

These minutes were approved at the 8/21/17 City Council meeting with no changes.

CITY OF WEST CHICAGO – 475 Main Street
CITY COUNCIL MINUTES
Regular Meeting
August 7, 2017

1. **Call to Order.** Mayor Ruben Pineda called the meeting to order at 7:00 pm.
2. **Pledge of Allegiance to the Flag.** Alderman Brown led all in the pledge of allegiance.
3. **Invocation.** The City Clerk gave the invocation.
4. **Roll Call and Establishment of a Quorum.**

Roll Call found Aldermen Lori J. Chassee, James E. Beifuss, Jr., Heather Brown, Jayme Sheahan, Michael D. Ferguson, Alton Hallett, Sandy Dimas, Melissa Birch-Ferguson, John C. Smith, George L. Garcia, Rebecca Stout, Bonnie A. Gagliardi, and Noreen Ligino-Kubinski present. Alderman Kurt Meissner was absent. The Mayor announced a quorum.

City Clerk Nancy M. Smith was also present.

Also in attendance were City Attorney Patrick K. Bond, Public Works Director Rob Flatter, City Administrator Michael L. Guttman, Chief of Police Mike Uplegger, Police Commander Eric Shipman, and Community Development Director John D. Said.

5. Public Participation. The Mayor called upon Police Chief Uplegger who announced the following promotions:

B. Promotion of Officer Richard Langelan to Sergeant. Chief Uplegger said Sergeant Langelan has been with the Police Department for 16 years after he obtained a Bachelor's degree in Administration of Justice from Southern Illinois University. Sergeant Langelan has worked in patrol, in the Traffic Safety Unit, Evidence Technician, Field Training Officer, and as a Field Sobriety Test instructor. He has received recognition from the Alliance Against Intoxicated Motorists and also by the Illinois Department of Transportation for efforts in arresting more than 200 impaired driving offenders in his career. He has also received a Life Saving Award from the Department. The City Clerk administered the Oath of Office to Sergeant Richard Langelan, and his seven year old son pinned on his new badge.

A. Promotion of Sergeant Julio Calabrese to Commander. Chief Uplegger said Commander Calabrese began his police career in 1991 for a small Cook County town. In 1995 he joined West Chicago's Police Department. During his time with West Chicago, Commander Calabrese worked in patrol, but spent a majority of this career as a detective. In 2010 he was promoted to the rank of sergeant where he worked as a patrol sergeant and a Detective Sergeant. He has been an investigator for the DuPage County Major Crimes Task Force for 15 years, and was recently appointed as the Task Force Commander. Being the Task Force Commander, he was responsible for the more than 70 investigators throughout the county and was responsible for the investigations of major crimes when called upon. He was also a DARE Officer for five years and was a Master Firearms instructor for 15 years. Commander Calabrese has received numerous Police Commendations, a Certificate of Recognition from the Federal Bureau of Investigation, and is a recent graduate from the Northwestern Center for Public Safety School of Police Staff and Command, which is a ten week executive management class. The City Clerk administered the Oath of Office to Commander Calabrese. His wife pinned on his new badge.

C. New Investigations Unit Sergeant Anthony Cargola. Chief Uplegger said because of the promotions of Sergeant Langelan and Commander Calabrese, Sergeant Cargola became the new Investigations Unit Sergeant and he wanted to present him to the City Council. Sergeant Cargola had been promoted about a year ago. He has worked in investigations for a good part of his career. He has worked on the DuPage County task force that deals with crimes to children.

The Mayor said he brags about our police force all the time because they are top notch. We have become a very safe community. We did have issues, but the police respond to our people. He is very proud to see the promotions. The Mayor thanked all the people who came to the meeting this evening.

The following people spoke during Public Participation:

- 1) Pamela K. Kramer, 515 Main Street, #405, West Chicago, congratulated the newly promoted police personnel. She spoke against video gaming in West Chicago for a number of reasons.

2) Melynda Litchfield, 1002 S. 5th Street, St. Charles, said she is a nurse who helps to save lives, but could not save herself from gambling addiction. Her last bet was on April 29, 2012. She attends Gamblers Anonymous and said gambling addicts come from all walks of life. Gambling addicts have the highest rate of suicide of any addiction.

3) Reggie Bass, 125 Arbor, West Chicago, said his family loves West Chicago, and he stands with the people who say no to gambling. He is working to be a positive influence on his street and in the City. He said there is a difference between being a member of a community and being a resident. He wanted to know how his street is better for being there. From there he asked how the City would be better for his living here. He has lived here for 30 years, but has become more active in the last four.

4) Kathy Gilroy, 230 W. Division Street, Villa Park, also spoke against video gaming repeating many of her remarks from the last meeting.

5) Clara Mateckie, 424 Summit, West Chicago, loves West Chicago. She said video gaming is trashy, and she doesn't want it in her town. Any money from it will be dirty money.

