

**MINUTES
CITY OF ST. CHARLES, IL
GOVERNMENT OPERATIONS COMMITTEE
MONDAY, JUNE 1, 2015**

1. Opening of Meeting

The meeting was convened by Chairman Stellato at 7:30 p.m.

2. Roll Call

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

Absent:

3. Omnibus Vote

None.

4. Mayor's Office

Mayor Rogina: I would like to start off by saying that this long list of items have passed mustard, that is to say, all these come with approval from the Alcohol, Tobacco, Massage (ATM) Commission; so I want to make that a caveat up front.

a. Recommendation to approve a Class D7 (non-for-profit) liquor license for Steel Beam Theatre located at 111 W Main Street, St. Charles.

For this first item, Class D7 (non-for-profit) liquor license for Steel Beam Theatre, we approved in the last few months a specific ordinance for the Steel Beam Theatre to have a liquor license. I recommend approval of this particular license.

Motion by Ald. Lemke, second by Turner to recommend approval a Class D7 (non-for-profit) liquor license for Steel Beam Theatre located at 111 W Main Street, St. Charles.

Voice Vote: Ayes: Unanimous, Nays: None. Chrmn. Stellato did not vote as chair. **Motion carried.**

Mayor Rogina: I will now group items b, c, d together as these three items are all with respect to the BYOB license that we also created in the past.

b. Recommendation to approve a Class F-1 BYOB liquor license for E&S Fish Company located at 311 North 2nd Street, Ste. 103, St. Charles.

I recommend approval of a Class F-1 BYOB liquor license for E&S Fish Company.

Ald. Krieger: Is there any limit to the number of bottles one can bring in and is the staff subject to any kind of training?

Chief Keegan: On the F-1 license which is a restaurant type facility, you are allowed to bring in one 6-pack beer or one bottle of wine. The F-2 which is more of a social setting, the same thing holds true with the 6-pack of beverage, one bottle of wine, and one bottle of spirits.

Ald. Lewis: It's one or the other – right?

Chief Keegan: Yes.

Motion by Ald. Turner, second by Bancroft to recommend approval of a Class F-1 BYOB liquor license for E&S Fish Company located at 311 North 2nd Street, Ste. 103, St. Charles.

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

c. Recommendation to approve a Class F-1 BYOB liquor license for Liu Brothers Bistro located at 1554 E Main Street, St. Charles.

Recommendation to approve a Class F-1 BYOB liquor license for Liu Brothers Bistro. I would like to make a comment and give a commendation to the Police Department in working with these licensees in getting them to understand what it needed, and secondly the licensee, himself, taking the bull by the horns in seeing problems. He had a customer walk in his business with a bottle of vodka and cranberry juice. He asked what that was about and the patron stated he was going to make some drinks. The owner stated that he could not do that. It's beer and wine only and you'll have to take that out. He also asked if any other kind of alcohol could be brought in, such as Mike's Hard Lemonade, as that is not beer and wine. I told him that is correct and he was fine with that. In all three cases of these three BYOB owners, we have good licensees who are committed to the letter of the law and working properly in making sure this is done correctly.

Motion by Ald. Bessner, second by Turner to recommend approval of a Class F-1 BYOB liquor license for Liu Brothers Bistro located at 1554 E Main Street, St. Charles.

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

d. Recommendation to approve a Class F-2 BYOB liquor license and tobacco license for LaVita Cigar Inc. located at 2015 Dean Street, Unit 4, St. Charles.

Recommendation to approve a Class F-2 BYOB liquor license and tobacco license for LaVita Cigar Inc.

Motion by Ald. Bancroft, second by Bessner to recommend approval of a Class F-2 BYOB liquor license and tobacco license for LaVita Cigar Inc. located at 2015 Dean Street, Unit 4,

St. Charles

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

- e. **Recommendation to approve a Class B liquor license for The Finery & Blacksmith Bar to be located at 305 W Main Street, St. Charles (former The Copper Fox).**

Mayor Rogina: This is a recommendation for a Class B liquor license with a midnight closing for The Finery & Blacksmith Bar. When you drive by you can see a lot of work is going on in this spot. The licensees provided you with an extensive background on what they plan on doing over there. I can say “hooray” that we are getting both sides of that building, bottom level, filled – one a restaurant and the other a candy store.

