

CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL
June 3, 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. Wolff led the Pledge of Allegiance.

3. ROLL CALL

13 of 14 aldermen were present at Roll Call.

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

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
Fire Chief	Randy Deicke
Police Chief	Dan Eul
Human Resources Director	Wendy Bednarek
Community Development Director	Scott Buening
Communications Coordinator	Griffin Price

Ald. Nicholas Cerone (6) arrived after Roll Call, at 7:33 p.m.

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. Chanzit read the Consent Agenda as follows:

Approvals:

- A. May 31, 2019 Payroll \$849,729.61
- B. Accounts Payable Check Register \$2,498,357.76
- C. City Council Minutes for May 20, 2019
- D. **APPROVAL:** Class F Special Event Liquor License – Batavia Main Street Cocktails in the Park (DE 5/22/19)
- E. **ORDINANCE 19-44:** Revising Title 5 of Batavia Municipal Code Regarding Gambling (DME 5/22/19 COW 5/28/19 10/0) GS
- F. **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 5/24/2019 COW 5/28/19 10/4) PU

Motion by Ald. Chanzit, seconded by Ald. Meitzler, to approve the Consent Agenda as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

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

Tom Gosselin presented an idea from the Batavia Boosters to set off fireworks at Batavia High School home football games. Coach Dennis Piron is in dialogue with the fire marshal and the principal about setting off fireworks when the team takes the field, after the National Anthem and after each Bulldog touchdown. The fireworks would be consumer-grade, much smaller than what is set off during the July 4 fireworks show. A permit will be applied for once the superintendent provides approval. The group believes the sound of the fireworks will be lower than the marching band, and the Boosters will take out \$10 million in liability insurance to cover any potential accidents. The fireworks would be ignited on the south end of the school grounds, near the retention pond, 125 feet from the fence around the field. This distance is more than what is legally required.

Mayor Schielke noted that he and Tom have spoken about this, and he suggested making sure there are no big “booms” from the fireworks that could be a noise concern for residents in the immediate area. But he thinks it is a great idea and a way to celebrate a team the city is proud of.

Mr. Gosselin insisted that the group is committed to safety. The first ignition is targeted for August 1, which will allow the group to test the plan without the bleachers full of spectators.

Ald. Uher noted that residents should be warned in advance, as fireworks can be a concern for people with dogs and for veterans. Mr. Gosselin suggested that letters could be sent to area residents to notify them. He added that ignition is all electronic now and done remotely. He said the sound will be more of a pop than a bang.

Mayor Schielke added that Mr. Gosselin’s father was the city attorney for many years and filed for a permit each year for his own fireworks display. The Mayor quipped that this permit would allow Mr. Gosselin to carry on the family tradition in Batavia.

8. CHAMBER OF COMMERCE

Mayor Schielke introduced President and CEO Holly Deitchman by announcing that she is leaving the Chamber for a new position. He thanked her for bringing the Chamber to a new plateau and for helping it become such an integral part of the Batavia community. Ms. Deitchman thanked the Mayor for his support.

Upcoming Chamber events:

June 5, 5 pm, ribbon-cutting for Funway and the new go-kart track

June 6, 9 am, Batavia Park District hosting the Super Savvy Senior Expo

June 6, 3:30 pm, Water Street Studios, Youth Outlook will present inclusion training for businesses – how to recruit talent and do business with the LGBTQ community

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

June 12, 7:30 am, BC²

June 21, 11:30 am, 45th annual golf outing

June 26, Valley Industrial Assn., leadership development

June 27, 4:30 pm, ribbon-cutting for Mill Creek Early Childhood Education Program

July 12-July 14, Windmill City Fest

July 27, Chili Cook-Off

Ilanna Marczak from Mill Creek Early Childhood Education Program gave a presentation on her program, which began in her home and is now opening at 510 South Batavia Avenue. It is a Reggio-inspired, nature-based program that will support 15 to 20 part- and full-time jobs and bring 40 to 60 potential consumers downtown twice a day. The program is open 6:30 am to 5:30 pm. More information can be found at mcearlychildhoodprogram.com, imarczak@millcreekecp.com or 630.326.7519. The program will host a hand-on auto show for children on Flinn Street, with proceeds going to the Batavia Interfaith Food Pantry.

