

CITY OF WEST CHICAGO – 475 Main Street
CITY COUNCIL MINUTES
Regular Meeting
November 1, 2021

1. Call to Order. Mayor Ruben Pineda (on site) called the meeting to order at 7:00 pm. The Mayor said it was determined that in person meetings are not practical and prudent at this time.

2. Pledge of Allegiance to the Flag. Alderman Stout 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, Christine Dettmann, Alton Hallett, Melissa Birch-Ferguson, Sandy Dimas, Christopher Swiatek, Matthew E. Garling, Jeanne M. Short, John E. Jakabcsin, and Joseph G. Morano present remotely. Alderman Matthew E. Garling was present on site. The Mayor announced a quorum.

City Clerk Nancy M. Smith was also present on site.

Also in attendance remotely were City Attorney Patrick Bond, City Administrator Michael L. Guttman, Chief of Police Colin Fleury, Community Development Director Tom Dabareiner, and Public Works Director Mehul Patel.

5. Public Participation. City Administrator Guttman read pro and con communications from the public regarding video gaming. The following people (all of whom either live or work in West Chicago) were in favor:

George Mosier	Jason Correa	Sabastian Blanco
Casey Camp	Blare Shanely	Jackie Home
Josh Chang	Nicole Petrunzio	Terry Mauriquel
Jose Delgado	John Kemp	Adolfo Beltran
Daniel Chernov	Bryan Hernandez	Alma Hernandez
Jason Sylvester	Paul Doggett	Robin Brown
Connie Cassal	Charles Walter	Victoria Kelly
Kevin Moore	Jim Kwal	Al Thilk
Israel Garcia	Kelly Frommert	Robert Frommert
Greg Frommert	Doug Council	Anthony Pontecorvo
Mary Smith	Jerry Gangestad	Gi Oswald
Corrine Jakacki Dattomo	Janet Hatfield	Ramona Drozek
James Koehring	Tony Zaputil	S. Beard
Tony Seego	Heather Seego	Sunnie Garlt
Victoria Riban	Anthony Koziol	Jeremy Roy
Esther Snith	Honie Mills	Michelle Hall
Paul Svenningsen	Courtney Finnigan	Jennifer Kresl
David Cavazos	Michelle DeRaedt	Earl Pryor
Peggy Whitman	Mike Minor	Tom Gustafson
Amanda Tomaszewski	Justin Pineda	Jerry Frantzen
Kathleen Knox	Chris Wasserstrom	Roxanne Hamlin
Louis Kopinski	Pablo Pirelo	

The following people (all of whom either live or work in West Chicago) were opposed:

Mike Puccinelli	Mark Dunn	Sharilynn Dunn
John Shales	Shelly Shales	Cheng Wang
Kendra Painter	Charlene Oh	Cindy Hallett
Dan Balzer	Rebecca Charleston	Kristine Zimmermann
Brian Kiel	Peggy Bigoness	Melanie Young
Nancy Winchester	Chris Johnson	Cherie Kraft
Kathleen Leski	Jeannie Noceda	Ivette Martinez
John Schuhriemen	Linda Porter	

6. City Council Meeting Minutes – October 18, 2021, and October 20, 2021.

Alderman Swiatek made a motion, seconded by Alderman Chassee, to approve the minutes of October 18, 2021, and of October 20, 2021. During discussion, Alderman Garling said he attended the October 18, 2021, meeting in person, not remotely. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Dettmann, Hallett, Dimas, Birch-Ferguson, Swiatek, Garling, Short, Stout, Jakabcsin, and Morano. Voting Nay: 0. Motion carried.

7. Corporate Disbursement Report. Alderman Dimas made a motion, seconded by Alderman Jakabcsin, to approve the November 1, 2021, Corporate Disbursement Report in the amount of \$281,691.53. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Dettmann, Hallett, Dimas, Birch-Ferguson, Swiatek, Garling, Short, Stout, Jakabcsin, and Morano. Voting Nay: 0. Motion carried.

8. Consent Agenda – Consideration of an Omnibus Vote.

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

A. Resolution 21-R-0094 – A Resolution Authorizing the Mayor to Execute a Certain Contract with Axon Enterprises, Inc. (for an amount not to exceed \$83,502.50)

Alderman Chassee made a motion, seconded by Alderman Swiatek, to approve the above item. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Dettmann, Hallett, Dimas, Birch-Ferguson, Swiatek, Garling, Short, Stout, Jakabcsin, and Morano. Voting Nay: 0. Motion carried.

