MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL
HELD ON TUESDAY, JULY 5, 2011 – 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 Pro Tem Jim Martin At 7:01 P.M.**

2. **Roll Call.**
   Present: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis

   Absent: Turner

3. **Invocation Alder. Payleitner.**

4. **Pledge of Allegiance**

5. **Motion by Martin, seconded by Krieger to approve the Omnibus Vote as presented.**
   ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
   NAY: 0 ABSENT: Turner
   MOTION CARRIED

*6. **Motion by Martin, seconded by Krieger to accept and place on files minutes of the regular City Council meeting held on June 20, 2011.**
   ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
   NAY: 0 ABSENT: Turner
   MOTION CARRIED (Omnibus Vote)

*7. **Motion by Martin, seconded by Krieger to approve and authorize issuance of vouchers from the Expenditure Approval List as of June 30, 2011 in the amount of $984,281.97 and the Hand-Issued List of June 30, 2011 in the amount of $62,143.14.**
   ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
   NAY: 0 ABSENT: Turner
   MOTION CARRIED (Omnibus Vote)

I. New Business

A1. Motion by Carrignan, seconded by Stellato to reconsider the motion to approve a Class D3 liquor license for Pottawatomie Golf Course located at 845 North 2nd Avenue, St. Charles, IL 60174.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED

A2. Motion by Rogina, seconded by Monken to approve a Class D3 liquor license for Pottawatomie Golf Course located at 845 North 2nd Avenue, St. Charles, IL 60174.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Rogina, Bessner
NAY: Payleitner, Martin, Krieger, Lewis ABSENT: Turner
MOTION CARRIED

Ray Ochromowicz, St. Charles Park District Executive Director
Ron Skubisz, Golf Course Manager

Mayor DeWitte asked if any changes have been made to original application in regards to in consumption on the premises.

Mr. Ochromowicz responded that they have taken into consideration the feedback received. Numerous controls are now in place. There is a one purchase per customer per sale rule. Alcohol is for golfers only not to be serviced to anyone else. Consumption is limited to patio and club house only.

Alder. Stellato said thanks for listening.

Alder. Martin asked if there would be service on the patio and what will keep patrons from taking beverages with them and continuing to play.

Mr. Ochromowicz responded that service is in the building but it can be consumed on patio.

Mr. Skubisz responded that we will take same safeguards as other establishments. We will monitor play. Our staff will be trained to monitor the areas. There are three tables outside and four tables inside available for golfers. Consumption will be restricted to the two areas.

Alder. Martin asked if someone will be stationed outside on the patio.
Mr. **Skubisz** responded that there will not be table service on the patio. A golfer cannot go on the golf course without going through the front. They can't get on to the tee without our OK for them to tee off.

Mayor DeWitte asked if there was a view from the pro shop to the patio.

Mr. Skubisz said yes.

Alder. Martin asked if a 6 to 4 vote was needed to pass this motion.

Attorney Gorski stated that since this is a motion to instruct attorney and Staff to prepare ordinance to increase the number of Class D liquor licenses so as to make one available to satisfy this vote. When the ordinance comes before the Council to amend the ordinance to increase the number of liquor licenses it will require a 6 to 4 vote will be necessary.

B. Motion by Martin, seconded by Krieger to award a bid for Red Gate Bridge advanced work and approve a **Resolution 2011-64** Authorizing the Execution of a Contract with Herlihy Mid-Continent Company.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED

- **Mark Koenen presented the following information:**
  - We had seven bidders submit bids for work on Red Gate Bridge.
  - The lowest was Herlihy at $1.65 million. The engineer's estimate was $2.7 million.
  - We recommend to accept the bid. It is competitive and a sign of the times.
  - Herlihy worked on Stearns Road project and have experience in the Fox Valley. Our consultants have worked with them before and they come highly recommended.
  - Encourage the Council to move ahead with the award.
- **Mark Prieve, 3810 Greenwood Lane, St. Charles Illinois**
  - This past Saturday the Chronicle ran an article about the philosophy of City of Geneva. Geneva has recently secured 20 new businesses in the downtown area.
  - Tonight our leadership has a decision to make. Do you move forward with approving the first phase of construction of the bridge or do you as an opportunity to move forward or stop to reevaluate the opposition of citizens.
  - What do you want your legacy to be?
- **Brian Hedges, 3807 Greenwood Lane, St. Charles Illinois**
  - One thing I am concerned with is the transparency of this project. In particular the survey done in April 2009. I got the survey through a Freedom on Information Act request and the methodology didn't look right. The respondents were from 60174 and 60175.
  - The survey asked if you would support a bridge and 64.93% respondents said yes. What the survey didn't ask was would you support a bridge if you had to pay for it through a new tax levy. You would get a total different answer to that question.
  - I think survey is flawed. Another survey should be done and survey St. Charles residents only.
  - We are asking for a time out to do a more professional survey.
- **Ken Nickel, 3801 Greenwood Lane**
  - In these current economic times how can the Council justify spending $8 million to build a non revenue generating project.
  - Can the Council find more fiscally responsible ways to spend the money in revenue/employment generating activities? .

