

**MINUTES**  
**September 24, 2019**  
**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.

Chair Wolff called the meeting to order at 6:00pm.

**1. Roll Call**

**Members Present:** Chair Wolff; Ald. Miller (entered at 6:02pm), Russotto (entered at 6:02pm), Beck, Knopp, Chanzit, Salvati, O'Brien (entered at 7:20pm), Callahan, Meitzler, Malay, Uher, Cerone, and McFadden (entered at 6:02pm)

**Members Absent:**

**Also Present:** Mayor Schielke; Laura Newman, City Administrator; Scott Buening, Director of Community Development; Jeff Albertson, Building Commissioner; Rahat Bari, City Engineer; Anthony Isom, Assistant to the City Administrator; Griffin Price, Communications Coordinator; and Jennifer Austin-Smith, Recording Secretary

**2. Wastewater Treatment Plant Tour (walking over)**

The Committee of the Whole (COW) and meeting attendees walked over to the Wastewater Treatment Plant (WWTP) for the tour of the facility at 6:02pm. Byron Ritchason gave the tour of the WWTP, which included the following: process improvements that save energy and cost, administrative building, laboratory, training room, odor control system, SCADA equipment, training room, work room with two ton capacity garage hoist, centrifuge room, computer system, mechanical room, digestive sludge tanks, odor control units, primary purifiers, chlorine facility, EPA requirements, inspiration for the front façade of the WWTP building, digestive sludge room, and boiler room. After the tour was completed the Committee walked back to City Hall to resume the meeting.

The Committee of the Whole meeting resumed at 7:20pm.

**3. Reminder: Please speak into the microphone for BATV recording**

**4. Approve Minutes for August 20, 2019**

**Motion:** To approve minutes for August 20, 2019

**Maker:** Chanzit

**Second:** Uher

**Voice Vote:** 14 Ayes, 0 Nays, 0 Absent  
Motion carried.

**5. Items to be Removed/Added/Changed**

Agenda item twelve, Resolution 19-103-R, was removed from the agenda.

**6. Matters From the Public (For Items NOT on the Agenda)**

There were no matters from the public at this time.

**7. Consent Agenda**

**(The Consent Agenda is made up of items recommended by city staff that requires recommendation to the full City Council by the COW. This agenda is placed as a separate item on the COW agenda. The items on the Consent Agenda are usually minor items, already budgeted, standard non-policy activities or outgrowths of earlier meetings and are voted on as a “package” in the interest of saving time on non-controversial issues. However, any council member may, by simple request, have an item removed and placed on the “regular” agenda.)**

**a. Ordinance 19-60: Declaring Surplus Property (GPH 9/6/19) - PU**

**Motion:** To approve the Consent Agenda as presented

**Maker:** Chanzit

**Second:** Uher

**Voice Vote:** 14 Ayes, 0 Nays, 0 Absent  
Motion carried.

**8. PUBLIC HEARING 7:00PM: Annexation Agreement for Property at 1S631 Deerpath Road**

The Public Hearing was opened at 7:22pm. Buening summarized the annexation agreement with the Committee.

Chair Wolff opened the floor for public comment.

Roxanne Shulka, property owner, addressed the Committee. She asked that she be able to continue burning on the site of the landlocked portion of her property across the creek. She explained that burning helps her maintain her property. She also spoke about her concern about selling in the future. She understands on the main side of the property you don't want burning after twenty years but is it possible to continue allowing burning on the landlocked property. Otherwise, maintenance over there is going to be problematic when they go to sell the property.

Buening answered that the City is limited by statute for annexations for twenty years. If they sell that property within the twenty years the terms transfer to the new property owners until twenty years is met. After twenty years is met the property owner(s) would have to follow City ordinances. O'Brien asked after twenty years would the property owner have to ask for a variance. Buening answered they would have to ask for some type of deviation from the code to allow that. Shulka noted that neighbors signed an agreement that they understand the need for burning and it is not a problem. The copy of the signed petition was given to City staff.

The consensus of the Committee was in favor of continued burning on the landlocked property. Buening stated that nothing can be put into the agreement that is beyond twenty years but if there is a deviation from the City Code the property owner could apply for a text amendment or variance for that. Uher asked how the property owner would know after twenty years and the COW has changed to follow the process Buening suggested. Newman stated that in a closing agreement for the sale of the property the existence of the annexation agreement should be part of the closing documents. O'Brien asked how could we assure that the variance is available to the property after twenty years. Chair Wolff suggested keeping a record of this meeting with the minutes and the video of this meeting available on YouTube.

