

CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL
October 21, 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. Beck 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), Tony Malay (4), Mark Uher (5), Abby Beck (5), Nicholas Cerone (6), Michael Russotto (6), Drew McFadden (7) and Keenan Miller (7) were present. Joe Knopp (4) 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
Fire Chief	Randy Deicke
Deputy Police Chief	Shawn Mazza
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. Chanzit read the Consent Agenda as follows:

Accept and Place on File:

- A. Historic Preservation Commission Minutes for September 23, 2019
- B. Committee of the Whole Minutes for September 10, 2019, September 17, 2019 and September 24, 2019
- C. 2019 Fire Station Bond Refunding Award Packet (PLC 10-8-19)
- D. August 2019 City Council Financial Report

Approvals:

- E. October 18, 2019 Payroll \$958,982.17
- F. Accounts Payable Check Register \$5,066,250.70
- G. City Council Minutes for October 7, 2019
- H. **APPROVAL:** COW Executive Session Minutes for September 17, 2019
- I. **ORDINANCE 19-71:** Ordinance 19-71: Annexing and Zoning 1340 and 1414 N. Washington Avenue and 1341 Orion Road (SCB 10/7/19 COW 10/15/19 10/01)

Motion by Ald. Chanzit, seconded by Ald. Salvati, to approve the Consent Agenda as presented. Motion carried 13 yea/ 0 nay/ 1 absent.

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

None

8. OATH OF OFFICE: Probationary Police Officers Bryce Renninger and James Reece

Deputy Chief Mazza introduced the two officers who were hired to fill vacancies on the Police force. Officer Renninger is a graduate of the Kane County Police Academy at Triton College, and Officer Reece is a 2016 graduate of the University of Illinois police training program. Mayor Schielke administered the oath to each officer.

9. RECOGNITION: Gregg Hodge Retiring with 30 Years of Service

Mayor Schielke noted that the Hodge family has served Batavia for 62 years, including service from Gregg Hodge's father and uncle. Hodge served the Batavia Electric Department for 30 years. The Mayor presented Hodge with a plaque to honor his service, and Hodge thanked his wife, family and City of Batavia colleagues for their support over his career.

10. MAINSTREET

Interim Executive Director Jamie Saam thanked Hodge who has been a tremendous help to MainStreet over the years during their events.

Oktoberfest was a success despite Friday night being cancelled due to severe weather. Ms. Saam thanked Mark Davis at ESDA for sharing information about the impending storms that allowed them to plan ahead and led to the decision to cancel. Large crowds of 2,500 to 3,000 enjoyed the festivities on Saturday and Sunday, which included a highly successful wiener dog race. Surrounding businesses were able to participate and reported increased business over the weekend. Visitors arrived from many surrounding cities.

Batfest is this Saturday, which will include trick-or-treating at downtown businesses. More than 75 businesses are participating this year, including the new Red Hive Market, which has not yet officially opened. Events to be held at the Peg Bond Center from 10 am to 2 pm include a costume parade, pet costume contest, and the Farmers Market with 25 vendors.

The indoor Farmers Market will be held at Bar Evolution through the winter, beginning in November. The location offers more space, plus a bloody Mary bar, mimosa bar and omelet station with fresh eggs from Ferndell Farms. SNAP benefits will be accepted at the indoor market.

Deck the Halls in Downtown Batavia is a competition for holiday decorations for downtown businesses. Winners will be announced on stage at the Celebration of Lights.

Special downtown shopping events will be held November 16-17 and November 30.

The Batavia Small Business Forum was just announced and has netted 10 registrations in just the first day. The series begins November 13 from 8 to 10 am in Council Chambers for small business owners and prospective owners to learn about business ownership.

MainStreet is officially looking to hire a new Executive Director.

11. PRESENTATION: Batavia Foundation for Educational Excellence Affinity Card and ATM – Jan Wright

Jan Wright, chair of BFEE, shared information about the foundation. It was established in 1985 to enhance opportunities for Batavia students through grant awards. They have given \$500,000 in grants since its inception. Now they are partnership with KCT Credit Union through the Bulldogs credit card. You do not have to be a KCT Credit Union member to apply for the card. BFEE gets a percentage of every transaction fee. More information can be found at bataviafoundation.org or d101.kctu.org. There is now a KCT ATM in City Hall.

BFEE will host a scavenger hunt February 29, 2020, to raise funds for its grants.

12. APPOINTMENT: Jennifer Faivre and Robert Krawczyk to the Historic Preservation Commission (JDS 10/18/19)

Mayor Schielke requested the appointments. HPC has seven members, but three have left, leaving only four. Faivre has been researching and cataloging Sears home in Batavia. Krawczyk is an architect.

