

**MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL  
HELD ON MONDAY, SEPTEMBER 21, 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 of swearing in of Officers Luis Vargas Alvarado, Jennifer Bresnahan and Dagoberto (Jose) Jacobo to the St. Charles Police Department.
  - Proclamation declaring September 20 – 26, 2015 as Kiwanis Peanut Week in the City of St. Charles.
6. Motion by Krieger, seconded by Stellato 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 Stellato to accept and place on file minutes of the Public Hearing of the St. Charles City Council held on September 8, 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 Stellato to accept and place on file minutes of the regular City Council meeting held on September 8, 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 Stellato to approve and authorize issuance of vouchers from the Expenditure Approval List for the period 08/31/2015 – 09/13/2015 of in the amount of \$1,978,382.91.  
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 Stellato, seconded by Bessner to approve a recommendation by Chief Joe Schelstreet to appoint Mr. Daniel Hartel to the City of St. Charles Building Board of Review.

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

NAY: 0 ABSENT: 0

MOTION CARRIED

- B. Motion by Bancroft, seconded by Turner to approve a 1:00 a.m. Late Night Permit for Macarena Tapas St. Charles Located at 1890 W Main Street, St. Charles.

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

NAY: Krieger ABSENT: 0

MOTION CARRIED

**Police Chief Keegan** presented the following:

About an hour ago, we found out that the business is changing names. They currently have a midnight license which is B license, which is a restaurant license. They are asking for the Council approval for a 1:00 am license. There has been no incidence or derogatory information derived background. It is a well-run establishment. I would recommend approval.

**Alder Turner**

So it is changing hands, will it also be changing character?

**Chief Keegan**

The owners are status quo, they are just changing names.

**Alder. Lemke**

What is the old and new name?

**Mayor Rogina**

It was Macarena Tapas, we are waiting on new name.

## II. Committee Reports

### A. Government Operations

- \*1. Motion by Krieger, seconded by Stellato to approve a **Resolution 2015-97** Accepting a Gift of the "If I Could But Fly" Sculpture from the River Corridor Foundation.

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 Stellato to approve a **Resolution 2015-98** Accepting a Gift of the "Reflections" Sculpture from the River Corridor Foundation, St. Charles Arts Council in cooperation with the Downtown St. Charles Partnership.

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 Stellato to approve an **Ordinance 2015-M-43** Authorizing the Sale of Items of Personal Property Owned by the City of St. Charles (Miscellaneous).  
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 Stellato, seconded by Turner to approve an **Ordinance 2015-M-44** Authorizing the Mayor and City Clerk of the City of St. Charles to Approve the Award of a 2016 Ford F250 Pickup Truck/7.5" Boss Superduty Snow Plow to Zimmerman Ford, and Awarding Sauber Mfg. Company to Remount and Recondition old Cap to New Truck, Approve Selling Replaced 2003 F-350 SD Vehicle #1960.  
ROLL CALL VOTE: AYE: Stellato, Payleitner, Lemke, Turner, Bancroft, Krieger, Gaugel, Bessner, Lewis  
NAY: 0 ABSENT: 0  
ABSTAIN: Silkaitis  
MOTION CARRIED
- \*5. Motion by Krieger, seconded by Stellato to approve an **Ordinance 2015-M-45** Authorizing the Mayor and City Clerk of the City of St. Charles to Approve the Award of a 2016 Ford F-350 Pick-Up Truck, With Knapheide Service Body Modifications and 8' Boss Superduty Snowplow, to Currie Motors Frankfort, Inc., and Sell Replaced 2003 Ford F-350 SD Vehicle #1940.  
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 Stellato to approve a massage establishment license for Still Waters Spa, LLC to be located at 2075 Prairie Street, St. Charles.  
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 Stellato to approve an **Ordinance 2015-M-46** Amending Title 5 "Business Licenses and Regulations", Section 5.08.250 "Regulations Applicable Generally" of the St. Charles Municipal Code.  
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 Payleitner, seconded by Krieger to deny the video gaming ordinance that was prepared and advanced on to City Council with a caveat that if reversed at Council, it returns to this committee for further review and revision.  
ROLL CALL VOTE: AYE: Silkaitis, Payleitner, Krieger, Gaugel, Lewis  
NAY: Turner, Bancroft, Bessner, Stellato, Lemke, Rogina  
ABSENT: 0  
MOTION DENIED

**Alder. Turner**

A point of order, are we voting on the motion itself, or are we voting on the motion to deny?

