

**CITY OF BATAVIA  
MINUTES OF THE BATAVIA CITY COUNCIL  
July 1, 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. Miller led the Pledge of Allegiance.

**3. ROLL CALL**

**11 of 14 aldermen were present.**

Aldermen (by ward): Michael O'Brien (1), Scott Salvati (1), Martin Callahan (2), Dan Chanzit (3), Joe Knopp (4), Mark Uher (5), Abby Beck (5), Nicholas Cerone (6), Michael Russotto (6), Drew McFadden (7) and Keenan Miller (7) were present. Alan Wolff (2), Elliot Meitzler (3), and Tony Malay (4) were 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
Fire Chief	Randy Deicke
Police Chief	Dan Eul
Community Development Director	Scott Buening
Director of Public Works	Gary Holm

**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:

### Accept and Place on File:

- A. Historic Preservation Commission Minutes for April 8, 2019
- B. Plan Commission Minutes for May 1, 2019
- C. Committee of the Whole Minutes for May 14, 2019, May 28, 2019 and June 4, 2019
- D. 2019 Post Issuance Compliance Report (PC 6-17-19)
- E. May 2019 City Council Financial Report
- F. Monthly Building Report May 2019

### Approvals:

- G. June 28th, 2019 Payroll \$856,390.87
- H. Accounts Payable Check Register \$6,066,035.55
- I. City Council Minutes for June 17, 2019
- J. **APPROVAL:** Class F Liquor License for the “Batavia Community Dinner Table” at 1 N. River Street Hosted by Batavia Main Street on August 4, 2019 (DE 6/25/19)
- K. **APPROVAL:** Class G Special Use Liquor Permit for Lodi Tap House Pop-Up Special Event with Liquor Service at 31 N. River St on July 12 and 13, 2019 (DE 6/25/19)
- L. **RESOLUTION 19-074-R:** Approving a Final Plat of Subdivision for Muetze Acres Subdivision – 39W100 Main Street, Unincorporated Batavia Township. James D. Muetze, Applicant (DMR 6/20/19 COW 6/25/19 12/0) CD
- M. **ORDINANCE 19-46:** Amending the Text of the Zoning Code. Michelle Freeman, Keyser Industries, applicant (JLS 6/20/19 COW 6/25/19 12/0) CD
- N. **RESOLUTION 19-068-R:** Authorizing execution of a Master Service Agreement with V3 Companies, Ltd. (AMP 6/6/19 COW 6/11/19 12/0) CS
- O. **RESOLUTION 19-069-R:** Authorizing execution of Task Order #1 for Construction Engineering with V3 Companies, Ltd. in the amount not-to-exceed \$163,468.97 (AMP 6/6/19 COW 6/11/19 12/0) CS
- P. **RESOLUTION 19-070-R:** Authorizing execution of low interest loan with the Illinois Environmental Protection Agency in the amount not-to-exceed \$790,665.73 (AMP 6/6/19 COW 6/11/19 12/0) CS
- Q. **RESOLUTION 19-076-R:** License Agreement with Batavia School District for Construction Smith Court Sidewalk (LN 6/20/19 COW 12/0) GS

**Motion by Ald. Chanzit, seconded by Ald. Knopp, to approve the Consent Agenda as presented. Motion carried 11 yea/ 0 nay/ 3 absent.**

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

None

## **8. CHAMBER OF COMMERCE**

Margaret Perreault, the Chamber's new president and CEO, introduced herself and shared a presentation on the Chamber. Membership is now 482. Catherine Fitch continues as the Special Events and Marketing Specialist, and they are seeking to hire a Membership Development Specialist, which was Ms. Perreault's role previously.

Upcoming events:

- BC<sup>2</sup> morning networking events are held the second Wednesday of every month. The next one is July 10 at 7:30 a.m. at Country Inn & Suites in Geneva.
- July 12-14 is Windmill City Fest downtown; the Chamber will serve in the beer tent on Friday night.
- July 17 is Networking-It from 5 to 7 pm. Suggested donation is \$10 for charity.
- July 18 is the next educational session at Valley Industrial.

## **9. ORDINANCE 19-35: Amending The Text Of The Zoning Code. KRC Holdings, Applicant (DMR 6/20/19 COW 6/25/19 12/0) CD**

Community Development Director Scott Buening introduced the item related to parking lot design in an industrial district. The item would reduce the number of islands required.

Ald. Callahan noted that at the COW meeting, the "nays" were not called on to vote, so the actual vote would have been 11-1.