Mayor Schielke wished Ms. Marczak well and thanked her for choosing to locate in Batavia.

9. PRESENTATION: Aurora Pride Parade

Ald. Chanzit introduced the founder of the Aurora Pride Parade, Chuck Adams, who also helped found Indivisible Aurora, which is dedicated to defending marginalized populations.

Mr. Adams said last year's parade, the first, attracted 12,000 people, many of whom had never been to downtown Aurora. The parade is fun but also saves lives, as LGBT young have high rates of suicide. Events will happen all weekend – details can be found at aurorapride.org/2019events. The parade is Sunday at noon.

Ald. Chanzit asked if any adjustments have been made this year based on learnings from last year. Mr. Adams said the security protocol continues to evolve, and more security personnel will be on the ground this year. He said last year, many people came from other states, and after the parade they wanted to know what to do next. This year, they have planned an after-party at Three Brothers Roundhouse. Funds are being raised for three local charities that support LGBT communities.

Ald. O'Brien said it's great that society is beginning to embrace different lifestyles. Ald. Callahan asked how many pride parades there would be this year. Mr. Adams said he helped Buffalo Grove hold their first last weekend, and there are at least 6 to 8 suburban communities having pride parades this year for the first time.

Mayor Schielke said Aurora's mayor appreciated the accolades his city received last year after the parade. He said the world is awakening and we are all proud to be part of a community where diversity is celebrated.

10. APPROVAL: Firework Permit for Batavia Fireworks Committee (RD 5/28/19)

Mayor Schielke introduced the item, noting that this is the 69th annual community fireworks show, which has never been paid for with tax money, but always supported by donations. It was started in 1950 by the Batavia Fire Department. The Fireworks Committee is accepting donations, and some residents choose to make an annual contribution.

Motion by Ald. Callahan, seconded by Ald. Wolff, to approve the item as presented.

Motion carried 14 yea/ 0 nay/ 0 absent.

11. ORDINANCE 19-43: Annexing 503 Roberts Lane (SCB 5/20/19 COW 5/28/19 9/0) CD

Ald. Callahan introduced the item related to the ongoing efforts to annex islands within Batavia. The homeowner did not respond to requests from the city, so this annexation is involuntary. Ald. O'Brien noted that the homeowner is already on city water and electricity.

Motion by Ald. Callahan, seconded by Ald. Wolff, to approve the ordinance as presented.

Motion carried 14 yea/ 0 nay/ 0 absent.

12. ORDINANCE 19-28: Amending the Text of the Zoning Code (DR 5/29/19 COW 5/28/19 10/0) CD

Ald. Callahan introduced the item that has been discussed at three Committee of the Whole meetings and two prior City Council meetings. Director Buening said the language indicates the maximum footprint for accessory structures allowed on any lot is 600 square feet or 10 percent of the lot area. Shipping containers are not allowed to be used.

Ald. Callahan added that residents can apply for a variance if their project falls outside these parameters. Ald. Uher noted that this item is a good example of the council working together, discussing and compromising to come up with a plan that everyone could agree to.

Motion by Ald. Callahan, seconded by Ald. Uher, to approve the ordinance as presented.

Motion carried 14 yea/ 0 nay/ 0 absent.

13. RESOLUTION 19-064-R: IBEW Electric Collective Bargaining Agreement 2019-2021

(WB 6/03/19) GS

Director Bednarek introduced the three-year contract between the IBEW and City of Batavia. Just three small changes were made to the contract.

Motion by Ald. Chanzit, seconded by Ald. Wolff, to approve the resolution as presented.

Motion carried 14 yea/ 0 nay/ 0 absent.

14. ADMINISTRATOR'S REPORT

Administrator Newman noted that the second iteration of the Slow Down campaign is underway. She hopes to work with the new communications coordinator to refresh the design for the next campaign. In other news:

- Public Works has installed signage at Rt. 31 and Wilson Street to improve pedestrian safety.
- Riverside Pizza is open for business.
- The IEPA has approved the plan for groundwater testing at the One Washington Place site. Testing will be done July 1-2.
- The station transformer for the new 34kV substation has been delivered.
- Engineering for the feeder lines between the new substation and the old Paramount substation is nearing completion and the project should be out to bid by mid-summer.
- Clarke is doing assessments for mosquito control/abatement and sending weekly reports. They are monitoring traps for West Nile virus.
- The Finance Department has finished the 2018 audit. Because the city received federal funds in excess of \$750,000 (for the wastewater treatment plant), a much more robust audit was required.
- Special Olympics will be held June 7-9 at Normal West High School.

