

MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL
HELD ON MONDAY, AUGUST 17, 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, Krieger, Gaugel, Bessner, Lewis
Absent: None
3. Invocation -- Alderman Rita Payleitner
4. Pledge of Allegiance.
5. Presentations:
 - Presentation and swearing in of Firefighter/Paramedic Joseph Rehak to the St. Charles Fire Department.
 - Proclamation Celebrating the 25th Anniversary of the Passage of the Americans with Disabilities Act.
6. Motion by Krieger, seconded by Gaugel to approve the Omnibus Vote.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED
7. Motion by Krieger, seconded by Gaugel to accept and place on file minutes of the regular City Council meeting held on August 3, 2015.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
8. Motion by Krieger, seconded by Gaugel to accept and place on file minutes of the St. Charles Park District & City of St. Charles Board Meeting held on July 23, 2015.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)
- *9. Motion by Krieger, seconded by Gaugel to approve and authorize issuance of vouchers from the Expenditure Approval List for the period 07/20/2015 – 08/02/2015 of in the amount of \$1,024,547.34.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,
Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

I. New Business

- A. Motion by Payleitner, seconded by Turner to approve a recommendation from Mayor Rogina to Appoint John Hrivnak to the Zoning Board of Appeals.
VOICE VOTE UNANIMOUS MOTION CARRIED
- B. Motion by Krieger, seconded by Turner to Approve the Service Agreement and Funding for the History Museum in the amount of \$31,500 for FY 2015-2016.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Gaugel, Bessner, Lewis
NAY: Krieger ABSENT: 0
MOTION CARRIED

Chris Minnick, Finance Director

On May 18, 2015, representatives of the History Museum presented to you their annual presentation. This outlined their operations and major initiatives they anticipate undertaking during FY 2015-2016. And generally satisfying the requirement that any agency receiving greater than \$25,000 in annual funding come and make a presentation. Shortly after this presentation, we entered into the discussions about funding outside organizations and ultimately the City Council did enact a 10% reduction for organizations outside of the City itself. This was implemented in June. The service agreement of the History Center was put on hold during that period. It was never brought forward for formal approval. We are taking care of that tonight. The amount requested of \$31,500 does represent a 10% funding reduction earlier this year.

- C. Motion by Bessner, seconded by Turner to approve a Class E-2 Liquor License for Alley 64 for Veterans Wishes/Jack Axe Event at Kane County Fairgrounds.
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Bancroft, Krieger, Gaugel, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED

Mayor Rogina

To set the stage, Eric came before the Liquor Commission a few hours ago. I started the conversation by saying the process go off to a slow start because it is a little late. However I made the point to him, a) this is a veterans' wishes wounded warrior charity event at the fairgrounds. It involves one of our local businesses, secondly. We had a lot of questions. With conversations with Eric, myself, Chief Keegan, we think he has a presentation that will be more succinct and to the point. Time is off the essence, the dates are August 29 and 30th. We need to make this a fast track item.

Eric Klein, 1122 Morton Street, Batavia

The experience earlier in front of the commission was helpful. This is our first time with this type of event and working with St. Charles. We wanted to address the comments that were made. This new sheet clarifies and we re worked some things to make it so it fits and conforms to the best interest of the public. We wanted to be clear about what the event is and what it does as well as the timing of everything.

The Jack Axe games is a sporting event with a small obstacle course. We throw axes. We do have insurance and we are putting the safety measures. We are petitioning to get a license to serve beer. We are working with Alley 64 to do that. In regards to the timing, the competition will start on Saturday, for individuals, at 8:00. We will be done with that competition at 12:00. We will then open the beer tent when the last competitor is off the course. In our previous proposal we had two locations, one that was outside the fence. We will be bringing that into the grandstand. Now we will have one location with beer and food. We were going to open up the festival for the audience to try things. We are eliminating that all together. The beer tent will open at 12:00 pm and close at 11:00 pm on Saturday. It's one location with all the food in the same place. Working with Alley 64, we are going through their standard protocol for carding everyone, and making sure everyone is banded-21 and older. We will have the Police that are there for security from the City. As well there will be security from Alley 64. The proper beer will be getting the beer from a roped off access area.