**Mayor Rogina**

You are voting on the motion to deny the ordinance that was presented to government operations two weeks ago.

**Alder. Turner**

So we do not deny this motion, does the ordinance take effect?

**Mayor**

No.

**Attorney McGuirk**

You are simply not approving the ordinance.

**Alder. Turner**

Thank you.

**Alder. Stellato**

So, saying no, means we are voting against denying video gaming.

**Mayor Rogina**

On this motion that Alderman Payleitner presented to deny, a vote of yes is a vote to deny the ordinance. A vote of no, is a vote to not approve the denial.

**Alder. Lewis**

Would you clarify, Alder. Turner's question?

**Mayor Rogina**

Alder. Turner asked if this motion fails, does the ordinance go into place. The answer is no.

**Alder. Lewis**

If this motion passes?

**Mayor Rogina**

The proposed video gaming ordinance has been denied by the City Council.

**Alder. Lewis**

What would happen next then?

**Mayor Rogina**

That is up to the City Council.

**Alder. Payleitner**

Another motion would be in order.

**Mayor Rogina**

Absolutely

**Alder. Turner**

We would then have to make another motion to deny the ordinance or approve the ordinance?

**Mayor Rogina**

No. Alder. Lewis' question is what happens if Alder. Payleitner's motion passes? If it passes, the ordinance is rejected.

**Alder. Turner**

Basically it is over.

**Mayor Rogina**

Yes. Then she asked a second question. What if the motion to deny fails, and I responded it is up to the City Council.

**Alder. Turner**

Ok

**Attorney McGuirk**

If you vote in favor of this motion, it's a motion to deny the ordinance. That would be a vote of yes.

**Mayor Rogina**

I want to make sure everyone understands what the motion is, it has been seconded properly.

**Ald. Bessner:**

I want to talk about gaming in general – my thoughts on it. I had the opportunity just prior to our last meeting that was on September 8. That week prior I had the opportunity to be in three different locations in the state. I went to a Cardinals game against the Cubs, another opportunity was down to Normal, and lastly I was at a solemn occasion out in the near southwest suburbs of Chicago. The one thing that stood out in all those locations that I went to, more so in the southwest suburbs of Chicago, it was 5:00 – 6:00 p.m., stuck in traffic, and I had the opportunity within a mile or two as I was heading in towards the Eisenhower, to see about 5-6 video gaming places. It surprised me that I happened to be at that location at that time. What I did notice is that I never saw a gaming machine once during that travel, but what I did see was a lot of signs, signage, light boards, a lot of things that said video gaming, video slots, etc.

I go back down to Normal and stopped at a grocery store, big large grocery store, big large parking lot – it wasn't a strip mall and as soon as I drive in I see these two large bendable flags that blow in the wind, ironically enough they actually had an Illinois Gaming Association logo on them. It didn't look like a lottery symbol but had the same style to that. Sure enough there was a café next to the grocery store. Never went in it, never saw a machine, but the sign stood out.

I then went down to St. Louis and we stopped for gas which happened to be a truck stop and saw a sign stating video gaming here. I went inside and they had a room which was locked at the time, had a screen which you couldn't see in, got my gas and left. I bring this all up because what's resonating with me isn't so much the gaming, because I haven't seen one machine, but it's the signage. I know we have a sign ordinance in place, but I'm not sure if it has clause enough to prevent some of this exterior signage. Put that aside for a second.

Then a couple of weeks before the last meeting that we had and even prior up to now, there's been a question I've and have spoken with Mark Koenen, City Administrator, briefly spoke with our City Attorney, spoke with some individual aldermen, and even spoke with a few residents/friends' neighbors and there's this difference of opinion on what actually happens the day after if this ordinance is approved, this sunset clause would expire. My concern was that if we enact an ordinance according to what it is of five years; if it expires on April 30 was the suggested date of 2020, what happens on May 1. That was my question and it seemed that I was getting a few differences of opinions. I also have a few other questions that I will throw in there after this, but last week I sent Mark Koenen a list of these three questions.

