

**MINUTES**  
**July 30, 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 7:02pm), Beck, Knopp, Salvati, Callahan, Meitzler, Malay, Uher, Cerone, McFadden

**Members Absent:** Ald. Chanzit and O'Brien

**Also Present:** Mayor Schielke; Chief Eul, Batavia Police Department; Chief Diecke, Batavia Fire Department; Laura Newman, City Administrator; Gary Holm, Director of Public Works; Wendy Bednarek, Director of Human Resources; Jeff Albertson, Building Commissioner; Scott Buening, Director of Community Development; and Jennifer Austin-Smith, Recording Secretary

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

**3. Approve Minutes from July 16, 2019**

**Motion:** To approve minutes from July 16, 2019

**Maker:** Knopp

**Second:** Salvati

**Voice Vote:** 11 Ayes, 0 Nays, 3 Absent  
Motion carried.

**4. Items to be Removed/Added/Changed**

Chair Wolff stated that the Firefighters Explorers program would be combined with the Mid-Year Report presentation. There were no objections from the Committee.

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

Doreen Bartow on 1440 Thoria Road, asked the Council why they decided it was so important to annex in these parcels to the City when we have been independent and also zoned farm since 1949. Wolff answered that we have had several pockets of land that are surrounded by City and we have been trying to do this over the past decade. Several years ago the Committee of the Whole (COW) asked the Community Development Department to step up the pace and get those done so that we have all incorporated into the City before the 2020 census.

Bartow stated that her property meets up with the Kane County Forest Preserve and the river. They like their status as farmland would asked if there are any options to keep their status as farmland. Buening noted that this area is not part of tonight's agenda but letters had been sent out to that area recently. This would be considered by Council at a future date. He continued the City has been annexing properties with R-0 zoning, which is our least restrictive Single Family Residential District. Uses would be grandfathered that were allowed by the County. There is no farming district in our zoning and the R-0 is the closest we have to the farming district. The information on the R-0 district is available on the City's website. Bartow stated that she and other neighbors are not happy with this. She asked if they have until the fifteenth of August to comply and if there is any way to extend that. Buening stated that the fifteenth is the due date for response. Once responses are received the City staff would decide whether or not we would take that to City Council for a vote. Bartow stated that she believes the neighbors have already responded with a no vote, they choose not to annex into the City. Bartow stated that the properties in the Batavia Highlands are the only ones that are contiguous to the forest preserve and the river bounded by the Illinois State Statute. Wolff stated that this would be taken into consideration before we move to the next stage. Bartow stated that she wants it on record that 1440 Thoria Road, which is the road her father named, chooses not to be annexed into the City if at all possible at this time.

Robert Joynt, 1S808 Deerpath Road, stated that he and his wife received in April a letter advising us that the City wished to annex our property. We reluctantly signed the annexation petition. We are puzzled why the City is trying to annex the property and what advantages it is to the City. The concern that they primarily have is the utility. Right now they have ComEd electricity and have their own well and septic system. The letter that was sent indicated we would not be required to hook into the City utilities at this point but might be required at some later time to do so. He is curious about the history the City has as far as timing requiring this annexation. This is a costly enterprise for us and we are satisfied with the system we have now. Buening stated that the City would not compel connection to the City utilities. That would only be if your systems fail. Wolff stated that the County would not approve repair or rebuild of a septic field if the City sewer is available.

Cliff Frantz, 2S844 Hart Road, stated that he just bought a brand new pump for his well and new septic system preparing for the time in which he retires. He could not begin to prepare to pay for fees to connect to City utilities. He has been on the property for fifty-four years. He would like to continue to enjoy his home and property. He stated that the letter states that he is pursuing annexation but he was solicited. He would like to have a guarantee that he could continue to fix things as he always had and not be required to pay \$100 a foot for digging of septic and he enjoys being with ComEd. Wolff stated that any condition that is there now that is permitted by the County would be grandfathered in and allowed to stay the way it is. Buening agreed. Cliff stated that it is not affordable for someone on a fixed income to pay to connect to City utilities. He would essentially be taken off his property.

