

MINUTES
March 16, 2010
CITY SERVICES COMMITTEE
City of Batavia

Chair Volk called the meeting to order at 7:30 p.m.

1. Roll Call

Members Present: Ald. Volk, Frydendall, Dietz, Tenuta, O'Brien and Barnard

Members Absent: Ald. Liva

Also Present: Police Chief Gary Schira; Deputy Police Chief Dennis Thomas; Adm. Sgt. Dan Eul; Mayor Schielke; City Administrator, Bill McGrath; Street Superintendent, Scott Haines; Director of Public Works, Gary Holms; Ald. Schmitz and Ald. Appoint Jungles; James Eby, Batavia Park District

2. Approve Minutes 02/24/10

The minutes were deferred to the next meeting to review the motion reference Red Light Camera Enforcement. There was no indication whether it passed or was denied. McGrath will look into this.

3. Items Removed/Added/Changed

Item #9, Continued Discussion: Guard Rail on Wilson at Raddant Road will be moved and discussed as the first item of business this evening.

9. Continued Discussion: Guard Rail on Wilson at Raddant (Chief Schira)

McGrath stated that in following up with Police Chief Schira and City Engineer Noel Basquin reference this issue, there are no warrants for this kind of a situation and therefore, Staff is recommending against the guard rail. There does not seem to be any condition that would provoke or promote another incident from happening here except for coincidence as there are several locations within the City similar to this one but have not experienced this problem. In these economic conditions, the Staff cannot recommend an expenditure of approximately \$15,000 for this, however, another option may be landscaping. This could include the use of boulders, various plantings, etc., something that could slow anything down.

Chief Schira stated that the issue has been studied by Engineering, Community Development and the Police Department and believes that the focus should be on the businesses to the north of this property. There is a problem as they are private businesses and unless the City enters into some financial arrangement with them reference safety improvements, it may not happen. Chief Schira stated that he does support any alternatives or plantings that may help. There have been 3 accidents in the last 15 years. Tenuta voiced concerns that these 3 accidents could have also hit

vehicles on Wilson Street as well. Unfortunately, the vehicles made it into residents' yards. Inquired what can be done to keep these vehicles from rolling on to Wilson Street and into yards. Chief Schira reported that 2 of the 3 accidents, the vehicles exited the business driveway so any type of curbing would not have prevented the accident from occurring. Discussion continued reference the fear of the residents and vehicles crashing through their fences in their back yards, the installation of a barrier to detour accidents, similar locations within the City, parkway plantings, driving habits of people, no set policy in place, etc. Haines reported that by code, parkways are not the location for spruce or pine trees and this location has a steep parkway, which complicates plantings. Residents, however, could plant on their own property to provide a buffer. Volk strongly recommended that Staff look into the possibility of a guard rail policy.

Suzanna O'Brien, 25 Cottonwood Circle, stated that there is a lot of pedestrian traffic on the sidewalk behind her fence that is utilized by a number of elderly people. In the event of an incident, these people would not be able to get out of the way in time to avoid injury. She believes it is pretty dangerous. There are also a number of semis that miss Raddant trying to enter into the business district and are making questionable U-turns in and around this intersection. The business buildings do not have adequate parking and the layouts were not thought out. The lots are not level and maybe the problem is with the lack of code enforcement during their construction. Although the cost of a guard rail sounds like a lot of money, how much is it going to cost for the upkeep and replacement of damaged plantings. What is worse, spending the money now or spending the money over several years? McGrath responded that at the time these buildings were built, they were outside of the jurisdiction of the City and would not be built like this now. He further stated that another possibility may be wooden bollards across from the businesses driveways, much like what is being used at the high school. Frydendall stated that it is not just a money issue with the City; it is also the fact that the law does not allow the City to construct a retaining wall and/or guard rail.

Motion: To direct Staff to present some solutions at the next City Services Meeting with the idea that the City can execute these solutions.

Maker: Barnard

Second: O'Brien

Voice Vote: 6 – Ayes, 0 – Nays, 1 – Absent. All in favor. Motion carried.

4. Discussion of Community Event Support (William McGrath)

McGrath stated that this issue is being addressed due to the fact that the City is being swarmed with requests to block off streets and use City services for various charities and events. These include events such as marathons, Crawl for a Cause, Oktoberfest, etc. With the elimination of the Administrative Sergeant position in the Police Department, which oversees and helps in the organization of services for all of these events, there needs to be some discussion on how the City will be handling these events. This may include the City limiting road closures to particular events for the next 2 or 3 years. Every year a new event is added that affects the residents, businesses, neighborhoods and churches. Although things have been going well in this aspect, there is concern over the number of events that are consistently requesting special attention.

What has precipitated this issue is a charity that requested that River Street be shut down on Memorial Day for a block party. This party would allow people to purchase alcohol from the surrounding businesses and bring it out on to street where there would be live bands and was problematic from a Police point of view. The group has since withdrawn their request. The second group, Fox Valley Marathon, presents another issue wherein they want to run a marathon beginning in St. Charles, traveling through Geneva and Batavia. At first, they were planning on using several of the main roads, which would require a number of personnel at several locations throughout the City crossing Fabyan and Route 31. The City denied their request. They have now changed the course to utilize the bike path and to only cross Wilson at Shumway. McGrath reported that they have contacted the other cities involved and there is still a question of whether or not the other cities are on board with this event. Also, there is no exclusivity of the path and groups must register with the Park District. The problem is they want to run their event on the same day as the 5K run for Histio Heroes, which is a charitable event and has been doing this 5K for the several years. The organizers of Histio Heroes are very concerned because they have 500 for their event and the marathon is hoping for about 1200. McGrath gave a brief description of the marathon and dates available.

Dave Sheble, 513 Steeple Chase, St. Charles, reported that this location is perfect to stage a marathon in relation to the Chicago Marathon. Geographically, there is nothing within 90 miles of Chicago. It was noted that the sport has grown consistently over the years and it is becoming more and more difficult to enter a marathon. There are so many people that want to run marathons but can't because the number one factor is geography. His organization wants to showcase the Tri-Cities and Fox Valley area and are looking to draw the people who are already going to participate in the Chicago Marathon. They have been working on the conflict of stressing the City's services and to minimize the closing of Wilson Street from 7:20 a.m. to 8:35 a.m. on a Sunday morning. He further indicated that he has contacted the organizers of Histio Heroes to try to work things out. The Fox Valley Marathon invites charities to run in the marathon in order to provide a fund raising vehicle for them. They want to involve charities and encourage them to bring in runners. They have done time calculations and believe they will be through the area before the start of Histio.

James Eby, Batavia Park District, reported that the Histio Heroes organization has also done time calculations and disagrees with the marathon's findings. It is also more of Histio's runners interfering with the marathon runners. The Batavia Park District has taken on the role of registering the bike path for events and had the Marathon come to the Park District first, their request would have been denied. The protocol is not to allow 2 major events on the paths at the same time, unless there is a significant separation. Unfortunately, there has been a lot of preparation done by the marathon and therefore, greater discussion is needed. Histio Heroes is very concerned that this will disrupt a race that they have established over the last 4 years. Eby reported that there are anywhere from 19 and 25 annually on the path and this is the first time that they have run into a major conflict on the path. Recommended that the marathon look at dates in August to see if they meet their training schedule. Volk stated that these organizations need to get together with the Park District and work it out. He further stated that the City's involvement is minimal and once everything is worked out, they can come back with a date. Mayor Schielke reported that complaints have been increasing over the years reference all these

events and the impact on Main Street. The church community is really upset about the Sunday morning closures on Main Street. Discussion continued.

Motion: To recommend to City Council the closure of Wilson Street for the Fox Valley Marathon on a date to be determined and upon approval of the Batavia Park District.

Maker: O'Brien

Second: Dietz

Voice Vote: 6 – Ayes, 0 – Nays, 1 – Absent. All in favor. Motion carried.

This item will be on the Regular Agenda

Chief Schira recommended that a true economic benefit analysis be completed for every event wanting to utilize the City's services. Many towns perform an economic benefit analysis before they allow special events to come into town. Once this analysis is done, the City can then weigh the pros and cons. McGrath reported that there is a German Fraternal Group that wants to hold an Oktoberfest on Park District property, which includes a carnival. This group has held this event in other cities and has experienced over 20,000 people during the 2 to 3 day event. He is hoping to get them before the Committee soon.

5. Request for Road Closures: Crawl for a Cause, Fox Valley Marathon (William McGrath)

(See Item #4)

6. Discussion: Leaf and Brush Pickup (William McGrath)

Volk reported that Ross Doyle, who owns several rental properties and his tenants are receiving utility bills, which includes the leaf and brush pickup fee. The problem with this is the fact that there may be several tenants at one location and each tenant, not the location, is being charged the fee. It appears that this is happening throughout the city. McGrath reported that the City has received very few complaints about the fee, which was to be applicable to all utility units short of facilities that had 6 units. This is similar to what St. Charles and Geneva have done and continue to do. He further stated that it may be impossible to fine tune this too much as a lot of these units, the utility bills are not in the property owners name and the City is using the utility accounts to assess the fee. Discussion was held on allowing the landlords to make application to the City and remove the fee from the tenants and forward it to the property owner. As it may be impossible to determine which properties should continue to receive the fee and which properties should have the fee forwarded to the property owner, it would be the responsibility of the property owner and/or tenant to approach the City.

Ross Doyle, 109 N. Washington, stated he approached the City reference this issue and requested that the City refund his tenants for this fee and in turn, charge this bill to his water meter. He further stated that this fee is nothing more than a tax. The problem with this is the City is not applying this fee to vacant properties, as there is no electric meter. The fee is also being assessed regardless of the size of the property. The amount of brush and leaf collection is not determined by how many units are found on the property. There is also the fact that the City isn't charging

any properties with over 6 units. Mr. Doyle inquired if the City felt that properties with over 6 units do not create any brush and leaf. McGrath stated that the City does not pick up from properties with 6 or more units. Inquired if the downtown residences, which reside over businesses, are being charged this fee. It was noted that they are not. McGrath stated that this is a fee for service, not a tax and Staff will work with Mr. Doyle to resolve this issue. Mr. Doyle further questioned why a lot with one unit, pays \$3.00, and the exact same size lot with 4 units, pays \$12.00. Does not believe this is fair. Discussion continued.