The first question was, and I'll read as verbatim as possible was regarding the Sunset clause. My question to Mark was:

- 1) Regarding the "Sunset Clause", if this clause expires on April 30, 2020, then what happens on May 1, 2020? My question/concern here is if we have 100 machines in

operation when the sunset clause expires on April 30, 2020, are these machines still in operation on May 1, 2020 if this clause expired or are they grandfathered in with the understanding that no additional machines/licenses can be permitted? This question resonates with me and I have never received or understood the real answer. In short, are we stuck after the sunset clause expires with any machines that were active prior to the sunset clause expiring? Mark's answer was:

Let me first provide some background. The video gaming license is like the liquor license, tobacco license, massage license, etc. They would all be issued for a year (or less pending the filing of the application) and expire on the upcoming April 30.

Again, the proposed video gaming ordinance only permitted the issuance of a one year license with it expiring on the April 30 of any year. The sunset clause also was defined to cause video gaming ordinance to expire on April 30 of 2020. So any video gaming licenses issued for the year (May 1, 2019 through April 30, 2020) would also expire at the same time the ordinance expires. If the Council sometime before or after April 30, 2020 modifies the ordinance to extend the life of the video gaming then new or renewed video gaming licenses could be granted (like any other year) commencing on May 1, 2020 or thereafter.

We are not stuck with pre-licensed video gaming machines on May 1, 2020 if the Council does NOT extend video gaming beyond April 30, 2020. This question was asked of the Illinois Video Gaming Board and John McGuirk and I also discussed this with the attorney representing the Executive for Will County. The consensus was if the Ordinance clearly identified a sunset date all establishments and suppliers of video gaming equipment were on notice and understood St. Charles may NOT extend video gaming beyond April 30, 2020. The communication and time line is clear to all parties engaging in the video gaming activity regarding dates as notice was provided in advance.

The second question I had for regarding this Sunset clause was:

Could this Sunset Clause be any amount of years in length meaning 2 versus 5 years? Why 5 years and not 2 years? And the reason why I asked that was because I believe if we were to give this an opportunity – 5 years, I think is too long seeing that it's a new venture and 3 years might give all parties involved, City Council, staff, and other parties the opportunity to put our arms and legs around it to understand the mechanics of it and financial aspects of it and the logistics of it, and to see if there are any pros or cons or one that outweighs the other so that, again, if we moved forward with this, we wouldn't have to wait 5 years to entertain anything that we would want tweak, change or review. This answer is:

The staff included approximately 5 years in the proposed ordinance because the motion from the prior GOC meeting included the "5 year" requirement. The Council could modify the number of years to the sunset date at their discretion if this matter is revisited.

One note I will add, it will take perhaps 2-3 years for the video gaming impact to be seen in the community. Please recall the licensing from the State takes 6+/- months and for new liquor establishments they are NOT eligible to receive a City video gaming license until they have been in operation for 12 months with a liquor license first. So the ramp up to understand the real impact of video gaming will take some time.

My third question is, and please listen here, because the question is more important than the answer:

Can we prevent any and all signage that promotes video gaming? This would include any flashing type signage, posters, banners, flags on any parts of the exterior walls and exterior windows and doors of the establishment. Would we be able to prevent neon or any lighting fixtures in windows or doors that depict words like slots, video gaming, video poker, etc. Would we be able to prevent any signage that may depict images of slots, money, video poker, gaming, chips, etc. I'm trying to envision gaming machines inside bars and establishments along Main Street with no indication of that from the outside of the bars and establishments along Main Street.

The First Amendment plays a role in this conversation. In plain English, I don't believe we can prohibit signage regarding "video gaming" from being posted by businesses. The City has an Ordinance now that defines where signs are placed, if the sign is in a window the % of the window that may be encumbered by the sign, the sign frequency of "blinking or rotation of messaging", etc. Additionally, the Ordinance now prohibits sexually suggestive signage or offense "language". Frankly, this Ordinance is hard to enforce.....with businesses changing window signage with the season or weekend/etc. However, we do have a sign ordinance.

At our last Government Operations Committee meeting, we did have a vote (going back to September 8) there wasn't much time for discussion. Some of these same questions that I presented to our City Administrator, again were some of the same questions I discussed individually with other council members and others as well. My concern is that we never had a concise answer. I feel I have a concise answer and with saying that, if there's more discussion later I will permit. I will not be voting in favor of the denying this video gaming license this evening.

**Mayor Rogina:**

That question was posed to me about discussion. And Alder. Bessner referred to it. Typically the City Council takes the issue and votes on it. The committee meeting is the spot, it would be appropriate to have that kind of conversation. I will try to stick to that policy here. Motion before the group is to deny the video gaming ordinance that was prepared in advance to the City Council by Staff. A "yes" vote is a vote to deny the ordinance. A "no" is a vote not to deny the ordinance. Is everyone clear on that?