Callahan stated that similar concerns have come up almost every single time that we have been talking about annexation. We need to be more clear with FAQ's and if we need to write it into the ordinances that has a whereas that they are allowed to stay on their own systems until such time that it fails. It would codify our intention and provide those being annexed with clear

direction. He does not like when we have the same questions asked. We know what the questions are and the answers are. We need to be more proactive getting that information out to those annexed. Newman noted that a point of concern to those being annexed is the letter states it is at the City's discretion as to when they will have to go onto the City's utilities. The reason it says that is so as not to obligate future City Councils to the decisions that are made today. It is within your power to limit future Councils from making the decision to force people to go onto the utilities. If you would like staff to change the wording of that letter it would make it more clear to people. The letter makes it unknown what the future holds because it is at the City's discretion. Salvati agreed that the language needs to change, it needs to be a little more user friendly, and he wants it to be clear to people that they would not be required to connect at this point. Meitzler would like it known that our intention is not to have someone living in their home for fifty plus years be unable to afford it once being annexed into the City. They need some kind of protection that this is not what is happening here. Knopp stated the key word is protection, protect the homeowners and protect the landowners. Malay added that it is also important to include the purpose to why we are doing annexations.

Frantz concluded that he would sign the paperwork if he gets some assurance that his future is secure.

#### **6. Presentation: Batavia Fire Department Explorers Program**

Chief Deicke summarized the Explorers Program:

- Ages 14-18
- In cooperation with the Boy Scouts
- Meet a couple of times each month
- They learn about firefighting and participate in training
- Many are BHS students who attend the Fox Valley Career Center as a Fire Cadet

Explorer Post 5228:

- Background about Illinois Fire Service Institute (IFSI)
- Advanced Course
- Basic Course
- Thank you to Batavia Fire Department, Kane County Chiefs Association, Benevolent Fund of the BFD
- Photos were shared

Mietzler stated that the Batavia Fire Department Explorers Program is something that ought to be complimented and commended. Our fire department is nationally recognized and now offers this program that is getting high school students plugged in early on.

#### **7. Ordinance 19-54: Annexing 1S776 and 1S808 Deerpath Road (Involuntary) (SCB 7/24/19) CD**

Callahan overviewed the memo. One of the property owners is voluntarily annexing and the other is involuntary. Since the state statute is fifty percent it would be considered as involuntary. Buening stated that this is an area on the west side of Deerpath Road surrounded by the City limits by the Tanglewood Five subdivision on Deerpath Road. The City received one petition to

annex from one of the property owners and did not receive one from the other. Buening stated that the allowance for the properties be surrounded by the City limits this is eligible for involuntary annexation as being proposed this evening.

**Motion:** To recommend to City Council approval of Ordinance 19-54: Annexing 1S776 and 1S808 Deerpath Road (Involuntary)  
**Maker:** Callahan  
**Second:** Meitzler  
**Voice Vote:** 12 Ayes, 0 Nays, 2 Absent  
Motion carried.  
CONSENT AGENDA

**8. Ordinance 19-55: Annexing 2S801 through 2S876 Hart Road (Involuntary) (SCB 7/24/19) CD**

Callahan overviewed the memo.

**Motion:** To recommend to City Council approval of Ordinance 19-55: Annexing 2S801 through 2S876 Hart Road (Involuntary)  
**Maker:** Callahan  
**Second:** Meitzler  
**Voice Vote:** 12 Ayes, 0 Nays, 2 Absent  
Motion carried.  
CONSENT AGENDA

**9. Discussion: Strategic Plan- Create a Development Plan for Downtown (SCB 7/16/19) CD**

Buening reported that as part of the Strategic Plan, one of our goals is to develop a plan for the downtown. Staff has provided the Council with some information on various plans that have been in place in regards to this. The Committee was sent a copy of the Downtown Plan from 2001, the Streetscape Plan and the Comprehensive Plan, which is the document that replaced the Downtown Plan. Buening asked for direction on where the Committee would like to go.

Wolff stated that he does not want to do nothing but he does not want to go back and reinvent what already was created. He stated that we should use some of what we have or what we started with what we have done with Houston Street and River Street, expand upon those and carry those into the other areas we have downtown, especially Batavia Avenue and Water Street.

Salvati stated that he believes it would be wise to figure out what we are doing with the Community and Economic Development team before we continue with this. Salvati stated that it would be wise to hold off on this until we figure out the Community and Economic Development team. Callahan agreed. He stated that there is a lot of momentum. There is enough room to tweak the plans we already have. We should consider what we see potentially on the horizon.

Beck suggested the following:

- Not reinventing the wheel, there is enough in this Development Plan that we could adopt

- Hiring someone to redo the master the plan is going to tell us a big chunk of our downtown is in the same place it was. We need street walls, fencing, require the building close to the street, 10ft sidewalks.
- Incremental small changes could be budgeted for the next year such as:
  - Trees
  - Public Art throughout
- Vistas and pretty views
- Wayfinding/Downtown Banner Program: Is it working, should it be enhanced
- Call for a Trees and Benches Subcommittee
  - Beck offered to be a part of the subcommittee.
  - Bike rack inventory to ensure we have universal look and adequate parking.
  - Partnering with MainStreet for a parking plan.
  - Benches and trees is something we could do now.

