

CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL
April 16, 2018, at 7:30 p.m. - City Council Chambers
100 N. Island Ave. Batavia, Illinois

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. Minutes 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. Any references to discussion and /or statements are only to provide greater clarity to the public and they may not reference all, some, or any of an individual speaker's comments.

1. MEETING CALLED TO ORDER

The meeting was called to order by Mayor Schielke at 7:30 p.m.

2. INVOCATION followed by PLEDGE OF ALLEGIANCE

Mayor Schielke offered a brief invocation. Ald. Russotto led the Pledge of Allegiance.

3. ROLL CALL

13 of 14 aldermen were present.

Aldermen (by ward): Scott Salvati (1), Michael O'Brien (1), Alan Wolff (2), Martin Callahan (2), Dan Chanzit (3), Elliot Meitzler (3), Susan Stark (4), Lucy Thelin Atac (5), Mark Uher (5), Michael Russotto (6), Nicholas Cerone (6), David Brown (7) and Drew McFadden (7) were present. Anthony Malay (4) was absent for Roll Call and joined the meeting at approximately 7:50 p.m.

Also present were BATV and members of the press, public and the following:

City Administrator	Laura Newman
City Clerk	Ellen Posledni
Deputy Fire Chief	Craig Hanson
Police Chief	Daniel Eul
City Attorney	Roman Seckel
Community Development Director	Scott Buening
Building Commissioner	Jeff Albertson
Director of Public Works	Gary Holm
Finance Director	Peggy Colby

4. ITEMS REMOVED/ADDED/CHANGED

None.

5. CONSENT AGENDA

Ald. Atac read the consent agenda as follows:

Accept and Place on File:

- A. Historic Preservation Commission Minutes for March 12 , 2018
- B. Tree Commission Minutes for September 7, 2017
- D. Building Report for March 2018

Approvals:

- E. April 6, 2018 Payroll \$862,349.74
- F. Accounts Payable Check Register \$2,476,756.77
- G. City Council Minutes for March 19, 2018 and April 2, 2018
- H. **RESOLUTION 18-38-R:** Approving Task Order #7 with Power System Engineering to perform 34 kV and 12 kV model update, flow assessment, contingency assessment, and Arc Flash assessment for the amount not to exceed \$88,700 (RB 03/29/18 COW 4/3/18 9/0 PU)
- I. **RESOLUTION 18-45-R:** Authorizing Execution of a Master Services Agreement with Baxter & Woodman (TG 4/12/18 COW 4/10/18 11/0) CS
- J. **RESOLUTION 18-44-R:** Authorizing Execution of A Contract For The 2018 Sidewalk And Curb Replacement Program With Schroeder & Schroeder, Inc. (CCB 4/3/18 COW 4/10/18 11/0) CS
- K. **RESOLUTION 18-46-R:** Authorizing 2018 Ward 1 Storm Sewer Reconstruction Contract with Performance Construction (TG 4/5/18 COW 4/10/18 11/0) CS
- L. **RESOLUTION 18-47-R:** Authorizing Task Order #1 with Baxter & Woodman for Construction Engineering Services for the 2018 Ward 1 Storm Sewer Reconstruction (TG 4/5/18 COW 4/10/18 11/0) CS

Motion by Ald. Atac, seconded by Ald. Stark, to approve the Consent Agenda as presented. Motion carried 13 yea/ 0 nay/ 1 absent.

6. MATTERS FROM THE PUBLIC: (For Items NOT on the Agenda)

None.

7. PRESENTATION: Post Prom check from Mayor Schielke and Laura Newman

Tina Bleakley and Amy Nelson, chairs of the Batavia High School Post Prom event, were present to receive a \$3,000 check from the City of Batavia to support the event. Mayor Schielke explained that a city ordinance requires that fines collected for liquor and tobacco violations are to be used for education purposes and this event provides a safe location for students to gather after Prom. Ms. Nelson explained that 764 students attended Post Prom last year, and the event is open to all students, whether they attended the dance or not. This year's Prom will be in Chicago. Students will take a bus to and from the city. Post Prom will be held at Funway.