**Ald. Turner:**

I understand Ed's concern about the 5 years and I put that 5 years in there basically because we do 5-year budgets. I have no problem bringing it down to 3 or is that something we would do at committee to amend this ordinance if, in effect, it passes somewhere along the line?

**Mayor Rogina**

Most of the City knows where I stand. If this motion here were denied, I would be the first to send it back to committee.

**Alder. Payleitner**

This was the motion at committee.

**Mayor Rogina**

Does everyone understand the motion?

Motion by Stellato, seconded by Bancroft, to send this motion back to Government Operations Committee to be discussed on October 5<sup>th</sup>, 2015.

ROLL CALL VOTE: AYE: Turner, Bancroft, Bessner, Stellato, Lemke, Rogina

NAY: Silkaitis, Payleitner, Krieger, Gaugel, Lewis

ABSENT: 0

MOTION CARRIED

**Alder. Krieger**

Could this be the second meeting in October? That would give us more time to do our own research and look into things.

**Alder. Stellato**

If that is not the right day, we could send it to committee meeting.

**Alder. Lewis**

Right now we have no ordinance? We still have ban on gaming in place? And we are going to discuss and start all over again?

**Mayor Rogina**

Yes. If you need to ask questions, we can get those clarified. Our Citizens will have a chance to weigh in.

**Alder. Payleitner**

I want to submit that I did present to City Administrator Koenen that most of our ordinance is illegal and I am asking for that to be verified.

**Attorney McGuirk**

As you know we are a home rule community. We have drafted this ordinance pursuant to our home rule powers. We have powers that regulate local issues that are not preempted by the statute. In this case, the video gaming act, that act does not preempt out powers. We did our best to come up with an ordinance that responded to what we were directed and charged to do. I would disagree; I think it's a valid ordinance. But I would be glad to look at that and I am sure we can address those things.

**Alder. Stellato**

I want to ensure that City Attorney opines on Alder. Payleitner's comments.

- \*9. Motion by Krieger, seconded by Stellato to approve and accept the minutes of the September 8, 2015 Government Operations Committee meeting.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,

Bancroft, Krieger, Gaugel, Bessner, Lewis

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

**B. Government Services**

- \*1. Motion by Krieger, seconded by Stellato to approve a **Resolution 2015-99** Authorizing the Mayor and City Clerk of the City of St. Charles to approve an Agreement with Wills Burke Kelsey Associates for Construction Engineering Services for the Woods of Fox Glen Creek Stabilization Project.

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 Stellato to approve a **Resolution 2015-100** Authorizing the Mayor and City Clerk of the City of St. Charles to approve a Construction Contract with C & H Excavating, Inc. for the Woods of Fox Glen Creek Stabilization Project.



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

**C. Planning and Development**

- \*1. Motion by Krieger, seconded by Stellato to accept and place on file Plan Commission Resolution 13-2015 A Resolution Recommending Approval of a Preliminary and Final Plat of Subdivision for Kirk Road St. Charles Subdivision.

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 Stellato to approve an **Ordinance 2015-Z-21** Granting approval of a Preliminary and Final Plat of Subdivision for Kirk Road St. Charles Subdivision (Venture One Acquisitions, LLC) (Kirk Road south of Legacy Business Park).

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 Stellato to approve a **Resolution 2015-101** Authorizing the Mayor and City Clerk of the City of St. Charles to Execute a Certain Agreement Between the City of St. Charles and Rukel Management, LLC. (AJR Filtration, Inc.).

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 Stellato to approve a **Resolution 2015-102** Authorizing the Mayor and City Clerk of the City of St. Charles to accept and place on file the “Fox River Corridor Master Plan, St. Charles Illinois 2015 Update” 2015.

