Sales Tax Revenue Sharing Agreement for SC 3800 Main LLC. (The Quad)
	Staff:	Christopher Minick, Director of Finance Rita Tungare, Director of Community & Economic Development Matthew O'Rourke, Economic Development Division Manager

Please check appropriate box:

X	Government Operations (4/21/14)		Government Services
	Planning & Development		City Council

Estimated Cost:		Budgeted:	YES		NO	

If NO, please explain how item will be funded:

Executive Summary:

Background:
During the past several years occupancy rates and sales tax proceeds from the Charlestowne Mall property have declined. Competition from newer neighboring community shopping destinations and lack of physical upgrades has created disinvestment. Currently, the interior of the mall, excluding the anchor tenants, is almost 100% vacant and, due to its reputation, is not seen as desirable by retail/commercial tenants.

In the Fall of 2013, the applicant and present property owner SC 3800 Main LLC., brought forward a proposal to amend the zoning entitlements and physical layout of the Charlestowne Mall. The City Council approved the entitlements in The applicant intends to reinvigorate the interior and exterior of the mall and generate renewed interest as a commercial destination and anchor for the City's East Gateway retail area.

Proposed Incentive:
The applicant has submitted an application for a sales tax sharing incentive agreement between SC 3800 Main LLC. and the City of St. Charles. Staff has worked with the applicant to develop this agreement to help mitigate the extraordinary costs associated with repositioning the mall in terms of the physical plan and the mall's current perception as undesirable. There are $12,000,000 in extra construction costs to regrade, demolish, and update the mall and $10,000,000 in increased tenant inducements to retain and "lure" back retail tenants. These costs are over and above typical physical and inducement costs incurred to develop greenfield properties. The applicant is requesting a $20,000,000 incentive to help offset these extraordinary costs. The proposed terms of the agreement are a 50/50 sales tax sharing incentive for a 20 year period. The proposal is for a **"pay as you go"** agreement. There are no proposed upfront payments proposed. The City will only reimburse the applicant 50% of future sales tax generated by the mall redevelopment and this does not include the any sales tax currently collected by the City. See the attached summary sheet for the incentive details.

Attachments: *(please list)*

Summary Sheet; DRAFT Sales Tax Incentive Agreement

Recommendation / Suggested Action *(briefly explain)*:

Recommendation to Approve Sales Tax Revenue Sharing Agreement for 3800 E. Main Street LLC. (The Quad)

For office use only:	*Agenda Item Number:* 5a

CITY OF ST. CHARLES
ILLINOIS • SINCE 1834

The KRAUSZ COMPANIES, Inc.

Sales Tax Revenue Sharing Agreement Charlestowne Mall Redevelopment

Basic Terms

- Agreement contingent upon re-development of Charlestowne Mall.
- City retains 100% of sales tax revenue received prior to the redevelopment of the mall.
- 50/50 split of new sales tax revenue generated from mall redevelopment between City and Developer.
- Sharing commences upon grand opening of re-developed mall.
- $20 Million (Present Value) Cap on Shared Revenue.
- 20 Year Maximum Term for Payments.

SALES TAX REVENUE SHARING AGREEMENT

This **SALES TAX REVENUE SHARING AGREEMENT** (this "**Agreement**") is entered into as of the _____ day of _____, 2014, by and between **SC 3800 MAIN LLC**, a Delaware limited liability company (the "**Company**"), and the **CITY OF ST. CHARLES**, an Illinois municipal corporation (the "**City**"). The Company and the City are hereinafter individually sometimes referred to as a "**Party**" and collectively as the "**Parties**."

RECITALS

A. **WHEREAS,** the City has a population of more than 25,000 persons, and is a home rule unit of government pursuant to Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois;

B. **WHEREAS**, the City, pursuant to Section 10 of Article VII of the Constitution of the State of Illinois, is authorized to contract or otherwise associate with individuals in any manner not prohibited by law or by ordinance;

C. **WHEREAS**, the Company is the owner of an approximately 81.31 acre improved parcel commonly referred to as The Charlestowne Mall, located at 3800 East Main Street, St. Charles, Illinois, as more fully described in Exhibit A (together with any additional parcels of real property located within the Charlestowne Mall Planned Unit Development, the "**Property**");

D. **WHEREAS**, the Company intends to create a regional shopping destination by redeveloping the Property by, among other things, renovating and partially demolishing and rebuilding the enclosed mall, constructing new retail buildings not physically connected to the existing mall structure, re-grading and re-designing parking areas for improved access and traffic circulation (the "**Project**");

E. **WHEREAS**, the buildings on the Property have remained less than significantly occupied and underutilized for a period of greater than one year;

F. **WHEREAS**, the Project is expected to create and retain job opportunities within the City of St. Charles;

G. **WHEREAS**, the Project will serve to further the development of adjacent areas;

H. **WHEREAS**, without this Agreement, the Project would not be possible;

I. **WHEREAS**, the Company meets the high standards of creditworthiness and financial strength as set forth in 65 ILCS 5/8-11-20;

J. **WHEREAS**, the Project will strengthen the commercial sector of the City of St. Charles;

K. **WHEREAS**, the Project will enhance the tax base of the City of St. Charles;

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L. **WHEREAS**, this Agreement is made in the best interest of the City of St. Charles;

M. **WHEREAS**, the City seeks to encourage commencement and completion of the Project and, in order to make the Project economically feasible, the City has agreed to pay to the Company a percentage of all Sales Taxes (as defined below) that are generated by the Project and received by the City in accordance with the terms of this Agreement; and

N. **WHEREAS**, the City Council of the City has approved this Agreement pursuant to Ordinance _____.

NOW, THEREFORE, in consideration of the foregoing recitals, the covenants and agreements hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **Incorporation of Recitals**. The recitals set forth above are expressly incorporated into this Agreement by this reference thereto as if fully set forth in this Section 1.

2. **Definitions**. For purposes of this Agreement, the following terms shall have the meanings set forth below.

a. **Base Sales Taxes**. The aggregate amount of Retail Sales Taxes and Home Rule Sales Taxes received by the City from the State of Illinois with respect to the Property in the three (3) IDOR reporting periods covering a total of twelve (12) months of taxable sales having been most recently received by the City as of the Commencement Date (as that term is defined herein). In the event that a tenant at the Property occupying in excess of seventy-nine thousand (79,000) square feet of gross leasable area (an "Anchor Tenant") which is open for business and generating taxable sales as of the date of this agreement ceases operations on or before the Commencement Date (as that term is defined below), then any Anchor Tenant's Retail Sales and Taxes and Home Rule Sales Taxes which were otherwise includable in Base Sales Taxes shall be excluded from Base Sales Taxes, and the above agreed Base Sales Taxes amount shall be reduced accordingly. If an Anchor Tenant ceases operations at the Property subsequent to the Commencement Date, then a percentage of Base Sales Taxes which are attributable to that Anchor Tenant shall be excluded from Base Sales Taxes, and Base Sales Taxes shall be reduced as follows: in months 1-12 following the Commencement Date, 80% of such Anchor Tenant's Base Sales Taxes; in months 13-24 following the Commencement Date, 60% of such Anchor Tenant's Base Sales Taxes.

b. **City Note**. A twenty-year note in the amount of twenty million dollars ($20,000,000), bearing interest at the City Note Interest Rate and to which is attached an amortization schedule, issued by the City to the Company on the Commencement Date. A form of the City Note is attached hereto as Exhibit B.

c. **City Note Interest Rate**. An annual rate equal to the median value of the 10-year Treasury rate published in the daily Federal Reserve Release for 15 business days prior

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to the date of issuance of the City Note plus 200 basis points, but in no event to exceed seven percent (7.00%).

d. **City Note Termination**. The date upon which the City Note obligation shall be terminated, which shall be the earlier of (i) the Outside Termination Date (as defined below); and (ii) the date upon which the City has satisfied the City Note obligation in full through payment of the Sales Tax Incentive (as defined below).

e. **City Payment Obligation**. The City's obligation to pay the Company Sales Taxes as set forth in Section 3 below.

f. **Commencement Date**. The date on which the Company completes the Project, agreed to be the earlier of (i) the last day in the calendar month in which the Company holds a public "Grand Opening" for the redeveloped enclosed mall or (ii) if no such Grand Opening takes place, the last day in the calendar quarter in which the Project commences day-to-day operations under the trade name "The Quad St. Charles" or such other trade name other than the "Charlestowne Mall" as adopted by Company in its sole discretion. In no event shall the Commencement Date be deemed to be a date later than December 31, 2017 (the "Outside Commencement Date").

g. **Failure to Perform the Project Work**. In the event that the Company has not materially commenced performance of the work constituting the Project on or before December 31, 2018 (the "Outside Project Start Date"), this Agreement shall be void and of no further force and effect, and neither party hereto shall have any further right or obligation to the other with respect to this Agreement.

h. **Event of Default**. A default under this Agreement which remains uncured as set forth in Section 18 below.

i. **Home Rule Sales Taxes**. The home rule retailers occupation taxes received by the City from the State of Illinois pursuant to the Home Rule Municipal Retailers' Occupation Tax Act (65 ILCS 5/8-11-1), the Home Rule Municipal Service Occupation Tax (65 ILCS 5/8-11-5) (as said Acts may be amended), and any taxes that may be enacted and imposed as replacements thereto.

j. **IDOR**. means the Illinois Department of Revenue.

k. **Municipal Code**. The Municipal Code of the City.

l. **Outside Termination Date**. Twenty (20) years from the Commencement Date plus any time necessary for the City to undertake final accounting and payment to the Company after such 20-year period.

m. **Payment Date**. Each March 31, July 31, and November 30 after the Commencement Date; provided, however, that the first Payment Date shall be the first of the aforesaid dates to occur after the Commencement Date. The aforesaid dates are conditional upon

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the receipt of sales tax data from IDOR and the receipt of updated tenant listings which include for each tenant the tenant's name, address, and Illinois Business Tax (IBT) number (including a location code if applicable). If the conditional terms are received after the specified dates, payment will be made thirty (30) days after the last conditional item is received by the City.

n. **Project**. Shall have the meaning set forth in Recital D.

o. **Property**. Shall have the meaning set forth in Recital C.

p. **Remittance Statement**. A written statement prepared by the City setting forth the amount of Sales Tax remitted to the Company concurrently therewith and the balance of funds remaining to be paid.

q. **Retail Sales Taxes**. Occupation taxes and service occupation taxes received by the City from the State of Illinois pursuant to the Use Tax Act (35 ILCS 105/1 et seq.), the Service Use Tax Act (35 ILCS 110/1 et seq.), Service Occupation Tax Act (35 ILCS 115/1 et seq.), the Retailer's Occupation Tax Act (35 ILCS 120/1 et seq.), the State Finance Act (30 ILCS 105/6z-18), (as said Acts may be amended), and any taxes that are enacted and imposed as replacements thereto.

r. **Sales Tax Incentive**. The payments set forth in Section 3 below.

s. **Sales Taxes.** The aggregate amount of Retail Sales Taxes and Home Rule Sales Taxes.

t. **State**. The State of Illinois.