* **Items Not Sent to Committee:** The Mayor explained the following items:

B. Resolution 21-R-0095 – A Resolution Authorizing the Mayor to Execute a Certain Maintenance Agreement with Chicago Title Land Company Trust 8002380575 for Sanitary Sewer Main and Associated Appurtenances and Equipment with City Rights-of-Way

C. Resolution 21-R-0096 – A Resolution Authorizing the Execution of an Amusement Tax Rebate Agreement to Rebate Funds Payable to the City by Cascade Drive-In Pursuant to the City of West Chicago Amusement Tax

D. Resolution 21-R-0097 – A Resolution Authorizing the Mayor to Execute a Certain License Agreement with Chicago Title Land Company Trust 8002380575 for Use of City Right-of-Way Along Prince Crossing Road and Meadowview Crossing

E. Ordinance 21-O-0029 – An Ordinance Amending the Code of Ordinances of the City of West Chicago – Chapter 3, Section 3-12 (C) – Amending the Number of A-1, A-2, and A-3 Liquor Licenses (removed and voted upon separately)

F. Concur – With the Mayor's Appointment of Crystal Noland-Riani to the Historical Preservation Commission for an Unexpired Term Ending April 2022 (removed from the agenda at the Mayor's request)

Alderman Garling made a motion, seconded by Alderman Dimas, to approve Items 8.B, 8.C, and 8.D.above. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Dettmann, Hallett, Dimas, Birch-Ferguson, Swiatek, Garling, Short, Stout, Jakabcsin and Morano. Voting Nay: 0. Motion carried.

9. Reports by Committees. From Item 8.E. Ordinance 21-O-0029 – An Ordinance Amending the Code of Ordinances of the City of West Chicago – Chapter 3, Section 3-12 (C) – Amending the Number of A-1, A-2, and A-3 Liquor Licenses

Alderman Stout made a motion, seconded by Alderman Chassee, to adopt Ordinance 21-O-0029. During discussion, Alderman Garling asked why the number of liquor licenses has to be increased. City Administrator Guttman explained how one establishment closed and there was an increase in another category. His cover letter (inadvertently omitted) would have clarified which establishments were involved. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Dettmann, Hallett, Dimas, Birch-Ferguson, Swiatek, Garling, Short, Stout, Jakabcsin and Morano. Voting Nay: 0. Motion carried.

10. Unfinished Business. The Mayor read the following items:

A. Ordinance 21-R-0027 – An Ordinance Permitting Video Gaming in the City of West Chicago, DuPage County, Illinois, and Providing Regulations Therefore

B. Ordinance 21-R-0028 – An Ordinance Amending the Code of Ordinances of the City of West Chicago, Chapter 3, Alcoholic Beverages to Provide for Licensing of Video Gaming Establishment Where Alcohol is Permitted

Alderman Swiatek made a motion, seconded by Alderman Chassee, to adopt Ordinance 21-R-0027 and Ordinance 21-R-0028.

During discussion, Alderman Dimas said she appreciated all of the citizens that sent in letters or emails on this issue. They wanted to get their voices heard. People she has talked to in her ward do not want video gaming. Alderman Hallett said some people he has talked to that oppose video gaming think their voices do not matter and they are sad.

Alderman Jakabcsin concurred with Alderman Hallett. He said 69% of the people opposed video gaming in the 2018 Referendum. By moving forward with approval, it is insulting those people. The property taxes will not drop. Alderman Beifuss also cited the results of the 2018 referendum. He would like to see this put to another referendum.

Alderman Garling wished to amend the motion to make it dependent upon a binding referendum. City Attorney Bond said this is not recommended. There is no advantage to take an action on some event that may or may not occur. Alderman Garling was concerned that some of the people in public participation do not live in West Chicago so he was not sure how representative they are of the community. He would like the matter to go back to the community.

Alderman Chassee said 69% of West Chicago did not speak. It was 69% of 3000 voters who spoke. The issue came back because a number of people asked for it to be revisited. There have been many changes since 2018. COVID-19 came, the community changed, and businesses changed. She listened to all the comments, and respected everyone's opinion. She talked to many people who oppose video gaming. She listened to Chief Fleury. Video gaming is not primarily about tax revenue. It allows our businesses to be on an even footing with neighboring communities. There was interest in the old bowling alley as an adult venue, but they walked away when they found out we do not have video gaming. Alderman Brown also concurred with Alderman Chassee. She has spoken to many residents who would like to see video gaming. Some were not able to get out to vote.

Alderman Morano said he would echo Alderman Chassee. West Chicago was not the first to allow video gaming. Now there is data from those communities that allow it and we can make the decision on facts. He is in favor. A no vote would see a negative impact on our current and future business partners.

Alderman Jakabcsin said there was a lot of good information in the comments. His concern is where the population still stands. He also thought it should go back to a referendum. He then said he would like to make a motion to wait until the June 2022 election with a referendum similar to the 2018 referendum.

