

MINUTES
April 24, 2018
Committee of the Whole
City of Batavia

Please **NOTE:** These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. They are intended to make an official record of the actions taken by the Committee/City Council, and to include some description of discussion points as understood by the minute-taker. They may not reference some of the individual attendee's comments, nor the complete comments if referenced.

Vice-Chair Wolff called the meeting to order at 7:00pm.

1. Roll Call

Members Present: Ald. Russotto, Atac, Stark, Chanzit, Salvati, Wolff, O'Brien, Callahan, Meitzler (entered at 7:08pm), Uher, Cerone (entered at 7:04pm), and McFadden

Members Absent: Chair Brown; Alderman Malay

Also Present: Mayor Schielke (entered at 7:18pm); Laura Newman, City Administrator; Drew Rackow, Planner; Wendy Bednarek, Director of Human Resources; Peggy Colby, Director of Finance; Scott Buening, Director of Community Development; Jeff Albertson, Building Commissioner; Chris Cudworth, Communications Coordinator; Anthony Isom, Administrative Assistant to the City Administrator; and Jennifer Austin-Smith, Recording Secretary

2. Approval of Minutes for April 3, 2018 and April 10, 2018

Motion: To approve the minutes for April 3, 2018 and April 10, 2018

Maker: Stark

Second: Atac

Voice Vote: 10 Ayes, 0 Nays, 4 Absent
Motion carried.

3. Items to be Removed/Added/Changed

There were no items to be removed, added or changed.

4. Matters from the Public (For Items NOT on Agenda)

There were no matters from the public at this time.

5. Ordinance 18-22: Variances for Tower Signs for Windmill Creek Shopping Center, 2030 – 2150 Main and 271-351 South Randall, Crash Champions, LLC/My Properties, LLC, applicant (JLS 4/18/18) CD

Rackow summarized the memo with the Committee of the Whole (COW). The COW complimented the applicant on the design of the building.

Motion: To recommend approval of Ordinance 18-22: Variances for Tower Signs for Windmill Creek Shopping Center, 2030 – 2150 Main and 271-351 South Randall
Maker: Salvati
Second: Chanzit
Voice Vote: 11 Ayes, 0 Nays, 3 Absent
Motion carried.
CONSENT AGENDA

6. Ordinance 18-24 Variances for a Building Addition at 1141 Morton Street, Spillane and Sons, applicant (DMR 4/17/18) CD

Stark overviewed the memo. Rackow noted that the in the past the property was subdivided around the house, which is what has caused the need for variances.

Motion: To recommend approval of Ordinance 18-24 Variances for a Building Addition at 1141 Morton Street
Maker: Chanzit
Second: Callahan
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.
CONSENT AGENDA

7. Discussion: Establishing New Special Service Area Number 62 for Batavia MainStreet (SCB 4/9/18) CD

Stark summarized the memo. The Committee discussed the Batavia MainStreet funding, MainStreet becoming self-sufficient, and the need for stakeholder input to make an informed decision. Mayor Schielke expressed his support for Batavia MainStreet and all of the positive things they are doing in our community. Newman noted that another aspect of MainStreet that the City staff appreciates is acting as an ombudsman to the Batavia businesses.

Rob Hollis, Batavia MainStreet, stated that they act as a liaison and have an army of volunteers that could not be done through the City and does need a third party. Hollis clarified that they are not asking for \$100,000. We would prefer to not go through this process every five years but there are things in the SSA that states that it is limited to a \$40,000 cap. We do see some development coming our way and history has demonstrated that it is a burden on downtown businesses. We would act as a liaison with the business during the development process. We truly try to help those businesses to offset any negative impact. Hollis stated that if they feel that they need the additional funds, the development that would happen here would fund a great deal of it. He does not feel that they would have to come to City Council and ask for additional funding for some other reason other than the impact of the development that is in the downtown.

Jamie Saam, Batavia Main Street Director, addressed the Committee. She stated that part of the process is to come before the COW to see which direction the Committee would like to go. After direction from the COW is received Batavia MainStreet will schedule a meeting with property owners and business owners.

Salvati stated that he would like to investigate the possible benefits of an Economic Development Council (EDC). MainStreet does wonderful things for our community and that is adding to our development but he feels that we are missing some synergy that could be achieved by having a formalized corporation. Salvati gave examples of other communities that have an EDC and there are advantages of having one that should be investigated.

Chanzit asked about this SSA and if 51% does not support it then the SSA does not pass. Buening reported that this SSA is subject to a back door referendum. So if 51% of the owners and 51% of the registered voters of the area sign a petition to the City then that kills the SSA. Chanzit suggested Batavia MainStreet propose something that the majority of MainStreet property owners agree with. Callahan concurred.

Stark stated that the first direction is to find out more information on the EDC, making decision on the cap and the unlimited timeframe of the SSA. Stark questioned if we have enough information from staff to start putting the SSA into place. Stark explained that the SSA is expiring so the framework for the SSA should be put into place and the amount could be lowered. There was no objection from the COW.

The Committee performed a roll call vote to direct staff to move forward with the process to create a new special service area Number 62 for Batavia MainStreet with a \$100,000 maximum levy with an unlimited end date knowing that the allotted total could go down as need be. The motion was made by Callahan and seconded by Salvati. The roll call vote was 12-0, 2 absent.

