

**MINUTES**  
**December 1, 2020**  
**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, Beck, Knopp, Chanzit, Baerren, O'Brien, Callahan, Meitzler, Uher, Cerone, McFadden

**Members Absent:** Alderman Malay

**Also Present:** Mayor Schielke; Laura Newman; Chief Eul, City of Batavia Police Department; Gary Holm, Director of Public Works; Wendy Bednarek, Director of Human Resources; Scott Buening, Director of Community Development; Drew Rackow, Planner; Anthony Isom, Assistant to the City Administrator; Howard Chason, Director of Information Technology; and Jennifer Austin-Smith, Recording Secretary

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

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

There were no items to be removed, added or changed.

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

There were no matters from the public at this time.

**5. Consent Agenda**

(The Consent Agenda is made up of items recommended by city staff that requires recommendation to the full City Council by the COW. This agenda is placed as a separate item on the COW agenda. The items on the Consent Agenda are usually minor items, already budgeted, standard non-policy activities or outgrowths of earlier meetings and are voted on as a "package" in the interest of saving time on non-controversial issues. However, any council member may, by simple request, have an item removed and placed on the "regular" agenda.)

- a. **Ordinance 20-71: Declaring Certain Property to be Surplus and Authorizing Sale Thereof (SH 11/17/20)**

**Motion:** To approve Consent Agenda as presented

**Maker:** Chanzit

**Second:** Knopp

**Roll Call Vote:**       **Aye:** Chanzit, Baerren, Wolff, O'Brien, Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp  
**Nay:**  
13-0 Vote, 1 Absent. Motion carried.

**6. Public Hearing Amendment to an Annexation Agreement Recorded as Document No. 2009K054749 & Revocation of a Conditional Use Approved by Ordinance 08-2 (DMR 11/13/20)**

Chair Wolff opened the Public Hearing at 7:04pm. There were no emailed comments nor meeting attendee comments. Chair Wolff asked for a motion to close the Public Hearing.

**Motion:**       To close the Public Hearing

**Maker:**       Callahan

**Second:**      Uher

**Roll Call Vote:**   **Aye:** Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Chanzit, Baerren, Wolff, O'Brien  
**Nay:**  
13-0 Vote, 1 Absent. Motion carried.

The Public Hearing was closed at 7:04pm.

**7. Ordinance 20-64: An Ordinance Authorizing the Execution of a First Amendment to an Annexation Agreement Recorded as Document No. 2009K054749, Between the City of Batavia and R Russell Builders Inc., John & Dorothy Pitz, Owen D. Beckley Living Trust Dated 4/4/1996 & Tracey C. B Beckley Living Trust Dated 4/4/1996 (DMR 11/20/20) CD**

Rackow overviewed the memo.

**Motion:**       To approve Finding 1 and Finding 2 as presented

**Maker:**       Callahan

**Second:**      Knopp

**Roll Call Vote:**   **Aye:** Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Chanzit, Baerren, Wolff, O'Brien  
**Nay:**  
13-0 Vote, 1 Absent. Motion carried.

**Motion:**       To recommend approval of Ordinance 20-64: An Ordinance Authorizing the Execution of a First Amendment to an Annexation Agreement Recorded as Document No. 2009K054749, Between the City of Batavia and R Russell Builders Inc., John & Dorothy Pitz, Owen D. Beckley Living Trust Dated 4/4/1996 & Tracey C. B Beckley Living Trust Dated 4/4/1996

**Maker:**       Callahan

**Second:**      Knopp

**Roll Call Vote:**   **Aye:** Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Chanzit, Baerren, Wolff, O'Brien  
**Nay:**

13-0 Vote, 1 Absent. Motion carried.

**8. Ordinance 20-65: Revocation of a Conditional Use for a Planned Development Granted by Ordinance 08-23 (DMR 11/20/20) CD**

**Motion:** To recommend approval of Ordinance 20-65: Revocation of a Conditional Use for a Planned Development Granted by Ordinance 08-23

**Maker:** Callahan

**Second:** Knopp

**Roll Call Vote:** **Aye:** Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Chanzit, Baerren, Wolff, O'Brien

**Nay:**

13-0 Vote, 1 Absent. Motion carried.