- Is this the right time to be doing this?
- On Friday the State Comptrollers issued a report stated that the State of Illinois is behind on $3.1 billion in payments for services. $1.1 billion is for schools.
- Is City ready to cover if State funds do not come through?
- What is your authority to raise bond over $8 million?

- **Mike Kornblith, 3804 Greenwood Lane**
  - Governor Quinn signed a budget that was $267 million dollars less than one that was approved by the General Assembly.
  - Cuts are deep by and there is a lot of doubt regarding the State's liquidity.
  - Hitting home with the amount D303 is owed by the State.
  - Don't expect State funds to build a controversial bridge.
  - Please consider using money more wisely for downtown development.
- **Gene Kalley, 510 Longmeadow Circle, St. Charles**
  - I think the City has been misleading in the way the Red Gate Bridge would take off congestion off of the Main St. Bridge. This would infer that congestion would be less than it is today. However, the City's Red Gate website, the average daily volume is 38,000. In 2030, if Red Gate Bridge is built, the volume will be 48,000. The traffic will be worse going through. St. Charles.
  - Instead of building this bridge, the City should work with the State of Illinois to find a better solution for getting traffic through the town.
- **Roxanne Bell, 3809 Greenwood Lane, St. Charles**
  - Concerned about safety. The neighborhood has turned around. Lot's of little kids who run around and run in the streets. The high school kids cut through the neighborhood as a thoroughfare.
  - During rush hour traffic there are lots of pedestrians on the streets, lot's of people walking and lots of little kids out at rush hour. If this bridge is being considered, extra police protection should be considered for the neighborhood. And the high school.
  - High school traffic in the morning is crazy. Westbound Red Gate must turn left into the high school. They use a lot of courtesies to let each other go in. With the bridge, this would not happen. Would you consider a police officer or a light?
- **Dean Smith. 3602 Chesapeake Road, St. Charles**
  - My question is in regards to the survey from 2009. Residents were asked to rate traffic flow throughout town. One question specifically rated Route 64 from 7th Avenue to 7th Street. 65% gave average or excellent rating.
  - With enhancements on Route 64 this summer, I would encourage the Council to wait and see how improvements affect traffic flow.
  - Need to think about safety and question will people use the bridge.
  - Need to offer an additional survey based on safety, economic times, and need. One where the people will truly understand the costs and needs would be helpful.
- **Scott Hedges, 3807 Greenwood Lane, St. Charles**
  - 2010 Graduate of St. Charles North High School. I personally did not take Red Gate Road to school every day because of the back up traffic between 7 and 7:30. I have seen near accidents at that intersection especially when people don't know the honor system.

- Seen two nearly fatal accidents on Red Gate and 31 and don't want something else to happen being that we are increasing the traffic on Red Gate Bridge.
- The demographic of students will not change.

- **Duane Carlson, 1007 Crestwood Circle, St. Charles**
  - 41 year resident of St. Charles and have viewed a lot of changes in the City. For the most part the growth has been positive and well planned. However the transportation system has not kept up with the growth as evidenced daily on traffic delays crossing the river Main St. I have had some working experience with highway funding, engineering and operation.
  - Addressing two issues brought up by others:
    - It is highly unlikely that the bulk of funds earmarked for Red Gate Bridge can be used for other purposes in the City.
    - Increases in traffic volumes on Red Gate Road, Route 31 and Route 25 can be expected. However the public works director Mark Koenen is aware of traffic problems and has the resources to address them.
  - The design plans and environmental studies are complete. The funding has been set up. To serve the transportation needs of the City of St. Charles let's build the bridge now.
- **Larry Norgaard, 1214 St. 6th St., St. Charles**
  - Mayor DeWitte you recently wrote an email to a member of CCSS. That it would be disingenuous for funds for the Red Gate Bridge to be reallocated to other pressing priorities. You went on to say that more pressing needs at this time would render such consideration. I wonder about the amount of tax increases recently approved for the mental health initiative. Seemingly a good cause, why was it not considered a pressing need and tapped existing fund rather than increasing our tax rate.
  - Also we have our utility bills that are going up. Why are they not considered pressing needs.
- **James Pikowsky , P.O. Box 252 St. Charles**
  - We are dealing with the community of St. Charles. While you are here to represent the City the community wire is affected by all of this.
- **Mike Zimmer, 3803 Greenwood Lane, St. Charles**
  - I have been a resident for 11 years. I don't have experience with building roads but I am experienced with running a business.
  - As I understand it, the bridge be paid for in part by $12.1 million in federal, state and county funds and some private sponsorships. To date, 12 federal grants have been received totaling $1.7 million in the form of expense reimbursements. This leaves a significant short fall. As a neighbor mentioned earlier, we all know the condition of the State of Illinois and Federal Government. Everyday I am challenged to come up with back up plans and contingencies.
  - Please consider having back up plans or contingencies if the funds do not come through.
  - I don't like taxes but I enjoy what I am getting for it. I would hate to have to fund a project when it was originally thought to be successfully funded.
- **John Rogemann, 3604 Chesapeake Road, St. Charles**