8. PRESENTATION: Batavia Mothers' Club Foundation – Holly Miller

Holly Miller from Batavia Mothers' Club Foundation shared some history of the club and noted its 501(c)3 status. The club's mission is to help women and children in the Fox Valley, and members don't have to live in Batavia nor do they have to be mothers. The club currently has 30 members and 25 auxiliary members. It meets monthly on the first Wednesday, September through May. Funds raised during the year are disbursed to organizations in May. The club also holds social events and service opportunities. The biggest fundraiser for the club is the October Craft Show, which typically raises \$15,000 to \$20,000. Other fundraisers include a bunco night

in January/February that typically raises \$3,000 to \$5,000, and the Fox Trot 5K walk/run in April that raises \$3,000 to \$8,000. Additional funds come from sponsorship and other minor fundraisers.

Ms. Miller noted that the club consistently receives community support and has now joined the Batavia Chamber of Commerce. It is organized with an Executive Board and multiple committees, and members are required to serve on at least one committee. The club raises \$30,000 to \$50,000 annually, and \$25,000 to \$45,000 is disbursed to local organizations every year. Last year, 75 organizations applied for grants totaling \$120,000; ultimately, 26 organizations were granted \$23,000. About a third of money goes to local schools. When choosing grant recipients, members give first preference to organizations that are most local and that are most in line with the club's mission. Members can join any time by coming to a meeting. Meetings are held at the Batavia Public Library.

Mayor Schielke thanked Ms. Miller for the many years of dedicated service provided by the Batavia Mothers' Club Foundation.

9. PRESENTATION: BEC Presentation - Endorsing the Metropolitan Mayors Caucus' Greenest Region Compact 2 – Byron Ritchason

Anna Bakker of the Batavia Environmental Commission presented the Greenest Region Compact 2 to the City Council. This is a pledge to be a sustainable city. There are 85 municipalities in the Chicago area that have signed the pledge, including many of Batavia's neighboring cities. The framework of the pledge is in alignment with Batavia's Comprehensive Plan. Ms. Bakker noted that her organization completed an initial evaluation of how Batavia is doing regarding sustainability and she was pleased to report the city is already making great progress in this area, adding that goals in seven categories are attainable.

Ms. Bakker asked members of the City Council to agree to the pledge because it reinforces what the city is already doing. Further, signing the pledge would give Batavia access to grants and other incentives, and being a GRC2 city is good for home values. Signing the pledge tonight would be symbolic because it is almost Earth Day.

Mayor Schielke noted the presence of Edith Makra, director of environmental initiatives for the Mayors Caucus. The two have known each other a long time through the Mayors Caucus, and the Mayor said that Ms. Makra is really a national authority on environmental issues in urban areas.

Ms. Makra addressed the City Council and asked the members to join the GRC2 to get things done. She explained that the compact was created by looking at 39 sustainability plans across the region and then streamlining them. She said Batavia is doing a lot of good things in this area and has much to be proud of. There is no cost to join the GRC2 and no reporting requirements at this time. GRC2 will be providing a toolkit for branding and tying in to local initiatives. Batavia would be the 85th member. Participation also supports lobbying efforts by showing lawmakers how much support there is for environmental issues across the region.

Motion by Ald. O'Brien, seconded by Ald. Atac, to sign the Metropolitan Mayors Caucus' Greenest Region Compact 2. Motion carried 14 yea/ 0 nay/ 0 absent.

The pledge was passed around the dais so that all aldermen and the Mayor could sign it.

10. MAINSTREET

Due to wintry weather, the Easter Egg Hunt was held inside at Water Street Studios in the loading dock. Special thanks to Batavia Enterprises for allowing the space to be used. Thirty-five businesses did participate in the Downtown Egg Hop around town.

June 2 will be a big day downtown. The Farmers' Market will kick off its 23rd year, the Well Batavia Expo will return as will the Race to Market 5K. The Market will feature more than 35 weekly vendors plus 10 to 15 local artisans on the third Saturday of each month. Additional vendors will participate at other intervals.

Tomorrow night is the Dishing on the Farm Bill event being held at Bar Evolution. Fifty people have RSVP'ed to attend.

Next week is Preservation Week being held in conjunction with the Batavia Historical Society. Events will be held all week around town.

Well Batavia is holding wellness events through May. Events are free, and most of them are hosted by the Tea Tree. Event lineup can be found at wellbatavia.com.