CONSENT AGENDA

**9. Resolution 20-128-R: Accepting Utility and Drainage Easement Agreements (DMR 11/20/20) CD**

**Motion:** To recommend approval of Resolution 20-128-R: Accepting Utility and Drainage Easement Agreements

**Maker:** Callahan

**Second:** Knopp

**Roll Call Vote:** **Aye:** Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Chanzit, Baerren, Wolff, O'Brien

**Nay:**

13-0 Vote, 1 Absent. Motion carried.

CONSENT AGENDA

**10. Resolution 20-130-R: Approving a Variation to the Subdivision Regulations (City Code Title 11) Regarding the Front Building Line at 1111 Newton Court (Corner of Newton Avenue) Michael Blankenship, Property Owner and Applicant (JLS 11/20/20) CD**

Callahan overviewed the memo.

**Motion:** To recommend approval of Resolution 20-130-R: Approving a Variation to the Subdivision Regulations (City Code Title 11) Regarding the Front Building Line at 1111 Newton Court (Corner of Newton Avenue) Michael Blankenship, Property Owner and Applicant

**Maker:** Callahan

**Second:** Knopp

**Roll Call Vote:** **Aye:** Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Chanzit, Baerren, Wolff, O'Brien

**Nay:**

13-0 Vote, 1 Absent. Motion carried.

CONSENT AGENDA

**11. Ordinance 21-01: An Ordinance Dissolving Tax Increment Financing District No. 5 (Washington-Wilson Redevelopment District) (SCB 11/24/20) CD**

Buening reported that the next six ordinances are all related. The first three involve dissolving or removing property from the TIF Districts and the second three are ordinances that would be required to create the new TIF District. All of these have a '21' ordinance designation because it is intended that these would be passed next year after the first of the year so we could take advantage of an additional tax increment tax year. The ordinances are scheduled to be approved at the first meeting in January.

Newman opened the floor for public comment. Sylvia Keppel addressed the Committee. She stated that she does not mind the City removing properties from the TIF Districts. She thinks that it is long past due that the TIFs be dissolved. But if you are just removing properties to put in a new TIF 6 she does object. TIF 5 still has a large number of years on it. We can still get a new project that will pay for itself. But if you insist on TIF 5 you could use incentives like you instituted in the West Town TIF. If you start pulling properties from TIFs to make new TIFs you create perpetual TIFs, an abuse of TIF law, an abuse for which a bill was introduced in the general assembly this year until derailed by COVID. The School District voted against extension of TIF 5. You are doing everything you can to undermine another elected bodies authority and that is just plain wrong. They had the right to object and it is underhanded of you, dishonest in fact, to come up with a scheme like this to get around the School District. Please leave the TIFs where they are. Keppel asked that the Committee listen to constituents that are not in favor of this project. Keppel shared that she put out a poll today and last she saw there were 19 votes all against this TIF and the Shodeen project. She will leave the poll up until the City Council meeting where the final decision on this is to be made. This is not popular and against what the people want. In Geneva last night, they had a Shodeen project very similar to ours, way too big and did not fit at all with the downtown. The aldermen there listened to their constituents and they all voted against this project stating that it is not right for their downtown. She is asking the Committee to please listen to your constituents. Go out and talk to people and ask them what they think. Please leave the TIFs where they are, find a new project and let it go. She thanked the Committee for their consideration.

Mary Niekamp addressed the Committee. She supported Sylvia Keppel's comments. Niekamp stated the creation of a new TIF to take advantage of taxation law becomes extremely exploited. We all understand the basic premise of this and we are going above and beyond to accommodate a building project that is part of a haphazard development that Batavia has represented in her twenty-six years here as a resident. She does not think Batavia has been very strategic in how they develop their downtown. She has not seen an appreciable increase in the way our downtown is used as Geneva has. Geneva has been very strategic and by turning down certain things that appear good on the outside but don't generally create the kind of downtown we are looking to create, they have created a much more friendly tourist place that has more economic boom. None of this is going to increase her desire to go downtown, in fact it would decrease her desire because we already have an over the bridge issue, which has never been successfully tended to in her tenure her in Batavia. We don't need to redistrict the TIF, we just need to leave this project. It is not popular with anyone that she speaks to in her community and she is on Batavia Avenue right on Maple Lane. One of the things we like about Batavia is that it is a sweet little town and it is not Geneva or St. Charles, not that we do not want economic growth. We would like