City Attorney Bond said there is a motion on the floor so the first and second movers would have to accept or withdraw their motions. He said Alderman Jakabcsin's motion seems to be different motion and not an amendment. Mayor Pineda asked Aldermen Swiatek and Chassee if they wished to withdraw their motion. They both said no.

Alderman Short said she respects everyone's opinion and she agrees with Aldermen Morano, Chassee, and Brown. She is not in favor of pushing this into June. A decision needs to be made now because our business owners are hurting now. She did not think it is fair to them to wait until June.

Alderman Beifuss made a motion, seconded by Alderman Garling, to table this item until after a referendum has been decided at the next possible election date. Voting Aye: Aldermen Beifuss, Hallett, Dimas, Garling, and Jakabcsin. Voting Nay: Aldermen Chassee, Brown, Sheahan, Dettmann, Birch-Ferguson, Swiatek, Short, Stout, and Morano. Motion failed.

Continuing discussion on the original motion, Alderman Beifuss asked if grocery stores that sell liquor and have a restaurant could have video gaming. City Administrator Guttman said yes if they meet the requirements. Mr. Guttman said he did not know about other towns.

Alderman Brown said there are strict guidelines of where the machines will be. People can gamble at every gas station and grocery store in town.

Alderman Jakabcsin thought the Council was overstepping its bounds, as it is important for voices to be heard. If these ordinances are adopted this evening, he will work to take it to the June 2022 elections. There will be enough to overturn this adoption.

Mayor Pineda asked City Attorney Bond if this could be put on the ballot. Attorney Bond said it could be if requested, but would be advisory, not binding. Binding referenda deal with taxes and increases in power. But, depending on the nature of the issue, it could be binding.

Alderman Chassee said the discussion is not on the motion, but how to overturn it so she called the question. Alderman Brown seconded the motion. Attorney Bond said it could be called if the Mayor wants to. Mayor Pineda said it would be called if everyone has been heard in the discussion. There was no more discussion. Voting Aye: Aldermen Chassee, Brown, Sheahan, Dettmann, Dimas, Birch-Ferguson, Swiatek, Short, Stout, and Morano. Voting Nay: Aldermen Beifuss, Hallett, Garling, and Jakabcsin. Motion carried.

Voting on the original motion, Voting Aye: Alderman Chassee, Brown, Sheahan, Dettmann, Birch-Ferguson, Swiatek, Short, Stout, and Morano. Voting Nay: Aldermen Beifuss, Hallett, Dimas, Garling, and Jakabcsin. Motion carried.

11. New Business. City Administrator said some of the comments referred to an audit of the City. He explained that the City has an audit every year.

12. Correspondence and Announcements.

Upcoming Meetings

- November 2, 2021 Plan Commission/Zoning Board of Appeals
- November 4, 2021 Infrastructure Committee
- November 4, 2021 Finance Committee
- November 8, 2021 Development Committee

Alderman Dettmann said the veterans' banners up on Main Street look fantastic. With more work on this project, and with the City's support, in coming years the program will expand to include more veterans. Alderman Dettmann thanked Rosemary Mackey, who really worked hard, and Judy Knaak who brought the idea forward. Mayor Pineda thanked Alderman Dettman for getting this idea and running with it. The banner project is beautiful, and it is a perfect time for Veterans Day. He said we should always remember our veterans on the 11th month, the 11th day, and the 11th hour. He expressed regret that there could be no veterans' service this year, but hopes it will return next year.

13. Mayor's Comments. The Mayor said Halloween was successful. There were many people out and they practiced safety measures.

The Mayor said recently he lost a good friend and two acquaintances to COVID-19 and Clerk Smith lost someone too. The Mayor said we have to continue to be careful. He has an 85-year-old mother and a 95-year-old mother-in-law who he does not want to contract COVID-19. This limits the places he goes and he wears a mask.

The Mayor reminded everyone to turn their clocks back next Sunday.

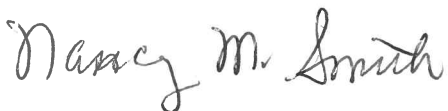
The Mayor announced there would be an executive session on Tuesday, November 9, 2021, at 6:00 pm.

14. Executive Session. There was no executive session.

15. Items to be Referred for Final Action from Executive Session. Not applicable.

16. Adjournment. At 8:31 pm, Alderman Chassee made a motion, seconded by Alderman Stout, to adjourn. Voting Aye: Aldermen Chassee, Beifuss, Brown, Sheahan, Dettmann, Hallett, Dimas, Birch-Ferguson, Swiatek, Garling, Short, Stout, Jakabcsin, and Morano. Voting Nay: 0. Motion carried.

Respectfully submitted,



Nancy M. Smith
City Clerk