- I spoke before you on November 15 regarding the bridge project. Where I raised the primary issue of safety with Red Gate Road. It now seems time to address the stage 1 pedestrian path, across the river. What I can't figure out is where people are going to go once they cross the river. If they get to Route 31 there is no crosswalk, no signs, you can take a sidewalk up Red Gate Road to Tradition but there are no sidewalks on Red Gate road from that point forward.
- My concern is that we create this ability for people to cross, we are adding danger but not having appropriate safety controls through there.
- Congratulations on getting a lower bid. But please look through bid and all assumptions and be sure there are no gaps.

- **Mike Smith, 3808 Greenwood Lane, St. Charles**
  - What is the future investment after the bridge is built as far as ongoing support and maintaining the integrity and safety of the road. The road is shared by the City and the Township. What are the future considerations for maintaining and planning and costs for that. How will you work with the township to make sure that traffic can flow and if it does flows safely.
  - Given the economic times is this the right time to do this to get a 10% reduction in traffic on Route 64.
- **Mike Penny, 417 N. Tyler Road, St. Charles**
  - I support building the bridge and continuing the project. We have been talking about this for a number of years. I have read numerous articles and reports. Let's get the bridge built.
- **Vanessa Bella-Sota, 1610 Howard Street, St. Charles**
  - In our discussions with residents since we last met, we have found that 8 out of 10 residents are opposed to the bridge at this time. Signatures have been from across the City. We have heard comments from people who are opposed but who did not sign for fear of repercussions from their work force or members of the community, including teachers and realtors. I am sure the Council and the Mayor do not want public commentary to be squashed by a threat either real or imaginary. It is our intent to reopen dialogue today. It is never too late to make a good decision. Residents should come first when forming your decision. These are residents some of them who fear being unable to continue to afford their homes in the City of St. Charles. We have no hard facts that show that the original three reasons for the project have not been accomplished. No evidence of correlation Main Street and traffic mitigation with the proposed bridge. No evidence that Red Gate bridge would not cause downtown businesses to lose street traffic and sales. No evidence of existing problematic emergency response time. No evidence of how the bridge will increase revenue to the City. No evidence of the $12 million completely received and how it will be dispersed to St. Charles. We do have evidence of reduction of 10%, two new fire stations, concerns regarding the pipeline at 31 and Red Gate Road, and other continuing safety issues along the road. The community doesn't have answers enough to commit to a $30 million project at this time. We respectfully encourage Council to wait and revisit all data and not succumb to time pressures.
- **Elizabeth Cortez, 911 S. 7th Street, St. Charles**

- St. Charles Township residents were unable to address the Council during the public section yet they were included in the April 2009 survey.
- Can you explain why you included them in the survey but you won't give them a voice at this meeting? A new survey needs to be done.
- When the State is unable to pay the school district, is the City of St. Charles going to be able to step up and help them out with the school district.

- **Mark Prieve, 3810 Greenwood Lane, St. Charles Illinois**
  - In summary, there are three main points
    - Does the expense justify the need?
    - Are we jumping the gun on safety?
    - We question the transparency of the project.
  - What is the legacy you want to be a part of?
- **Mark Koenen**
  - If there are any individuals who would like to follow up, please contact me.

C. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-65** authorizing the Execution of a Contract with Alfred Benesch & Company for Construction Engineering Services for the Red Gate Bridge Project.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED

D. Motion by Stellato, seconded by Monken to waive the bid procedure and approve a **Resolution 2011-66** Approving the Execution of a Contract with Steiner Electric for LED Bridge Light Fixtures.
ROLL CALL VOTE: AYE: Stellato, Monken, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
ABSTAIN: Carrignan
MOTION CARRIED

- **Gene Kalley,** 510 Longmeadow Circle, St. Charles
  - Asked why we are going no bid.

