MINUTES FROM THE MEETING OF THE ST. CHARLES CITY COUNCIL HELD ON TUESDAY, SEPTEMBER 6, 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 Donald DeWitte At 7:02 P.M.**

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

   Absent: None

3. **Invocation Alder. Payleitner.**

4. **Pledge of Allegiance**

5. **Presentations:**
   Recognition of Mike and Monica Corbett & Family for their assistance in Family Circle selecting St. Charles as the Best Town for Families.

   Promotion of Firefighter/Paramedic Allen Wade to Fire Lieutenant.

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

*7. **Motion by Martin, seconded by Krieger to accept and place on files minutes of the regular City Council meeting held on August 15, 2011.**
   ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
   NAY: 0 ABSENT: 0
   MOTION CARRIED (Omnibus Vote)

*8. **Motion by Martin, seconded by Krieger to approve and authorize issuance of vouchers from the Expenditure Approval List as of September 1, 2011 in the amount of $2,001,068.71 and the Hand-Issued List of September 1, 2011 in the amount of $188,255.36.**
   ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
   NAY: 0 ABSENT: 0
   MOTION CARRIED (Omnibus Vote)

I. New Business

*A. Mayor DeWitte presented the proclamation declaring September 12 – 16, 2011 as Chamber of Commerce Week in the City of St. Charles to Lori Hewitt.

B. Motion by Stellato, seconded by Monken to approve a contract with Alfred Benesch & Company for Phase III B Construction Engineering.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED

C. Motion by Stellato, seconded by Monken to approve an **Ordinance 2011-M-36** Authorizing the Purchase of Certain Property for Corporate Purposes by the City of St. Charles – Located at the Southwest Corner of Route 31 and White Bridge Drive.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED

II. Committee Reports

A. Government Operations

*1. Motion by Martin, seconded by Krieger to accept and place on file the minutes of the August 15, 2011 Government Operations Committee Meeting.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

2. Motion by Carrignan, seconded by Rogina to approve an **Ordinance 2011-M-37** Amending Title 5 "Business Licenses and Regulations," Chapter 5.08 "Alcoholic Beverages" of the St. Charles Municipal Code – Fox River Harley Davidson.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Bessner, Lewis
NAY: Martin, Krieger ABSENT: 0
MOTION CARRIED

B. Government Services

*1. Motion by Martin, seconded by Krieger to approve an **Ordinance 2011-M-38** Vacating a Portion of Indiana Street (between 1st Street and the Fox River).
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis

NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

*2. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-82** Approving the Execution of a Contract from A Lamp Concrete, Inc. for the Illinois Avenue and 38th Avenue Concrete Roadway Reconstruction Project.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

*3. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-83** Authorizing the Director of Public Works to Execute Change Order No. 1 for Underground Duct Bank Work Related to the Red Gate Bridge Project to Herlihy Mid-Continent.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

*4. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-84** Approving the Execution of a Contract from Pedersen Company for Replacement of the Retaining Walls along the South Side of Rt. 64 between 11th Street and 14th Street.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

*5. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-85** Authorizing the Execution of a Contract from Mascal Electric for Well #13 Capacity Modifications.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

*6. Motion by Martin, seconded by Krieger to approve an **Ordinance 2011-M-39** Authorizing Amendment of Title 13 "Public Utilities," Chapter 13.16 "Water," Section 13.16.155 "Meters – Temporary Hydrant," Section 13.16.190 "Net Charges for Property with Buildings Connected to System" of the St. Charles Municipal Code.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

*7. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-86** Authorizing the Director of Public Works to Execute Change Order #1 for the Main Treatment Plant Headworks Project to Hampshire Hydro.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

*8. Motion by Martin, seconded by Krieger to waive the bid procedure and approve a **Resolution 2011-87** Approving the Execution of a Contract from DPS Equipment Services Inc. for Emergency Repairs at the Wastewater Treatment Plant.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

*9. Motion by Martin, seconded by Krieger to approve a **Resolution 2011-88** Authorizing the Mayor and City Clerk of the City of St. Charles to Execute an Agreement – River Valley Training Consortium.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

10. Motion by Stellato, seconded by Monken to approve two Class B1 liquor licenses for Colonial Café & Ice Cream to be located at 552 S Randall Road and 1625 E Main Street, St. Charles.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, , Rogina, Bessner, Lewis
NAY: Turner, Martin, Krieger ABSENT: 0
MOTION CARRIED

C. Planning and Development

*1. Motion by Martin, seconded by Krieger to accept and place on file minutes of the August 8, 2011 Planning & Development Committee Meeting.
ROLL CALL VOTE: AYE: Stellato, Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
MOTION CARRIED (Omnibus Vote)

D. Executive Session

Motion by Carrignan, seconded by Turner to go into Executive Session to discuss Probable or Imminent Litigation and Consideration of Minutes to be released at 7:30 pm.
ROLL CALL VOTE: AYE: Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0
ABSTAIN: Stellato
MOTION CARRIED

