

**MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL
HELD ON TUESDAY, JANUARY 20, 2015 – 7:00 P.M.
CITY COUNCIL CHAMBERS, IN THE CITY COUNCIL CHAMBERS
2 E. MAIN STREET ST. CHARLES, IL 60174**

1. Call To Order By Mayor Raymond Rogina At 7:01 P.M.

2. Roll Call.

Present: Stellato, Silkaitis, Payleitner, Lemke, Turner
Bancroft, Martin, Krieger, Bessner, Lewis
Absent: NONE

3. Invocation – Alderman Rita Payleitner

4. Pledge of Allegiance.

5. Presentations:

- Presentation of the 2014 Downtown St. Charles Partnership Electric Parade Winners by Lynne Schwartz:

Youth Showcase

1st Place: Cub Scout Pack #251
2nd Place: Cub Scout Pack #146
3rd Place: Youth Robotics & STEM Education Foundation

Non-Profit Showcase

1st Place: Kane County Car Club
2nd Place: Congregational Church of Christ
3rd Place: St. Charles Park District*

Business Showcase

1st Place: McDowell Remodeling*
2nd Place: Fox River Harley-Davidson
3rd Place: Arcada Theatre

Best of Show

St. Charles Fire Department

- Presentation by Ron Onesti regarding upcoming Mr. Onesti presented the following: Last year, 2014, was a banner year for the Arcada Theatre. We hit 100 shows! We are looking forward to this year. At this time last year, we had 24 shows booked. Today we have 67 shows booked for 2015. I want to thank the Fire Department for doing a great job to ensure the safety of our guests as well as staff. This year marks the 10-year anniversary here in St. Charles. Want to thank the City for all the support. We are looking forward to a great 2015.

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

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

MOTION CARRIED

7. **Motion by Stellato, seconded by Krieger to accept and place on file minutes of the regular City Council meeting held on January 5 2015.**

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

NAY: 0 ABSENT: 0

MOTION CARRIED

- *8. **Motion by Martin, seconded by Krieger to approve and authorize issuance of vouchers from the Expenditure Approval List for the periods of 12/22/2014 – 01/04/2015 in the amount of \$697,080.06.**

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

I. New Business

None.

II. Committee Reports

A. Government Operations

None.

B. Government Services

None.

C. Planning and Development

- *1. Motion by Martin, seconded by Krieger to approve a **Resolution 2015-4** and Amplification Equipment for the 2015 St. Patrick's Day Parade.

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *2. Motion by Martin, seconded by Krieger to approve The Adirondack Chair Promotion "Chair-ity Event".

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

3. Motion by Stellato, seconded by Silkaitis to approve an **Ordinance 2015-M-1**, as amended, establishing a Downtown Business Economic Incentive Program.

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

NAY: 0 ABSENT: 0

MOTION CARRIED

Motion by Turner, seconded by Lemke to approve the inclusion of business requesting a 2:00 AM liquor license will also be eligible for these awards.

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

NAY: Martin ABSENT: 0

MOTION CARRIED

Rita Tungare

- We presented this program to the planning and development committee on Jan 12. AT that time the committee recommended approval of the program and discussed some modifications. Regarding those modifications, I would like to highlight what has changed. The first thing we have expanded, the list of uses that would be eligible that would be eligible to receive an incentive. The list has been provided in your executive summary. We have included bars and taverns, personal services and those types of uses. We have also modified the program so that for any use requesting to obtain a 2:00 am liquor license would not be eligible for the incentive. The eligible properties map has been modified to exclude 216 Riverside Avenue, which is owned by Batavia Enterprises. This has been done per the request of Alder. Stellato. And we have also have excluded the Brownstone Subdivision residential units. The rest of the criteria remain unchanged from January 12.

Alder. Turner

- Why do we still have this restriction on bars with 2:00 am? Up to 1:00 am they are providing revenue. I don't see why they should be penalized when staying open an extra hour.

Rita Tungare

- We can make the change if that is the Council's desire.

Mayor Rogina

- To make that point, if you would like, you can make a motion to amend the document.

Alder. Turner

- (made the motion as amendment to document to include those licensees with a 2:00 am permit)

Alder. Stellato

I didn't know where this started from, I heard that there was a compromise, but would love more information.

Alder. Turner

- I made this motion because I don't think we should penalize someone for staying open an extra hour. During that time, they are providing revenue sales tax, etc. To exclude them seems unfair.

Alder. Lemke

- If they were only an evening operation. They can be open until 2:00 am but still serve lunch at that puts traffic in the downtown area.