- **Mark Koenen** responded, as discussed we worked with the purchasing office and recived quotes rather than bids.

- **Mr. Kalley** asked if there has there been a cost effective analysis?

- **Alder. Stellato** answered that the savings are $88,000 over four years.

II. Committee Reports

A. Government Operations

*1. Motion by Martin, seconded by Krieger to accept and place on file minutes of the June 20, 2011 Government Operations Committee meeting.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED (Omnibus Vote)

B. Government Services

*1. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-67** Authorizing the Execution of a Contract with Novinium for Cable Injection Services.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED (Omnibus Vote)

*2. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-68** Authorizing the Execution of a Contract with Archon for Directional Boring Services.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED (Omnibus Vote)

*3. Motion by Martin, seconded by Krieger to approve an **Ordinance 2011-M-26** Amending the Municipal Code of the City of St. Charles - Title 13, "Public Utilities", Chapter 13.08, "Electricity" – Section 13.08.240, "Rate 3 – Small General Service – Rates, Charges, and Service Requirements," Subsection A "Availability."
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED (Omnibus Vote)

*4. Motion by Martin, seconded by Krieger to waive the bid procedure for Items 5 and 6.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED (Omnibus Vote)

*5. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-69** Authorizing the Execution of a Contract with OSI for SCADA Software upgrade.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED (Omnibus Vote)

*6. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-70** Authorizing the Execution of an Open Purchase Order with Zimmerman Ford for Non-stocked Automotive Parts.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner

MOTION CARRIED (Omnibus Vote)

*7. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-71** Authorizing the Execution of a Contract with Curran Contractors for the IL Route 64 / East Main Street and Oak Street Intersection Improvement Project.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED (Omnibus Vote)

*8. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-72** Authorizing the Execution of a Contract with Hampton, Lenzini and Renwick for Construction Engineering Services for the IL Route 64 / East Main Street from 7th Avenue to Dunham Road Sanitary Sewer / Water Main Project.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED (Omnibus Vote)

*9. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-73** Authorizing the Execution of a Contract with Glenbrook Excavating & Concrete, Inc. for the IL Route 64 from 7th Ave. to Dunham Rd. Water and Sanitary Improvements.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED (Omnibus Vote)

*10. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-74** Authorizing the Execution of a Contract with Capital Infrastructure Group, LLC.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED (Omnibus Vote)

C. Planning and Development

*1. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-75** Authorizing the Mayor and City Clerk of the City of St. Charles to Execute a Certain Agreement – Sears Authorized Hometown Stores, LLC.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED (Omnibus Vote)

D. Motion by Carrignan, seconded by Monken to go into Executive Session to discuss Collective Bargaining at 7:50 pm.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED

Motion by Carrignan, seconded by Stellato return from Executive Session at 8:12 pm.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED

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

Motion by Martin, seconded by Krieger to approve a collective bargaining agreement between the City of St. Charles and IBEW and approve a **Resolution 2011-76** authorizing the City Administrator to do the same.

ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: Turner
MOTION CARRIED

- Alder. Stellato asked Mark Koenen to explain the scope of the pedestrian bridge at the Red Gate Bridge site. One statement was that we are building a pedestrian bridge across the Fox River as part of Phase 1. This is not true. Would you elaborate on phase 1.
- Mark Koenen responded that phase one of the project is the earth work contract. Land will be cut down on the west side of the river and built up on the east side of the river. The pedestrian bridge reference was to the Fox River Trail on the East side of the river. We are building a bridge there to facilitate movement on the trail. Next summer while we build the main river crossing it is not a bridge over the river in this first phase.
- Mayor DeWitte said that one speaker said that members of the Township have not been allowed to address the Council. I don't recall any situation where anyone who has wanted to address the Council has been denied in doing that.
- Alder. Rogina says he recalls a situation where three or four people from outside the City came and spoke.
- Mayor DeWitte said he admittedly gave residents preference but then after that they were allowed to speak.
- Mark Koenen said construction could start end of July on Red Gate Bridge.

F. Adjournment

Motion By Carrignan, Seconded By Rogina, To Adjourn Meeting
VOICE VOTE UNANIMOUS MOTION CARRIED
Meeting adjourned at 8:17 P.M.

Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

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Nancy Garrison, City Clerk