

**CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL
May 6, 2019, 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. Stark led the Pledge of Allegiance.

3. ROLL CALL

13 of 14 aldermen were present.

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

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

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

4. REMINDER: Please speak into the microphone for BATV recording

Mayor Schielke reminded all in attendance to use the microphones.

5. ITEMS REMOVED/ADDED/CHANGED

None.

6. CONSENT AGENDA

Ald. Atac read the Consent Agenda as follows:

Accept and Place on File:

- A. Plan Commission Minutes for April 3, 2019
- B. Committee of the Whole Minutes for March 26, 2019, April 9, 2019, April 16, 2019 and April 23, 2019
- C. Tree Commission Minutes for October 24, 2018
- D. Building Reports March 2019

Approvals:

- E. April 19, 2019 Payroll \$841,381.96 and May 3, 2019 Payroll \$874,369.06
- F. Accounts Payable Check Register \$4,589,558.46
- G. City Council Minutes for April 15, 2019
- H. **ORDINANCE 19-23:** Annexing 3S102 Wagner Road (SCB 4/30/19)(Continued from 3/19/19 COW – COW 4/23/19 11/0) CD
- I. **ORDINANCE 19-21:** Annexing 36W283 McKee Street (Revised) (SCB 4/22/19) CD
- J. **RESOLUTION 19-060-R:** Authorization to Execute a One-Year Renewable Contract for the Mosquito Abatement Program with Clarke Environmental Mosquito Management, Inc. in the amount of \$52,000.00 (SH 4/16/19 COW 4/23/19 11/0)
- K. **ORDINANCE 19-30:** Annexing 211 and 221 Ellen Lane and 1126 Main Street (SCB 4/5/19 COW 4/23/19 11/0) CD
- L. **ORDINANCE 19-31:** Annexing 501 and 502 Ellen Lane and 427 Roberts Lane (SCB 4/5/19 COW 4/23/19 11/0) CD
- M. **ORDINANCE 19-33:** Annexing and Zoning 2S336, 2S335 and 2S248 Meadow Drive and 34W930 Sunset Drive (SCB 4/24/19 COW 4/30/19 12/0) CD
- N. **ORDINANCE 19-34:** Annexing and Zoning 921 and 934 Carlisle Road (SCB 4/24/19 COW 4/30/19 12/0) CD
- O. **RESOLUTION 19-57- R:** Authorizing Execution of Amendment #4 to the Master Service Agreement with G4S Secure Integration, LLC, Willowbrook, IL (GH 4/15/19 COW 4/23/19 11/0) CS
- P. **RESOLUTION 19-58-R:** Authorizing Execution of Task Order #2 with G4S Secure Integration, LLC, Willowbrook, IL for an amount not-to-exceed \$40,874.78 (GH 4/15/19 COW 4/23/19 11/0) CS
- Q. **ORDINANCE 19-36:** Updated 2019 Wages and Salaries for Non-Collective Bargained Employees (WB 5/06/19 COW 4/30/19 12/0) GS

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

7. MATTERS FROM THE PUBLIC: (For items NOT on the Agenda)

None.

8. CHAMBER OF COMMERCE

Chamber President and CEO Holly Deitchman announced several upcoming events:

May 8, 7:15 am, BC² networking event at Comfort Inn and Suites in Geneva

May 9, 5 pm, ribbon-cutting at Hanson Family Chiropractic

May 15, the Illinois Business Immigration Association in partnership with Valley Industrial Association will hold an event on how to file I-9 forms to enable non-U.S. citizens to work in the U.S.

May 15, 5 to 7 pm, Networking-It at River's Edge to benefit Batavia Rotary Club

June 11, 11:30 am to 1 pm, Women in Business luncheon at Oscar Swan

June 21, 1 pm, 45th annual golf outing at Orchard Valley

July 12-14, Windmill Fest

July 27, Chili cook-off

The Chamber is approaching 500 members. It has moved into a new office space and they want to celebrate the opening when membership reaches 500, hopefully by the end of the fiscal year (August 31). Ms. Deitchman introduced one of the newest members, Market Ready.