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 Stellato to accept and place on file Historic Preservation Commission Resolution No. 10-2015 A Resolution Recommending Approval for Landmark Designation

(521 W. Main Street – Haines House)

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 Stellato to approve an **Ordinance 2015-Z-22** Designating Certain Property as a Historic Landmark (521 W. Main Street – Haines House)

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 Stellato to accept and place on file Corridor Improvement Commission Resolution No. 6-2015 A Resolution Recommending Approval of a Corridor Improvement Grant Application (218 State Street – Tom Anderson).  
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 Stellato to approve a Corridor Improvement Agreement for 218 State Street – Tom Anderson.  
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 Stellato to accept and place on file Corridor Improvement Commission Resolution No. 7-2015 A Resolution Recommending Approval of a Corridor Improvement Grant Application (303 N. Second Street – Tom Anderson).  
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 Stellato to approve a Corridor Improvement Agreement for 303 N. Second Street – Tom Anderson.  
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 Stellato to accept and place on file Corridor Improvement Commission Resolution No. 8-2015 A Resolution Recommending Approval of a Corridor Improvement Grant Application (1625 E. Main Street – Tom Anderson, Colonial Cafe).  
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 Stellato to approve a Corridor Improvement Agreement for 1625 E. Main Street – Tom Anderson, Colonial Café.  
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 Stellato to approve an **Ordinance 2015-Z-23** Granting Approval of a revised Final Plat of Subdivision for the Quad St. Charles-Unit 1 Resubdivision (Charlestowne Mall PUD-The Quad St. Charles).  
ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner,  
Bancroft, Krieger, Gaugel, Bessner, Lewis  
NAY: 0 ABSENT: 0  
MOTION CARRIED (Omnibus Vote)
- \*14. Motion to approve an **Ordinance 2015-Z-24** Granting Approval of a Minor Change to PUD Preliminary Plan for 3255 W. Main St. (Westgate Commercial Center PUD)

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 Stellato to accept and place on file Plan Commission Resolution 14-2015 A Resolution Recommending Approval of a General Amendment to Chapter 17.04 "Administration", Section 17.04.230 "Design Review" and Section 17.04.250 "Residential Architectural Consultation" and Ch. 17.06 "Design Review Standards and Guidelines" (Design Review Standards and Guidelines for One- and Two-family Dwellings in the RT and CBD-2 Zoning Districts)

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

NAY: 0 ABSENT: 0

MOTION CARRIED (Omnibus Vote)

- \*16. Motion by Krieger, seconded by Stellato to approve an **Ordinance 2015-Z-25** Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning", Chapter 17.04 "Administration", Section 17.04.230 "Design Review" and Section 17.04.250 "Residential Architectural Consultation" and Chapter 17.06 "Design Review Standards and Guidelines" (Design Review Standards and Guidelines for One- and Two-family dwellings in the RT and CBD-2 Districts).

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**

**Mark Hoffman, 221 S. 2<sup>nd</sup>, St. Charles**

I know you have done research on the on the gaming process. One part of research that might be missing and it might be important for the Council to explore, is actually talking to the bar owners and finding out their thoughts on it. To this point nobody has said anything to me. It might be interesting to include those who are directly impacted by this ordinance. There is a lot of people involved that would benefit and it's not the individual bar owner, so please include that in your research if you would.

**Mike Penny**

I wrote each of you a letter and that letter was published in the paper. Suggesting a way to get citizen's input was to ask through an organized methodology via a survey. And I came back because I couldn't do it the night it was read into the record, so I came back the next night but under the Chairman's leadership, we were not given the opportunity for public comment. I never once mentioned to spend the City's money for a silly survey. That was what was interpreted it wasn't in the minutes but two people told me it was the general comment. That was deplorable from our standpoint because I took enough interest in our City government to express my concerns about the video gaming. I still don't see what is wrong with soliciting data in an organized fashion from citizens and giving you that information so that is an informed opinion, not based on anecdotal information, not based on only the bartenders or people that own the bars but listening to citizens. I am against it.

I have yet to talk to more than one person who has been in favor of it. I would like to see the Council spend some money, not in a silly fashion, but in a way to ask the citizens.

**Mayor Rogina**

In the Daily Herald on September 9. "The Council began reconsidering the City's stance in July on video gaming at the request of Mayor Rogina. He said he had changed his mind on the topic since voting for the ban as an alderman." I think the members the Council voted no in 2010 and this gentleman was not on the City Council at the time. Maybe what they meant was I changed my view on gaming which I have given the nature of our finances and the finances of the state.

On a lighter note, belated happy birthday to Nancy Garrison. There was also a significant birthday to Mark Koenen. Happy birthday!

**F. Adjournment**

Motion By Krieger, seconded by Bessner, to adjourn meeting

VOICE VOTE

UNANIMOUS

MOTION CARRIED

Meeting adjourned at 7:47 P.M.

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Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

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Nancy Garrison, City Clerk