Ald. Wolff asked about the status of a property on South Mallory that was previously destroyed in a fire. He noted work seems to be on and off, and the property is not secured. Director Buening said litigation continues with the previous property owner. The demolition contractor walked away from the job, but a new demolition company has been hired. The city is awaiting plans for demolition. Ald. Wolff asked about making the property safer, and Director Buening agreed that his staff shares those concerns.

15. COMMITTEE REPORTS

Ald. Callahan said Community Development has nothing on the COW agenda for the next meeting. The agenda will include a discussion about Point to Point Kane, which is a group that distributes free syringes. Plan Commission meets June 5, and Historic Preservation meets June 10.

Ald. Chanzit noted that staff memos will be a topic of discussion at the COW. A memo format was established 6 or 7 years ago, and it will be revisited. A discussion on conflict of interest potential for alderman was planned to be on the agenda, and he asked if that has changed. Director Newman said it is no longer a pressing issue, but they may want to keep it on the agenda so that aldermen can ask questions of the city attorney.

16. OTHER BUSINESS

Ald. Callahan asked if the city has any regulations pertaining to beekeeping. Director Buening said he would research it. Ald. Callahan said the city code is very vague, and it may be something the council should discuss at an upcoming meeting. Several aldermen concurred.

Ald. O'Brien shared that his wife is a nurse at Mooseheart, which recently hosted a week-long safety event. Batavia Police and Firefighters participated in the events, and Ald. O'Brien praised them for the way they engaged the students. He noted that Mooseheart residents come from difficult circumstances and have a tough road ahead of them, but our first responders demonstrated to them that they are on the same side. He said it's an important lesson for these children in particular to learn, and added that he sees city employees engaging children in the community all the time; it's one of the things that make this town such a great place to live.

17. MAYOR'S REPORT

Mayor Schielke shared that June 14 at the Peg Bond Center will be a celebration of the 103rd Flag Day, a holiday established with assistance from Bernard Sigand, who lived at 1184 South Batavia Avenue. The event will feature the Community Band playing patriotic songs, and 103 candles will be lit along the Riverwalk to symbolize the 103 years of Flag day. Food vendors will be on hand as well. Red, white and blue tree candles will be installed along the Riverwalk and will be illuminated throughout the summer.

The mayor also commented on his concerns about the increasing drug activity in our area. An interesting development is the recent law passed in Illinois that will make recreational marijuana legal in Illinois beginning January 1. He does not necessary have a negative feeling about it, but it is something Chief Eul has been watching closely. The home-grow provision was a large concern for the police and has been stricken from the bill.

The mayor has asked Attorney Drendel to deliver a report at an upcoming COW outlining what is in the final bill so that the Council and city staff know how to proceed. He noted that a big concern from law enforcement is the combination of marijuana and alcohol causing people to lose consciousness, possibly while driving.

The mayor believes the city can ban dispensaries if they choose, although they did vote to allow a medical marijuana dispensary in Batavia previously.

At least three people have inquired recently about adding video poker at their establishments, which is now conditional use. Ald. Salvati noted that sports betting is also on the docket in Springfield. The mayor said he would ask the city attorney to look into that as well.

Ald. Chanzit said he would like detail on whether the downtown district would allow a dispensary. He added that a facility that grows marijuana could be a large electricity consumer. The mayor said that was part of the discussion when they considered the medical marijuana dispensary and they did have a large facility ready to move in to Batavia, but the deal fell through. Ald. Chanzit said when Colorado legalized marijuana, they had an abundance of dispensaries but the market worked itself out. He is not concerned that Wilson Street would be lined with dispensaries. The mayor commented that the market would be well-regulated in Batavia.

18. ADJOURNMENT

**Motion by Ald. Wolff, seconded by Ald. Salvati, to adjourn. Motion carried by voice vote.
The meeting adjourned at 8:51 pm.**

Minutes prepared and submitted by Ellen Posledni, City Clerk, June 11, 2019.