Meitzler stressed the importance of economic development working with individual property owners to discuss vision. He believes this discussion is premature without a person in place to steer this discussion. Uher stated that he would like to focus more on streetscape. Discussion on street walls is important. He would like to discuss Batavia Avenue and the road diet.

Callahan stated that benches do need to be reviewed. He said he is reminded of the Twitter campaign of places I don't want to sit. We do have other spots where we could take existing and unused benches and move them to new spots. One North Washington could become a pocket park in the meantime. We have to be more nimble with placeholder thinking. Identify what we have right now, reallocate the resources for the best use for the current time being and you get people thinking in different ways. Callahan suggested reallocating some parking spaces into bike parking so that there is more economic impact, more people in fewer spots.

Cerone suggested discussing this at every meeting so that it is not too cumbersome. Knopp stated we already know what direction that we want to go in and a lot of the homework has been completed. We need to go through what we already have in the streetscape plan and update that. We do not need an outside consultant to go through the document. If we could create a timeline on what has been completed by year that would be helpful. We could then guide the Economic Development and Community Development departments on what we would like.

The COW discussed next steps:

- Road Diet
  - Formal traffic study to gather information to approach IDOT
  - Engineering/Work with IDOT
  - Downtown Beautification

Knopp asked if something could be removed from the 2019 budget to make room for the traffic study to get the process started sooner. Newman answered she would check. Beck suggested starting discussion on streetscape to mark off things that are no longer relevant or already been completed and formalize a subcommittee. Callahan stated that he fully supports moving forward on streetscape and developing a subcommittee. We need to begin items that could start now. We

need to make progress on things that we could be making progress on. Callahan stated that he would informally discuss this further with Beck and Cerone and report back ideas on what we would like to do. Wolff added that O'Brien would certainly like to be involved with any discussion on streetscape. Callahan would like to begin addressing the small things that could be done. Buening suggested having the subcommittee review the original plan. Callahan suggested the subcommittee begin with a small charge.

**10. Resolution 19-086-R: Authorization to purchase a 2019 Versalift VO260RR Bucket truck from Versalift in the amount of \$144,067.00 (SH 7/24/19) CS**

Holm stated that the City hired new forestry staff this year and we need a new bucket truck to support those staff members. Currently, the City is utilizing the electric department's bucket truck and that has been very busy and not a long-term plan. The twenty-year fleet schedule has been shifted to make room for the purchase of this bucket truck. Holm stated that the budget has some money remaining to be used towards this purchase with only \$30,000 remaining that is not under budget.

**Motion:** To recommend to City Council approval of Resolution 19-086-R: Authorization to purchase a 2019 Versalift VO260RR Bucket truck from Versalift in the amount of \$144,067.00

**Maker:** Wolff

**Second:** Knopp

**Voice Vote:** 12 Ayes, 0 Nays, 2 Absent  
Motion carried.  
CONSENT AGENDA

**11. Resolution 19-087-R: Authorizing Purchase of One 2020 Chevrolet Tahoe from Currie Motors Chevrolet of Forest Park Illinois for and Amount Not to Exceed \$35,900 (RD 7/24/19) CD**

Chief Deicke stated that in the 2019 budget we are authorized to replace one of our command vehicles. The replaced vehicle is from 2004. The replacement would be a 2020 Tahoe. The total is \$35,900. It has already been bid out and the dealer is Currie Motors out of Forest Park. Uher asked why the Tahoe and not an Explorer. Chief Deicke stated that the 2019's are sold out and the 2020's are being re-engineered and are not available for purchase. Chief Eul added that the Police Department is experiencing the same problem.

**Motion:** To recommend to City Council approval of Resolution 19-087-R: Authorizing Purchase of One 2020 Chevrolet Tahoe from Currie Motors Chevrolet of Forest Park Illinois for and Amount Not to Exceed \$35,900

**Maker:** Wolff

**Second:** Meitzler

**Voice Vote:** 12 Ayes, 0 Nays, 2 Absent  
Motion carried.  
CONSENT AGENDA

**12. Resolution 19-085-R: Authorizing Purchase of New Ford F150 Truck (BR 7/19/19) PU**  
Holm reported that back in May the 2007 Dodge Dakota pick up truck scheduled to be replaced next year was hit by another vehicle and totaled. The insurance settlement was received. This will be seen in the 2020 budget but we need to start moving towards this purchase now.