6. City Council Meeting Minutes – July 17, 2017. Alderman Hallett made a motion, seconded by Alderman Ferguson, to approve the minutes of July 17, 2017. During discussion, Alderman Beifuss wished to make the following changes to his comments on page 3 as follows: change **video gaming** to **video gambling** wherever it appears. For the sentence beginning, "They researched the benefits and liabilities and..." change the remainder of that sentence to read, "decided unanimously to ban it." A new sentence should follow that, "Alderman Beifuss noted that Video Gambling is associated with high social costs including gambling addiction, debts, bankruptcy, broken homes and depression as well as increased crime." Alderman Beifuss requested the following three sentences be added before the last two sentences, "Studies show that video gambling creates addicts three times faster than other forms of gambling and there are approximately \$3 of social costs for every \$1 of revenue. There is also evidence that pathological gamblers account for over 30% of video gambling machine revenue. He noted that 133 municipalities and five counties statewide ban video gambling."

Aldermen Garcia and Smith also requested that **video gaming** should be changed to **video gambling** wherever it appears in their comments on page 3.

Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Smith, Garcia, Stout, Gagliardi, and Ligino-Kubinski. Voting Nay: 0. Motion carried.

7. Corporate Disbursement Report. Alderman Smith made a motion, seconded by Alderman Dimas, to approve the August 7, 2017, Corporate Disbursement Report in the amount of \$729,622.03. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Smith, Garcia, Stout, Gagliardi, and Ligino-Kubinski. Voting Nay: 0. Motion carried.

8. Consent Agenda – Consideration of an Omnibus Vote.

* **Infrastructure Committee:** Alderman Beifuss read and explained the following items:

A. Ordinance 17-O-0013 – An Ordinance Amending the Code of Ordinances of the City of West Chicago – Chapter 15 (Public Ways), Adding a New Article V. – Siting of Small Cell Antenna/Tower in the Public Rights-of-Way, Section 15-60 – 15- 65, Establishing Standards for the Siting of Small Cell Antenna/Towers in the Public Rights-of-Way

B. Ordinance 17-O-0015 – An Ordinance Amending Section 13.1 of Appendix G of the Code of Ordinances of the City of West Chicago – Public Works Permit Application Fee for Siting of Small Cell Antenna/Tower in the Public Rights-of-Way

Alderman Beifuss made a motion, seconded by Alderman Brown, to adopt the above items. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Smith, Garcia, Stout, Gagliardi, and Ligino-Kubinski. Voting Nay: 0. Motion carried.

* **Public Affairs Committee:** Alderman Chassee read and explained the following items:

C. Resolution 17-R-0043 – A Resolution Authorizing the Execution of an Intergovernmental Agreement to Participate in the DuPage Justice Information System (DuJIS)

D. Approve – The West Chicago Halloween Parade – Scheduled for October 28, 2017

Alderman Chassee made a motion, seconded by Alderman Gagliardi, to approve the above items. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Smith, Garcia, Stout, Gagliardi, and Ligino-Kubinski. Voting Nay: 0. Motion carried.

* **Item Not Sent to Committee:** Mayor Pineda read and explained the following item:

E. Resolution 17-R-0044 – A Resolution Authorizing the Mayor to Accept a Plat of Easement for Watermain at 184 W. North Avenue – Shell Gas Station

Alderman Stout made a motion, seconded by Alderman Smith, to approve the above item. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Smith, Garcia, Stout, Gagliardi, and Ligino-Kubinski. Voting Nay: 0. Motion carried.

9. Reports by Committees. None

10. Unfinished Business.

A. City Council Direction on Video Gaming. Alderman Chassee made a motion, seconded by Alderman Birch-Ferguson to reconsider the Council's direction to staff. During discussion, Alderman Chassee said originally, it was decided to send this matter back to Public Affairs. But after talking to several Aldermen and neighbors, it was agreed to hear from as many people as possible. She would like to move this item to an Advisory Referendum to be considered. Aldermen Smith, Ligino-Kubinski, Hallett, and Stout fully agreed. Alderman Beifuss was also in agreement with putting the matter up to an advisory referendum. However, he felt the proper steps to take were not being followed per Robert's Rules of Order (which the Council has adopted). He felt the motion to remove this item from the Public Affairs Committee should be a motion "to discharge," not "to reconsider." Also, this was partially acted upon at the July 28th Public Affairs Committee meeting. Mayor Pineda asked City Attorney Bond to give a legal opinion on Alderman Beifuss' concern. Attorney Bond said a motion for reconsideration can be made at the original meeting or at the next regularly scheduled meeting (which tonight's meeting is) and by a person who was on the prevailing side. The motion to reconsider brings this back to the floor. If the Council wants to refer this matter to an Advisory Referendum, they can direct staff to prepare the paperwork. The Mayor has the authority to place this item on the agenda.