Motion by Ald. Turner, second by Silkaitis to recommend approval of a Class B liquor license for The Finery & Blacksmith Bar to be located at 305 W Main Street, St. Charles (former The Copper Fox).

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

- f. **Recommendation to approve a Class B liquor license for Tiscareno Enterprises, Inc. d/b/a Gina’s Subs & Pizza located at 2770 E Main Street (new owner).**

Mayor Rogina: This is a long established business – Gina’s Subs & Pizza. This is simply a change of ownership and a new license is recommended to approve a Class B liquor license for Gina’s Subs & Pizza.

Motion by Ald. Payletiner, second by Bessner to recommend approval of a Class B liquor license for Tiscareno Enterprises, Inc. d/b/a Gina’s Subs & Pizza located at 2770 E Main Street (new owner).

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

Mayor Rogina: I would like to make a few points with the next group of items g through n. All of these establishments are already in St. Charles. The Police Department, working with the ATM Commission, worked to establish licenses for massage establishments. We have eight here because none of these met the exemption list that you would see in a chiropractic office or place like Cadence in Geneva, as an example. They have to go through the motions of getting a license approved. Due diligence was provided by the Police Department in all cases here and Chief Keegan and Deputy Chief Huffman are here to answer any questions you may have. I think we’ve moved ahead of the curve at this point because now that you have a license in place, they must purchase a license that has standards and we are now in a position to say if you move

away from that standard, you're subject to the penalties associated in the ordinance with the offense that requires due process and appearance before the ATM Commission. We've talked about this a lot and this is the final stage and we are now approving these licenses. I would like to commend Chief Huffman on this process.

Chrmn. Stellato: Maureen any questions? You and Ald. Payleitner are on the ATM Commission and have seen this before.

Ald. Gaugel: I know that there has been a couple of black eyes and I commend the police chief and his staff, as well as Council for passing this ordinance. I think we should look at beefing it up down the road. There should be zero tolerance policy for any offenses, any violations of that ordinance, and while I understand that everyone who has applied for these licenses have done it given the current situation and current ordinance that's on the books. I think the Council should look at taking it to the next step and pushing to make these violations even more difficult for anyone to operate who is not going to run an above board business down the road.

Mayor Rogina: I think Ald. Gaugel's point is well taken and certainly the committee or council down the line certainly is in a position to debate and discuss the current penalties as to whether or not they should be beefed up at all. I do want to comment to the couple of black eyes you said existed here in town; those three businesses are no longer doing business at this time. One is under investigation. What's important is that we have a process in place to deal with this. They've done yeoman's work to put this process in place and it would be your pleasure as a Council whether you would like, in moving forward here, to take a second look at the penalties and to make them stronger. That's your prerogative to do so.

Ald. Payleitner: Prior to this initiative of the ATM Commission, it was real hard for us to close down those businesses. The state was in charge of the people who worked there, but we had no power over the businesses themselves. This opens the door to this that we have a little more tools in our toolbox to put the hammer down.

Mayor Rogina: Penalties improve fines but will improve suspension of the license. As Commissioner here, my only problem in making it severe is if there are severe effects.

Ald. Silkaitis: I just want to make sure we are on top of this, as I'm sure you will, because just recently last week there was one in some other town, and I don't want to go through this in St. Charles again.

Mayor Rogina: I agree and what you are doing here tonight is making the work for the police a lot easier and making the process a lot more efficient to take care of it.

g. Recommendation to approve a Massage Establishment license for Shangri-La located at 2015 Dean Street, Ste. 7A, St. Charles.

Mayor Rogina: Recommendation to approve a Massage Establishment license for Shangri-La located at 2015 Dean Street, Ste. 7A, St. Charles.

Motion to by Bessner, second by Turner to recommend approval of a Massage Establishment license for Shangri-La located at 2015 Dean Street, Ste. 7A, St. Charles.

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

h. Recommendation to approve a Massage Establishment license for X-Sport Fitness located at 238 N Randall Road, St. Charles.

Mayor Rogina: Recommendation to approve a Massage Establishment license for Xsport Fitness located at 238 N Randall Road, St. Charles.

Motion to by Bancroft, second by Silkaitis to recommend approval of a Massage Establishment license for Xsport Fitness located at 238 N Randall Road, St. Charles.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion carried.**

i. Recommendation to approve a Massage Establishment license for Hong Da Spa located at 1550 E Main Street, St. Charles.