3. **Agreement to Pay**

a. The City agrees to pay to the Company an amount equal to fifty (50) percent of the Sales Taxes over and above Base Sales Taxes received by the City from the IDOR, or other equivalent agency, which are attributable to the sales generated at the Property from and after the Commencement Date (the "**City Payment Obligation**"). Payments made by the City to the Company under this Agreement shall be paid first to offset any and all accrued interest of the City Note before offsetting the principal balance of the City Note.

b. The payments shall be sent to the Company at the address set forth in Section 11.

c. For the purposes of calculating the City Payment Obligation due and owing on any particular Payment Date, the Base Sales Taxes, which have been calculated based on annual collections, shall be apportioned and applied to the Payment Dates as follows: March 31 Payment Date – 40%; July 31 Payment Date – 40%; November 30 Payment Date – 20%.

4. **Term of Agreement**

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a. This Agreement shall terminate upon the earlier of to occur: (i) the twentieth anniversary of the Commencement Date; and (ii) the date upon which the City has re-paid the City Note in full.

b. This Agreement shall remain in effect for enforcement and accounting purposes following the expiration of the Term.

5. **Conditions Precedent to City Payment Obligation**

a. Except as hereinafter provided, the City shall make periodic payments to the Company on a thrice-annual basis not later than thirty (30) days after the City's final receipt of Sales Taxes for each tax receipts accounting period occurring during the Term of this Agreement. The City's payment shall be accompanied by a certification signed by the City's Finance Director certifying (i) the aggregate Sales Tax revenues received from an enumerated list of tenants, including their IBT numbers; (ii) the Base Sales Tax for such payment period; and (iii) that the City has calculated the City Payment Obligation in accordance with the terms and conditions of this Agreement.

6. **Performance of the Work.**

a. The Company represents to the City that the work related to the Project that is performed by or on behalf of the Company will comply with the provisions of the Illinois Prevailing Wage Act (820 ILCS 130/0.01 *et seq.*). The Company and the City agree that work related to the Project that is performed by or on behalf of one or more third parties, and that the Company has no legal or contractual obligation to perform, shall not be subject to the Illinois Prevailing Wage Act. The Project which is the subject of this Agreement is specifically defined to exclude any work relating to the improvement of any demised leasable premises within the Project for the use of any particular tenant within the Project.

7. **Interest: Limited Obligations.**

a. Except for interest paid on the City Note, no interest shall be due on the obligations set forth in this Agreement unless and until an Event of Default occurs in the payment of the Sales Tax Incentive to the Company. From and after the occurrence of an Event of Default as to a portion of the Sales Tax Incentive which was then to have been paid to the Company, interest shall accrue and be payable, until paid, at the rate of four percent (4%) per annum over the rate announced from time to time in the *Wall Street Journal* or other comparable publication as the so-called "base rate" or "prime rate" of interest.

b. The Company acknowledges that: (a) the City shall not be required to make any payments of the Sales Tax Incentive to the Company unless the Company or a Successor Tenant has then delivered, or caused to be delivered, to the City the IDOR form Authorization to Release Sales Tax Information to Local Governments, or other equivalent form, that is needed to facilitate the City Payment Obligation; (b) the City Payment Obligation is a special limited obligation of the City payable solely out of the Sales Taxes above Base Sales Taxes the City receives from the IDOR, or other equivalent agency, which are attributable to the

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sales generated by the Project; and (c) the City Payment Obligation shall not be construed as a general obligation of the City.

8. **Confidentiality.**

a. The City agrees to utilize sales tax information obtained by it pursuant to the terms of this Agreement solely for the purpose of effectuating the provisions of this Agreement. To the extent permitted by the Illinois Freedom of Information Act ("FOIA") and other relevant laws, the City shall endeavor to keep such information confidential. The foregoing shall not preclude the City from disclosing such information to the extent it is mandated to do so by court order or to the extent it makes a good faith determination that such disclosure is required by law.

b. The City shall use commercially reasonable efforts to give the Company prompt notice of any request that is made under the FOIA to disclose Sales Tax Information described above.

9. **Assignment.**

a. The Company may assign this Agreement and its right to receive the Sales Tax Incentive to a third party upon written notice to the City. Such assignment shall be subject to the prior written approval of the City, which approval shall not be unreasonably withheld; the failure of the City to disapprove of a proposed assignment in writing setting forth the City's reasons for such disapproval within seven (7) days of receipt of notice of such assignment shall be deemed the City's approval of the assignment. Upon approval (or deemed approval) of an assignment, the City shall make all payments due hereunder and send all reports called for herein solely to said assignee.

10. **Successors and Assigns**.

a. This Agreement shall be binding upon and inure to the benefit of the Parties and the Company's successors and assigns (unless the Company and such successors and assigns agree otherwise in writing), and on successor corporate authorities of the City.

11. **Notices**.

a. Any notices required or contemplated by this Agreement shall be sent by certified mail or via nationally-recognized private carrier (such as Fed Ex or UPS), as follows:

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If to the Company:

SC 3800 Main LLC
c/o The Krausz Companies, Inc.
Attention: Daniel Krausz
44 Montgomery Street, Suite 3300
San Francisco, CA 94104
Fax: (415) 732-5699

With a copy to:

DLA Piper US LLP
Attention: Richard Klawiter, Esq.
203 North LaSalle Street, Suite 1900
Chicago, IL 60601
Fax: (312) 630-7337

If to the City:

City of St. Charles
Attention: Mark Koenen, City Administrator
2 E. Main Street
St. Charles, IL 60174
Fax: (630) 377-1984

With a copy to:

John M. McGuirk, Esq.
City Attorney
Hoscheit, McGuirk, McCracken & Cuscaden, P.C.
1001 E. Main Street, Suite G
St. Charles, IL 60174
Fax: (630) 513-8799

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12. **Waiver**.

a. The Company shall have the right, by notice to the City, to waive the City's payment to it of the Sales Tax Incentive, in whole or in part, at any time and nothing contained in this Agreement shall be construed or interpreted as precluding such right.

13. **Future Cooperation.**

a. The Parties shall cooperate with one another on an ongoing basis, make every reasonable effort and take all required actions to implement and give effect to the provisions of this Agreement and the intentions of the Parties as reflected by the provisions of

this Agreement, including, without limitation, the City's appropriation of funds as may be necessary to implement the provisions of this Agreement, the giving of such notices, the holding of such public hearings, the enactment by the City of such resolutions and ordinances and the taking of such actions as may be necessary to enable the Parties' compliance with the terms and provisions of this Agreement and as may be necessary to give effect to the terms and provisions of this Agreement and the Parties' intentions as reflected by the terms of this Agreement. No waiver of City regulations shall be inferred from this Agreement, except as specifically set forth.

14. **Appropriation**.

a. To the extent the City is required to do so by law, the City has taken (or shall take) such actions as may be required from time to time to appropriate funds pursuant to Illinois law to satisfy its obligations to the Company under this Agreement.

15. **Integration**.

a. This Agreement sets forth all the promises, inducements, agreements, conditions and understandings between the Company and the City relative to the Sales Tax Incentive and there are no other promises, agreements, conditions or understandings, either oral or written, express or implied, between them relative thereto.

16. **Severability**.

a. Each section of this Agreement, and each sentence, clause or phrase contained in such section, shall be considered severable and if, for any reason, any section, or any sentence, clause or phrase contained in such section, is determined to be invalid or unenforceable, such invalidity or unenforceability shall not impair the operation or affect enforceability or validity of the remaining portions of this Agreement.

17. **Amendment**.

a. This Agreement may be amended by, and only by, a written instrument authorized in accordance with law and signed by both Parties.

18. **Default/Remedies**.

a. The failure of a Party to materially comply with its obligations under this Agreement shall constitute a default by such Party. The Party claiming the occurrence of such default shall notify the other Party of same and shall demand performance by giving the defaulting Party a thirty (30) day written notice specifying the default. Unless, within such thirty (30) day period (a) the defaulting Party, (i) cures such default, or (ii) commences action to cure such default and completes the curing of such default within a reasonable time or (b) the Party claiming default, by written notice to the defaulting Party, either waives the default or grants the defaulting Party a longer period to cure, then the Party claiming the default may pursue all remedies available at law and equity, including specific performance. In the event legal action or other proceeding is brought for enforcement of this Agreement or with respect to an alleged

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breach, default or misrepresentation, the successful or prevailing Party shall be entitled to recover from the non-prevailing Party its reasonable attorneys' fees and related costs (including any fees and costs incident to appeals) in addition to any other relief hereunder to which such Party may be entitled.

19. **Governing Law**.

a. This Agreement shall be governed by the laws of the State of Illinois.

20. **Counterparts; Facsimile Signatures**.

a. This Agreement may be executed in more than one counterpart, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. Facsimile or other electronically transmitted signatures on this Agreement shall constitute originals signatures of the parties.

21. **Construction**.

a. Section or other headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

22. **Time is of the Essence**.

a. Time is of the essence of this Agreement and of each and every provision hereof.