Alder. Bessner

- The highlighted uses, is there anything left in a gray area, or are these cut and dry?

Rita Tungare

- These are cut and dry. What we have done we have taken the list of uses that are permitted as a guide. Uses that are not in the retail or services category (offices, banks) those are the ones that have been excluded.

Alder. Lewis

- I thought that last week was the presentation was to generate foot traffic for business that will be open. There are very few businesses open at 2:00 in the morning. I think you were trying to put it into context of hours when the most people will be downtown. I am not opposed to the 1:00, but I was wondering if you could explain the reasoning. I think it was based on foot traffic.

Rita Tungare

- Yes the premise of the program is to encourage investment and improvements within our aging downtown. To get business owners to make investments into permanent improvements. When we selected the list of uses, the premise was that we would focus on uses that generate pedestrian activity. Having said that, is it necessary to make a distinction between 1:00 AM and 2:00 AM? I don't think so. I think it is a matter of preference, it's up to the Council's desire.

Alder. Lewis

- This is for new business or all existing business?

Rita Tungare

- Both are included. The way the program is structured right now, it will apply to existing and new businesses. Serves a dual purpose, business attraction and retention.

Alder. Turner

- Bars come and go. My interpretation was to improve the building, not to attract a bar but we could attract a restaurant or retail space. To me this program was about getting this building up to code.

Rita Tungare

- That is correct. Business attraction and retention is a by-product in getting that investment downtown.

Alder. Payleitner

- Are there businesses downtown where the buildings are not up to code?

Rita Tungare

- That would be a fair statement.

Mayor Rogina

- Would this be related to ADA accessibility?

Rita Tungare

- That is correct. Once businesses have occupied a space and codes have been updated, those tenants are grandfathered in, so to speak.

Alder. Lewis

- We are not doing remodeling of the interiors, it's structure?

Rita Tungare

- Remodeling is also an eligible activity. On page 2 of the program, there's a list of eligible activities. If you are talking furniture, cabinetry and carpets, those are the types of improvements that are not eligible. The more permanent types of improvements are eligible. If the remodeling involves putting in a new bathroom, updating ADA accessibility, putting in new stairs or wall those would be eligible.

Alder. Lewis.

- Is there anything in place? I would like to see new businesses get a first shot at this program versus businesses that are here. Is there any way to target new businesses coming to town.

Rita Tungare

- If we added appropriate verbiage to the program, it could be structured accordingly. If that is the Council's pleasure, we can structure accordingly. That would be in a different amendment.

Alder. Bessner

- Regarding the differentiation between a 1:00 and 2:00 license, it's a privilege to have a liquor license. The bar or restaurant has to want that license and pay for the license in a fair manner. They should all be treated equally.

Mayor Rogina

- What do we want this program to be? An improvement to our downtown area and toe the buildings and upgrades to buildings, or is it to attract certain kinds of business. Under the first premise, a bar open to 2:00 is still a business downtown. I do support Alder. Turner's motion.

- *4. Motion by Martin, seconded by Krieger to approve an **Ordinance 2015-Z-1** Granting Approval of a Minor Change to PUD Preliminary Plan for (Remington Glen (Foxwood PUD)).

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *5. Motion by Martin, seconded by Krieger to approve a Plat of Easement Release for part of parcel 1 Pine Ridge Park by and between the City of St. Charles and Real Property Holding-St. Charles, IL LLC.

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *6. Motion by Martin, seconded by Krieger to accept and place on file Plan Commission Resolution No. 16-2014 A Resolution Recommending approval of an application for Final Plat of Subdivision for The Quad St Charles –Unit 2, 3800 E. main St. (Charlestowne Mall PUD)(SC 3800 Min LLC).

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *7. Motion by Martin, seconded by Krieger to approve an **Ordinance 2015-Z-2** granting approval of a Final Plat of Subdivision, Plats of Vacation and a Plat of Easement Grant for The Quad St. Charles –Unit 2 (Outlots and Realigned Ring Road)(Charlestowne Mall PUD).

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *8. Motion by Martin, seconded by Krieger to accept and place on file minutes of the January 12, 2015 Planning & Development Committee.

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

D. No Executive Session

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

- Mayor Rogina wished Alder. Turner and Alder. Lewis a Happy Birthday!

F. Adjournment

Motion By Bessner, seconded by Turner, to adjourn meeting

VOICE VOTE

UNANIMOUS

MOTION CARRIED

Meeting adjourned at 7:57 P.M.

Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Nancy Garrison, City Clerk