MainStreet information and events can be found at downtownbatavia.com or across social media platforms. The phone number is 630.761.3528.

11. PROCLAMATION: for Arbor Day to Gary Holm (Scott Haines 4/2/18)

Ald. Atac read the proclamation declaring April 27, 2018, as Arbor Day in the City of Batavia. Director Holm thanked Scott Haines, Kathy Montinari, Tabitha Simon and Brian Bettin for their hard work on the Tree City USA program. On April 27, the City will do its annual tree-planting. Details are on the website.

Motion by Ald. Atac, seconded by Ald. Stark, to approve the proclamation as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

Mayor Schielke said Arbor Day is a significant event in the history of Batavia, and he shared a story about the city's arborist, Frank Saupp, whose family has been in the tree business in Batavia for 60 years. According to Mr. Saupp, in the early 1950s, Batavia was devastated by Dutch Elm disease which destroyed about 3,000 trees. Since then, the City has replanted an estimated 12,000 trees.

12. RESOLUTION 18-41-R: Approving a Preliminary/Final Plat of Subdivision Independence & Spuhler (DRackow 4/6/18 COW 4/10/18 11/0)CD

Ald. Brown introduced the resolution related to the former water tower site that has been for sale from the city for some time. Various proposals have been received, and this proposal has been in the works for about a year. The company has done a nice job working with homeowners in the area. Passage of the resolution will allow the closing on the property to proceed. Director Buening added that funds from the sale of the property will go into the Water Fund.

**Motion by Ald. Brown, seconded by Ald. Wolff, to approve the resolution as presented.
Motion carried 14 yea/ 0 nay/ 0 absent.**

13. ORDINANCE 18-21: Approving a Planned Development Overlay for Prairie Commons Subdivision (DRackow 4/13/18 COW 4/10/18 11/0)CD

Ald. Brown introduced the ordinance regarding the planned Prairie Commons development on a parcel that has been considered for development since 1999. The current owners have done a nice job working with staff, and as discussed at the Committee of the Whole, this project is a better project than what was originally presented and approved in 2004. The ordinance includes a couple of variances that were discussed at the COW, and the language has been updated based on conversations at the COW. Ald. Brown said he is happy to see this project moving forward.

Mayor Schielke noted that he is 100 percent in favor of this development, but he does have one concern about the fact that the U.S. Postal Service has not yet changed the address of this property from Aurora to Batavia. He is concerned that a share of Batavia's taxes could end up going to Aurora if this is not resolved. The Mayor has spoken to people at the Batavia Post Office and has received assurances that they have a strong intent to change the address, and the developers also want a Batavia address. In previous situations, there has been occasion to call local lawmakers to get action on the request.

Ald. Wolff asked why the address would be Aurora. Director Buening noted that a few areas in the community have addresses belonging to West Chicago and Mooseheart. All parties agree the address should be Batavia, but it has not been officially amended.

**Motion by Ald. Brown, seconded by Ald. Stark, to approve the ordinance as presented.
Motion carried 14 yea/ 0 nay/ 0 absent.**

14. RESOLUTION 18-42-R: Approving a Preliminary/Final Plat of Subdivision – Prairie Commons Subdivision (DRackow 4/13/18 COW 4/10/18 11/0)CD

Ald. Brown introduced the resolution. Ald. O'Brien noted that the last Ward 1 development proposal was contentious, but he has not heard any complaints about this development, so he believes there is support for it in Ward 1.

Scott Herrard, a representative of the builder, was present and spoke about the project. He noted it would feature 133 urban-style townhomes, which feature a garage underneath and behind the home. There would also be 109 standard townhomes. The average price is expected to be \$290,000, although some would feature a base price of \$230,000. Prices could go as high as \$320,000. The plan is for models to be built by September and sales to begin in October. Closing

on the property is expected by the end of May. Mr. Herrard also noted that there has been definite interest in the commercial part of the development.

**Motion by Ald. Brown, seconded by Ald. Stark, to approve the resolution as presented.
Motion carried 14 yea/ 0 nay/ 0 absent.**

15. APPROVAL: Waive formal bidding for Task Order #2 with G4S Secure Integration LLC for fiber connection to Cyrus One data center

Ald. O'Brien introduced the item relating to the fiber optic utility.