appropriate economic growth to develop the kind of community we want to be. We have a large economic corridor on Randall Road with open spots that could be developed and during this COVID year there have been a lot of hardships for people in our community. We have a demographically diverse community in Batavia and she knows some families that are just struggling to stay alive. We just need to be gracious. She was disappointed that the School Board voted in favor of increasing taxes once again in the midst of all that we have suffered in the world this year. She would appreciate the Council listening to the community at this time and say let's halt this, we do not need to push this through, this is not the time.

Knopp shared that he too watched the Geneva Committee of the Whole meeting. They had the exact same project, exact same circumstances before them as we have before us and the exact same developer. What struck him was the common theme he heard from their elected officials was they were going to listen to the constituents and the people who elected them. They were going to listen to the taxpayers and do what the taxpayers said rather than the ten people on the board doing what they wanted. They put the community's voices above their own and that struck a chord with him. Knopp stated that he is not in support of breaking up TIFs, not in support of creating a new TIF and not in support of this project. Uher agreed. He stated that this is a cookie cutter project. For example, the exact same thing was built in Oswego. For those who will vote yes, when you look to this in the future and look at the building that has been built, will you be able to look at the building and say I am proud of the building we put into Batavia. Other projects will be out there and we need to do what is right for our town and not just go with the first thing that comes along. This is not the right building.

Chair Wolff stated that from the beginning, the City's goal was to create density downtown, draw people in to downtown by building a building with such mass that it would create the incentive for other developers to come in and fill in around it with other types of buildings; more multi-use than just a big apartment building. He believes our downtown can support this. We have spent a lot of money on infrastructure, layout and planning for our downtown. If this does not go through, are you going to be happy with an empty lot in our downtown? The longer we wait to get done with this, the lower then chance that anything big or good is going to happen in our downtown. Chair Wolff stated that he wants this to go through and to get this done to bring more people into the downtown. Development will follow it. O'Brien agreed. He stated that when this project was introduced we thought that this would be a game changer for the City of Batavia. This is going to be an economic engine for our downtown. We need to take advantage of that. We worked hard on this and invested sums of money, as did the developer. The developer has worked with us every step of the way in partnership with the City. This has gone on far too long and Shodeen has stayed with us. Not that we owe anything to Shodeen but we owe it to the people of Batavia to start moving our city forward. This will not raise the property taxes, the project will pay for itself and bring people into our downtown. Businesses in our downtown will prosper.

McFadden shared before moving to Batavia he lived in Elmhurst. When he lived there a big development like this was going up. There was a small group of people who did not like the project. In the years since that, the changes the development made to the downtown with the number of new businesses and new developments have completely revitalized the downtown. McFadden continued that we need more sources of revenue and there are a couple of options:

raise taxes or drive growth. He is focused on driving growth versus raising taxes. If we could drive new income and sales tax because we are spurring a bunch of new development that is what we need to be doing. Russotto stated that the citizens of Batavia voted in favor of Home Rule and that was when we were in a majority in favor of the project. There were more people in favor of Home Rule and for us to keep the trend going towards this project alive and that is why he is in support of this project as well. Mayor Schielke commented that schools are looking for money and he looks at this project and the TIF as an effort by the City Council to sustain and support the Batavia School District in the years ahead. Beck commented that Shodeen properties in Geneva blend in with the surroundings and appears seamless. This one doesn't and if she were on Council at that time she could have opposed the design. She worries about that but she has voted for this because she does not think it is going to ruin our downtown in anyway. If it is a catalyst for new developments that is awesome and she would like to have these types of conversations as these new developments come before us. Size matters and design matters and we have to approach this differently in future developments on what we are looking for and how we get it.