Mayor Rogina: Recommendation to approve a Massage Establishment license for Hong Da Spa located at 1550 E Main Street, St. Charles.

Motion to by Turner, second by Bancroft to recommend approval of a Massage Establishment license for Hong Da Spa located at 1550 E Main Street, St. Charles.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion carried.**

j. Recommendation to approve a Massage Establishment license for Massage World located at 2460 W Main Street, St. Charles.

Mayor Rogina: Recommendation to approve a Massage Establishment license for Massage World located at 2460 W Main Street, St. Charles.

Motion to by Bessner, second by Lewis to recommend approval of a Massage Establishment license for Massage World located at 2460 W Main Street, St. Charles.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion carried.**

k. Recommendation to approve a Massage Establishment license for U-Spa located at 615 Randall Road, Ste. 100, St. Charles.

Mayor Rogina: Recommendation to approve a Massage Establishment license for U-Spa located at 615 Randall Road, Ste. 100, St. Charles.

Motion to by Turner, second by Lemke to recommend approval of a Massage Establishment license for U-Spa located at 615 Randall Road, Ste. 100, St. Charles.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion carried.**

l. Recommendation to approve a Massage Establishment license for Best Massage located 2774 E Main Street, St. Charles.

Mayor Rogina: Recommendation to approve a Massage Establishment license for Best Massage located 2774 E Main Street, St. Charles.

Motion to by Turner, second by Bancroft to recommend approval of a Massage Establishment license for Best Massage located 2774 E Main Street, St. Charles.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion carried.**

m. Recommendation to approve a Massage Establishment license for Oriental Massage, Inc. located at 2075 Prairie Street, St. Charles.

Mayor Rogina: Recommendation to approve a Massage Establishment license for Oriental Massage, Inc. located at 2075 Prairie Street, St. Charles.

Motion to by Gaugel, second by Lewis to recommend approval of a Massage Establishment license for Oriental Massage, Inc. located at 2075 Prairie Street, St. Charles.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion carried.**

n. Recommendation to approve a Massage Establishment license for Lotus Spa, 1700 Lincoln Highway, St. Charles.

Mayor Rogina: Recommendation to approve a Massage Establishment license for for Lotus Spa, 1700 Lincoln Highway, St. Charles.

Motion to by Turner second by Silkaitis to recommend approval of a Massage Establishment license for for Lotus Spa, 1700 Lincoln Highway, St. Charles.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion carried.**

o. Recommendation to approve a Massage Establishment license for Spa Vargas Wellness located at 4051 E Main Street, St. Charles.

Mayor Rogina: Recommendation to approve a Massage Establishment license for Spa Vargas Wellness located at 4051 E Main Street, St. Charles.

Motion to by Silkaitis second by Lewis to recommend approval of a Massage Establishment license for Spa Vargas Wellness located at 4051 E Main Street, St. Charles.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion carried.**

5. Finance Department

- a. Recommendation to approve an Ordinance Ascertainning Prevailing Wages in the City of St. Charles for Kane and DuPage Counties.

Julie Herr: This is just a housekeeping effort that we have to do annually to approve an ordinance for the prevailing wages for the City which is done every June and has to be submitted into the state by mid-July.

Ald. Payleitner: Is this one of those unfunded mandates that will be going by the wayside maybe someday?

Julie: I don't believe so.

Ald. Turner: If the Governor gets his way in taking these prevailing wages off, do we have a chance to either approve or disapprove of his measures in the future?

Julie: We can certainly do something within the City rather than having to follow what the state has currently; but we haven't looked at that yet. We are basically following the state laws as far as prevailing wages.

Ald. Gaugel: I am very familiar with the prevailing wages from my job at Fermi Lab. This is a moving scale. The Department of Labor is constantly updating what the prevailing wage is for each one of these classifications since the State of Illinois has a law in the books that we must pay the prevailing wage, we pay per that wage that's set by the Illinois Department of Labor. So even if the Governor does something to counteract that, the Department of Labor is still going to issue what that prevailing wage and the state law still mandates us to pay that.