**Motion:** To recommend to City Council approval of Resolution 19-085-R: Authorizing Purchase of New Ford F150 Truck from Morrow Brothers Ford of Greenfield Illinois in the amount of \$29,130

**Maker:** Salvati

**Second:** Uher

**Voice Vote:** 12 Ayes, 0 Nays, 2 Absent  
Motion carried.  
CONSENT AGENDA

**13. Presentation: Mid-Year Report - Police and Fire (Dan Eul and Randy Deicke) PU**  
Chief Diecke presented on the following:

- First Half of 2019 EMS Calls and Fire Calls
- Fire Loss for 1<sup>st</sup> Half of 2019 \$162,000
- Lift Assists
- Budget
- Capital Expenditures
- Grant Status
- Tri-City Ambulance
  - Staff a 6<sup>th</sup> Ambulance in November during peek weekday time periods
  - Based out of Geneva's west station
  - Will roam within the TriCities to fill vacancies
- TriCom
- Emergency Operation Center
  - July 9 Table Top Exercise (Simulated Earthquake)
- Active Threat Exercises
- New Fire Department Apps
  - Home Inspections
  - Open House (October 6)
  - MyID
- Fire Extinguisher Round-Up

The Committee discussed the large number of lift assists the Batavia Fire Department does annually. Knopp stated that the excessive lift assists could run the risk of firefighters hurting their backs and workers compensation. Cerone suggested that lift assists be placed on a future COW agenda for further discussion. Chief Diecke stated that lift assists is a policy direction at City Council level. The past council did not want to consider charging more for lift assists back then.

Chief Eul presented on the following:

- Crime Statistics year to Date
  - Index Crime Totals 2018 Jan-June and 2019 Jan-June
- Traffic Crash Data Year by Year Comparison
- Personnel Overview
- Radio System Replacement Project
- Work Completed
  - Online Overnight Parking Permit Program
  - Web-Based In-Car Electronic Crash Reporting
  - Video-Gaming Code and Liquor Code Revisions
  - Police Applicant Testing
- Work In-Progress
  - Rapid Deployment Training
  - Revisions to Local Tobacco Ordinance
  - Revisions to Animal Ordinance
  - Local Cannabis Ordinance Change
  - Historical Record of all Sworn Officers of the Batavia Police Department
- National Speed Awareness Day Enforcement

The Committee discussed some elements of the presentation with Chief Eul. The Committee discussed how crashes down in the intersection due to the construction project slowing traffic down, the proposed new County ordinance regarding animal control, and recruiting efforts of the Police Department.

\* Alderman Cerone exited the meeting at 9:00pm

#### **14. Project Status**

Newman reported on project status:

- Last week City staff met with representatives from PACE regarding a PACE commuter parking lot possible partnership. One of our Strategic Action Plan items is to explore the feasibility of a commuter parking lot.
  - Options currently available to commuters:
    - 801 and 802 bus lines
    - Carpool van loan to groups of five or more
    - On demand service they will soon be rolling out an app for
  - Newman asked PACE representatives to attend a meeting in September when the app goes live to explain to residents how to utilize the app.
- Two entryway signs could be installed prior to the end of this year and the COW could discuss budget for signs installed next year.

#### **15. Other**

Beck announced the Active Transportation Alliance and the Complete Streets Coalition visit on October 11<sup>th</sup> from 10:30am-2:30pm. She asked the Committee to save the date for that visit.

## **16. Executive Session: Personnel Matters**

**Motion:** To enter into Executive Session for the purpose of personnel matters  
**Maker:** Meitzler  
**Second:** Knopp  
**Voice Vote:** 11 Ayes, 0 Nays, 3 Absent  
Motion carried.

The Committee entered into Executive Session at 9:19pm and re-entered regular session at 9:37pm.

Once the Committee returned to regular session Uher asked if he could add another 'Other' to regular session. Chair Wolff approved the additional discussion. Uher stated that Alderman Cerone had asked him to request getting on the agenda the discussion for River Street policy. Salvati joined Cerone with that request. Wolff asked what type of policy would be addressed. Newman stated that now that we have a Fire Marshall position, he has identified if we shut down the street from Wilson Street to State Street then it does not provide access for fire equipment to service the buildings mid-block on the west side. So long as they could leave a fifteen-foot wide path for a vehicle to travel to that driveway it is fine. So far, we have been able to adequately accommodate all of the events. Newman stated that she believes MainStreet would like to present the case that they should be allowed to completely shut down North River Street for events. Newman stated that she would invite the Fire Marshall and Chief Deicke to this future discussion for their expertise on these matters.

## **17. Adjournment**

There being no other business to discuss, Chair Wolff asked for a motion to adjourn the meeting at 9:43pm; Made by Callahan; Seconded by Knopp. Motion carried.