Adam and Emilie Stander addressed the Council. They are general contractors who focus on preparing homes for the real estate market. They handle small and large jobs. They have teamed up with realtors in Geneva to service seniors in the community who may not be able to stay in their homes and may be in need of updating before putting their house on the market. The company is passionate about veterans' causes and are actively seeking veterans who may need assistance. They have teamed up with Home Depot to secure necessary materials for projects assisting veterans.

Mayor Schielke welcomed the Standers to Batavia and wished them well.

Market Ready can be found on Facebook, at makeitmarketready.net or at 630.589.0093.

9. APPOINTMENT: Reappoint Dennis Anderson to the Board of Fire and Police Commissions (JEM 4/1/1)

Mayor Schielke requested the reappointment.

Motion by Ald. Stark, seconded by Ald. Callahan, to approve the reappointment as requested. Motion carried 13 yea/ 0 nay/ 1 absent.

10. APPOINTMENT: Reappoint Ralph Beck to the Police Pension Board (CS 4/25/19)

Mayor Schielke requested the reappointment.

Motion by Ald. Stark, seconded by Ald. Callahan, to approve the reappointment as requested. Motion carried 13 yea/ 0 nay/ 1 absent.

11. APPROVAL: Annual Department Head Reappointments (JDS 5/01/19)

Mayor Schielke requested the following department heads be reappointed to their positions:

Laura Newman

Peggy Colby

Randy Deicke

Dan Eul

Gary Holm

Rahat Bari

Wendy Bednarek

Howard Chason

Scott Buening

Bill Kellum

Scott Haines

Jeremy Barkei

Byron Ritchason

Mark Davis

Kevin Drendel/Drendel and Jansons (city attorney)

Motion by Ald. Stark, seconded by Ald. Salvati, to approve the reappointments as requested. Motion carried 13 yea/ 0 nay/ 1 absent.

12. ORDINANCE 19-28: Amending the Text of The Zoning Code (DMR 4/4/19) (continued from 4/9/19 COW – COW 4/23/19 10/1) CD

Ald. Stark introduced the item, explaining that changes in setbacks and structures on properties have been a topic of discussion in recent COW meetings. The Plan Commission reviewed and modifications were made by the Council.

Motion by Ald. Stark, seconded by Ald. Chanzit, to approve the ordinance as presented.

Ald. Uher noted he felt this was a solution without a problem. He said the recent bed and breakfast ordinance backfired and suggested this one needs more time to consider. We have some large houses on small lots, small houses on large lots, and this may not make sense as proposed. He is also concerned about the effect on structures such as sheds and treehouses. Ald. Callahan agreed, saying questions have been raised about what is considered a permanent structure. Ald. Chanzit suggested the item go back to committee. Ald. Malay agreed.

Ald. Stark and Ald. Chanzit withdrew their original motion.

Motion by Ald. Chanzit, seconded by Ald. Uher, to table the vote and return the item to committee for further discussion. Motion carried 13 yea/ 0 nay/ 1 absent.

13. ORDINANCE 19-32: Amending a Planned Development Overlay District granted by Ordinance 17-61. Water Tower Crossing. Habitat for Humanity of Northern Fox Valley, Applicant (DMR 4/17/19 COW 4/23/19 11/0) CD

Ald. Stark introduced the item related to the old water tower site. It will amend ORD 17-61, which was passed to support a previously proposed development. The new plan will decrease the density originally approved for the plat.

Motion by Ald. Stark, seconded by Ald. Chanzit, to approve the ordinance as presented.

Ald. Malay noted that when he taught building trades at the high school, he pursued having his class do a project in that location. He is glad to see Habitat for Humanity using the land and hopes the building trades students will have an opportunity to support the building.

Motion carried 13 yea/ 0 nay/ 1 absent.

14. RESOLUTION 19-055: Approving a Preliminary/Final Plat of Subdivision for Water Tower Crossing. Habitat for Humanity of Northern Fox Valley, Applicant (DMR 4/17/19 COW 4/23/19 11/0) CD

Ald. Stark introduced the item approving the final plat for the former water tower site, which reduces the number of lots from six to four.