Meitzler stated that shuffling around TIFs to make this project work seems wrong. Also, the schools looked at this new TIF and the new project and they voted it down. Now we are trying to revitalize it in one other way. For this to be the cash cow to support our schools and the experts at the schools turned it down seems like we are circumventing their expertise. He is strongly against this project continuing. He feels that it is a waste of staff time to continue to find new creative ways to revitalize and bring this project back up. Baerren stated that she supports this project for Batavia because we need to help with our development downtown. This is undeveloped property sitting in TIFs and we have not been able to attract a developer. She supports this project. Miller stated that he was initially for this project. He does think that this could be an economic driver but we have strung this project along. The character of this just does not fit. He has spoken with several residents in his ward who want what they want. We should have demanded what we wanted instead of just accepting what was given to us. Miller is in support of not moving forward with this project and not string this project along anymore. He keeps wondering how much longer will all of this continue to go on.

Cerone shared that he would support this project because of the economic benefits. There is a lot we could learn from this process moving forward. There is a lot he would demand we do differently. He is still excited about what this could do for the downtown. He feels that this is a necessity for the downtown but we should improve our process moving forward. Chanzit shared that he has been in support of this project. It still provides economic development, units, and high density. Chanzit shared that when he was a reporter, the School District was not in favor of the Premium Outlet Mall in Aurora and now they cash a TIF check for several million dollars. This will provide property taxes for the city. For all those reasons he will support this project. Callahan stated that everyone has agreed that the parcel should be developed. Everyone on this body and the majority of the public has agreed with the basic premise that downtown needs density. There has been no outcry about living downtown and the use. There has been a lot of common ground on this. We have all agreed that the development of that parcel is key to what we have in the downtown. The only divergence has been on size, mass and the actual blending into the community. Some of that is clearly subjective. Where there has been disconnect with the Committee and the general public overall has been how have we been able to avoid this

perception that this does not fit into our community. The people who live here should have the first say on what they want their community to look like. He has tried to get people to support this project and no one has been excited to see that building go here. The majority of people are resigned to accepting something that they don't want. They feel like we are just settling because we can.

Mary Niekamp addressed the Committee. She agreed with Alderman Callahan, it is not that we do not want growth, we just do not want this project. We need to be who we are and not who we are not. We do not have to take this chance now. She has lived long enough to know that chances come and go. There will always be a better opportunity down the corner if we hold onto our values. We have to respect the current residents who live here with an eye for the future. We need to have an eye for being a steward of a historic town. She shared her home is an 1891 home, she is a steward of a home that will be there long after she dies and that is how she looks at this property. She tries to do the best by her property and by her community. She suggested that the aldermen look at the people who are actually living in Batavia and ask what do they want their lives to be like. That is who you represent.

**Motion:** To recommend approval of Ordinance 21-01: An Ordinance Dissolving Tax Increment Financing District No. 5 (Washington-Wilson Redevelopment District)  
**Maker:** O'Brien  
**Second:** Wolff  
**Roll Call Vote:** **Aye:** O'Brien, Cerone, McFadden, Russotto, Beck, Chanzit, Baerren, Wolff  
**Nay:** Miller, Knopp, Callahan, Meitzler, Uher  
8-5 Vote, 1 Absent. Motion carried.

**12. Ordinance 21-02: An Ordinance Amending Ordinance 89-90 Eliminating Property from the Riverfront Redevelopment Area Tax Increment Financing District (TIF #1) (SCB 11/24/20) CD**

**Motion:** To recommend approval of Ordinance 21-02: An Ordinance Amending Ordinance 89-90 Eliminating Property from the Riverfront Redevelopment Area Tax Increment Financing District (TIF #1)  
**Maker:** O'Brien  
**Second:** Baerren  
**Roll Call Vote:** **Aye:** O'Brien, Cerone, McFadden, Russotto, Beck, Chanzit, Baerren, Wolff  
**Nay:** Miller, Knopp, Callahan, Meitzler, Uher  
8-5 Vote, 1 Absent. Motion carried.

**13. Ordinance 21-03: An Ordinance Amending Ordinance 04-09 Eliminating Property from the Downtown Redevelopment Area Tax Increment Financing District (TIF #3) (SCB 11/24/20) CD**

**Motion:** To recommend approval of Ordinance 21-03: An Ordinance Amending Ordinance 04-09 Eliminating Property from the Downtown Redevelopment Area Tax Increment Financing District (TIF #3)

**Maker:** O'Brien

**Second:** Wolff

**Roll Call Vote:** **Aye:** O'Brien, Cerone, McFadden, Russotto, Beck, Chanzit, Baerren, Wolff

**Nay:** Miller, Knopp, Callahan, Meitzler, Uher

8-5 Vote, 1 Absent. Motion carried.

**14. Ordinance 21-04: An Ordinance Approving the Near East Downtown Tax Increment Financing District Redevelopment Plan and Program (SCB 11/24/20) CD**

**Motion:** To recommend approval of Ordinance 21-04: An Ordinance Approving the Near East Downtown Tax Increment Financing District Redevelopment Plan and Program

**Maker:** McFadden

**Second:** O'Brien

**Roll Call Vote:** **Aye:** McFadden, Russotto, Beck, Chanzit, Baerren, Wolff, O'Brien, Cerone

**Nay:** Miller, Knopp, Callahan, Meitzler, Uher

8-5 Vote, 1 Absent. Motion carried.

**15. Ordinance 21-05: An Ordinance Designating the Near East Downtown District Redevelopment Project Area of The City of Batavia as a Redevelopment Project Area Pursuant to the Tax Increment Allocation Redevelopment Act, as amended (SCB 11/24/20) CD**

**Motion:** To recommend approval of Ordinance 21-05: An Ordinance Designating the Near East Downtown District Redevelopment Project Area of The City of Batavia as a Redevelopment Project Area Pursuant to the Tax Increment Allocation Redevelopment Act, as amended

**Maker:** O'Brien

**Second:** McFadden

**Roll Call Vote:** **Aye:** O'Brien, Cerone, McFadden, Russotto, Beck, Chanzit, Baerren, Wolff

**Nay:** Miller, Knopp, Callahan, Meitzler, Uher

8-5 Vote, 1 Absent. Motion carried.

**16. Ordinance 21-06: An Ordinance Adopting Tax Increment Financing for the Near East Downtown District Redevelopment Project Area (SCB 11/24/20) CD**

**Motion:** To recommend approval of Ordinance 21-06: An Ordinance Adopting Tax Increment Financing for the Near East Downtown District Redevelopment Project Area

**Maker:** O'Brien

**Second:** Russotto

**Roll Call Vote:** **Aye:** O'Brien, Cerone, McFadden, Russotto, Beck, Chanzit, Baerren, Wolff

**Nay:** Miller, Knopp, Callahan, Meitzler, Uher  
8-5 Vote, 1 Absent. Motion carried.

**17. Ordinance 20-66: Amending the Text of the Zoning Code (DMR 11/18/20) CD**

Rackow overviewed the memo and the amendments to the text of the Zoning Code.

**Motion:** To recommend approval of Ordinance 20-66: Amending the Text of the Zoning Code

**Maker:** Uher

**Second:** Callahan

**Roll Call Vote:** **Aye:** Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Chanzit, Baerren, Wolff, O'Brien, Callahan, Meitzler

**Nay:**  
13-0 Vote, 1 Absent. Motion carried.  
CONSENT AGENDA

**18. Resolution 20-132-R: Authorizing Task Order #5 with Baxter & Woodman For Construction Engineering Services for 2021 Ward 1 – Phase 4 (TG 11/23/20) CS**

Holm overviewed the memo.

**Motion:** To recommend approval of Resolution 20-132-R: Authorizing Task Order #5 with Baxter & Woodman For Construction Engineering Services for 2021 Ward 1 – Phase 4 (TG 11/23/20) CS

**Maker:** Wolff

**Second:** Baerren

**Roll Call Vote:** **Aye:** Wolff, O'Brien, Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Chanzit, Baerren

**Nay:**  
13-0 Vote, 1 Absent. Motion carried.

*\*Aldermen O'Brien and Beck exited the meeting at 8:48pm*

**19. Approval: Class D-1 (Restaurant – All Liquor) Liquor License Application for Windmill Grille and Pizzeria Located at – 90 N. Island Ave, Batavia (DME 11/13/20) GS**

Chanzit summarized the memo for the Committee and attendees. Newman noted that the applicant is not in attendance.

**Motion:** To approve Class D-1 (Restaurant – All Liquor) Liquor License Application for Windmill Grille and Pizzeria Located at – 90 N. Island Ave, Batavia

**Maker:** Chanzit

**Second:** Uher

**Roll Call Vote:**      **Aye:** Chanzit, Baerren, Wolff, Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Knopp  
                          **Nay:**  
                          11-0 Vote, 3 Absent. Motion carried.

*Alderman Beck returned to the meeting at 8:51pm.*

**20. Ordinance 20-72: An Ordinance Amending the 2021 Wage and Salary Ordinance for Non-Collective Bargained Employees (WCB 12/01/20) GS**

Chanzit reported that the 2021 wage and salary ordinance for non-collective bargained employees staff is recommending a 2.5% increase. There are two title changes for positions and pay grade reclassifications based on previous discussions had with Council. The Communications Coordinator position will be changed to Communications Manager with no pay grade change. The city plans on combining Community Development with Economic Development. That said, it would be appropriate to retile the position as a Community Development and Economic Development Director. The Community Development and Economic Development Director, Human Resources Director, and Information Systems Director are being moved up to pay grade 24. Both the Chief of Police and Fire are being moved to pay grade 27.

Uher stated that he would hate to say no to raises but these are extraordinary times. It does not feel right while people have lost their jobs or taken cuts so his vote will be no. Callahan stated that these are extraordinary times and we are going to pass cost of living increases that our residents will have to pay for while a lot of them are very concerned about their pay and their jobs. Baerren stated that she could not just support a 2.5% raise at this point. Newman suggested looking into projects to cut funding from at this time. She expressed how hard staff has worked during these unprecedented times. McFadden stated that given that this is an unusual year, if we are unwilling to give the raise he agrees with Laura that we should look at projects we could cut. The most valuable resource we have in this city are the employees. The cost of replacing an employee who leaves is exponentially higher than the cost of a raise to be given. We have to look at our most valuable resource. This is an unusual year but that is a short-term situation and not a forever situation. If we have to cut, we should look at projects.

Chair Wolff asked for the actual dollars that the 2.5% represent in the budget. Colby answered that the 2.5% comes to about \$135,000. Chair Wolff stated that in the grand scheme of the General Fund and the budget and all our employees, we could take away two vehicles we are not going to buy this year if that is what it takes to pass this to approve the 2.5%. Newman agreed. Chair Wolff stated that is a compromise we could do in our budget.

Newman opened the floor for public comment. Sylvia Keppel thanked the aldermen who see what is going on in this country. People have lost their jobs, their businesses. Please do not award the raises this year. The unions are another story and she understands that there are contracts in place. Perhaps in the future those contracts could have crisis contingencies but we are not talking about the union employees right now. When you demand I pay more you cut into my purchasing power even more. Just stop. Share the sacrifices. It is okay to say no sometimes, we do not have to keep up with the Joneses. We are in crisis mode. Employees are valuable but

so are our families and our homes. If we can't pay for your pay raises we lose our homes. Your employees are actually our employees because they work for us, the taxpayers. Our employees should be able to understand that, it is called compassion.

Mary Niecamp addressed the Committee. She agrees with erring on the side of caution. She works as self-employed and her place of employment has shut down and her income has gone to almost nothing. She works as an actor and theater may not come back for years. She has no way of paying a tax increase and tax increases come when we don't meet our budget. We talk about cutting projects but we just passed a TIF that she spoke against. People are the most valuable and she would rather it go there but this is an increase well beyond the average at a time when both of her pay streams have been cut. This is one of the reasons why she plans of leaving Batavia once her children are grown because there is a lack of a sense of community concern. There is a lack of people in the community actually being represented. This is the time to err on the side of a modest increase if anything at all.

**Motion:** To recommend approval of Ordinance 20-72: An Ordinance Amending the 2021 Wage and Salary Ordinance for Non-Collective Bargained Employees  
**Maker:** Wolff  
**Second:** McFadden  
**Roll Call Vote:** **Aye:** Wolff, Cerone, McFadden, Chanzit  
**Nay:** Callahan, Meitzler, Uher, Miller, Russotto, Beck, Knopp, Baerren  
4-8 Vote, 2 Absent. Motion failed.

**Motion:** To recommend approval of Ordinance 20-72: An Ordinance Amending the 2021 Wage and Salary Ordinance for Non-Collective Bargained Employees amended with a 1% increase and revisit mid-year to assess if the remaining 1.5% increase could be awarded retroactively  
**Maker:** Russotto  
**Second:** Baerren  
**Roll Call Vote:** **Aye:** Russotto, Beck, Chanzit, Baerren, Cerone  
**Nay:** Miller, Knopp, Wolff, Callahan, Meitzler, Uher, McFadden  
5-7 Vote, 2 Absent. Motion failed.

**Motion:** To recommend approval of Ordinance 20-72: An Ordinance Amending the 2021 Wage and Salary Ordinance for Non-Collective Bargained Employees and revisit the budget in six months and assess the status of the budget and the economy at that time  
**Maker:** McFadden  
**Second:** Cerone  
**Roll Call Vote:** **Aye:** McFadden, Beck, Chanzit, Wolff, Cerone  
**Nay:** Miller, Russotto, Knopp, Baerren, Callahan, Meitzler, Uher  
5-7 Vote, 2 Absent. Motion failed.

**Motion:** To recommend approval of Ordinance 20-72: An Ordinance Amending the 2021 Wage and Salary Ordinance for Non-Collective Bargained Employees amended and revisit the budget in six months and assess the status of the budget and the

economy at that time with the addition of the reduction of \$150,000 in cost to the 2021 budget identified and said cuts would be reviewed at some point during 2021 to possibly be restored through a budget amendment

**Maker:** Uher

**Second:** Callahan

**Roll Call Vote:** **Aye:** Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Chanzit, Baerren, Wolff, Callahan, Meitzler

**Nay:**

12-0 Vote, 2 Absent. Motion carried.

**21. Ordinance 20-73: An Ordinance Regulating the 2021 Wages and Salaries for the Paid-On-Call Members of the Fire Department (WCB 12/01/20) GS**

Chanzit summarized the memo and noted that this is recommended at a 2.5% increase.

**Motion:** To recommend approval of Ordinance 20-73: An Ordinance Regulating the 2021 Wages and Salaries for the Paid-On-Call Members of the Fire Department

**Maker:** Chanzit

**Second:** Callahan

**Roll Call Vote:** **Aye:** Chanzit, Baerren, Wolff, Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp,

**Nay:**

12-0 Vote, 2 Absent. Motion carried.

CONSENT AGENDA

**22. Ordinance 20-74: An Ordinance Regulating the 2021 Payment for ESDA Volunteer Members (WCB 12/01/20) GS**

Chanzit overviewed the memo and noted that the recommendation for a cost of living increase for the ESDA Manager who serves at the recommendation of the Chief.

**Motion:** To recommend approval of Ordinance 20-74: An Ordinance Regulating the 2021 Payment for ESDA Volunteer Members

**Maker:** Chanzit

**Second:** Callahan

**Roll Call Vote:** **Aye:** Chanzit, Baerren, Wolff, Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp,

**Nay:**

12-0 Vote, 2 Absent. Motion carried.

CONSENT AGENDA

**23. Ordinance 20-70: Amending the Municipal Code Relating to Water Usage Rates (GH 11/16/20) PU**

Chair Wolff overviewed the memo. This would be a rate increase of 3% for the 2021 budget for water usage. Chair Wolff commented that although now is not the time to raise anything, looking at the list of projects that need to be completed shows this needs to stay in the budget for this year. If it does not stay in our budget we will get behind and we will not have reserves to use in the Water Department.