[SIGNATURE PAGE FOLLOWS]

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IN WITNESS WHEREOF, the Parties have executed this Agreement to be effective as of the Effective Date.

SC 3800 MAIN LLC, a Delaware limited liability company

By: Krausz Management One LLC,
a Delaware limited liability company,
its Manager

By: _____
F. Ron Krausz, its Member

CITY OF ST. CHARLES, an Illinois municipal corporation

By: _____
Name: _____
Its: _____

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STATE OF __)

) SS.

COUNTY OF _____)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that _____, of **SC 3800 MAIN LLC**, a _____ limited liability company, who is personally known to me to be the _____ of said company, appeared before me this day in person and acknowledged that he/she signed and delivered the foregoing Agreement as his/her own free and voluntary act and as the free and voluntary act of said corporation for the purposes therein set forth.

Given under my hand and official seal this ___ day of _____, 2014.

_____

Notary Public

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STATE OF _____)
) SS.
COUNTY OF _____)

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that _____, of the **CITY OF ST. CHARLES**, an Illinois municipal corporation, who is personally known to me to be the _____ of said company, appeared before me this day in person and acknowledged that he/she signed and delivered the foregoing Agreement as his/her own free and voluntary act and as the free and voluntary act of said corporation for the purposes therein set forth.

Given under my hand and official seal this ___ day of _____, 2014.

_____
Notary Public

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EXHIBIT A

PROPERTY

The subject property is located at 3700, 3740, 3800, 3810, 3840, & 3850 E. Main Street (Illinois Route 64), St. Charles, Illinois, 60174, and is legally described as follows:

THAT PART OF LOT 1, CHARLESTOWNE CENTRE MALL ST. CHARLES, KANE COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 2017857 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 1; THENCE EASTERLY ALONG A NORTHERLY LINE OF SAID LOT 1461.93 FEET TO A NORTHEASTERLY CORNER OF SAID LOT; THENCE SOUTHERLY ALONG AN EASTERLY LINE OF SAID LOT 505.23 FEET TO AN ANGLE IN SAID EASTERLY LINE; THENCE EASTERLY ALONG A NORTHERLY LINE OF SAID LOT 1015.80 FEET TO A NORTHEASTERLY CORNER OF SAID LOT; THENCE SOUTHERLY ALONG AN EASTERLY LINE OF SAID LOT 357.09 FEET TO A POINT THAT IS 110.0 FEET NORTHERLY OF THE NORTH LINE OF LOT 1, ILLINOIS ROUTE 64 - SMITH ROAD SUBDIVISION, ST CHARLES, KANE COUNTY, ILLINOIS (MEASURED ALONG SAID EASTERLY LINE EXTENDED); THENCE EASTERLY AT RIGHT ANGLES TO THE EAST LINE OF SAID NORTHEAST QUARTER 78.35 FEET TO THE WESTERLY LINE OF SMITH ROAD AS ESTABLISHED BY DOCUMENT 90K59922; THENCE SOUTHERLY ALONG SAID WESTERLY LINE, BEING A CURVE TO THE LEFT HAVING A RADIUS OF 995.0 FEET, 110.91 FEET TO THE NORTHEAST CORNER OF LOT 1 IN SAID ILLINOIS ROUTE 64-SMITH ROAD SUBDIVISION; THENCE WESTERLY ALONG A NORTH LINE OF SAID SUBDIVISION 197.34 FEET TO A NORTHWEST CORNER THEREOF; THENCE SOUTHERLY ALONG A WEST LINE OF SAID SUBDIVISION 293.27 FEET TO AN ANGLE IN SAID WEST LINE; THENCE WESTERLY ALONG A NORTH LINE OF SAID SUBDIVISION 148.48 FEET TO A NORTHWEST CORNER THEREOF; THENCE SOUTHERLY ALONG A WEST LINE OF SAID SUBDIVISION 242.05 FEET TO THE SOUTHWEST CORNER OF LOT 2 IN SAID SUBDIVISION; THENCE WESTERLY ALONG THE NORTH LINE OF ILLINOIS STATE ROUTE NO. 64 AND THE SOUTH LINE OF LOT 1 IN SAID CHARLESTOWNE CENTER MALL 2463.67 FEET TO THE SOUTHWEST CORNER OF LOT 1 IN SAID CHARLESTOWNE CENTRE MALL; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID CHARLESTOWNE CENTRE MALL 1816.74 FEET TO THE POINT OF BEGINNING (INCLUDING LOT 1 OF CHARWIL'S FIRST RESUBDIVISION OF PART OF LOT 1 CHARLESTOWNE CENTRE MALL, IN THE CITY OF ST. CHARLES, KANE COUNTY ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 93K15081); (ALSO INCLUDING LOT 1 CHARWIL'S THIRD RESUBDIVISION OF CHARLESTOWNE MALL, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 2001K007611); (EXCEPT LOT 1 OF CHARWIL'S SECOND RESUBDIVISION OF CHARLESTOWNE CENTRE MALL, ST. CHARLES, KANE COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 94K067871); AND (EXCEPT THAT PART OF LOT 1, CHARLESTOWNE CENTRE MALL, BEING PART OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 201857, BOUNDED AND DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 IN ILLINOIS ROUTE 64-SMITH ROAD SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 11, 1991, AS DOCUMENT 91K55800, THENCE NORTHWESTERLY 698.41 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 20162.06 FEET (CHORD BEARS NORTH 89 DEGREES 22 MINUTES 06 SECONDS WEST, 698.38 FEET), SAID

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CURVE BEING THE NORTH RIGHT OF WAY LINE OF ILLINOIS ROUTE 64 (NORTH AVENUE) PER DOCUMENT NO. 92K04278, THENCE NORTH 88 DEGREES 22 MINUTES 33 SECONDS WEST ALONG SAID NORTH RIGHT OF WAY LINE OF ILLINOIS ROUTE 64, FOR A DISTANCE OF 301.20 FEET; THENCE NORTH 01 DEGREES 37 MINUTES 27 SECONDS EAST, 9.00 FEET; THENCE SOUTH 88 DEGREES 22 MINUTES 33 SECONDS EAST, 301.20 FEET; THENCE SOUTHEASTERLY 49.72 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 20153.06 FT (CHORD BEARS SOUTH 88 DEGREES 26 MINUTES 48 SECONDS EAST, 49.72 FEET); THENCE SOUTH 01 DEGREES 28 MINUTES 58 SECONDS WEST, 3.00 FEET; THENCE SOUTHEASTERLY 294.32 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 20156.06 FEET, (CHORD BEARS SOUTH 88 DEGREES 56 MINUTES 08 SECONDS EAST, 294.31 FEET. THENCE NORTH 00 DEGREES 38 MINUTES 46 SECONDS EAST, 6.50 FEET; THENCE SOUTHEASTERLY 354.05 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 20149.56 FEET, (CHORD BEARS SOUTH 89 DEGREES 51 MINUTES 26 SECONDS EAST, 354.04 FEET TO THE POINT ON THE WEST LINE OF SAID LOT 2; THENCE SOUTH 00 DEGREES 06 MINUTES 12 SECONDS EAST ALONG SAID LINE, 12.50 FEET TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS.

AND (EXCEPT THAT PART OF LOT 1, CHARLESTOWNE CENTRE MALL, BEING PART OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 201857, DESCRIBED AS FOLLOWS:: COMMENCING AT THE SOUTHWEST CORNER OF LOT 2 IN ILLINOIS ROUTE 64-SMITH ROAD SUBDIVISION, BEING A SUBDIVISION OF THAT PART OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 11, 1991, AS DOCUMENT 91K55800, THENCE WESTERLY ON THE SOUTH LINE OF SAID LOT 1, AND ON A 20162.06 FOOT RADIUS CURVE CONCAVE TO THE NORTH, 698.41 FEET, THE CHORD OD SAID CURVE BEARS AN ASSUMED BEARING NORTH 89 DEGREES 22 MINUTES 06 SECONDS WEST, 698.38 FEET TO A POINT OF TANGENCY OF SAID CURVE ON SAID SOUTH LINE; THENCE NORTH 88 DEGREES 22 MINUTES 33 SECONDS WEST ON SAID SOUTH LINE, 301.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 22 MINUTES 33 SECONDS WEST ON SAID SOUTH LINE, A DISTANCE OF 157.62 FEET; THENCE NORTH 01 DEGREES 36 MINUTES 21 SECONDS EAST, 53.15 FEET; THENCE SOUTH 88 DEGREES 23 MINUTES 39 SECONDS EAST, 169.44 FEET; THENCE SOUTH 01 DEGREES 36 MINUTES 21 SECONDS WEST, 44.21 FEET; THENCE NORTH 88 DEGREES 22 MINUTES 33 SECONDS WEST, 11. 82 FEET; THENCE SOUTH 01 DEGREES 37 MINUTES 27 SECONDS WEST, 9.00 TO THE POINT OF BEGINNING IN KANE COUNTY, ILLINOIS.

DRAFT - FOR DISCUSSION ONLY

EXHIBIT B

FORM OF CITY NOTE

(Attached hereto)

DRAFT - FOR DISCUSSION ONLY

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	
	Title:	Recommendation to Approve a General Amendment to Title 17 of the City Code (Zoning Ordinance) Regarding Regulations for Medical Cannabis Uses
	Presenter:	Matthew O'Rourke

Please check appropriate box:

X	Government Operations – (4/21/14)		Government Services
	Planning & Development		City Council
	Public Hearing		

Estimated Cost:	N/A	Budgeted:	YES		NO	

If NO, please explain how item will be funded:

Executive Summary:

Background
In August of 2013, Governor Quinn signed into law the "Compassionate Use of Medical Cannabis Pilot Program Act" hereafter referred to as the "State Act". The majority of the law pertains to the sales, distribution, and eligible users of medical cannabis. However there are specific provisions that relate to the location of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations.

Proposal
Staff is proposing to establish the following regulations and criteria for the location of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations:

- Establish these facilities as permitted uses in the M-2 Limited Manufacturing District.
- Create location standards that replicate those established in the State Act.
- Create parking standards for these uses.
- Establish use definitions for these facilities that replicate those established in the State Act.