**Motion:** To close the Public Hearing  
**Maker:** Chanzit  
**Second:** Knopp  
**Voice Vote:** 14 Ayes, 0 Nays, 0 Absent  
Motion carried.

The Public Hearing was closed at 7:37pm.

#### **9. Approval: 2020 Calendar**

**Motion:** To approve the 2020 Calendar  
**Maker:** Chanzit  
**Second:** McFadden  
**Voice Vote:** 14 Ayes, 0 Nays, 0 Absent  
Motion carried.  
CONSENT AGENDA

#### **10. Ordinance 19-62: Authorizing Execution of an Annexation Agreement for Property at 1S631 Deerpath Road (SCB 9/17/19) CD**

**Motion:** To recommend approval of Ordinance 19-62: Authorizing Execution of an Annexation Agreement for Property at 1S631 Deerpath Road  
**Maker:** Callahan  
**Second:** McFadden  
**Voice Vote:** 14 Ayes, 0 Nays, 0 Absent  
Motion carried.

#### **11. Ordinance 19-63: Annexing Property at 1S631 Deerpath Road (SCB 9/17/19)**

**Motion:** To recommend approval of Ordinance 19-63: Annexing Property at 1S631 Deerpath Road  
**Maker:** Callahan  
**Second:** McFadden  
**Voice Vote:** 14 Ayes, 0 Nays, 0 Absent  
Motion carried.

**12. Resolution 19-103-R: Recommending Award of a Façade Improvement Grant (117 ½ and 119 S. Batavia Ave.) to Moser (AI 9/18/19) CD**

This item was removed from the agenda.

**13. Discussion: Text Amendments RE: Beekeeping (SB 9/19/19)**

Buening summarized the memo with the Committee.

George Ingersoll, President of the Fox Valley Beekeepers Association, addressed the Committee. He stated that the association understands the need for guidelines for beekeeping. Ingersoll stated he does not support the \$55 fee per hive.

Callahan asked if the State is the one who licenses and regulates beekeeping. Ingersoll answered that is correct. There is no fee but there is an inspector who looks at the hive and ensures that there is no disease in the hive. The Committee discussed the proposed text amendments including signage, best practices, and partnering with the Fox Valley Beekeepers Association. Callahan stated that he feels that the City should keep this simple. The State already takes care of this. The City should add the definition into the zoning and not create any additional fees that we don't do for anything else. He gave an example of dog houses. Callahan stated that he does not want to create duplicate oversight. City staff is already known to be busy, why add anything more to their plate. The Committee discussed eliminating the sign requirement and reducing the cost of the fee. Chanzit stated given the fact that there have been no complaints about beekeeping and this is a practice that should be encouraged he would like to see this in ordinance form.

Chair Wolff asked for a straw poll vote to remove the signage requirement and reduce the fee to \$25. No Committee members voted in favor for this straw poll. The consensus of the Committee was in favor to simply change the zoning code to allow beekeeping.

**14. Discussion: Strategic Plan Update – Infrastructure (GPH 9/19/19)**

Holm overviewed the memo and noted that the documents are available on the One Drive. Chanzit stated that he believes that the list provided is fair and he agrees with it. He asked about letter E and Holm answered that the research would be at the staff level with little expenditure. Chanzit stated that he appreciates that staff is recommending not spending any more time and money on studies if the City is not going to accomplish/pay for it. O'Brien stated that for the hundred year plan for sidewalks we should change our mindset and go with clay pavers or some other material of structural integrity so that it lasts one hundred years. There is cost involved with that but once you pay that cost you are done with that cost. Holm agreed and noted that there are several areas in the downtown where pavers would fit in nicely.

The Committee discussed the stormwater utility. O'Brien explained that he is an advocate for the stormwater utility because it is a major issue for the majority of municipalities.

**15. Resolution 19-101-R: Approving Task Order #12 for Power System Engineering (PSE) for an amount not to exceed \$30,000 to Design a Fiber/Communications Building at the Paramount Substation (RB 9/6/19) PU**

O'Brien summarized the resolution with the Committee.