Motion by Ald. Wolff, seconded by Ald. Malay, to approve the appointments as requested. Motion carried 13 yea/ 0 nay/ 1 absent.

13. ORDINANCE 19-69: Amending Title 4 of the City Code Related to Body Art Establishments (JLS 10/9/19 COW 10/15/19 10/0) GS

Ald. Chanzit introduced the item related to the number of tattoo establishments allowed in Batavia. The current code has a limit of two, and this item increases the number to three.

Ald. Callahan suggested amending the ordinance to increase the limit to five. Ald. Chanzit agreed. Ald. Meitlzer pointed out that this applies only to the downtown mixed use area, and Ald. Wolff said each location would still be conditional use and undergo a review before approval. Ald. Callahan noted that this would allow more salons to offer microblading.

Motion by Ald. Callahan, seconded by Ald. McFadden, to amend the ordinance by raising the cap on body art establishments to five. Motion carried 13 yea/ 0 nay/ 1 absent.

Motion by Ald. Chanzit, seconded by Ald. Callahan, to approve the ordinance as amended. Motion carried 13 yea/ 0 nay/ 1 absent.

14. ORDINANCE 19-70: Granting a Conditional Use Permit in the DMU Downtown Mixed Use District for a Tattoo Parlor/Piercing Studio at 127 State Street, Richard Nelson, Classic Tattoo, Applicant (JLS 10/9/19 COW 10/15/19 10/0) CD

Ald. Callahan introduced the item granting the permit for a new body art facility. He invited the business owner to address the Council.

Richard Nelson, 312 South Van Buren Street, said he hopes to open the business this week. He will offer tattoos and piercing. Walk-ins and appointments are welcome. The company will be open seven days a week: Monday – Saturday, noon to 10 pm; and Sunday, noon to 7 pm.

Ald. Callahan thanked Mr. Nelson for his support and efforts in relation to suicide prevention and the Semicolon Project.

Motion by Ald. Callahan, seconded by Ald. Chanzit, to approve the ordinance as presented. Motion carried 13 yea/ 0 nay/ 1 absent.

15. ORDINANCE 19-72: Authorizing Sale of Georgetown Detention Pond Property by Solicitation Of Bids (SCB 10/8/19 COW 10/15/19 10/0) GS

Ald. Chanzit introduced the item related to the Georgetown detention pond. He noted that part of the pond is on public land, but it makes more sense to sell it to the Homeowners Association.

Motion by Ald. Chanzit, seconded by Ald. Meitzler, to approve the ordinance as presented. Motion carried 13 yea/ 0 nay/ 1 absent.

16. RESOLUTION 19-103-R: Recommending award of a Facade Improvement Grant (117 ½ and 119 S. Batavia Ave.) to Moser (AI 9/24/19 COW 10/15/19 10/0) CD

Ald. Callahan introduced the motion related to a façade grant for Beardsgaard Barbers. The grant will help fund improvements to the building exterior, including windows and an external door. The grant funds 50% of the lowest bid for the work.

Motion by Ald. Callahan, seconded by Ald. Meitzler, to approve the resolution as presented. Motion carried 13 yea/ 0 nay/ 1 absent.

17. RESOLUTION 19-110-R: Awarding a Grant under the Gateway Improvement Program Batavia Buildings, LLC, 9 & 3-15 S. Batavia Avenue (CA 10/3/19 COW 10/15/19 10/0) CD

Ald. Callahan introduced the item related to a Gateway Improvement Grant for the Gammon House parking lot. Ald. Wolff noted that the owner will landscape an unused portion of the parking lot, and applauded the company for putting a lot of its own money into improving their properties.

Motion by Ald. Callahan, seconded by Ald. Uher, to approve the resolution as presented. Motion carried 13 yea/ 0 nay/ 1 absent.

18. ORDINANCE 19-68: Grant of Variances for Front Setbacks, 804 North Van Buren Street Judd Lofchie, TK Green Enterprises, LLC, Applicant (JLS 10/9/19 COW 10/15/19 10/0) CD

Ald. Callahan explained the item related to a setback variance for the property. Director Buening explained that this is a reduction of the front and side setbacks that make sense due to splitting the lot and changing how houses face the street.

Ald. Wolff noted that this change allows two small houses to be built rather than tearing down the existing house and building one new, large house. This leads to more affordable, family-friendly housing. Ald. Malay noted that he has spoken to neighbors in the area and did not hear any valid concerns.

