

**CITY OF BATAVIA**  
**MINUTES OF THE BATAVIA CITY COUNCIL**  
**July 19, 2010 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 by Mayor Pro Tem Eldon Frydendall at 7:31 p.m.**

**2. ROLL CALL: 14 of 14 aldermen were present.**

Aldermen (by ward): Michael O' Brien (1), Garran Sparks (1), Victor Dietz (2), Alan Wolff (2), Janet Jungels (3), Dan Chanzit (3) James Volk (4), Thomas Schmitz (4) Eldon Frydendall (5), Lucy Thelin Atac (5), Robert Liva (6) Lisa Clark (6), Dawn Tenuta (7), and David Brown (7) were present.

Also present were BATV and members of the press, public and the following:

City Administrator	Bill McGrath
Assistant City Administrator	Randall Recklaus
City Attorney	John Noble
City Clerk	Heidi Wetzell
Fire Chief	Randall Deicke
Finance Director	Peggy Colby
Deputy Police Chief	Dan Eul
Director of Public Works	Gary Holm

**3. Invocation by Ald. Dietz followed by the Pledge of Allegiance led by Ald. Clark.**

**4. ITEMS REMOVED/ADDED/CHANGED Remove Item 12 Closed session**

**Moved by Ald. Schmitz seconded by Ald. Clark to remove Item 12 ,the Closed Session, from the Consent Agenda. Motion Carried by voice vote.**

**5. CONSENT AGENDA**

Accept and Place on File:

- A. Sewer and Water Report June, 2010
- B. Building Report June, 2010

Approvals:

- A. July 9, 2010 Payroll \$743,074.89
- B. July 16, 2010 Payables \$2,374,103.86
- C. July 6, 2010 City Council Minutes
- D. **ORDINANCE 10-25: Amending the Comprehensive Plan for the City of Batavia (Joel Strassman 7/14/10 CDC 6/29/10 Vote 6/0)**

**Moved by Ald. Schmitz seconded by Ald. Dietz to approve the Consent Agenda as read.  
Motion Carried by a vote of 14 aye / 0 nay/0 absent.**

**6. PRESENTATION: For All Occasions/Addie Marconi 235 West Wilson Street --  
MAINSTREET MINUTE/ Britta McKenna**

Britta McKenna announced the new MainStreet Board of Directors - President Mike Kluber , Vice President Austin Dempsey, Treasurer Chris Nyborg, Secretary Jan Gibson, and the immediate past President is Sharon Mitchell.

McKenna also gave a six month report on incoming and outgoing businesses for 2010 as compared to 2009. In the second quarter of 2009, 8 businesses moved in while 11 moved out and in the same time in 2010 ,7 businesses moved in while only 3 moved out. In the first 6 months of 2009 ,10 businesses moved in while 16 moved out and for the same period in 2010, 18 businesses moved in and 6 moved out.

Austin Dempsey Vice President of the Batavia MainStreet Board of Directors gave the MainStreet Minute and introduced the MainStreet Business of the month.

Addie Marconi , owner of For all Occasions 235 West Wilson St , discussed her business as well the sister store Special Occasions on the Avenue that is run by her stepdaughter Mary. For All Occasions specializes in traditional women's accessories such as necklaces ,bracelets, rings, hand bags, and evening bags as well as pet and computer carriers to compliment wardrobe selections. The store is open 7 days a week Mon to Sat 10am-5pm with the exception of Thu 12pm-8pm and on Sun 12pm-5pm. Marconi hopes her store will encourage more women to come down shop and have lunch in downtown, The Grand Opening is planned for August.