Plan Commission Comments and Recommendation
The Plan Commission opened a public hearing on the proposed amendments on 2/4/2014. During that hearing, the Commission commented that Dispensing Organizations should be considered in the retail or office Zoning Districts as these facilities are similar to retail/office uses. The Plan Commission asked staff and legal counsel to examine the business and office Zoning Districts in town and determine if a Dispensing Organization could be located in these districts. Staff presented the revised information to the Plan Commission on 3/18/2014.

Based on the revised information, the Plan Commission recommended approval of the General Amendment with the condition that Medical Cannabis Dispensing Organizations are listed as a permitted use in the BR-Regional Business Zoning District in addition to the M-2 District. The vote was 7-aye to 1-nay.

Staff Recommendation
Staff recommends approval of the General Amendment Application as originally proposed during the 2/4/2014 public hearing. (Dispensing Organizations only permitted in the M-2 District)

Attachments: *(please list)*

Map of State of Illinois Police Districts; Map 1: Properties Within 2,500 Feet Buffer Map; Map 2: Properties Within 1,000 Feet Buffer Map; Legal Opinion for John McGuirk; dated 1/2/2014; Legal Opinion for John McGuirk; dated 2/11/2014

Recommendation / Suggested Action *(briefly explain)*:

Recommend approval of the proposed application for a General Amendment to Title 17.

For office use only:	*Agenda Item Number:* 5b

Community & Economic Development
Planning Division
Phone: (630) 377-4443
Fax: (630) 377-4062

STAFF REPORT

TO: Chairman Bill Turner
And Members of the Government Operations Committee

FROM: Matthew O'Rourke, AICP, Planner

RE: General Amendments to Title 17 (Zoning Ordinance) Requirements for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations.

DATE: April 4, 2014

I. GENERAL INFORMATION

Project Name: General Amendments to Title 17 (Zoning Ordinance) - Requirements for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations

Applicant: City of St. Charles, Planning Division

Purpose: Create regulations for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations in accordance with State Law "Compassionate Use of Medical Cannabis Pilot Program Act"

II. BACKGROUND

In August of 2013, Governor Quinn signed into law the **"Compassionate Use of Medical Cannabis Pilot Program Act"** hereafter referred to as the "State Act". The majority of the law pertains to the sales, distribution, and eligible users of medical cannabis. However there are specific provisions that relate to the location of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations.

A. RELEVANT PROVISIONS OF THE "COMPASSIONATE USE OF MEDICAL CANNABIS PILOT PROGRAM ACT"

The Act contains certain provisions related to the number of medical cannabis facilities in the State and location criteria regarding these facilities. The following is a list of all pertinent requirements that are related to zoning regulations:

- "A unit of local government may enact reasonable zoning ordinances or resolutions, not in conflict with this Act or with Department of Agriculture or Department of Public Health rules, regulating registered medical cannabis cultivation centers or medical cannabis dispensing organizations. No unit of local government, including a home rule unit, or school district may regulate registered medical cannabis organizations other than

as provided in this Act and may not unreasonably prohibit the cultivation, dispensing, and use of medical cannabis authorized by this Act. This Section is a denial and limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State."

- The State of Illinois Department of Agriculture may not issue more than 22 cultivation center licenses. Only 1 Medical Cannabis Cultivation Center will be permitted in each State of Illinois Police District. There are 22 State Police Districts. The following location standards are established in the State Act:
  - "A registered cultivation center may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use."
- The State of Illinois Department of Agriculture may not issue more than 60 Dispensing Organization Licenses. The following location standards are established in the State Act:
  - "A dispensing organization may not be located within 1,000 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility. A registered dispensing organization may not be located in a house, apartment, condominium, or an area zoned for residential use."

B. PROPOSAL

Staff is proposing to establish the following regulations and criteria for the location of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations:

- Establish these facilities as permitted uses in the M-2 Limited Manufacturing District.
- Create location standards that replicate those established in the State Act.
- Create parking standards for these uses.
- Establish use definitions for these facilities that replicate those established in the State Act.

III. PROPOSED AMENDMENTS

A. STAFF ANALYSIS

1. Use Standards and Location Criteria

Staff used the distance criteria established in the State Act for cultivation centers and dispensing organizations to generate maps illustrating which properties these uses could not be located on based on their proximity to residential zoning, daycares, schools, etc. These maps are attached to this memo as Attachments 1 and 2. There are residential areas outside of the City's limits that are not shown on these maps. However, these properties will impact the location of any cannabis related uses.

Based on this analysis there is limited number of properties that are outside the distance requirements stated in the State Act.

- Cultivations Centers – These facilities could only be located on a small number of properties in the industrial area on the east side of town. All of these properties are zoned M-2 Limited Manufacturing.
- Dispensing Facilities – There are an increased number of eligible properties for dispensing facilities per the standards of the State Act. These properties are typically

in the commercial and manufacturing areas. However, a number of these commercial properties are located within close proximity to residentially zoned parcels. The downtown CBD-1 and CBD-2 Zoning Districts are considered residential for purposes of this amendment.

B. AMENDMENTS TO TABLE 17.16-1 OFFICE/RESEARCH, MANUFACTURING AND PUBLIC LANDS PERMITTED AND SPECIAL USES

Based on the eligible location analysis, Staff is proposing that **Table 17.16-1 Office/Research, Manufacturing and Public Lands Permitted and Special Uses** of the Zoning Ordinance be amended to permit Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organization in the M-2 Limited Manufacturing District.

Cultivation Centers- Based on the 2,500 foot buffer map these uses can only be permitted in a small section of the M-2 Zoning District.

Dispensing Organizations- Staff is proposing that Dispensing Organizations be permitted uses only in the M-2 Zoning District. Staff is proposing that all medical cannabis related activities be situated in one district. Staff wants to ensure that these uses are located in a specific area. This will aid City staff in terms of reviewing the location of these uses, should a license be issued by the State.

C. AMENDMENTS TO CHAPTER 17.20 USE STANDARDS

Staff is proposing to amend section **17.20.030 Standards for Specific Uses** of the Zoning Ordinance. The use standards established will replicate those established in the State Act. This amendment will create the following use standard categories:

1. Medical Cannabis Cultivation Center

Medical Cannabis Cultivation Centers are subject to the following standards: A registered cultivation center may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use.

2. Medical Cannabis Dispensing Organization

Medical Cannabis Dispensing Organizations are subject to the following standards: A dispensing organization may not be located within 1,000 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility. A registered dispensing organization may not be located in a house, apartment, condominium, or an area zoned for residential use.

D. AMENDMENTS TO CHAPTER 17.24 OFF-STREET PARKING, LOADING & ACCESS

Staff is proposing to amend **Table 17.24-3 Required Off-Street Parking** to create new parking categories for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations.

A. Medical Cannabis Cultivation Centers

Staff is proposing that Medical Cannabis Cultivation Center be added to the Industrial and Office Uses listed in Table 17.24-3. The proposed parking requirement is 1 space per every 1,000 Square Feet of gross floor area. This is the same parking requirement for manufacturing and warehouse uses.

TABLE 17.24-3 REQUIRED OFF-STREET PARKING	
USE	**PARKING REQUIREMENT**
INDUSTRIAL AND OFFICE USES	
Medical Cannabis Cultivation Centers	1 per 1,000 of GFA

B. Medical Cannabis Dispensing Organizations

Staff is proposing that Medical Cannabis Dispensing Organization be added to the Retail and Service Uses section of Table 17.24-3. The proposed parking requirement is 4 spaces per every 1,000 square feet of gross floor area. This requirement is the same for all uses classified as Retail Sales establishments.

TABLE 17.24-3 REQUIRED OFF-STREET PARKING	
USE	**PARKING REQUIREMENT**
RETAIL AND SERVICE USES	
Medical Cannabis Dispensing Organizations	4 per 1,000 of GFA

E. AMENDMENTS TO CHAPTER 17.30 "DEFINITIONS"

Staff is proposing to amend Section 17.30.020 "Use Definitions" to create the following new use definitions for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations:

1. **Medical Cannabis Cultivation Center -** A facility operated by an organization or business that is registered by the State of Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

2. **Medical Cannabis Dispensing Organization -** A facility operated by an organization or business that is registered by the State of Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

The proposed definitions are the same as listed in the State Act.

F. LEGAL OPINION

Staff has asked the City's Legal Counsel John McGuirk, of the Law Firm of Hoscheit, McGuirk, McCracken & Cuscaden, P.C., to review these proposed amendments in conjunction with the State Act. Based on his review of the State Act, McGuirk has

determined that the proposed amendments are appropriate. A copy of McGuirk's legal opinion is attached to this memo as Attachment 3.

VIII. PLAN COMMISSION COMMENTS

A. 2/4/2014 PUBLIC HEARING

The Plan Commission held a public hearing on the proposed amendments on 2/4/2014. During that hearing, the Commission commented that Dispensing Organizations should be considered in retail or office Zoning Districts since these facilities are similar to retail/office uses. The Plan Commission asked staff and legal counsel to examine the business and office Zoning Districts in town and determine if a Dispensing Organization could be located in these districts. In particular, the Commission asked staff and counsel to determine if any residential use is permitted in a Zoning District by right, would that mean a Dispensing Organization could not be located in that District.

The City's legal counsel John McGuirk has provided a follow-up opinion (Attachment 5). McGuirk's opinion states "the statute provides that a dispensing organization may not be located in 'an area zoned for residential use' (410 ILCS 130/130(d)). My interpretation of that language is that it prohibits a dispensing organization from being located in any zoning district that allows for residential use."

The following table illustrates what potential residential uses are permitted in a designated Zoning District.

