

MINUTES
October 29, 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 7:00pm.

1. Roll Call

Members Present: Chair Wolff; Ald. Miller, Russotto (entered at 7:03pm), Beck, Knopp (via telephone), Salvati, O'Brien, Callahan, Meitzler, Malay, Uher, Cerone, and McFadden

Members Absent: Ald. Chanzit

Also Present: Mayor Schielke (entered at 7:16pm); Chief Diecke, Batavia Fire Department; Chief Eul, Batavia Police Department; Laura Newman, City Administrator; Gary Holm, Director of Public Works; Peggy Colby, Director of Finance; Jeff Albertson, Building Commissioner; Drew Rackow, Planner; Scott Buening, Director of Community Development; Rahat Bari, City Engineer; Howard Chason, Director of Information Technology; and Jennifer Austin-Smith, Recording Secretary

2. Reminder: Please speak into the microphone for BATV recording

3. Approve Minutes for October 1, 2019

Motion: To approve minutes for October 1, 2019
Maker: O'Brien
Second: Salvati
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.

4. Items to be Removed/Added/Changed

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

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

There were no matters from the public at this time.

6. Ordinance 19-67: Amending the Text of the Zoning Code – City of Batavia, Applicant (DMR 10/24/19) CD

Rackow discussed how the ordinance has definitions for items related to cannabis that has been legalized by the State with the Cannabis Regulation and Tax Act effective on January 1, 2020.

Rackow explained this is solely putting the definitions into the text of the Zoning Code and not changing the status of those uses.

Motion: To recommend to City Council approval of Ordinance 19-67: Amending the Text of the Zoning Code – City of Batavia, Applicant
Maker: Callahan
Second: Beck
Voice Vote: 13 Ayes, 0 Nays, 1 Absent
Motion carried.
CONSENT AGENDA

7. Water Street Studios – Forgive Loan Year 10 (PLC 10/22/19) GS

McFadden overviewed the memo and noted that the loan was to be forgiven over a ten-year term for each successful year that Water Street Studios maintained minimum occupancy level.

Motion: To recommend to City Council approval of forgiving year ten of the Water Street Studios loan
Maker: McFadden
Second: Uher
Voice Vote: 13 Ayes, 0 Nays, 1 Absent
Motion carried.

8. Discussion: Expansion of the Video Gaming Ordinance to Allow for Holders of a Class E-3 Liquor License (LN 10/24/19) GS

Bob Hansen, owner of Funway, addressed the Committee. He stated that whether or not to incorporate video gaming has been a tough decision for him over the past few years. He was in support of video gaming because it is helping businesses survive. He is up against the same thing now. Due to the minimum wage increase it has been a huge number for them employing the age group that they have. They are looking for additional revenue.

Hansen stated the last thing that he wants to do is to ruin Funway's image. The gaming will be behind a wall in a storage area on the north side of their bar. It will be a three to four foot barn door that could be slid open or closed. The door will be closed and gaming will not be open when the bar is not open. When the bar is open there will be an attendant there and surveillance cameras will be in the bar area. He is not a big fan of gambling but it is an additional resource for them. It is open to many other businesses and he would like it open to his business as well.

The Committee members expressed their individual thoughts on video gaming in general and for this particular establishment. Newman observed that it appeared there was enough support to draft the ordinance to be brought back to Committee of the Whole (COW). Mayor Schielke asked staff to look into the cost for licensure of machines to ensure that it is not too low. Mayor Schielke stated he would ask legal counsel to prepare a memo about what the fees should be for COW's review.

9. Project Status

Newman reported that IDNR is moving forward with plans to fund removal of low head dams. The City of North Aurora has been asked to update and renew their documentation requesting removal of their dam and indication has been given that perhaps Batavia could be next in line for that. This is great news but it prompts the question as to what we want to do with the depot pond, which is a primary feature of our downtown. If we want to maintain it then what would be the cost to do so. Newman stated that there is potential for CMAQ funding by continuing the berm at the end of the peninsula through Duck Island and then northwest to the other bank and if the bike path was continued over that. Newman explained that the removal of the dams would open up more of the river for recreational uses, such as canoeing and kayaking. There are also opportunities to increase the health of the fish population and increase that type of recreational use as well.