We wanted to make sure you know we understand the importance of handling this in an appropriate way. On Sunday, it's an abbreviated day. There are teams of 5. The event will start at 9:00 and everyone will be off the course at 12:00. And then we will open the beer tent until 5:00.

Mayor Rogina

Can you explain the concert that is part of the event, the nonprofit portion.

Mr. Klein

It's actually Operation Warrior Wishes. It is a local charity and one thing that is important for them is that 100% of the ticket sales goes for the vets. They are a charitable organization that they don't take anything for themselves. Exel automotive is involved. The Nissan dealership is playing a big role. So this is a big emphasis, it's going to be a large concert. There are 7-8 different acts that will be performing that night. It's for the benefit for the veterans that night.

Mayor Rogina

Alder. Payleitner and Alder. Lewis do you agree that this is much smoother?

Alder. Payleitner

Yes, thank you.

Mayor Rogina

ESPN has covered some Jack Axe competitions in the past. Chief Keegan is here and available for questions. I see a parallel here to other events at the Kane County fairgrounds. I think it was a wise move on your part to say no armatures throwing axes.

Alder. Lemke

If it's a success and you want to do it next year, start earlier.

Mayor Rogina

That is a good point.

Alder. Lewis

Nice job addressing concerns. I am still having difficulty of how the ordinance is written.

Mayor Rogina

This is in the Council's hands.

II. Committee Reports

A. Government Operations

- *1. Motion by Krieger, seconded by Gaugel to accept and place on file minutes of the Government Operations Committee meeting held on August 3, 2015.

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

2. Motion by Stellato, seconded by Turner to approve an Ordinance 2015-M-41 Amending Title 5 "Business Licenses and Regulations", Chapter 5.08 "Alcoholic Beverages," Section 5.08.090 "License Classifications/Class B Restaurant Licenses", Section 5.08.260 "Regulations Applicable to Certain Licenses Only" of the St. Charles Municipal Code.

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

NAY: Krieger ABSENT: 0

MOTION CARRIED

B. Government Services

None.

C. Planning and Development

- *1. Motion by Krieger, seconded by Gaugel to approve continuing to withhold funding for one Fire Inspector (Fire Lieutenant) position within the Fire Department.

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *2. Motion by Krieger, seconded by Gaugel to accept and place on file Historic Preservation Commission Resolution 9-2015 A Resolution Recommending Approval for Landmark Designation (502 S. 4th Avenue – Long House).

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *3. Motion by Krieger, seconded by Gaugel to approve an Ordinance 2015-Z-14 designating certain property as a Historic Landmark (502 S. 4th Ave., Long House).

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *4. Motion by Krieger, seconded by Gaugel to accept and place on file Plan Commission Resolution 10-2015 A Resolution Recommending Approval of an Application for Special Use for a Transportation Operations Facility, 300 N. Randall Road, Illinois Central School Bus Facility (North Randall Road Partners, LLC).

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

- *5. Motion by Krieger, seconded by Gaugel to approve an Ordinance 2015-Z-15 granting a Special Use for a Transportation Operations Facility (300 N. Randall Road).

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

- *6. Motion by Krieger, seconded by Gaugel to accept and place on file Plan Commission Resolution 11-2015 A Resolution Recommending Approval of an Application for Special Use to amend Ordinance 1982-Z-6 (St. Charles Commercial Center PUD) and establish a new Planned Unit Development, PUD Preliminary Plan and Preliminary/Final Plat of Subdivision for CVS Pharmacy, 1500 Lincoln Hwy. (TMC Illinois 2, LLC).

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

- *7. Motion by Krieger, seconded by Gaugel to approve an Ordinance 2015-Z-16 amending Ordinance 1982-Z-6 (St. Charles Commercial Center PUD) and granting approval of a new Planned Unit Development, PUD Preliminary Plan and Preliminary/Final Plat of Subdivision for CVS Pharmacy, 1500 Lincoln Hwy. (TMC Illinois 2, LLC)

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

- *8. Motion by Krieger, seconded by Gaugel to accept and place on file Plan Commission Resolution 8-2015 A Resolution Recommending Approval of an Application for a Special Use for a Pet Care Facility, 2312 W. Main Street, Loyal Companions Animal Hospital (Loyal Companions, P.C.).