Zoning District	Residential Uses Permitted
BL- Local Business	• Dwelling, Upper Level • Dwelling, Single-Family
BC-Community Business	• Assisted Living Facility (Special Use)
BR-Regional Business	• **No Residential Uses Permitted**
CBD-1 Central Business	• Artist Live/Work Space • Assisted Living Facility (Special Use) • Dwelling, Upper Level • Dwelling, Multi-Family
CBD-2 Central Business	• Artist Live/Work Space • Assisted Living Facility • Dwelling, Upper Level • Dwelling, Auxiliary • Dwelling, Multi-Family • Dwelling, Townhouse • Dwelling, Two-Family • Dwelling, Single-Family • Group Home, Large • Group Home, Small • Independent Living Facility
OR- Office/Research	• Assisted Living
M-1 Special Manufacturing	• Artist Live/Work Space
M-2 Limited Manufacturing	• **No Residential Uses Permitted**

The two Zoning Districts that do not permit any residential uses are the BR-Regional Business District and the M-2 Limited Manufacturing District. It should also be noted that many of the properties in the BR District are also in Planned Unit Developments. In many instances these PUDs have specific use lists approved as part of the PUD. Therefore, a Dispensing Organization would have to propose to amend the PUD to permit the use in that PUD.

B. 3/18/2013 PUBLIC HEARING

The Plan Commission considered the amendment at the continued public hearing on 3/18/2014. Staff presented the revised information as stated in the previous section.

IX. PLAN COMMISSION RECOMMENDATION

Based on the revised information, the Plan Commission recommended approval of the General Amendment with the condition that Medical Cannabis Dispensing Organizations are listed as a permitted use in the BR-Regional Business Zoning District. The vote was 7-aye to 1-nay. The vote was 7-aye and 1-nay.

X. RECOMMENDATION

Staff recommends approval of the General Amendment Application as originally proposed during the 2/4/2014 public hearing and has provided the attached draft Findings of Fact to support that recommendation.

XI. ATTACHMENTS

1. Map of State of Illinois Police Districts
2. Map 1: Properties Within 2,500 Feet Buffer Map
3. Map 2: Properties Within 1,000 Feet Buffer Map
4. Legal Opinion for John McGuirk; dated 1/2/2014
5. Legal Opinion for John McGuirk; dated 2/11/2014

FINDINGS OF FACT
GENERAL AMENDMENT

(Amendments to the Requirements for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations)

1. **The consistency of the proposed amendment with the City's Comprehensive Plan.**

   Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations are not directly addressed in the Comprehensive Plan. These uses are proposed in the M-2 Limited Manufacturing Zoning District, which is designated as "Industrial/Business Park" on the Future Land Use Map.

2. **The consistency of the proposed amendment with the intent and general regulations of this Title.**

   The proposed amendments fit within the structure of the Zoning Ordinance and do not change the intent of the existing ordinance requirements. The changes to **Table 17.16-1 Office/Research, Manufacturing and Public Lands Permitted and Special Uses, Section 17.20.030 Specific Use Standards, Table 17.24-3 Required Off-Street Parking, and 17.30.020 "Use Definitions"** create regulations for the new uses of Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations. These amendments are consistent with the framework created in Title 17 the Zoning Ordinance for all permitted uses.

3. **Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.**

   The proposed amendments will establish new permitted uses in relation to a change in State of Illinois policy. The proposed amendments create new permitted uses and standards for use categories that were recently created by the **Compassionate Use of Medical Cannabis Pilot Program Act.**

4. **The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.**

   The amendment has been proposed by the City of St. Charles in response to a State law. Providing reasonable zoning regulation consistent with the law is in the public interest.

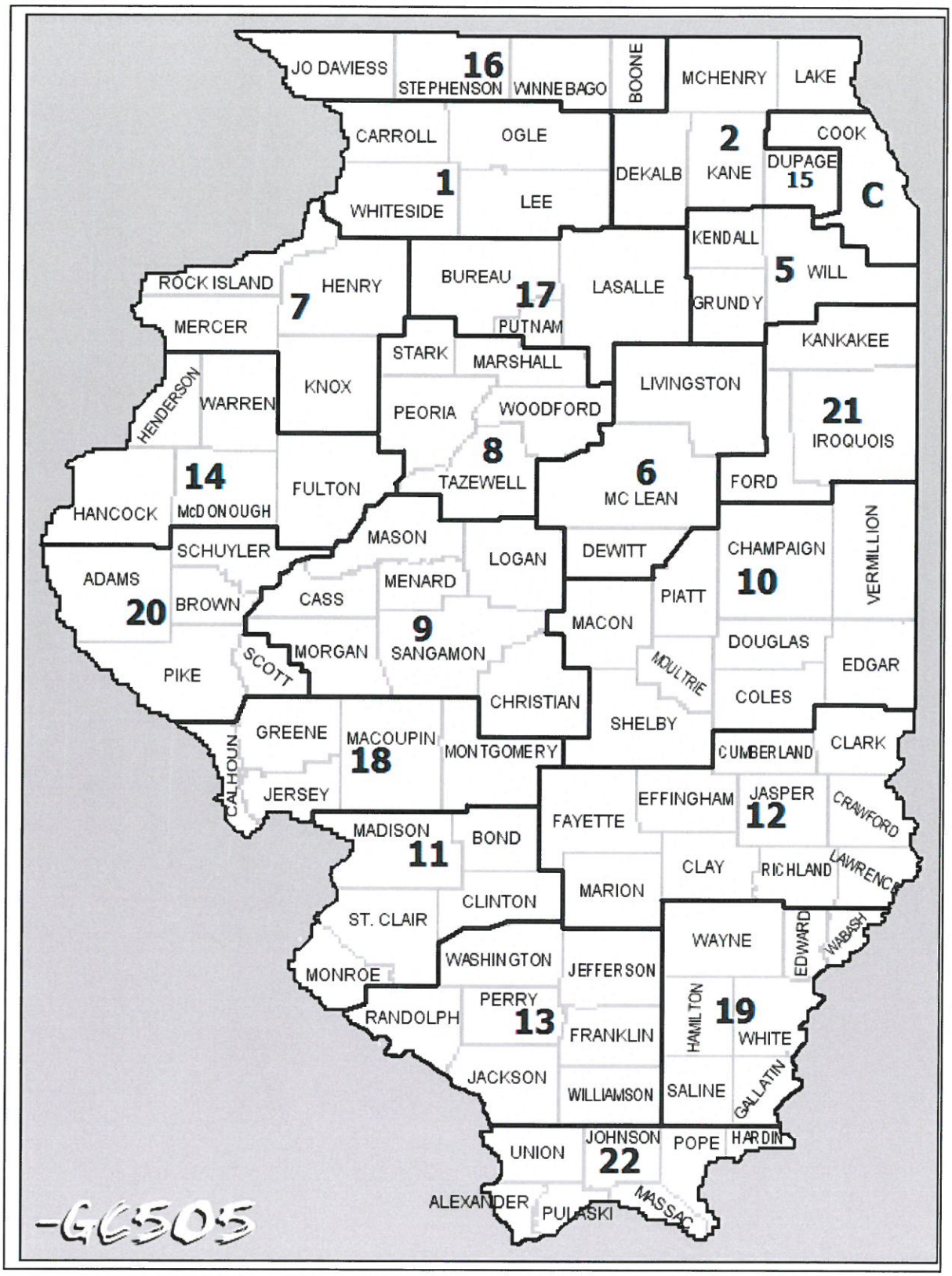
5. **The extent to which the proposed amendment creates nonconformities.**

   The proposed amendments will not create any new nonconformities. The proposed amendments are for two new use categories that did not previously exist in the Zoning Ordinance and were only recently permitted in the State of Illinois. There are no existing Medical Cannabis Cultivation Centers or Medical Cannabis Dispensing Organizations in the City; therefore, no nonconformities can be created.

6. **The implications of the proposed amendment on all similarly zoned property in the City.**

   These amendments will apply to all properties in the M-2 Limited Manufacturing Zoning District, subject to the proposed use standards.

Map of Police Districts – State of Illinois



CITY OF ST. CHARLES

TWO EAST MAIN STREET
ST. CHARLES, ILLINOIS 60174-1984

ST. CHARLES SINCE 1834

COMMUNITY DEVELOPMENT/PLANNING DIVISION PHONE: (630) 377-4443 FAX: (630) 377-4062

GENERAL AMENDMENT APPLICATION (ZONING ORDINANCE)

CITYVIEW PROJECT NO: 2014PR002
CITYVIEW APPLICATION NO: 2014AP002
PROJECT NAME: G.A. Medical Cannabis

RECEIVED
St. Charles, IL
JAN 16 2014
CDD
Planning Division

Received Date

Instructions:

To request an amendment to the text of the St. Charles Zoning Ordinance, complete this application and submit it with all required attachments to the Planning Office.

We will review submittals for completeness and for compliance with applicable requirements prior to establishing a meeting or public hearing date for an application.

The information you provide must be complete and accurate. If you have a question please call the Planning Office and we will be happy to assist you.

1. Applicant Information:	Name **City of St. Charles**	Phone 630-377-4443
	Address 2 E. Main Street St. Charles IL, 60174	Fax 630-377-4062
		Email morourke@stcharlesil.gov

2. Billing: *To whom should costs for this application be billed?*	Name **City of St. Charles**	Phone 630-377-4443
	Address 2 E. Main Street St. Charles IL, 60174	Fax 630-377-4062
		Email morourke@stcharlesil.gov

Attachment Checklist

☐ Application Fee (make checks payable to the City of St. Charles)

☐ Reimbursement of Fees Agreement: An original, executed Reimbursement of Fees Agreement and deposit of funds with the City, as provided by Exhibit B of the Zoning Ordinance.

☐ Wording of the requested text amendment (see next page)

I certify that this application and the documents submitted with it are true and correct to the best of my knowledge and belief.

Matthew O'Rourke 1/16/14

Signature – Applicant *Date*

Requested Text Amendment

To amend Section(s See Attached of the St. Charles Zoning Ordinance. The wording of the proposed amendment is: (attach sheets if necessary)

See Attached

Chapter 17.16 "Office/Research, Manufacturing, and Public Land Districts"
Chapter 17.20 "Use Standards"
Chapter 17.24 "Off-Street Parking, Loading & Access"
Chapter 17.30 "Definitions"

Pertaining to requirements for Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations.