Ald. O'Brien suggested this might be some to revisit because the vote was not properly taken, and it could be questioned later. He also said this item has come up quickly and it may be something the Council would like to have more time to consider. He noted that environmentally friendly options should be discussed, and perhaps future business owners could enhance their property in other ways to make up for the lack of islands, such as planting trees or adding other green space elsewhere. He asked that this idea be considered another night. Ald. Beck joined Ald. O'Brien in requesting a discussion on the future state of this code be on a future agenda. Ald. Callahan also agreed.

Administrator Newman noted that staff discussed this last week, and suggested that business owners looking for a variance in the future should be prepared to offer other options to add green space.

Ald. Beck said the Tree Commission is always looking for trees and donations. She added that she doesn't feel that the ask meets the needs here: perhaps a variance, but not a change in code. She conceded that it seems like a small change, but small changes can add up to big differences.

The applicant, Rolf Anderson, addressed the Council. He said all points are well taken, but noted that consumers and the use of industrial buildings are changing. He said this change is not inconsistent with the rest of the industrial park and other municipalities. He add that they are including vast green space along Fabyan Parkway.

Ald. Callahan said it was beneficial to see the schematic at the COW meeting, and the property is already offsetting the lost green space.

Mayor Schielke said he is pleased that a property like this will be at the entryway to Batavia. The enhanced landscape will please a lot of people.

**Motion by Ald. Callahan, seconded by Ald. Salvati, to approve the ordinance as presented. Motion carried 10 yea/ 1 nay/ 3 absent.**

**10. ORDINANCE 19-37: Approving A Variance For A Side Setback Reduction. Benjamin Wakefield And Anique Drouin, Applicants (JLS 6/20/19 COW 6/25/19 12/0) CD**

Ald. Callahan introduced the item related to adding a rear, enclosed sunroom to an existing home and replacing non-conforming decking. A 2/3 majority is needed for passage because the Plan Commission could not find in favor. Ald. Callahan noted that he supports the variance.

Ald. O'Brien said the neighbors seem to be on board with this, as it improves the area and the home.

Ald. Uher added that the house was built at a slight angle to the property, and if it was 1% different, the variance would not be needed.

**Motion by Ald. Callahan, seconded by Ald. Salvati, to approve the ordinance as presented. Motion carried 11 yea/ 0 nay/ 3 absent.**

**11. RESOLUTION 19-067-R: Authorizing Execution Of The Contract With Performance Construction & Engineering, LLC. For The Area 3 Storm Sewer Separation – Phase 2 In The Amount Not-To-Exceed \$1,990,753.80 (AMP 6/6/19 COW 6/11/19 12/0) CS**

Ald. Russotto introduced the item related to Phase 2 of the ongoing wastewater separation project in Area 3.

Ald. O'Brien said he supports the item, as this has been a big issue for homeowners. He added that with all of the work being done on the wastewater treatment plant, this will also lighten the load on the facility. He also noted that Area 1 and Area 2 still need to be done.

Director of Public Works Gary Holm defined Area 3 as roughly the southwest portion of Batavia south of Walnut and west of the West Side Cemetery. He added that this item includes a 5% contingency.

Mayor Schielke said most residents have been pleased with the work being done in Area 3. He said in 1913, when the system was built, it probably seemed like a good idea to put the stormwater and sewer drains together, but now we know that was not a good idea.

Ald. O'Brien noted that some towns still install these systems.

**Motion by Ald. Russotto, seconded by Ald. O'Brien, to approve the resolution as presented. Motion carried 11 yea/ 0 nay/ 3 absent.**

## **12. RESOLUTION 19-075-R: Agreement With Schoppe Design Associates, Inc. For Design Of Entryway Signs (LN 6/20/19 COW 6/25/19 12/0) CS**

Administrator Newman introduced the item related to drawings to allow the city to create an RFP for work on signage at the city's entrances. The design company will develop drawings for two sizes of signs. Eventually the city would like to have eight signs, but it will begin with two – on the north and south ends of Batavia Avenue. Future budgets will be used to address the other locations. She also noted that Ald. Beck's grandfather, Ted Schuster, was key in getting the existing signs placed.

Mayor Schielke added that he has gotten nothing but compliments on those existing signs.

Ald. Uher asked whether the Gateway Improvement Grant funds could be used for signage on Route 25 if other businesses do not apply for them. Administrator Newman said they could.

Ald. O'Brien asked about the cost for the signs. Administrator Newman said the initial cost estimates were very low, and the design company did not believe the signs could be created for such little money. Director Holm recalled the original quote was \$48,000 for eight signs, and agreed that he didn't think that could possibly happen. Questions to be determined pertain to using faux or real stone, and that will impact price. The budget is for \$60,000 for two signs, including the initial drawings.