**Motion by Ald. O'Brien, seconded by Ald. Malay, to approve the waiver as presented.
Motion carried 13 yea/ 0 nay/ 0 absent. Ald. Meitzler abstained.**

16. RESOLUTION 18-34-R: Authorizing Execution of Task order #2 with G4S Secure Integration LLC to construct a 192 count Fiber Connection from Eola Road, North of I-88 to Cyrus one Data Center for an amount not to exceed \$82,000.84 (RB 03/29/18 COW 4/3/18 8/0/1) PU

Ald. O'Brien explained that this Task Order is part of the fiber optic utility project. He noted that G4S is the preferred contractor of the phone company and the data center.

**Motion by Ald. O'Brien, seconded by Ald. Malay, to approve the resolution as presented.
Motion carried 13 yea/ 0 nay/ 0 absent. Ald. Meitzler abstained.**

17. RESOLUTION 18-37-R: Authorizing Execution of agreement for infeasible right of use of duct (IRU) with Illinois State Toll Highway Authority (ISTHA) (RB 03/29/18 COW 4/3/18 8/0/1) PU

Ald. O'Brien introduced the resolution regarding use of the duct running under the highway. It is a 20-year agreement.

**Motion by Ald. O'Brien, seconded by Ald. Stark, to approve the resolution as presented.
Motion carried 13 yea/ 0 nay/ 0 absent. Ald. Meitzler abstained.**

18. RESOLUTION 18-39-R: Authorizing Dynamic Ratings Inc to perform monitoring equipment upgrade and replacement at Batavia Substations for an amount not to exceed \$147,492 (RB 03/29/18 COW 4/3/18 8/1) PU

Ald. O'Brien introduced the resolution related to substation work. He noted that this work was not in the approved budget for 2018, but that staff feels the cost can be offset with other savings to remain within budget for 2018. If needed, staff will bring a budget amendment to the City Council at the end of the year. Ald. Meitzler explained that while he supports equipment maintenance, he cannot support a project this size that was not budgeted, especially in light of other items that have gone unfunded due to budget constraints.

**Motion by Ald. O'Brien, seconded by Ald. Uher, to approve the resolution as presented.
Motion carried 11 yea/ 3 nay/ 0 absent.**

19. APPROVAL: to waive formal bidding for contract with Layne Christensen for rehabilitation of Well #6 & #8

Ald. O'Brien introduced the item relating to work on Wells #6 and #8. He added that Layne Christensen has done city work in the past.

Motion by Ald. O'Brien, seconded by Ald. Malay, to approve the waiver as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

20. RESOLUTION 18-43-R: Authorizing Execution of Contract for Well #6 and #8 Rehabilitation (JB 4/5/18 COW 4/10/18 11/0) PU

Ald. O'Brien introduced the item relating to work on Wells #6 and #8.

Motion by Ald. O'Brien, seconded by Ald. Malay, to approve the resolution as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

21. APPROVAL: to waive formal bidding for contract with Archon Construction to install underground service expansion at 1801 Suncast Ln

Ald. O'Brien introduced the item relating to new underground 35kV to serve Suncast. The company will reimburse the city for the expenses.

Motion by Ald. O'Brien, seconded by Ald. Russotto, to approve the waiver as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

22. RESOLUTION 18-48-R: 1801 Suncast Ln –35 kV URD service Expansion (RB 4/6/18 COW 4/10/18 11/0) PU

Ald. O'Brien introduced the item relating to new underground 35kV to serve Suncast.

Motion by Ald. O'Brien, seconded by Ald. Stark, to approve the resolution as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

23. APPROVAL: Class E-4 Liquor License – Water Street Studios (Chief Eul 4/11/2018)

Ald. Atac introduced the item relating to a liquor license for Water Street Studios. Chief Eul indicated that there was no request to waive the fee.

Motion by Ald. Atac, seconded by Ald. Stark, to approve the request as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

24. ADMINISTRATOR'S REPORT

The city has received 650 responses to the Community Survey so far. Some residents have requested paper copies via mail. Administrator Newman remains hopeful that they will receive 1,000 responses. Residents can go to the city website to complete the survey or call the city to ask for a paper copy.

Buzz Miller, the husband of the late former alderwoman Linnea Miller, has indicated his desire to purchase one of the statues previously proposed for the Donovan Bridge. He would like to donate the statue for display downtown, and staff will be looking at suitable sites.