MEMORANDUM

To: ***Rita Tungare / Matthew O'Rourke***

From: ***John M. McGuirk***

Date: ***January 2, 2014***

RE: ***Compassionate Use of Medical Cannabis Pilot Program Act***

(410 ILCS 130/1 et seq.)

As you know, the Compassionate Use of Medical Cannabis Pilot Program Act goes into effect on January 1, 2014. Your staff has done a great deal of research regarding the impact of the new Act upon municipalities. You have asked that I review the Act and provide you with some feedback with respect to some of the important provisions of the Act. To that end, I have reviewed the Act in detail and have also reviewed the proposed amendments to the zoning code proposed by your staff as well as the various maps and other documents prepared to demonstrate the areas in which cultivation centers and dispensaries could do business in the City of St. Charles.

It is important to note that the Medical Use of Marijuana is regulated pursuant to a pilot program. The law was created with a "sunset" provision which provides that if the legislature does not renew the program, it will cease to operate four (4) years from the effective date. The Act allows physicians to recommend the therapeutic use of marijuana to treat certain medical conditions that are set forth in the Act. The Act details thirty-three (33) medical conditions. Qualified patients can receive written certification to use medical marijuana if they register and are approved by the Department of Public Health. Each patient is prescribed no more than 2.5 ounces of usable cannabis during a fourteen (14) day period. The Department of Public Health, the Department of Financial and Professional Regulation and the Department of Agriculture play important roles in the implementation of the Act. Qualifying patients are known as "card holders" in the Act and are given cards designating their right to possess medical marijuana.

There are two facilities that are provided for by and regulated under the Act – cultivation centers and dispensaries. A cultivation center is defined as a facility operated by an organization or business that is registered with the Department of Agriculture to perform necessary activities to provide registered marijuana cannabis to dispensing organizations or "dispensaries." A registration for a cultivation center is issued by the Department of Agriculture. A dispensary which dispenses cannabis is operated by a dispensing agent who has been issued a document issued by the Department of Financial and Professional Regulation. There are background checks run on the individuals who run the cultivation centers as well as the dispensaries and various other safeguards with respect to inspection, maintenance of maintenance of databases by the various state agencies.

The most significant feature of the act is its limitation on the location of cultivation centers as well as dispensaries. A registered cultivation center may not be located within 2,500 feet of a property line of a pre-existing public or private preschool or elementary or secondary school or daycare center, daycare home, group daycare home, part daycare facility or in areas zoned for residential use. This requirement takes in a large area within the city as the staff has recognized in preparing various maps. One of the things that we discussed at our meeting was the definition of residential use in the Act. My interpretation is that any zoning district that provides for residential use including mixed use districts would fall within that classification and thus the 2,500 feet of the property line of those areas would also be areas in which cultivation centers could not be located. Additionally, it should be noted that a cultivation center may not sell or distribute any cannabis to any individual or entity other than a dispensary organization registered under the Act. There should be no individual purchases or other activity at a cultivation center itself. The Act also requires that a cultivation center must maintain a 24-hour surveillance system to monitor the interior and exterior of the registered cultivation center facility and must be accessible to authorized law enforcement.

The limitation on dispensaries location is defined in a similar fashion as that of cultivation centers except that a dispensing organization may not be located within 1,000 feet of the property limits of a pre-existing public or private preschool or elementary or secondary school or daycare center, daycare home, group daycare home, or part day childcare facility. A registered dispensing organization may not be located in a house, apartment, condominium or in areas zoned for residential use. Again, that definition eliminates a broad scope of geographical area of the city and that has been laid out in detail by the staff in the various maps.

The Department of Agriculture, the Department of Public Health and the Department of Financial and Professional Regulation are charged with establishing certain rules and regulations within 120 days from the effective date of the Act. Some of the information that I have seen from the Illinois Municipal League Attorneys Forum indicates that many other municipalities have taken the position that they would not be addressing any issue relating to the Act until those rules are adopted by those state agencies. Most likely the final rules and regulations will not be completed until April 2014.

The Act does provide that municipalities may enact reasonable zoning ordinances or resolutions not in conflict with the Act. It specifically states that local governments, including home rule units, may not regulate the medical cannabis organizations other than as provided in the Act and may not unreasonably prohibit the cultivation, dispensing and use of medical cannabis authorized by the Act. It is specifically noted in the Act that it is a denial and limitation on concurrent exercise of home rule units of power and functions exercised by the state.

Based on my review of the recommendation of the staff that certain amendments be made to the zoning code specifically allowing for cultivation centers as permitted uses in the M-2 district, I would agree that that type of amendment makes sense given that it seems to be the only area that falls outside the 1,000 and 2,500 foot limitations for dispensaries and cultivation centers. A question was also raised about requiring the use of specific types of security systems and I assume that that question is addressed primarily to dispensaries. Since such security systems

would not be unreasonable or at least do not appear to be unreasonable, in my view such a requirement is permitted. Also, there was a question as to whether or not we could impose a home rule sales tax on medical cannabis. That is less clear. There is a provision in the Act that requires cultivation centers to pay a 7% sales tax. That provision specifically provides that the tax is not the responsibility of the dispensing organization or a qualifying patient. The Act further states that the sales tax shall be in addition to other taxes imposed by the state or any municipal corporation. Therefore, it seems clear that a cultivation center could be taxed but less clear as to whether a dispensary could be subject to a home rule sales tax. That issue requires more in depth research.

In conclusion, making various changes in the zoning ordinance to permit cultivation centers and dispensaries in certain areas is prudent. I have read news excerpts for other municipalities who have dealt with this issue including Naperville. In one of the summaries that I read, it indicated that Naperville adopted an ordinance allowing for drive-thru pick up of medical marijuana at dispensaries. It also further limited the location of dispensing facilities by providing that they can open in industrial areas without a hearing (which I assume means they have defined dispensaries as a permitted use within industrial areas) but would require a hearing in other retail areas outside the downtown. I think the point of what I was reading was that they were trying to make the opening of the dispensary outside of the industrial areas more difficult which can be done in a number of ways including increasing the area of restriction around schools or residential areas. However, it appears from my review our staff's research that the limitations that are provided by the Act are sufficient given the location of our schools and residential areas and that there is no need to provide anything more stringent than what the state statute provides.

I would be happy to discuss any question or concerns that you may have with respect to the Act. A detailed Reference Sheet prepared by the Marijuana Policy Project setting out all the provisions of the Act is attached for your reference.

LAW OFFICES

HOSCHEIT, MCGUIRK, MCCRACKEN & CUSCADEN, P.C.

1001 EAST MAIN STREET, SUITE G
SAINT CHARLES, ILLINOIS 60174-2203

JOHN J. HOSCHEIT
JOHN M. MCGUIRK
KATE L. MCCRACKEN
DOUGLAS R. CUSCADEN

TELEPHONE: 630.513.8700
FACSIMILE: 630.513.8799

February 11, 2014

Via Email Only
morourke@stcharlesil.gov

EMAILED
2/11/14

Mr. Matthew O'Rourke
City of St. Charles
Community and Economic Development

RE: Dispensing Organizations

Dear Matt:

This is a follow up to our recent conversation regarding the public hearing before the Planning Commission on February 4, 2014. It appears that the Planning Commission is seeking more information with respect to areas within the City that could accommodate dispensing organizations under the Medical Cannabis Pilot Program Act. As we discussed and as you are well aware, the statute provides that a dispensing organization may not be located in "an area zoned for residential use" (410 ILCS 130/130(d)). My interpretation of that language is that it prohibits a dispensing organization from being located in any zoning district that allows for residential use. Had the legislature meant for dispensing organizations to be prohibited only in zoning districts zoned exclusively for residential use, it is my opinion that it would have stated that specifically.

You indicated that the staff will develop maps to demonstrate to the Planning Commission where dispensing organizations can be located given our interpretation of the restrictions set forth in the statute.

If you need any further information or interpretations with respect to the statute, please contact me. Also, please let me know if you require my attendance at any future Planning Commission meetings relating to this issue.

Very truly yours,
Hoscheit, McGuirk, McCracken & Cuscaden, P.C.