**7. ORDINANCE 10-26: Adopt Prevailing Wage (Andrea Rattray 7/1/10  
Government Services 7/14/10 Vote 4/2)**

Ald. Dietz introduced the ordinance which is The Annual Prevailing Wage Ordinance required by the state. The City must study ,identify ,and adopt a list of prevailing wages in the area for all government projects and the City agrees to pay the prevailing wage according to the study . If the City does not adopt the ordinance it does not receive state money for building projects. It is Ald. Dietz's opinion that this is an unfunded mandate from Springfield but it must be passed if the City wants to receive state funds

Ald. Frydendall noted that if the Council wanted to exercise its right to vote down the Ordinance this would be the year as he is unsure that the state has any funds. He has objected to the requirement for years, as he is of the opinion that if the state wants to set wages it should be done statewide and the state should not push the responsibility to determine the wages to the municipality nor should it hold municipalities' hostage by refusing to withhold funds.

Ald. Brown noted that with some of the unions being on strike the City does not know what the prevailing wages will be until the contracts are settled. Ordinance 10-25 is based on the prevailing wages at the time and can be revisited and amended.

City Attorney Noble noted that if this is not passed there will be no money forthcoming for state funded contracts including the street programs.

**Moved by Ald. Dietz, seconded by Ald. Schmitz to approve Ordinance 10-26. Motion Carried by a vote of 10 aye / 4 nay ( Wolff, Sparks, Frydendall. Liva) / 0 absent.**

## **8. ADMINISTRATOR'S REPORT- Bill McGrath**

At last week's Government Services meeting staff was able to report that sales taxes ,while lower than last year ,are on the rise it is hoped this represents a trend and that economic activity is on the rise.

In preparation for the 2011 Budget staff reported the City has over the past two years shed 22.5 full time equivalent positions 25 people. This was accomplished through 1/3 layoff, 1/3 vacancies left unfilled and 1/3 through early retirements.

As the budget planning is underway McGrath reminded the Council that employees have taken paycuts this year anywhere from 1.5 % to 10 %

He also noted that the state of Illinois is 4 months behind in local distribution of state income tax, the City is still receiving payments monthly but the State is 120 days behind. This is a cash flow situation but there is no indication that payments will be halted.

Gary Holm Public Works Director discussed the Rubicon agreement and by August 9<sup>th</sup> the City will have energy out to the site as stipulated in the agreement. He noted that the City has a side agreement with the union affected by the strike so there is no impact from the current strike on any work being done to fulfill the Rubicon agreement.

## **9. COMMITTEE REPORTS**

### Community Development Committee- Ald. Brown

The Plan Commission for this Wednesday July 21 has been cancelled.; the Historic Preservation Commission will meet July 26 at 5:30 p.m.; and the Community Development Committee will meet July 27th at 7:30 p.m.

Ald. Brown noted that the permitted construction is up in the City and YTD there has been \$48,613,765 construction dollars permitted compared to 7 million last year. This has resulted in \$260,369 in planning fees as compared to \$64,869 last year at this time The City is issuing an average of 12 permits a day.

### Government Services Committee- Ald. Schmitz

The Government Services Committee will meet Wednesday August 3<sup>rd</sup> .

City Services – Ald. Volk

The City Services committee will meet Tuesday July 20<sup>th</sup> at 7:30 pm in the council chamber. The Environmental Committee will meet on July 20<sup>th</sup> in the Great Room.

Public Utilities – Ald. Frydendall

The August 9<sup>th</sup> Public Utilities meeting has been canceled. Ald. Frydendall pointed out that there is much work going on but the reports have not been finalized to be presented to the committee.

**10. OTHER BUSINESS**

Britta McKenna gave an update on the band shell construction. The band shell successfully debuted at the Windmill City Fest despite still needing electrical and roofing. It should be completed by Labor Day.

**11. MAYOR'S REPORT**

Mayor Pro Tem Frydendall opted to not give a Mayor's report.

**12. CLOSED SESSION: Acquisition of Property (WRM)**

**Removed from agenda as per action taken in item 4.**

**13. ADJOURNMENT 8:03 p.m.**

**Motion to adjourn by Ald. Volk, seconded by Ald. Wolff, passed by voice vote.**

Minutes prepared and submitted by  
Heidi Wetzel  
City Clerk