Motion by Ald. Turner, second by Bessner to recommend approval of an Ordinance Ascertainning Prevailing Wages in the City of St. Charles for Kane and DuPage Counties.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion carried.**

6. Information Systems Department

- a. Recommendation to approve an agreement terminating the Intergovernmental Agreement for Internet Services Known as the Community Internet Intergovernmental Cooperative (CIC).

Carolyn Shannon, Web Administrator for the City of St. Charles: In 2000 the City of St. Charles entered into an Intergovernmental Agreement with the school district, library, and park district for the purpose of being best steward of public resources possible. We pulled our resources together and formed an agreement to put together the Community Website. The Community Website has had a great run, it was a good use of our public resources, but since then technology has changed quite a bit. Search engines and technology has advanced dramatically since then. The CIC has determined that the website is no longer needed. It is the recommendation of the CIC to disband the agreement and retire the website.

Ald. Lewis: Will there be any place a person can go and find out what's happening in one click of all these organizations or will you have to go to each one individually?

Carolyn: There are a number of places people can go to get information about local events. We have a number of different organizations and search engine technology is so good now, that's it's really no longer necessary to have a single portal. There are still portals like CVB that have extensive event information on it, as well as a number of local news magazines, but because of the advance technology of the search engine, it's less necessary to have a single portal.

Motion by Ald. Lemke, second by Turner to recommend approval of an agreement terminating the Intergovernmental Agreement for Internet Services Known as the Community Internet Intergovernmental Cooperative (CIC).

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion carried.**

7. Fire Department

- a. Recommendation to Council authorization for the Mayor to sign Memorandum of Understanding for the Tri City Ambulance Service.

Fire Chief Schelstreet: At the May 15 meeting of the Tri City Ambulance board, a resolution was passed urging all the member agencies to pass the Memorandum of Understanding that enable each of the agencies to designate an alternate member to the board. The Intergovernmental Agreement that forms Tri City Ambulance requires the cities of St. Charles, Geneva, and Batavia to have two members to the board. It also has a quorum provision that requires at least one member of each of the cities to be present in order to conduct business. Because of scheduling difficulties we've had problems in the past of obtaining that quorum. The board decided that they were in favor of allowing alternate members to be designated by each of the member agencies and legal counsel for Tri City Ambulance Board designated the Memorandum of Understanding to be the best way to get that done. I request a recommendation from the Council to Authorize the Mayor to sign this Memorandum of Understanding.

Motion by Ald. Krieger, second by Gaugel to recommend Council authorization for the Mayor to sign Memorandum of Understanding for the Tri City Ambulance Service.

Ald. Turner recused himself as a member of the Tri City Ambulance Board.

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

8. Human Resources Department

- a. Recommendation to approve a Resolution Authorizing the Acting Director of Human Resources to Execute a Letter of Agreement between the City of St. Charles and Laurus Strategies.

Denice Brogan, Acting Director of Human Resources: There was an RFP that was solicited for benefits consultants for the City which this project began last fall. We had six consulting organizations that we interviewed and made a selection from. There was an interview team that consisted of myself, Kathy Lamkin – City’s Benefit Coordinator, Lynn Creedon, Finance Director Chris Minick, and Assistant Director Julie Herr. The team had specific evaluation criteria that we looked at in selecting an agency and we felt that Laurus Strategies, who is now been purchased by Hubb Group, would continue to best serve the City in that capacity. I am here to request positive recommendation from the committee to forward the contract to City Council on June 15.

Ald. Krieger: How long is the contract for?

Denice: It’s a 3-year contract with a 90-day notice provision so that at any point in time either Laurus Strategies or the City decides to terminate the agreement, we have to give 90 days notice.

Motion by Ald. Turner, second by Lemke to recommend approval of a Resolution Authorizing the Acting Director of Human Resources to Execute a Letter of Agreement between the City of St. Charles and Laurus Strategies.

Voice Vote: Ayes: Unanimous; Nays: None. Chrmn. Stellato did not vote as Chair. **Motion carried.**

6. Executive Session

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

Motion by Ald. Silkaitis, second by Gaugel to enter into Executive Session at 7:55 p.m. to discuss Personnel, Land Acquisition, and Collective Bargaining.

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

Motion by Ald. Lemke, second by Bancroft to come out of Executive Session at 8:43 p.m.

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

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

None.

8. Adjournment

Motion by Ald. Bancroft, second by Bessner to adjourn meeting at 8:45 p.m.

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

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