John M. McGuirk

JMM/lmk

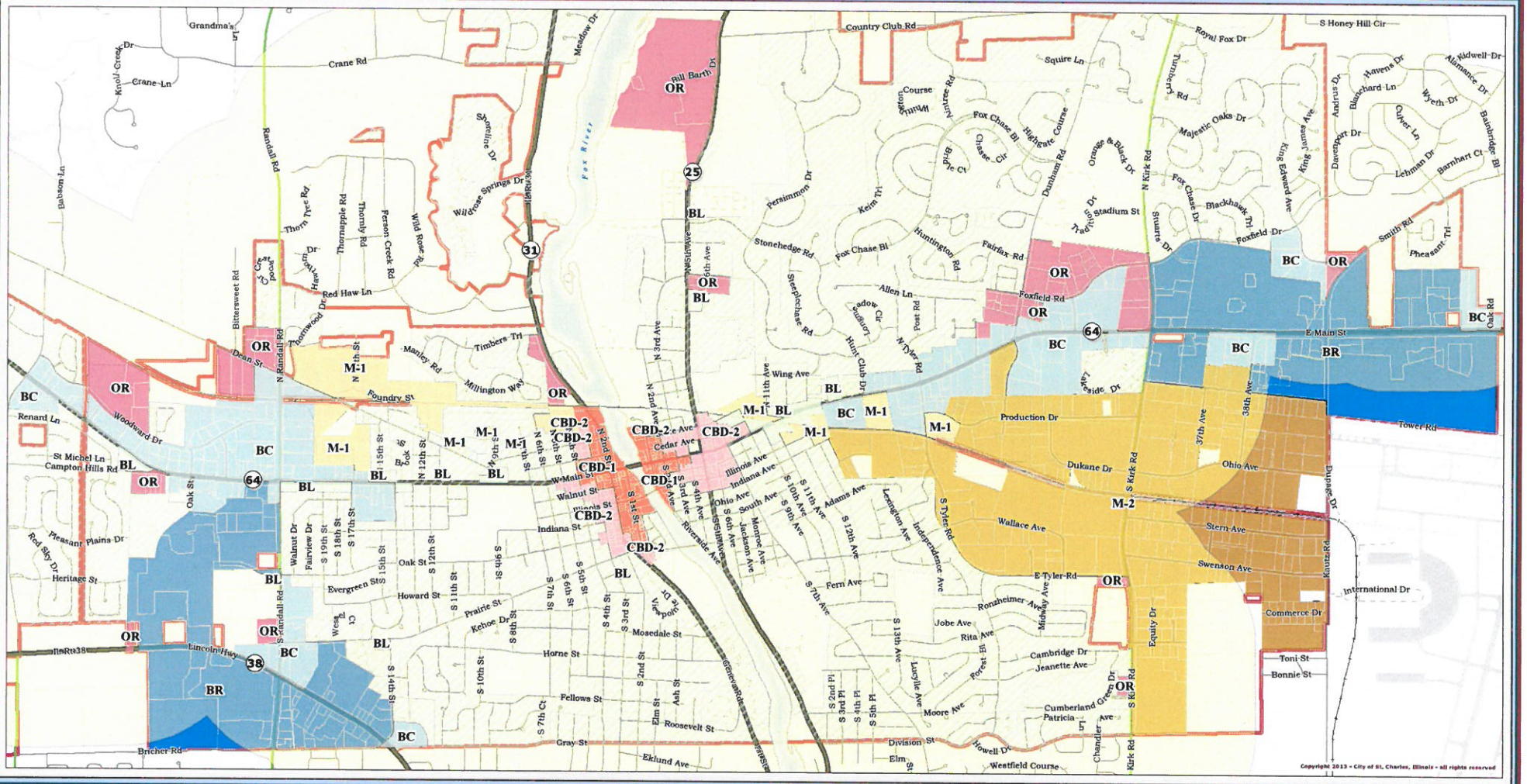
HMM&C

City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

Commercial, Industrial, and Office Zoned Properties within 2,500 Ft of Residential Zoned Properties

RAYMOND ROGINA *Mayor*
BRIAN TOWNSEND *City Administrator*



Publication Date:
June 21, 2013

Data Source:
City of St. Charles, Illinois
Kane County, Illinois
DuPage County, Illinois

Projection: Transverse Mercator
Coordinate System: Illinois State Plane East
North American Datum 1983
TH #: 130606143201070

0 0.125 0.25 0.5 Miles

2500 Ft Buffer
Residential

BC | BL | BR | CBD-1 | CBD-2 | M-1 | M-2 | OR

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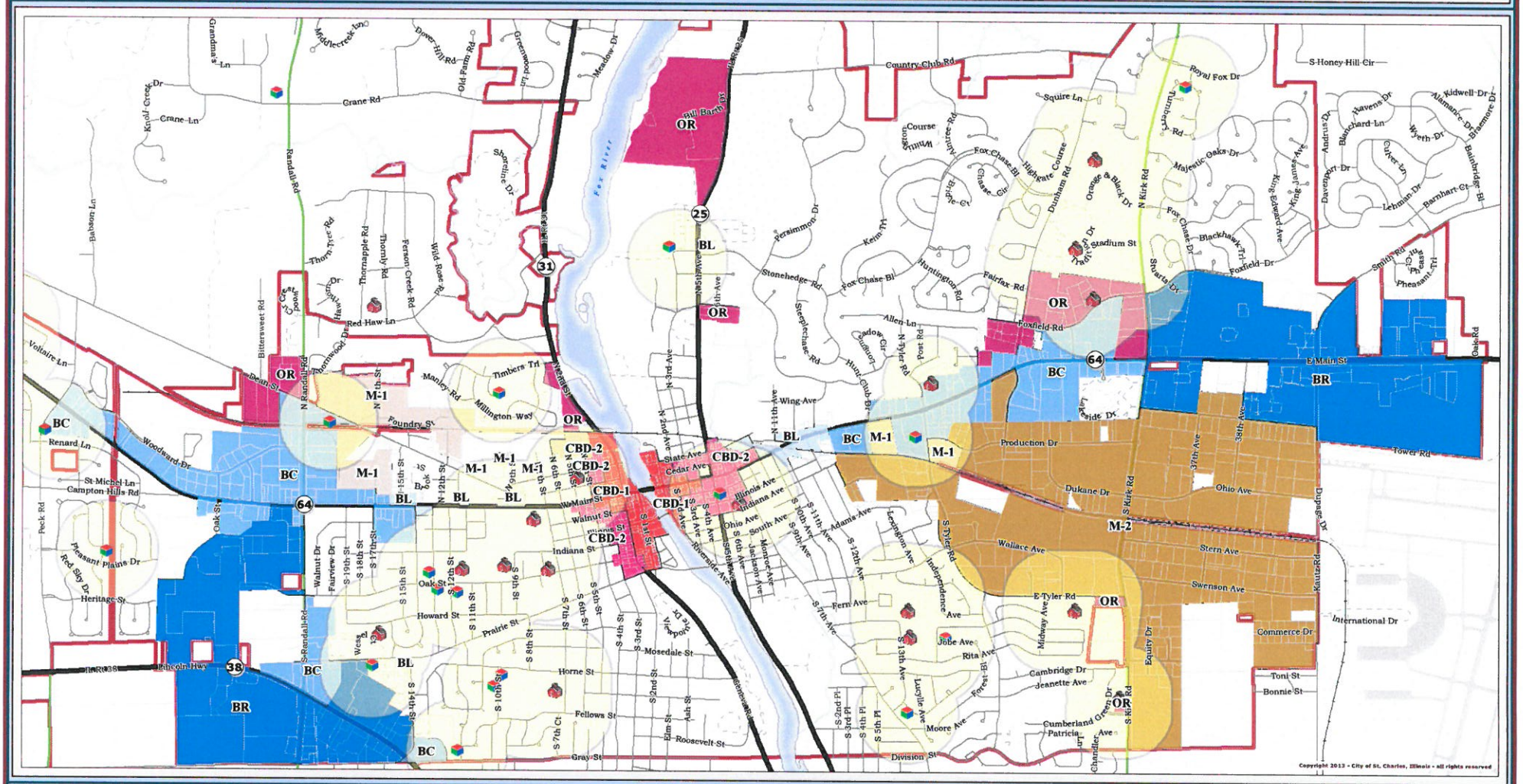
City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

Commercial, Industrial, and Office Zoned Properties within 1,000 Ft of School and Day Care Facilities

RAYMOND ROGINA *Mayor*
BRIAN TOWNSEND *City Administrator*



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ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	
	Title:	Recommendation to Approve a Resolution to Award 2014/2015 Asphalt Bids to Allied Asphalt and Superior Asphalt
	Presenter:	Mike Shortall

Please check appropriate box:

x	Government Operations (4/21/2014)		Government Services
	Planning & Development		City Council
	Public Hearing		

Estimated Cost:	$300,000	Budgeted:	YES	x	NO	

If NO, please explain how item will be funded:

Executive Summary:

We are seeking approval to accept bids from two (2) vendors for the said listed items:

- Allied Asphalt (Plote Construction) Surface Mix $56/ton, B.A.M. $56, T.A.C. $38/pail, Dumping N/C and
- Superior Asphalt (Geneva Construction) U.P.M $122, Cold Mix $92, B.A.M. $56, Dumping N/C.

Attachments: *(please list)*

Resolution

Recommendation / Suggested Action *(briefly explain)*:

Recommendation to approve a Resolution and to Award 2014/2015 Asphalt Bids to Allied Asphalt and Superior Asphalt.

For office use only:	*Agenda Item Number:* 6a

City of St. Charles, Illinois
Resolution No. _____

A Resolution Authorizing the Mayor and City Clerk of the City of St. Charles to Approve an Award of 2014/2015 Asphalt Bids to Allied Asphalt and Superior Asphalt

Presented & Passed by the
City Council on , 2014

BE IT RESOLVED by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, that the Mayor and City Clerk be and the same are hereby authorized to Award 2014/2015 Asphalt Bids to Allied Asphalt and Superior Asphalt.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 21st day of April, 2014

PASSED by the City Council of the City of St. Charles, Illinois, this 21st day of April, 2014

APPROVED by the Mayor of the City of St. Charles, Illinois, this 21st day of April, 2014

_____
Raymond P. Rogina, Mayor

ATTEST:

_____
City Clerk

COUNCIL VOTE:
Ayes:
Nays:
Absent:
Abstain:

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	
	Title:	Recommendation to Approve a Resolution to Accept the Extension of the 2013/2014 Line Clearing Contracts (Electric Division) Awarded to Skyline Tree Service and to DeMar Tree & Landscape (St. Charles) to 2014/2015
	Presenter:	Mike Shortall

Please check appropriate box:

X	Government Operations (4/21/14)		Government Services
	Planning & Development		City Council

Estimated Cost:	$125,000	Budgeted:	YES	X	NO	

If NO, please explain how item will be funded:

Executive Summary:

DeMar Tree & Landscape and Skyline Tree Service (St. Charles) have both agreed to extend their prices for line clearing. This agreement will be in place for one (1) year for the 2014/2015 fiscal year.

All pricing requested is hourly (unit) costs, with estimated annual expenditures of $125,000 (tree line clearing), specific to the Electric Division.

Resolution

Recommendation/Suggested Action *(briefly explain)*:

Recommendation to approve a Resolution to Accept the Extension of the 2013/2014 Line Clearing Contracts (Electric Division) Awarded to Skyline Tree Service and to DeMar Tree & Landscape (St. Charles) to 2014/2015.