Community Development and Economic Development have been busy preparing for the April 19 public hearing at 7:00 p.m. regarding One Washington Place. Administrator Newman thanked staff for their efforts and especially for updating the OWP web pages with current information.

The city has recently received a \$50,000 grant for property cleanup and nuisance abatement and a \$58,000 block grant for roadway improvements on the East Side.

A building permit has been issued for 1200 Douglas Road for an interior build-out for a new logistics company. The company had an urgent need to relocate, and staff worked diligently to expedite the review and issuance of the permit.

Community Development staff is looking at the plans for the MetroNet hut for the location on Orion Road. They are also reviewing the development submittal for the Landmeier Farm development, which is being called Winding Creek.

Batavia Police Department will participate in the 2018 Distracted Driving Enforcement Week April 23 through April 27. The City will help advertise the event and share safe driving tips during the week via social media.

Batavia Fire Department utilized the services of the Northwestern Medicine Mobile Stroke Unit with excellent results. The Mobile Stroke Unit staff was able to identify the patient's stroke and administer life-saving medication to the patient en route to the hospital. The patient was speaking with the EMTs before arriving at the hospital and did not require any neurological intervention upon arrival at the hospital. The program manager of the MSU wrote a message to the Fire Department saying the team did an excellent job of identifying the symptoms and mobilizing the MSU.

The Prairie State underground mine tour is scheduled for July 23 and 24. City Council members should contact Gary Holm if interested in attending.

Staff is finalizing the bid documents for the solid waste contract, and the bid will open May 7.

Ozone odor reduction equipment for the wastewater treatment plant has been delivered and is ready for installation.

Ongoing fire hydrant repair work and general clean-up efforts are going on around town.

For Communications, Chris Cudworth is creating case studies for Economic Development featuring local businesses.

Ald. Callahan asked if the \$50,000 grant money for property clean-up could be used retroactively to reimburse the city for money already spent. Administrator Newman said the money could fund work going back to January 2016. Director Buening noted that the City has pursued legal action to have funds reimbursed for previous property clean-up, but if the court action is not successful, the grant money will be used instead.

25. COMMITTEE REPORTS

Ald. Brown said the next Committee of the Whole meeting will be April 17 at 7:00 p.m. Plan Commission will have a public hearing on One Washington Place on Wednesday, April 18, at 7:00 p.m. Historic Preservation meets Monday, April 23, at 5:30 p.m.

Ald. Atac said an amendment of the text of the zoning code will be on the Committee of the Whole agenda for April 24.

Ald. Wolff listed several items that would be on tomorrow night's Committee of the Whole agenda.

26. OTHER BUSINESS

Ald. Callahan asked if the Plan Commission meeting would be televised on BATV. It will not.

27. MAYOR'S REPORT

Mayor Schielke announced that on Sunday, June 10, from 5:00 to 8:30 p.m., the Batavia Fireworks Committee and the Flag Day Memorial Committee would hold the fourth annual ice cream social. The Batavia Community Band will be playing and other fun events are scheduled. The committees are looking for volunteer ice cream scoopers, so the Mayor asked the aldermen to consider volunteering. At dusk, there will be some type of luminaria on the river.

May 4 and 5 is the Citywide Garage Sale to raise money for the Batavia Fireworks Committee. Those interested can pay the \$35 fee no later than April 27, and their garage sale will be placed on the map for shoppers to use during the event, which raises several thousand dollars for the fireworks show.

The Mayor recommended that those who can attend the Prairie State tour in July.

A recent accident occurred on Wilson Street that resulted in a car flipped over. There was quite a bit of damage to the bump-out at the bottom of the hill at Water Street. Several residents have complained about these bump-outs causing damage to their vehicles, and the Mayor suggested it might be something the Council wants to consider addressing.

28. EXECUTIVE SESSION: Setting the price of land for sale (SB)

Director Buening indicated that the Executive Session was no longer necessary.

29. ADJOURNMENT

Motion to adjourn by Ald. Brown, seconded by Ald. Chanzit. Motion carried by voice vote.
The City Council meeting adjourned at 9:08 p.m.

Minutes prepared and submitted by Ellen Posledni, City Clerk, April 24, 2018.