Motion by Carrignan, seconded by Stellato to return from Executive Session at 7:50 pm.
ROLL CALL VOTE: AYE: Monken, Carrignan, Payleitner, Turner, Rogina, Martin, Krieger, Bessner, Lewis
NAY: 0 ABSENT: 0

ABSTAIN: Stellato
MOTION CARRIED

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

- Alder. Rogina
  We received notification today that 15th Street would not be used for Illinois Central Buses. My question to staff is what's the plan through December 31. What's going to happen now?
  Chief Lamkin
  We have regular meetings and communication with the staff people there. We met this morning and showed a staff member the route that we are recommending. North on Randall, west on Dean St. to Peck Road, south on Peck Road. For buses going East on Route 64, they would go left there. For buses continuing East to Route 38 would be directed back to Randall road or continue South on Peck Road to Route 38 and go east. That was received very well. We provided them with maps to give to drivers in the morning. They will make an announcement to drivers. They have been informed if they do not follow this route the drivers will get traffic tickets. They have asked us to do this.
  Alder. Rogina
  So it is your recommendation that the buses do not go east on Dean St.
  Chief Lamkin
  We did propose previously that they can go to 9th and take a left there. Their dispatcher said they try to avoid those situations because there is no signal there. We have done some time studies last week. After doing time studies, it really doesn't save any time. It is safer for them to use the signalized intersections for safety.
  Alder. Rogina
  As of December 31, they will all be going out on 17th Street, is that correct.
  Brian Townsend
  That is the plan to get them access to Main St.
  Alder. Rogina
  My request is for the Planning and Development chair a notice of a public hearing. I would like to discuss the 250 feet notification. I believe that there are a lot of people reacting after the fact because they know what was going to happen. I would like to discuss this.
  Mayor DeWitte
  I am not sure I understand the request, are you asking for another public hearing or the public hearing process.
  Alder. Rogina
  No I am not asking for another public hearing. I want to know if there is any desire, interest or discussion about changing the ordinance as it currently is.
  Mayor DeWitte
  I will direct this to Mr. Gorski.
  Gery Gorski

I don't know if this is legal or practical notification? Ray is the point practical or legal preconditions.

Alder. Rogina

No, right now the ordinance reads, as I understand it, that if there is going to be a change in the use, classification of the ordinance. There would be a public hearing to discuss that change. That notification has to go out to people who reside within 250 feet of the change. My thought is that this should be broader. My question is how we go about the process into changing the ordinance.

Gerry Gorski

So you are interested in asking the committee to change the ordinance to broaden the notification. This doesn't affect the hearing that has already been conducted under the gallery of the notices that were given under the ordinance that was enforced at the time. It is prospective only, subject for discussion.

Alder. Rogina

I am asking that this be put on the agenda at the P&D meeting.

Brian Townsend

Point of clarification, the notice applies to any property owner within 250 feet not based on who resides there.

Alder. Carrignan

What are the ramification of expanding the number from 250 feet?

Gerry Gorski

If could be more costly.

Brian Townsend

It puts more burden on the applicant/property owner for the City it is cost neutral.

Alder. Lewis

It seems to be an issue in the morning. What about when the buses return?

Chief Lamkin

It is not just the morning situation. They have four time periods throughout the day when buses go out and return. Our direction to them, all of their routing should change to the way we described it. It includes the PMs. It is not so much of an issue with the returning buses.

Alder. Carrignan

I was going down Main Street and noticed buses turning left on 15th.

Chief Lamkin

We have made it very clear that the drivers will be subject to citations

- **Tom Andersen**, 712 Horne, St. Charles, Illinois

  I attended the comprehensive plan meeting last Wednesday. You should be commended on the consulting firm you picked. The meeting was well attended. I think they did very well. Congratulations.

1. Motion by Martin, seconded by Krieger to approve the release of minutes of executive sessions for the following dates:

City Council: February 16, 2003 (partial), February 2, 2009, March 16, 2009, April 20, 2009, May 4, 2009, May 18, 2009, June 1, 2009, June 15, 2009, July 6, 2009, July 20, 2009, August 3, 2009, August 17, 2009, September 8, 2009, October 5, 2009 (partial), and October 19, 2009 (partial).

Government Operations Committee: January 7, 2006, June 5, 2006 (partial) and March 2, 2009.

Planning & Development Committee: January 8, 2007, April 9, 2007 (partial), March 9, 2009, April 13, 2009, August 10, 2009, and November 9, 2009.

Government Services Committee: June 25, 2007, January 26, 2008, February 25, 2008, May 27, 2008, July 28, 2008, January 26, 2009, and March 23, 2009.

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

F. Adjournment

Motion By Carrignan, Seconded By Turner, To Adjourn Meeting
VOICE VOTE UNANIMOUS MOTION CARRIED
Meeting adjourned at 7:52 P.M.

Nancy Garrison, City Clerk

CERTIFIED TO BE A TRUE COPY OF ORIGINAL

Nancy Garrison, City Clerk