For office use only:	*Agenda Item Number:* 6b

City of St. Charles, Illinois
Resolution No. _____

A Resolution Authorizing the Mayor and City Clerk of the City of St. Charles to Accept the Extension of the 2013/2014 Line Clearing Contracts (Electric Division) Awarded to Skyline Tree Service and to DeMar Tree & Landscape (St. Charles) to 2014/2015

Presented & Passed by the
City Council on , 2014

BE IT RESOLVED by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, that the Mayor and City Clerk be and the same are hereby authorized to Accept the Extension of the 2013/2014 Line Clearing Contracts (Electric Division) Awarded to Skyline Tree Service and DeMar Tree & Landscape (St. Charles) to 2014/2015.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 21st day of April, 2014

PASSED by the City Council of the City of St. Charles, Illinois, this 21st day of April, 2014

APPROVED by the Mayor of the City of St. Charles, Illinois, this 21st day of April, 2014

_____
Raymond P. Rogina, Mayor

ATTEST:

_____
City Clerk

COUNCIL VOTE:
Ayes:
Nays:
Absent:
Abstain:

ST. CHARLES
SINCE 1834

AGENDA ITEM EXECUTIVE SUMMARY

Title:	Recommendation to Approve a Resolution Authorizing the Sale of Scrap Wire and Various Material Owned by the City of St. Charles
Presenter:	Mike Shortall

Please check appropriate box:

X	Government Operations (4/21/14)		Government Services
	Planning & Development		City Council

Estimated Cost:	-	Budgeted:	YES	-	NO	-

If NO, please explain how item will be funded:

Executive Summary:

We are asking for approval to sell items to the highest respective bidders: scrap wire and various material.

Items will be sold via on-line bids, PublicSurplus.com.

Attachments: *(please list)*

Resolution

Recommendation/Suggested Action *(briefly explain)*:

Recommendation to approve a Resolution Authorizing the Sale of Scrap Wire and Various Material Owned by the City of St. Charles.

For office use only:	*Agenda Item Number:* 6c

City of St. Charles, Illinois
Resolution No._____

A Resolution Authorizing the Sale of Scrap Wire and Various Material Owned by the City of St. Charles

Presented & Passed by the
City Council on _____

WHEREAS, in the opinion of at least three-fourths of the Corporate authorities of the City of St. Charles, it is no longer necessary or useful to or for the best interest of the City of St. Charles to retain certain scrap property now owned by the City of St. Charles and hereinafter;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois as follows:

1. Pursuant to Illinois Compiled Statutes, 65ILCS 5/11-76-4, the City Council finds that the following scrap property now owned by the City of St. Charles is no longer necessary or useful to the City of St. Charles and the best interests of the City of St. Charles will be served by its sale:

Scrap wire
Various scrap material

2. Pursuant to said Section 65ILCS 5/11-76-4, the Purchasing and Inventory Control Division Manager be, and he is hereby authorized and directed to sell the foregoing described scrap property now owned by the City of St. Charles to the highest respective bidders.

Presented to the City Council of the City of St. Charles, Illinois, this _____ day of _____, 2014.

Passed by the City Council of the City of St. Charles, Illinois, this _____ day of _____, 2014.

Approved by the Mayor of the City of St. Charles, Illinois, this _____ day of _____, 2014.

_____
Raymond P. Rogina, Mayor

Attest:

_____
Nancy Garrison, City Clerk

Council Vote:
Ayes: _____
Nays: _____
Absent: ____
Abstain:____

ST. CHARLES SINCE 1834	**AGENDA ITEM EXECUTIVE SUMMARY**	
	Title:	Recommendation to Approve an Ordinance Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles (Miscellaneous Items)
	Presenter:	Mike Shortall

Please check appropriate box:

X	Government Operations (4/21/14)		Government Services
	Planning & Development		City Council

Estimated Cost:	-	Budgeted:	YES	-	NO	-

If NO, please explain how item will be funded:

Executive Summary:

We are asking for approval to sell items to the highest respective bidders:
Golf Cart
Misc. Shirts
1-lot of cell phones
Air Conditioner
1-lot of Misc. tools & hardware
1-liquid sprayer
Misc. Bikes
2-weed whackers
4-hose reels
(Vehicle 1907) 2001 Chevy Impala
Items will be sold via on-line bids, PublicSurplus.com.

Attachments: *(please list)*

Ordinance

Recommendation/Suggested Action *(briefly explain)*:

Recommendation to Approve an Ordinance Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles (miscellaneous items).

For office use only:	*Agenda Item Number: 6d*

City of St. Charles, Illinois
Ordinance No._____

An Ordinance Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles

Presented & Passed by the
City Council on _____

WHEREAS, in the opinion of at least three-fourths of the Corporate authorities of the City of St. Charles, it is no longer necessary or useful to or for the best interest of the City of St. Charles to retain the personal property now owned by the City of St. Charles and hereinafter;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois as follows:

1. Pursuant to Illinois Compiled Statutes, 65ILCS 5/11-76-4, the City Council finds that the following personal property now owned by the City of St. Charles is no longer necessary or useful to the City of St. Charles and the best interests of the City of St. Charles will be served by its sale:

Golf cart
Misc. shirts
1-lot of cell phones
Air conditioner
1-lot of misc. tools & hardware
1-liquid sprayer
Misc. bikes
2-weed whackers
4-hose reels
(Vehicle 1907) 2001 Chevy Impala.

2. Pursuant to said Section 65ILCS 5/11-76-4, the Purchasing and Inventory Control Division Manager be, and he is hereby authorized and directed to sell the foregoing described personal property now owned by the City of St. Charles to: the highest respective bidders.

Presented to the City Council of the City of St. Charles, Illinois, this _____ day of _____, 2014.

Passed by the City Council of the City of St. Charles, Illinois, this _____ day of _____, 2014.

Approved by the Mayor of the City of St. Charles, Illinois, this _____ day of _____, 2014.

_____
Raymond P. Rogina, Mayor

Attest:

_____
Nancy Garrison, City Clerk

Council Vote:
Ayes: _____
Nays: _____
Absent: ____
Abstain:____

ST. CHARLES
SINCE 1834

AGENDA ITEM EXECUTIVE SUMMARY

Title:	Recommendation to Approve a Resolution Authorizing the Mayor and the City Clerk of the City of St. Charles to Approve the Award of the 2014-15 Office Supplies Bid to Warehouse Direct for Routine Office Supplies
Presenter:	Mike Shortall

Please check appropriate box:

X	Government Operations (4/21/14)		Government Services
	Planning & Development		City Council
	Public Hearing		

Estimated Cost:	$ 60,000	Budgeted:	YES	X	NO	

If NO, please explain how item will be funded:

Executive Summary:

We are seeking approval to accept the low bid for all general office supplies for the fiscal year 2014/2015. Five (5) bids were received and Warehouse Direct was the preferred responsible bid.

This will be a one (1)-year agreement.

Attachments: *(please list)*

Resolution

Recommendation / Suggested Action *(briefly explain)*:

Recommendation to approve a Resolution Authorizing the Mayor and the City Clerk of the City of St. Charles to Approve the Award of the 2014-15 Office Supplies Bid to Warehouse Direct for Routine Office Supplies.

For office use only:	*Agenda Item Number:* 5e

City of St. Charles, Illinois
Resolution No. _____

A Resolution Authorizing the Mayor and the City Clerk of the City of St. Charles to Approve the Award of the 2014-15 Office Supplies Bid to Warehouse Direct for Routine Office Supplies

Presented & Passed by the
City Council on , 2014

BE IT RESOLVED by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, that the Mayor and City Clerk be and the same are hereby authorized to approve the Award of the 2014-15 Office Supplies Bid to Warehouse Direct for routine office supplies in the amount of $60,000.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 21st day of April, 2014

PASSED by the City Council of the City of St. Charles, Illinois, this 21st day of April, 2014

APPROVED by the Mayor of the City of St. Charles, Illinois, this 21st day of April, 2014

_____
Raymond P. Rogina, Mayor

ATTEST:

_____
City Clerk

COUNCIL VOTE:
Ayes:
Nays:
Absent:
Abstain:

ST. CHARLES
SINCE 1834

AGENDA ITEM EXECUTIVE SUMMARY

Title:	Recommendation to Waive the Bid Procedure and approve A Resolution Authorizing the Mayor and the City Clerk of the City of St. Charles to Accept the Blanket Cable Quote from HD Supply for Okonite Cable for Fiscal Year 2014/15
Presenter:	Mike Shortall

Please check appropriate box:

X	Government Operations (4/21/14)		Government Services
	Planning & Development		City Council

Estimated Cost:	Unknown, as Needed	Budgeted:	YES	X	NO	

If NO, please explain how item will be funded:

Executive Summary:

HD Supply Utilities (Mattoon) supplies Okonite brand-specific cable. This is the result of negotiations with both HD Supply Utilities (distributor) and Okonite (manufacturer). All prices are based on metals' escalation invoiced at time of shipment. Our Electric Utility has standardized on Okonite EPR cable, as we not only have the tooling, splices, elbows, connectors and accessories to fit Okonite cable.

Attachments: *(please list)*

Resolution

Recommendation/Suggested Action *(briefly explain)*:

Recommendation to waive the bid procedure and approve a Resolution Authorizing the Mayor and the City Clerk of the City of St. Charles to Accept the Blanket Cable Quote from HD Supply for Okonite Cable for Fiscal Year 2014/15.

For office use only:	*Agenda Item Number:* 6f

City of St. Charles, Illinois
Resolution No. _____

A Resolution Authorizing the Mayor and the City Clerk of the City of St. Charles to Accept the Blanket Cable Quote from HD Supply for Okonite Cable for Fiscal Year 2014/15

Presented & Passed by the
City Council on , 2014

BE IT RESOLVED by the Mayor and City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, that the Mayor and City Clerk be and the same are hereby authorized to Waive the Bid Procedure and Accept the Blanket Cable Quote from HD Supply for Okonite Cable for Fiscal Year 2014/15.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 21st day of April, 2014

PASSED by the City Council of the City of St. Charles, Illinois, this 21st day of April, 2014

APPROVED by the Mayor of the City of St. Charles, Illinois, this 21st day of April, 2014

_____
Raymond P. Rogina, Mayor

ATTEST:

_____
City Clerk

COUNCIL VOTE:
Ayes:
Nays:
Absent:
Abstain: