

MINUTES
May 28, 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. Knopp, Chanzit (phoned in at 7:21pm), Salvati, O'Brien, Callahan, Meitzler, Uher, Cerone, McFadden

Members Absent: Aldermen Miller, Russotto, Beck, and Malay

Also Present: Mayor Schielke (entered at 7:04pm); Chief Eul, Batavia Police Department; Gary Holm, Director of Public Works; Scott Buening, Director of Community Development; Drew Rackow, City Planner; Wendy Bednarek, Director of Human Resources; Jeff Albertson, Building Commissioner; and Jennifer Austin-Smith, Recording Secretary

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

3. Items to be Removed/Added/Changed

Agenda item six was discussed prior to agenda item five.

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

There were no matters from the public for items not on the agenda.

5. Ordinance 19-28: Amending the Text of the Zoning Code (DR 5/24/19 from 5/20/19 CC) CD

* Alderman Chanzit phoned in the meeting at 7:21pm

Rackow overviewed the memo with the Committee. He stated that this is being brought back for further discussion. Staff has researched what the surrounding neighbors have done. Rackow stated that it varies greatly, some have an absolute number and others only rely on limitations on required yards or lot sizes. The summary was included in the memo as well as sizes of standard accessory structures. The Committee of the Whole (COW) discussed the ordinance, size requirements, accessory dwelling units regulations, accessory structures, and amending to which ever is larger, 10% or 600 square feet in any district.

Motion: To recommend to City Council approval of Ordinance 19-28: Amending the Text of the Zoning Code with the addition of wording 10% of lot size or 600 square feet in any district, whichever is larger

Maker: Uher
Second: Salvati

Discussion was held on the motion. Wolff asked if this Ordinance includes the restriction on shipping containers. Rackow stated that it does and could be found in section three, number four.

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

6. Ordinance 19-43: Annexing 503 Roberts Lane (SCB 5/20/19) CD

Buening stated that this is a property surrounded by the City limits. This is the last parcel on Roberts Lane. The property owner has been contacted a number of times and they have not responded to our request. The utility agreement compels them to annex. They were required to annex back in the 1990's and they did not.

Motion: To recommend to City Council approval of Ordinance 19-43: Annexing 503 Roberts Lane
Maker: Callahan
Second: Meitzler
Voice Vote: 9 Ayes, 0 Nays, 5 Absent
Motion carried.

7. Ordinance 19-44: Revising Title 5 of Batavia Municipal Code Regarding Gambling (DME 5/22/19) GS

Chief Eul discussed the unlicensed video game terminal at local gas station, without state or local permit stamps on it. After contact with the manager, police were informed that a subject who offered to install the machine for free with no additional charges approached the manager and installed the machine. The revenue would be shared. The manager was told that it was not a video gaming terminal but was called a sweepstakes machine. The manager volunteered to take the machine out and the police informed him they were going to review it further. The manager took the machine down after meeting with police. The revision prohibits the use of Sweepstake Machines. Chief Eul recommends the COW approve this revision to Title V. The Committee discussed video gaming and whether or not it should continue. McFadden suggested that this be placed on a future COW agenda for further discussion.

Motion: To recommend to City Council approval of Ordinance 19-44: Revising Title 5 of Batavia Municipal Code Regarding Gambling
Maker: McFadden
Second: Salvati
Voice Vote: 10 Ayes, 0 Nays, 4 Absent
Motion carried.

8. Resolution 19-063-R: Approving Materials Package bid in the amount of \$91,768 to Substation Enterprises Inc. for Paramount Park Distribution Substation Upgrade (RB 5/24/19) PU

O'Brien overviewed the memo with the Committee.

Motion: To recommend to City Council approval of Resolution 19-063-R: Approving Materials Package bid in the amount of \$91,768 to Substation Enterprises Inc. for Paramount Park Distribution Substation Upgrade

Maker: Meitzler

Second: Salvati

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

CONSENT AGENDA

9. Project Status

Buening reported that Avenue Chevy building is almost completely demolished. Wolff asked if they had an underground tank that needed to be removed. Albertson responded that it was above ground.

10. Other

Mayor Schielke discussed the possibility of the Batavia High School Sport's Boosters to ask for the ability to launch fireworks during the 2019 football season every time the Bulldogs score a touchdown. Chief Eul noted that some of the surrounding residents are already concerned about the current sound amplification. Discussion on possible fireworks would be held at a future COW meeting.

Mayor Schielke reported that the Police Department is ready to make a presentation about bicycle riding in Batavia. The Batavia Bike Commission should be part of this discussion. This will be at an upcoming meeting.

11. Executive Session: Collective Bargaining (WB)

Motion: To enter into executive session for the purpose of collective bargaining

Maker: O'Brien

Second: Salvati

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

The Committee entered into Executive Session at 7:53pm and exited at 8:05pm.

12. Adjournment

There being no other business to discuss, Wolff asked for a motion to adjourn the meeting at 8:05pm; Made by O'Brien; Seconded by Salvati. Motion carried.

Minutes prepared and submitted by Jennifer Austin-Smith, Recording Secretary, on June 12, 2019.