Motion by Ald. Stark, seconded by Ald. Russotto, to approve the resolution as presented.

Motion carried 13 yea/ 0 nay/ 1 absent.

15. ORDINANCE 19-04: Proposing Establishment of an Amended Special Service Area Number 61 for the One Washington Place Development (SCB 4/3/19 COW 4/23/19 11/0) CD

Ald. Stark introduced the item that changes the original SSA approved on March 20 from \$10 per \$100 of EAV to \$15 per \$100 of EAV as a maximum amount approved by levy. This is a backup SSA in case it's ever necessary.

Motion by Ald. Stark, seconded by Ald. Chanzit, to approve the ordinance as presented.

Ald. Callahan stressed that this item ensures all money will be paid back; repayment is no longer tied to the life of the TIF. Ald. O'Brien asked if the developer has agreed to this amended SSA, and Director Buening said yes. Ald. Wolff reiterated that this is a backup SSA just in case there is not enough money earned from the TIF over the life of the TIF. The property will pay the money back through the SSA.

Motion carried 13 yea/ 0 nay/ 1 absent.

16. RESOLUTION 19-056-R: Renewing Ride in Kane 2019-2021 (LN 4/12/19 COW 4/16/19 14/0) GS

Ald. Atac introduced the item, noting that this service is becoming increasingly important as Pace services are reduced. Ride in Kane provides curb-to-curb transportation for seniors and those with low incomes, who pay a small fee. The city pays \$80,000 annually to support the program. The current contract ends July 31; this contract would extend the agreement through 2021.

Motion by Ald. Atac, seconded by Ald. O'Brien, to approve the resolution as presented. Motion carried 13 yea/ 0 nay/ 1 absent.

17. ADMINISTRATOR'S REPORT

Administrator Newman shared a photo of the new statue installed just east of the Depot Museum, "From the Waters Comes My Bounty." It was created by Ray Kobald, a St. Charles artist, and is a gift from Buzz Miller in memory of his late wife and former alderman Linnea Miller.

Administrator Newman shared other city news:

- The city's website has been updated to include Strategic Plan documents that make it easy to track projects and how they relate to the city's plan.
- More than 100 employees are participating in training around conflict management and customer service. The training is a two-part program.
- A new proposal for an industrial building at Fabyan and Louis Bork has been received.
- Staff is considering a proposed plat of development for Catherine's Cove subdivision phase 1 off of First Street.
- A full permit has been issued for Oak and Swine on East Wilson Street. Significant work is being done to the façade.
- Annexing properties continues – 10 parcels have been annexed so far, and 14 more were approved for annexation at tonight's meeting.
- Batavia Police Department recently conducted a Distracted Driving Awareness campaign. During the week, they made 152 traffic contacts. On April 26, 61 traffic stops were made for distracted driving and occupant safety.
- Electric crews are finishing the replacement of concrete poles along Wilson Street and will then transition back to work on Main Street in preparation for 2020 projects.
- The contractor is making final preparations to begin construction on Ward 1 drainage improvement project.
- Sewer crews have been working with Fermilab to identify infiltration issues occurring there.
- The Streets Department has placed sharrows on streets to alert drivers to bicycle traffic.
- The bike path along the wastewater treatment plant is now open.
- The new communications coordinator starts Monday, May 13.
- The Slow Down campaign will launch again for the end of the school year.
- A group met to discuss plans for Windmill City Fest. Volunteers are needed. Those interested in helping should call the Batavia Park District or go to their website.
- Bruch pickup on the east side is May 13, and on the west side May 20.

18. COMMITTEE REPORTS

Ald. Stark said the Historic Preservation Commission meets on May 13 at 5:30 pm.

Ald. Atac said at tomorrow night's COW, there will be a discussion of Res 19-061-R: Authorizing Execution of Certified Community Form for Exempt Properties to Be Included in June 1, 2019 Kane County Stormwater Ordinance Update.

19. OTHER BUSINESS

Ald. Chanzit noted that yesterday was the five-year anniversary of the Supreme Court ruling upholding invocations at City Council meetings. He said he appreciates how the Mayor handles invocations, noting that not all communities handle it so well.