Motion: To direct Staff to come up with come up with an equalizing charging program.

Maker: Dietz

No second. Motion dies to lack of second.

7. Resolution 10-18-R: Execute Contract for 2010 East Side Property Maintenance Program with Waldschmidt & Associates, Inc. for \$29,680.26 (Scott Haines)

Haines reported that requests for bids were sent out for both the east side and west side properties. 22 requests were sent out and 15 responses were received. Haines noted that although there was a pretty wide range of numbers, the prices were very competitive. Between the two programs, they are approximately \$30,000 under what was budgeted. The west side bid includes the City Hall and Riverwalk area, which is something that wasn't included before and will be a shared expense with the Park District. Haines reported that Waldschmidt & Associates has been around for several years and is widely used in the area including Kane County although they have never been successful in their bid for Batavia. Tenuta inquired why the bidding process separated the two sides of town as opposed to a combined bid, which could possibly lower the cost. Haines reported that it was found that a combining the two sides of town proved overwhelming to a single vendor. After many years, it was decided that the bid would be divided and this has proved very successful.

Motion: To recommend approval of Resolution 10-18-R: Execute Contract for 2010 East Side Property Maintenance Program with Waldschmidt & Associates, Inc. for an amount not to exceed \$29,680.26.

Maker: O'Brien

Second: Barnard

Dietz inquired if any part of this property could be planted in something other than grass that needs to be mowed. Haines reported that there are some dry bottom retention ponds that eventually will have some changes made to them, however, this is still in the experimental stages. They did not have great success with the native planting retention near the eastside fire station. At some point they will be creating more wetland plantings, but that is a future endeavor. Dietz reported that he has spoken with Maggie Soliz, who has indicated that there is a way to do native plantings landscaping for about the same amount it takes to mow the property and he would be interested in more discussion if not this year than next year. He would like to see some combination of mowing and native plantings. Barnard stated that although these natural plantings can be beautiful, they are also haven to wildlife such as coyotes. Haines reported there is also money involved in the stewardship. Dietz will inquire if Ms. Soliz can make a presentation at a later date. Mayor Schielke reported that the City received numerous complaints about the native

retention planting near the fire station. So many that the City finally removed the native plantings and returned the area to a dry bottom retention.

Voice Vote: 6 – Ayes, 0 – Nays, 1 – Absent. All in favor. Motion carried.

Consent Agenda

8. Resolution 10-19-R: Execute Contract for 2010 West Side Property Maintenance Program with Twin Oaks Landscaping for \$19,525.00 (Scott Haines)

Motion: To recommend approval of Resolution 10-19-R: Execute Contract for 2010 West Side Property Maintenance Program with Twin Oaks Landscaping for an amount not to exceed \$19,525.00.

Maker: O'Brien

Second: Barnard

Voice Vote: 6 – Ayes, 0 – Nays, 1 – Absent. All in favor. Motion carried.

Consent Agenda

Dietz requested that Staff request a combined bid for 2011. Volk suggested that Staff request both a combined bid as well as separate bids. Bid an east side, bid a west side and then bid both.

10. Continued Discussion: Stabilization of Batavia Creek Along Norcross (Noel Basquin)

Due to the fact that City Engineer Basquin was not available for the meeting this evening, McGrath requested that this item be tabled to the next meeting.

11. Other

- Dietz reported that he has been contacted by the Lincoln Highway Group, which is the group that supplied the gazebo in town, wanting to give the City a mural. The City would choose the picture and the Lincoln Highway Group would cover the costs for paint, materials, installation, etc. He stated that he would like to go forward with this project. It was noted that this mural would be constructed on aluminum, lacquer coated and sealed, on a wood frame and then installed on the side of one of the buildings along Route 31. No mural would be painted directly on any historical building. This project will have to work closely with the Historic Preservation Committee as the mural will be located within the Historic District.
- Barnard reported that she has received complaints about the use of the Fire Department's ladder truck to dislodge a kite from a tree. The complaints have been about wasting tax payer's dollars getting stuff out of trees, it wasn't an electrical emergency, etc. On the other hand, there were several others that applauded this effort. She would like some sort of response from the Fire Department that this sort of thing is done, it benefits the members as on-going training, something so she can respond to her constituents. She knows that the Department does a lot of continuous training and supports this.

- O'Brien inquired if there were any programs in place relating to the snow melting and damage done to resident's properties by the snow plows. Haines reported that any and all complaints should be referred to the Street Department so they may respond.
- Volk requested that the snow flakes be removed from the bridge. Holms reported that they normally remove the snow flakes mid March or April. They will be coming down soon.

12. Adjournment

There being no other business to discuss, a motion was made Dietz to adjourn the meeting at 8:50 p.m. Seconded by O'Brien. All in favor. Motion carried.

The next regular meeting is scheduled for April 6, 2010 at 7:30 p.m.

Minutes prepared by
Cheryl A. Shimp