Mayor Schielke discussed how much this area has improved since the 1960s, when the houses were pretty run-down. He said the developers here have the right idea, and is pleased at the improvements happening in this neighborhood. He added that the street names in the area have interesting historical significance, as Ozier was a runaway slave who was at the

Gettysburg Address, and Moser was a local grocer who always extended credit to those who needed it. When he finally closed the business, he retired all of the outstanding debt.

**Motion by Ald. Callahan, seconded by Ald. Malay, to approve the resolution as presented.
Motion carried 13 yea/ 0 nay/ 1 absent.**

19. RESOLUTION 19-111-R: Authorization to execute a contract for 2019-20 Snow and Ice Removal Services with Kozak Custom Landscapes Inc. for an amount not to exceed \$70,00.00 (SH 10/8/19 COW 10/15/19 10/0) CS

Ald. Wolff introduced the item related to snow and ice removal for the upcoming winter season. He said this company offered the lowest bid for services.

**Motion by Ald. Wolff, seconded by Ald. Malay, to approve the resolution as presented.
Motion carried 13 yea/ 0 nay/ 1 absent.**

20. ADMINISTRATOR'S REPORT

Administrator Newman shared several updates:

- Raising Cane's construction continues, and they are now hiring. Opening is expected in early December.
- Oak + Swine is now open. The line on Wednesday was out the door and down the block.
- Staff has contacted BEI regarding replacement of the railing around Batavia Plaza.
- Leaf pickup on the west side begins the week of October 28, and on the east side the week of November 4.

Ald. Chanzit asked if there is an updated on the road diet for Rt. 31. Administrator Newman noted that IDOT was contacted 6 weeks ago with the request. IDOT responded by encouraging the city to conduct a traffic study to determine if the road meets the requirements for a road diet. Administrator Newman noted that the width of lanes on Rt. 31 is not standard for IDOT today, which is a detail the city will use to lobby the case for a road diet.

Mayor Schielke noted that IDOT tends to not like road diets, and this particular issue could impact the Holmstad entrance. Most state departments are undermanned, and IDOT has a backlog of projects already waiting to be completed.

Ald. O'Brien said this is still something important to push for and that it would benefit the downtown by making it easier for people to cross Rt. 31 to access downtown. Ald. Chanzit said funding for the study can be discussed during the budget talks, noting the study would cost more than \$100,000. Ald. O'Brien said he understood the cost but the city should be using new revenue to plan for the future.

Administrator Newman agreed that a road diet would reduce the complexity of people crossing Rt. 31, helping more visitors access downtown by foot or bike. Ald. O'Brien noted that Gary Holm said Rt. 31 is a moat keeping people from the west side from visiting downtown.

21. COMMITTEE REPORTS

Ald. Callahan said at next week's COW would be a discussion of cannabis use definitions in state law. The Plan Commission will consider changes to the UHaul facility, an expansion of Menards and rezoning of 1119 N. Washington.

Ald. Chanzit said the COW would discuss an update on the Strategic Action Plan and the 2020 budget.

Ald. Wolff noted that leaf pickup is ongoing, and reminded residents to keep the street and drains free of leaves.

22. OTHER BUSINESS

Ald. Meitzler said the BHS Marching Band will host a community performance on Wednesday at 8 pm. The event is a fundraiser for the family of Kyle Nicely, a BHS student who passed away recently.

Ald. Wolff will participate in a fundraiser for the Batavia Arts Council called Halloween Hooligans. More information is at halloweenhooligans.com.

23. MAYOR'S REPORT

Mayor Schielke said there was a fire at the Holmstad this afternoon and many residents needed help evacuating. While the Fire Department was tending to the fire, Batavia police officers were unlocking doors and helping residents evacuate. Several other towns responded to assist.

Several mayors have recently visited Batavia to see how the city's downtown is developing. A lot of visitors are now coming to Batavia to play Pokemon.

The city shouldn't expect state funding for projects any time soon. The state is six months behind on paying bills. The \$0.19 gas tax increase seems to be helping fund much-needed road projects in the state. Ald. O'Brien asked how much of that money comes from Batavia and whether we could request some of that money to pay for our own road projects. The Mayor noted that those funds are needed to pay for road projects elsewhere.

The Mayor noted the upcoming budget process should be interesting and that we have excellent staff working on the budget.

Ald. Wolff said if the motor fuel tax is generating more funds, the city should be getting more back. The Mayor said this would be discussed during the budget process.

24. ADJOURNMENT

Motion by Ald. O'Brien, seconded by Ald. Salvati, to adjourn. Motion carried by voice vote. The meeting adjourned at 8:53 p.m.

Minutes prepared and submitted by Ellen Posledni, City Clerk, October 29, 2019.