**Motion:** To recommend approval of Ordinance 20-70: Amending the Municipal Code Relating to Water Usage Rates

**Maker:** Wolff

**Second:** Knopp

**Roll Call Vote:** **Aye:** Wolff, Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Chanzit, Baerren

**Nay:**

12-0 Vote, 2 Absent. Motion carried.

**24. Resolution 20-133-R: Authorizing Execution of the Temporary Construction Easement Agreement with the State Bank of Geneva (Shodeen Group) Related to the Water Treatment Plant Rehabilitation Project (JPB 11/23/20) PU**

Chair Wolff overviewed the memo.

**Motion:** To recommend approval of Resolution 20-133-R: Authorizing Execution of the Temporary Construction Easement Agreement with the State Bank of Geneva (Shodeen Group) Related to the Water Treatment Plant Rehabilitation Project

**Maker:** Wolff

**Second:** Russotto

**Roll Call Vote:** **Aye:** Wolff, Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Chanzit, Baerren

**Nay:**

12-0 Vote, 2 Absent. Motion carried.

CONSENT AGENDA

**25. Resolution 20-134-R: Approving a Construction Contract with Electric Conduit Construction to Build a Fiber Hut/Critical Infrastructure Communication Node Shelter at Paramount Substation for an amount not to exceed \$266,677, which Includes 10 Percent Contingency Amount (RB 11/23/20) PU**

Holm discussed the resolution with the Committee.

**Motion:** To recommend approval of Resolution 20-134-R: Approving a Construction Contract with Electric Conduit Construction to Build a Fiber Hut/Critical Infrastructure Communication Node Shelter at Paramount Substation for an amount not to exceed \$266,677, which Includes 10 Percent Contingency Amount

**Maker:** Wolff

**Second:** Knopp

**Roll Call Vote:** **Aye:** Wolff, Callahan, Meitzler, Uher, Cerone, McFadden, Miller, Russotto, Beck, Knopp, Chanzit, Baerren

**Nay:**

12-0 Vote, 2 Absent. Motion carried.

CONSENT AGENDA

**26. Project Status**

Newman reported on the following:

- The Kane County Coronavirus Relief Fund Grant Allocation has been received and we can deposit it into our account. We are very grateful for the County allocating those funds to us during this extraordinary year.
- The Park District contacted us to share in the expense on the full reconstruction of the parking lot by the Quarry because we utilize a third of it. We included a number of \$20,000 to assist them with that. Unfortunately, the parking lot replacement will be \$670,000 but they are only asking for the city to pay for one half of one third of that. That amount is \$116,666. Newman stated that she told the Park District that she would bring this up at this meeting. We will have internal discussion with staff and we will bring the discussion to the Committee at an upcoming Committee of the Whole meeting.
- The Police Department has received their Use of Force certification from the Federal Government. This was a new requirement for Police Departments and was necessary to complete and receive that certification prior to being able to apply for Federal grants.
- All the public dining outdoor furniture has been removed and roads are now reopened for the winter. We are still waiting to receive our permit from IDOT for the One Way on North River Street. We will implement the One Way direction once the permit is received.
- Kane County announced that they have \$5 million dollars for grants for small businesses in increments up to \$25,000. This has been advertised on social media and the secretary will be calling these Batavia businesses to let them know of the grant funding that exists and supply them with the information needed in order to submit an application for that money.

## **27. Other**

Callahan asked on the status of the Water Street area project. Newman answered that BEI is the owner of that property and they have been working with a developer to right size the project. They are trying to design a project that their but/for is less than or equivalent to the increment that would be generated by the project. They are revising that project and we have not yet received their revisions. Callahan asked if it is a requirement to complete a comprehensive study of that area. Newman answered no, the project is not contingent upon use doing such a study.

## **28. Adjournment**

Chair Wolff asked for a motion to adjourn the meeting at 10:52pm; Made by Knopp; Seconded by Uher. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith, Recording Secretary, on December 14, 2020.