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

- *9. Motion by Krieger, seconded by Gaugel to approve an Ordinance 2015-Z-17 granting approval of a Special Use for Pet Care Facility (2312 W. Main Street – Loyal Companions Animal Hospital).

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

- *10. Motion by Krieger, seconded by Gaugel to accept and place on file Plan Commission Resolution 12-2015 A Resolution Recommending Approval of a Drive-Through Facility Stacking Space Reduction Request for 3875 E. Main Street (Potbelly Sandwich Works, East Gate Commons PUD)

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *11. Motion by Krieger, seconded by Gaugel to approve an Ordinance 2015-Z-18 granting approval of a Minor Change to PUD Preliminary Plan and Drive-Through Facility Stacking Space Reduction for 3875 E. Main Street (East Gate Commons PUD).

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *12. Motion by Krieger, seconded by Gaugel to approve an Ordinance 2015-Z-19 Amending Title 5 of the St. Charles Municipal Code Entitled "Business Licenses and Regulations" Chapter 5.14 Entitled "Amusement Game Devices" (Amusement Game Device License Fees).

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *13. Motion by Krieger, seconded by Gaugel to accept and place on file Plan Commission Resolution 9-2015 A Resolution Recommending Approval of a General Amendment to Chapter 17.16 "Office/Research, Manufacturing and Public Lands District", Section 17.16.030 "Bulk Regulations" (Landscape buffer yards in M-2 Limited Manufacturing District).

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *14. Motion by Krieger, seconded by Gaugel to approve an Ordinance 2015-Z-20 Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning", Chapter 17.16 "Office/Research, Manufacturing and Public Lands District", Section 17.16.030 "Bulk Regulations" (Landscape Buffer Yards in M-2 Limited Manufacturing District)

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- *15. Motion by Krieger, seconded by Gaugel to accept and place on file minutes of the August 10, 2015 Planning & Development Committee.

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

- First of all, I would like to recognize the work of Assistance Deputy Police Chief Huffman. He will be leaving St. Charles for Antioch.
- I am looking forward to the Council going back into committee role to discuss the video gaming.
- First of all, I think you will hear from Staff a holistic approach to the subject of video gaming. I have had dialog with the City Administrator Koenen. I think they will present a fair and balanced view on gaming.
- At the last government ops meeting a question was raised about the social costs of gaming. Whether they can be quantified is debatable.
- It's addictive like other access in life. So what I would like to remind the committee to listen to the percentages.
- I don't think we are that naïve in this community. Gaming is all around us. With this device (phone). It's all unregulated.
- It was brought up that the City of St. Charles could bring in \$100,000 to \$600,000. It's possible. This has caught my attention as mayor.
- I challenge you to do the calculations. In order for the City to earn \$100,000 in revenue, \$2 million a year has to be lost. Break it down on a per capita basis. The numbers I get on individual losses are less then a dinner for two at one of our restaurants. The question is if you consider it a loss or entertainment expenditure.
- The potential funding cuts from Springfield. \$1.6 million from the LGDEF distribution to the City. We did not receive our \$60,000 motor fuel tax payment last month. Two quarter million dollar grants are left on the Governor's desk. We may not see that half of million dollars.
- There has been talk about some individuals accepting a property tax increase in lieu of video gaming. The state make take care of that at some point by freezing property taxes.
- Alder. Gaugel you made the point that you were concerned about the state overseeing video gaming and changing the rules in the middle of it. I agree with you 100%. I am not sure I have much faith and trust in them myself. Any revenue that we would receive from video gaming, if its approved, should be for special projects not to be part of the regular budget. For example, 7th Avenue Creek, Georges (next door to the Arcada), the active river project, what are we doing with the UP railroad. All are projects to be considered.
- I would like to request of Alder. Stellato, that unless the committee needs further discussion after labor day, I would like a motion to be made tonight to direct Staff to create an ordinance. And then we can vote up or down the day after labor day. Then we can move forward as a group. Staff has done a tremendous job putting information together. Let's move forward.

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F. Adjournment

Motion By Turner, seconded by Bessner, to adjourn meeting

VOICE VOTE

UNANIMOUS

MOTION CARRIED

Meeting adjourned at 7:34 P.M.

Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Nancy Garrison, City Clerk