Chair Wolff asked that the Park District be involved as soon as possible with the discussion on the Depot Pond. Wolff stated that there is engineering money available with the CMAP if we can tie that to a plan with a bike path, especially with traffic issues we have in town. Wolff stated that is something we should explore immediately. Holm discussed the rules of the CMAP grant with the group and the importance of timing.

Newman reported that there are a number of businesses contacting our Economic Development Department wanting to establish their businesses in Illinois. Newman had a call from one of the communities that attended the Active Transportation Alliance meeting asking for pictures of River Street and documentation on how that all came to be because they wanted to present that information to their Board to show them what a similar investment can do for their community.

Newman reported that leaf pick up will continue and asked that leaves be moved out of the yard as soon as possible. She encouraged the community to mulch their leaves when they can.

10. Other

Knopp thanked Chief Eul and Chief Diecke for their department's participation on Saturday leading the Batavia Marching Band out of town for the State Championship. They placed fifth in their class.

11. Executive Session: Potential Litigation

Motion: To enter into executive session regarding potential litigation
Maker: O'Brien
Second: Meitzler
Voice Vote: 13 Ayes, 0 Nays, 1 Absent
Motion carried.

Chair Wolff noted that there would be an action and discussion after the Executive Session.

The Committee entered Executive Session at 7:48pm and exited at 8:28pm.

12. Resolution 19-113-R: Authorizing Payment of \$27,110.21 to Illinois Municipal Broadband Association for City's Dues (RB 10-25-19) PU

Motion: To recommend approval of Resolution 19-113-R: Authorizing Payment of \$27,110.21 to Illinois Municipal Broadband Association for City's Dues

Maker: Salvati

Second: Cerone

Voice Vote: 13 Ayes, 0 Nays, 1 Absent

Motion carried.

CONSENT AGENDA

13. Discussion: 2020 Budget Discussion (PLC 10-25-19)

*Alderman Miller exited the meeting at 8:31pm

Colby presented the 2020 budget to the Committee. Her PowerPoint presentation included the following:

- 2020 Budget for all funds
- Budget, Surplus and Reserves
- General Fund Expenditures for \$29.0M How Revenues are Allocated
- 2020 General Fund Budget by Type (Millions)
- General Fund Continued
- 2020 General Fund Personnel Cost (000's)
- Staff Requests
- Economic Development Manager Funded mid-year
- Not-funded but requested: HR Admin increase to FT, Finance Analyst, Police Records – Increase pool of PT workers (add in bc it could be a reduction of cost), WW Admin increase from 30 to 40 hours (Sewer Fund)
- General Fund Revenues
- History of Sales Tax and Projected 2020 Budget
- Property Tax
- Street Projects Budgeted in 2019 (Fund 43)
- Drainage Projects Budgeted in 2020 (Fund 33 & 32)
- City Hall Projects Budgeted in 2020 (Fund 48)
- Electric Utility
- Water Utility
- Wastewater Utility
- City of Batavia 2020 Budget: Budgetary Talking Points

The Committee discussed conserving the reserves, income sources, general fund, balanced operating budget, 2020 census, EAV and the public notice. The consensus of the Committee was to go forward and publish the public notice. Colby noted that this would just establish a date for a public hearing and would not require the Council to pass any increase at all. It just means that it is being considered. Wolff asked for rate comparisons and no increase with going into the

reserves for the Committee to view. Colby stated that she would prepare a separate memo for this information.

Mayor Schielke discussed the potential of future development and revenue coming to the City. He suggested not posting a black box and go into the reserves. He stated that since there was a recent vote on keeping Home Rule, he does not want to give residents the wrong impression. Newman added that our rate could remain exactly the same but we would still need to publish the black box if our evaluation grows. Wolff commented that he does not want to put the City in the position where we don't have the reserves and we don't have the ability to do a small incremental increase. That is why he thinks the cap limits us and forces us to use the reserves that we have in small bits. If we don't have anything left in reserves we will ultimately have to raise taxes.

14. Adjournment

There being no other business to discuss, Chair Wolff asked for a motion to adjourn the meeting at 10:02pm; Made by Salvati; Seconded by O'Brien. Motion carried.