There was discussion about foundation for the signs. Administrator Newman said a concrete base may be a better option visually. Director Holm and Ald. O'Brien agreed that a foundation was necessary.

Ald. Knopp asked if solar lighting might be an option in places where we do not yet have electricity available. Administrator Newman said that is something that could be considered.

**Motion by Ald. Russotto, seconded by Ald. Beck, to approve the resolution as presented. Motion carried 11 yea/ 0 nay/ 3 absent.**

## **13. ADMINISTRATOR'S REPORT**

Administrator Newman commended the Chamber of Commerce for the excellent service they provide to businesses. She said the programs they offer are so valuable, and the Chamber enjoys a high degree of engagement and participation among members.

There is no COW meeting tomorrow night, and no Plan Commission meeting July 3.

The July 4 Sky Concert will be at Engstrom Park from 6 to 10 pm.

The Windmill City Festival is July 12 to 14.

Groundwater testing has begun for the One Washington Place development.

The city's website contains interactive maps of areas of the city under development. The maps provide more information about ongoing projects. A link is available at the bottom of the city's home page under Popular Links > City Maps.

Raising Cane's has received their full building permit, and work begins this week on the site. Permits have also been issued for interior renovations at Target and the Batavia Park District Eastside Community Center.

City employees have moved back in to the wastewater treatment plant. Rehabilitation has begun on Well No. 7.

When storms are pending, please check to make sure storm gutters are clear of debris to help avoid street flooding.

109 E. Wilson Street, Bocadito's, is nearly completion. It will be an Argentinian restaurant specializing in empanadas. It will offer carry-out only. Oak & Swine next door continues their build.

Mayor Schielke noted that many people arrive to the July 4 celebration early. This is the 69<sup>th</sup> annual display, and the city has never used taxpayer money for it. It has always been paid for by Batavia residents and businesses.

Congressional Medal of Honor winner Allan Lynch will have a book-signing at Limestone from 10 to noon on Saturday for his new book, *Zero to Hero*. Those who wish to have a book signed must buy a brick to benefit the Flag Day Memorial project.

#### **14. COMMITTEE REPORTS**

Ald. Chanzit said the next COW will include a presentation on a bike sharing program. Mayor Schielke noted that this is a great program.

Ald. Callahan said an amended SSA #61 for One Washington Place would be on the COW agenda.

Ald. O'Brien said Change Order #8 for Williams Construction for Phase 1 of the wastewater treatment plant project would be on the next COW agenda.

#### **15. OTHER BUSINESS**

None

## 16. MAYOR'S REPORT

Mayor Schielke praised city staff for their responses over the weekend after major storms that knocked out power and 30 alarms requiring Police and Fire Department responses. The city continues to respond to a record number of 911 calls for mental health concerns, drug issues and theft. Emergency calls often require the response of multiple city departments, and staff continues to rise to the occasion, even on their days off.

The Mayor spent some time over the weekend pulling weeds along Wilson Street, and city staff are also addressing landscaping along Wilson Street to spruce up the town before visitors arrive for July 4. On July 23 at 6 pm, Mayor Schielke requested another walking tour of Batavia with the Council to look at both sides of the Fox River. Staff will also be asked to make presentations about these locations along both banks of the river. Exciting development opportunities are on the horizon, and it would be good for the Council to discuss their vision for these locations. The walk should end around 8 pm, allowing one hour on each side of the river. All are welcome to join the tour.

Four class reunions will be held this month, and it is always interesting to hear the comments of Batavia alumni who have not been in town for many years. Mayor Schielke noted that the city is fortunate to have had people like Ted Schuster who was instrumental in putting in sidewalks along the river. The next five to 10 years could bring a lot of positive change.

Ald. Chanzit said he always appreciates these walking tours, and added that Water Street and Batavia Avenue could also benefit from a walking tour. Mayor Schielke agreed, adding that interesting things might be happening in those locations. He said he and Administrator Newman recently visited Western Springs to see an interesting four-story mixed use property being built downtown. Their staff will visit Batavia on July 17.

Ald. O'Brien noted that one advantage that Batavia has is owning its own electric utility. It means our city staff does the work, we have a redundant system, and we've invested in a system that serves residents well.

## 17. ADJOURNMENT

**Motion by Ald. O'Brien, seconded by Ald. Salvati, to adjourn. Motion carried by voice vote. The meeting adjourned at 8:50 pm.**

*Minutes prepared and submitted by Ellen Posledni, City Clerk, July 9, 2019.*