**Motion:** To recommend approval of Resolution 19-101-R: Approving Task Order #12 for Power System Engineering (PSE) for an amount not to exceed \$30,000 to Design a Fiber/Communications Building at the Paramount Substation

**Maker:** Meitzler

**Second:** Malay

**Voice Vote:** 14 Ayes, 0 Nays, 0 Absent  
Motion carried.  
CONSENT AGENDA

**16. Resolution 19-107-R: Authorizing Rays Electric Service to Install Underground Conduit through Directional Boring from New Northeast Distribution Substation to Existing Electrical Infrastructures on Hubbard Avenue for and amount not to exceed \$30,888 which includes a 10% Contingency Amount (RB 9/20/19) PU**

Holm summarized the memo.

**Motion:** To recommend approval of Resolution 19-107-R: Authorizing Rays Electric Service to Install Underground Conduit through Directional Boring from New Northeast Distribution Substation to Existing Electrical Infrastructures on Hubbard Avenue for and amount not to exceed \$30,888 which includes a 10% Contingency Amount

**Maker:** Uher

**Second:** Malay

**Voice Vote:** 14 Ayes, 0 Nays, 0 Absent  
Motion carried.

**17. Project Status**

Newman reported on the following:

- Batavia MainStreet supplied the activities that they would like to host on River Street during the Friday evening closures. City staff and MainStreet will have a joint meeting in the near future to iron out the details.
- Raising Cane's restaurant construction continues.
- Randall 15 Theater is back on City power.
- Plan Commission has a meeting on October 2<sup>nd</sup> to discuss: variance at 8044 North VanBuren, Conditional Use for body art tattoo, Conditional Use for a rental facility, and a text amendment regarding cannabis use definitions according to those written into the Illinois State Cannabis Law.
- Prairie Commons is working on the second phase of their development.
- Work continues on the building being constructed on Fabyan Parkway.
- Target is actively continuing to work on the store renovations.
- Oak and Swine Restaurant at 107 East Wilson is nearly complete on the interior.
- The west side water tower was washed.
- Underground work continues with the Area 3 storm sewer separation project.
- Roadway patching is beginning this year and will complete this year's work with road resurfacing.
- Crack-filling and sealcoating of our municipal parking lots are underway.

- The finance department set up a donation account for online donations for the Batavia windmills. All donations will be set aside for repair and maintenance of the windmills that the City owns. It will be available on the online bill pay page.
- City of Batavia and the Depot Museum will be splitting the proceeds of the wine glasses to support the Depot Museum expansion project.
- The Fire Department will have an open house at the west side station on October 6<sup>th</sup> and is a family friendly event.
- Communications is working on a two-year communication/marketing plan to establish goals, processes and strategies moving forward so we are communicating in a more consistent and engaging manner. The National Research Center has established a standard community-wide survey, which City staff is in communication with regarding providing a statistically valid survey.
- City of Batavia is providing legionnaires update information as readily as it has been made available and will continue to do so.
- Winding Creek will return to City Council on October 7<sup>th</sup>

### **18. Other**

Mayor Schielke announced an invitation to an event scheduled on October 27<sup>th</sup> at the VFW Hall. There will be a pumpkin carving contest (9am-11am with judging at 11am-11:30am), pig roast and Bears game showing. The VFW invited the Council member to serve as pumpkin carving judges. Aldermen Knopp, Chanzit, and Wolff announced that they were available to attend the event.

Mayor Schielke stated that this coming year will be the 70<sup>th</sup> anniversary of the Batavia fire works. For seventy years the community of Batavia has funded those fireworks with private donations and we never reached into the taxpayers pockets. This is a wonderful tradition for this town to have and he hopes that this community would continue to have that tradition go forward. Currently, we have half the amount of money needed for a show next year. Any help or donations to the fireworks would be appreciated.

Mayor Schielke commended City staff for the locally renowned good work. He added that compliments have been received on the announcers of the Batavia High School football team broadcast.

Callahan stated that he personally observed the Police and Fire Department this weekend. Their professionalism and empathy is without measure. Wolff concurred.

### **19. Adjournment**

There being no other business to discuss, Chair Wolff asked for a motion to adjourn the meeting at 8:58pm; Made by Salvati; Seconded by O'Brien. Motion carried.