Alderman Gagliardi had seconded the motion to send the matter to the Public Affairs Committee. She and Alderman Chassee contacted Aldermen in favor and opposed to video gaming, and because of the opposition from so many residents, and not being able to hear from others who could not come out on a Monday evening, an Advisory Referendum was proposed. She checked with the City Administrator who checked with the Mayor, to have this be part of the agenda. She believed the motion is appropriate and an Advisory Referendum is the best way for citizens to weigh in.

To Alderman Garcia's question on the mechanics, the Mayor said it would not go back to the Public Affairs Committee. An ordinance will have to be prepared to put this on the ballot. Attorney Bond said if it is the will of the City Council, then staff will prepare the paperwork to put this on the ballot for the March 2018 Consolidated Election. This is not the final action, but it will come back to the City Council to check it out. Alderman Beifuss again expressed his opposition to the steps being taken.

Alderman Chassee restated her motion, seconded by Alderman Birch-Ferguson, to reconsider sending this back to the Public Affairs Committee. Voting Yea: Aldermen Chassee, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Smith, Garcia, Stout, Gagliardi, and Ligino-Kubinski. Voting Nay: Alderman Beifuss. Motion carried.

Alderman Chassee made a motion, seconded by Alderman Stout, to direct staff to prepare the necessary documents to put this matter on the ballot for the March 2018 Consolidated Election for an Advisory Referendum. During discussion, Alderman Beifuss quoted Thomas Jefferson, "An informed citizenry is the heart of a dynamic democracy." He said it is important to include the public. He said there are 14 Aldermen and a Mayor who represent 27,000

people and their voices should be heard. He thought it should go back to Public Affairs. He recognized though that the Aldermen are divided, so it is best to give people the opportunity to speak. The Advisory Referendum would be a useful tool. The Referendum would be good, but process is important. There must be transparency and information must be gotten out. In this instance, he felt the City failed. More information must go out to the citizens. The Mayor agreed with Alderman Chassee, that if this went back to the Public Affairs Committee, it would be the same. Now the City will have six months to get the word out to the public, and the community can make the decision. Voting Yea: Aldermen Chassee, Beifuss, Brown, Sheehan, Ferguson, Hallett, Dims, Birch-Ferguson, Smith, Garcia, Stout, Gagliardi, and Ligino-Kubinski. Motion carried.

11. New Business. None

12. Correspondence and Announcements.

Upcoming Meetings

- August 10, 2017	Infrastructure Committee
- August 14, 2017	Development Committee
- August 15, 2017	Plan Commission/Zoning Board of Appeals

The City Clerk announced that the VFW would be having a car show this Sunday. The Auxiliary will be preparing breakfast and there will be grilled steak and hamburgers for lunch.

Alderman Birch-Ferguson thanked everyone for their support and condolences to her and her family on the loss of her brother, Nathan Birch.

13. Mayor's Comments. The Mayor talked about this past week-end and the whole summer – we as a City Council made every effort to build the Shell at Reed-Keppler Park. On Saturday, about 15-20 families came out to eat, play volleyball, etc. The Bass Family did a great job to get them out. It shows how this community can get together. One of the band members was a local. The Mayor thanked the Bass Family.

After that, the Mayor came back for Dueling Pianos, and Education Foundation fundraiser. The Foundation provides for those items not in the budget.

The Mayor reminded everyone that school is starting this month so people should be careful about the children out walking and biking to school. They are our future.

The Mayor said next month we will have Move with the Mayor. Last year West Chicago whipped the other cities. As a result, the Mayor was asked to speak in Washington, D.C. He would like to have the same response this year. Alderman Chassee is running Healthy West Chicago in the interim.

14. Executive Session. At 8:08 pm, Alderman Beifuss made a motion, seconded by Alderman Dimas, to recess into executive session to discuss litigation [5 ILCS 120/2(c)(11) and review of Official Record [5 ILCS120/2(c)(21)]. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Smith, Garcia, Stout, Gagliardi, and Ligino-Kubinski. Voting Nay: 0. Motion carried.

Minutes for the executive session are filed separately.

The regular meeting resumed at 8:45 pm. Roll call found Alderman Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch-Ferguson, Smith, Garcia, Stout, Gagliardi, and Ligino-Kubinski present.

15. Items to be Referred for Final Action from Executive Session.

A. Ordinance 17-O-0028 - An Ordinance of the City of West Chicago, DuPage County, Illinois, Correcting, Retroactively, A Scrivener's Error in the Legal Description of Property Described in Ordinance 15-O-0040 "Authorizing the Acquisition Through Condemnation of a Parcel Commonly Known as "Reque Road" and a Portion of Land Adjacent Thereto for Construction of a Public Roadway"

Alderman Dimas made a motion, seconded by Alderman Chassee, to adopt the above item. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Ferguson, Hallett, Dimas, Birch Ferguson, Smith, Garcia, Stout, Gagliardi, and Ligino-Kubinski. Voting Nay: 0. Motion carried.

16. Adjournment. At 8:47 pm, Alderman Chassee made a motion, seconded by Alderman Stout, to adjourn. Motion was carried by voice vote.

Respectfully submitted,

Nancy M. Smith
City Clerk