20. MAYOR'S REPORT

Mayor Schielke said the Council has had extraordinary people representing the community, and he said the Council functions well because it is about the community and not about itself. He said other towns may have people who are self-serving, and it causes division, but there is not typically division on this Council. He said the foundation of Batavia's success is the spirit of service in the city.

Ald. Atac noted that the Mayor's best quality is his skilled leadership. She thanked him for that, and said it has been a joy to serve with him over the years.

21. ADJOURNMENT SINE DIE

Motion by Ald. Chanzit, seconded by Ald. Stark, to adjourn Part I of the meeting. Motion carried 13 yea/ 0 nay/ 1 absent. Part I of the City Council meeting adjourned at 8:17 pm.

Part II

1. OATH OF OFFICE: Administer the Oath of Office to Aldermen Scott Salvati, Alan Wolff, Daniel Chanzit, Joseph A. Knopp, Anthony Malay, Abby Beck, Michael Russotto, Keenan A. Miller

Judge Mark Busch administered the oath of office to the newly elected aldermen.

2. MEETING CALLED TO ORDER

Mayor Schielke called Part II of the meeting to order at 8:29 p.m.

3. ROLL CALL

14 of 14 aldermen were present.

Aldermen (by ward): Michael O'Brien (1), Scott Salvati (1), Martin Callahan (2), Alan Wolff (2), Elliot Meitzler (3), Dan Chanzit (3), Anthony Malay (4), Joe Knopp (4), Mark Uher (5), Abby Beck (5), Nicholas Cerone (6), Michael Russotto (6), Drew McFadden (7) and Keenan Miller (7) were present.

4. RECOGNITION: Former Aldermen Susan Stark, Lucy Thelin Atac and Dave Brown
Mayor Schielke noted that Ald. Brown was honored at the previous meeting because he is absent this evening. He read a proclamation of thanks and admiration for Ald. Stark.

**Motion by Ald. Knopp, seconded by Ald. Meitzler, to approve the proclamation as read.
Motion carried 14 yea/ 0 nay/ 0 absent.**

Ald. Stark shared some parting words about her eight years of service. Mayor Schielke then read a proclamation of thanks and admiration for Ald. Atac.

Motion by Ald. Beck, seconded by Ald. Wolff, to approve the proclamation as read. Motion carried 14 yea/ 0 nay/ 0 absent.

Ald. Atac thanked the Mayor and Council.

5. ADMINISTRATOR'S REPORT

None.

6. COMMITTEE REPORTS

None.

7. OTHER BUSINESS

None.

8. MATTERS FROM THE PUBLIC

None.

9. MAYOR'S REPORT

Mayor Schielke noted his dismay and disappointment in the work being done by MetroNet. They have been working in the area of Van Nortwick and Blackhawk, and have nothing to identify their crews as working for MetroNet. Workers are entering private yards and not identifying who they are. He said Administrator Newman is investigating the complaints, and he suggested the city require signage for companies doing work in the city to identify what company it is and who to call with questions or complaints. MetroNet has caused a variety of damage around town. He said the city plans to lay out expectations for finishing the work in Batavia.

Ald. Wolff said he would like to discuss the topic at tomorrow night's COW. Ald. Chanzit said developers have previously been called in to attend a COW for similar discussions and suggested MetroNet be asked to come to a COW. He said he has had a roll of cable in his yard for three weeks. Ald. O'Brien said he was disappointed, and noted the company had reassured the Council that the work would be done well.

Mayor Schielke said the COW may also want to discuss the issue of advertising through putting leaflets in plastic bags weighed down by rocks and throwing into driveways.

The Mayor asked the three new aldermen if they had anything they'd like to say. Ald. Knopp declined. Ald. Beck said she is happy to be here. Ald. Miller said he's happy to be here and excited to help make Batavia better.

10. ADJOURNMENT

**Motion by Ald. Salvati, seconded by Ald. Meitzler, to adjourn Part II of the meeting.
Motion carried by voice vote. Part II of the City Council meeting adjourned at 8:52 pm.**

Minutes prepared and submitted by Ellen Posledni, City Clerk, May 15, 2019.