8. Discussion: MainStreet Downtown Way-Finding (LN) CD

Jaimie Saam, Batavia MainStreet, distributed a handout with a map of the proposed way-finding signage locations and way-finding signs. Saam explained that the signs would be relatively generic without specific businesses listed on them. There will be no directory at this time. After discussion, the consensus of the Committee was in support of the way-finding project moving forward.

9. Ordinance 18-23: Amendments to the Text of the Zoning Code, City of Batavia, Applicant (JLS 4/18/18) CD

Stark summarized the memo. The Committee discussed Chapter 4.7 regarding wireless communication facilities (WCF). Callahan expressed concern about cell towers and the impact to residential property values, public safety health risks, and the fact that these elements should be considered over some time since there is not one person requesting such WCF at this time. He noted that there are studies and pending court cases out there that should be considered. Callahan suggested that since there is nothing relatively pressing, we should wait to see what the court cases say before we do anything further with WCF. Callahan clarified that he is concerned about resident impact, whether or not we could discuss health we can discuss property values and the residential impact on that. O'Brien stated that the Firefighter Association study states there are negative health effects while the American Cancer Society stated that there are more negative effects by talking on your cell phone. O'Brien asserted that means that there is more work to do in vetting out the harmful effects because we still don't know. Meitzler commented that if we are changing any of our laws there should be a compelling reason to make that change. Wolff suggested removing the WCF portion of the ordinance. Buening stated that at this time he would

suggest removing the WCF portion from the ordinance. The Committee discussed the other amendments to the text of the Zoning Code.

The floor was opened for public comment. There was no public comment at this time.

Motion: To recommend approval of Ordinance 18-23: Amendments to the Text of the Zoning Code removing Chapter 4.7 regarding Wireless Communication Facilities
Maker: Wolff
Second: Callahan
Roll Call Vote: **Aye:** Wolff, O'Brien, Callahan, Meitzler, Uher, Cerone, Russotto, Atac, Stark, Salvati
Nay: Chanzit, McFadden
10-2 Vote, 2 Absent, Motion carried.

10. Ordinance 18-27: Vacation of Old Island Avenue Right-of-Way (SCB 4/18/18) CD

Stark summarized the memo.

Motion: To recommend approval of Ordinance 18-27: Vacation of Old Island Avenue Right-of-Way
Maker: Cerone
Second: O'Brien
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.
CONSENT AGENDA

11. Resolution 18-53-R: Adopting City of Batavia Debt Management Policy (PLC 4/18/18) GS

Atac summarized the memo. Colby stated that she used Naperville's Debt Management Policy as an example. She tailored the policy specifically to the City of Batavia.

Motion: To recommend approval of Resolution 18-53-R: Adopting City of Batavia Debt Management Policy
Maker: O'Brien
Second: Chanzit
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.
CONSENT AGENDA

12. Resolution 18-52-R: Approval of Employment Agreement for Jeanette Armbrust (WB 4/24/18) GS

Bednarek stated that this resolution is for a part-time agreement for Jeanette Armbrust with a limit of 599 hours a year. Jeanette will be helping with the transition of work and some City projects.

Motion: To recommend approval of Resolution 18-52-R: Approval of Employment Agreement for Jeanette Armbrust

Maker: Chanzit
Second: Cerone
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.
CONSENT AGENDA

13. Project Status

Newman reported on the following:

- The Communications Coordinator, Public Works Department, and Police and Fire Department are holding discussions on how to better communicate with residents. The only clerical department that we have in the City that is 24/7 is the Police Records Department. We will be providing those employees access to the website to post power outages, those posts would also make a Facebook post and a Twitter post. It is a good start and we will continue to look at technology platforms. For the interim, this could be put in place immediately. Uher asked if we talked to the School Board on sharing the cost of notification. Newman stated that she would look into that.
- We have received 875 survey responses but are still short of the 1,000 responses goal. She is hopeful that the more it is advertised the more responses we will receive.
- The Illinois Commerce Commission has approved Suncast's request to rebuild the rail spur to deliver materials to their Suncast Lane Facility.
- The Plan Commission on May 2nd will hold hearings on the expansion of the Funway Entertainment Facility and variances on the MetroNet hub.
- Kane County has notified the City on the opening of the application period for the 2018 Community Development Block Grant Program. The City would be submitting an application for the streets in the vicinity of North River Street.
- The Batavia Public Library Board in May will be considering an intergovernmental agreement that is drafted for the purpose to allow the City of Batavia to use the library's original content on the history and collection of the windmills in our City and allowing use of that content would allow Chris Cudworth to put together information that would be used for a walking tour of those windmills.
- Francine Popeck has three windmills produced in Batavia in her backyard and is offering those windmills to the City for the cost of \$11,375 which is \$1,000 less than the amount she had those windmills previously appraised for. The next week's COW meeting staff will be proposing that we purchase that collection of windmills from her.

14. Other

Salvati congratulated staff on the speed reduction to the speed limits on N. Batavia Ave..

Atac announced that Walk or Bike to School Day is Wednesday, May 9th. The Bike Commission would appreciate the Council members to be at the elementary school in their ward between 8:45am to 9:00am to say hi to the kids.

15. Adjournment

There being no other business to discuss, Vice-Chair Wolff asked for a motion to adjourn the meeting at 9:18pm; Made by O'Brien; Seconded by McFadden. Motion carried.

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Minutes respectfully submitted by Jennifer Austin-Smith