

**MINUTES**  
**July 13, 2021**  
**Committee of the Whole – Hybrid Meeting**  
**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 (online), Knopp, Leman, Solfa (online), Baerren, Malay (online), Uher, Cerone (online), and Vogelsinger (online)

**Members Absent:** Ald. Chanzit and Ajazi

**Also Present:** Mayor Schielke; Laura Newman, City Administrator Gary Holm, Director of Public Works; Rahat Bari, City Engineer; Anthony Isom, Assistant to the City Administrator (online); Jeff Albertson, Building Commissioner (online); Scott Buening, Director of Community Development; Howard Chason, Director of Information Technology; and Jennifer Austin-Smith, Recording Secretary (online)

**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)**

**5. Consent Agenda**

**a. Resolution 21-072-R: Authorizing Execution of a Contract with M/M Peters Construction, Inc. for 2021 Public Works Garage Sewer Line Replacement (SH 6/29/21)**

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

**Maker:** Wolff

**Second:** Knopp

**Roll Call Vote:** **Aye:** Wolff, Baerren, Leman, Uher, Malay, Cerone, Vogelsinger, Miller, Russotto, Beck, Knopp, Solfa

**Nay:**

12-0 Vote, 2 Absent. Motion carried.

**6. Discussion: Resurfacing and Future Maintenance of the Public Parking Lot Located on S. Batavia Avenue Between First Street and Main Street**

Newman reported that staff held a meeting on June 22<sup>nd</sup> and sent out letters and emails to property owners and business owners to those who own property in the parking lot or whose businesses are adjacent to that parking lot. Most of the parking area is privately owned by various individuals and also including the City of Batavia. Those private property owners in order to provide for public access and use of the parking area have granted easements to the City. They have also been granted to the City the right to perform certain maintenance activities but not the obligation. The City would like to work with the property owners and business owners who have expressed the desire to improve the condition of that parking area and the overall aesthetics.

The general consensus of the Committee was to table this discussion for one month with the preference that the property owners attend the next discussion.

**7. Ordinance 21-33: Annexing 2S525 S Raddant Road (Involuntary)(SCB 6/23/21) CD**

Buening reported that staff received a revised annexation agreement from the property owner. We did publish the notice for an involuntary annexation but it appears that this would be voluntary. The homeowner's legal counsel is in attendance at tonight's meeting. We are in agreement that instead of taking the involuntary we can take the revised annexation agreement back to the COW. They have agreed to the following: sign the revised agreement and return it to staff on Monday, pay for the public notice, and voluntarily annex the property. This should return to the mid-August Council meeting for final approval. The ordinance number would remain the same.

**Motion:** To recommend approval of Ordinance 21-33: Annexing 2S525 S Raddant Road changing involuntary to voluntary petition

**Maker:** Wolff

**Second:** Uher

**Roll Call Vote:** **Aye:** Wolff, Baerren, Leman, Uher, Malay, Cerone, Vogelsinger, Miller, Russotto, Beck, Knopp, Solfa,

**Nay:**

12-0 Vote, 2 Absent. Motion carried.

**8. Resolution 21-073-R: Executing a Lease for an Outdoor Restaurant Seating Area at 11 N. Batavia Avenue (Bocadito's Café, Inc.)(SCB 7/2/21) CD**

Buening summarized the memo.

**Motion:** To recommend approval of Resolution 21-073-R: Executing a Lease for an Outdoor Restaurant Seating Area at 11 N. Batavia Avenue

**Maker:** Wolff

**Second:** Leman

**Roll Call Vote:** **Aye:** Wolff, Baerren, Leman, Uher, Malay, Cerone, Vogelsinger, Miller, Russotto, Beck, Knopp, Solfa,

**Nay:**

12-0 Vote, 2 Absent. Motion carried.

**9. Resolution 21-076-R: Authorizing Purchase of an 80 Niche Combination Columbaria from American Wilbert Vault Corp. for an amount not-to-exceed \$60,000 (GH) CS**

Holm reported the City was given a donation specifically for improvements to the west side cemetery. Staff decided a couple years ago to use that donation towards the purchase of a Columbaria.

**Motion:** To recommend approval of Resolution 21-076-R: Authorizing Purchase of an 80 Niche Combination Columbaria from American Wilbert Vault Corp. for an amount not-to-exceed \$60,000

**Maker:** Russotto

**Second:** Knopp

**Roll Call Vote:** **Aye:** Russotto, Beck, Knopp, Solfa, Wolff, Baerren, Leman, Uher, Malay, Cerone, Vogelsinger, Miller

**Nay:**

12-0 Vote, 2 Absent. Motion carried.

**10. Resolution 21-077-R: Approve an Agreement w/ Dahme Mechanical Industry for the Emergency Repair of the Cherry Park Lift Station (GH) CS**

Holm reported on the inspection of the lift stations and the discovery of a problem at the Cherry Park Lift Station. This lift station was developed in the late 1980's. Utilizing the shared screen feature of Zoom, Holm shared a camera view inside the lift station. The camera view footage is courtesy of Trotter. Holm showed the Committee how the riser pipe is gushing water. The second riser pipe has also failed. Pumping capacity is greatly decreased and a bypass to emergency pumps is in place.

Holm discussed the repairs needed to the Cherry Park Lift Station including replacing riser pipes, valves, rails and boots/seats. Holm explained without the emergency bypass pumping the repercussions would be back ups into peoples homes. The estimated cost of the repairs is \$60,000. Holm will return with a more accurate cost of the emergency repairs and would also include the cost of bypass pumping.

**Motion:** To table Resolution 21-077-R: Approve an Agreement w/ Dahme Mechanical Industry for the Emergency Repair of the Cherry Park Lift Station

**Maker:** Cerone

**Second:** Miller

**Roll Call Vote:** **Aye:** Cerone, Vogelsinger, Miller, Russotto, Beck, Knopp, Solfa, Wolff, Baerren, Leman, Uher, Malay

**Nay:**

12-0 Vote, 2 Absent. Motion carried.

**11. Resolution 21-075-R: Microsoft Enterprise Agreement Authorization (HC7/8/21) GS**

Chason discussed the resolution with the Committee.

**Motion:** To recommend approval of Resolution 21-075-R: Microsoft Enterprise Agreement Authorization

**Maker:** Wolff

**Second:** Uher

**Roll Call Vote:** **Aye:** Wolff, Baerren, Leman, Uher, Malay, Cerone, Vogelsinger, Miller, Russotto, Beck, Knopp, Solfa

**Nay:**

12-0 Vote, 2 Absent. Motion carried.

CONSENT AGENDA

**12. Resolution 21-078-R: Approving a Change Order to the contract with Electric Conduit Construction to build a Fiber Hut/Critical Infrastructure Communication Node Shelter at Paramount Substation for an amount not to exceed \$26,699.99 (RB 7/9/21) PU**

Holm overviewed the memo with the Committee.

**Motion:** To recommend approval of Resolution 21-078-R: Approving a Change Order to the contract with Electric Conduit Construction to build a Fiber Hut/Critical Infrastructure Communication Node Shelter at Paramount Substation for an amount not to exceed \$26,699.99

**Maker:** Cerone

**Second:** Miller

**Roll Call Vote:** **Aye:** Cerone, Vogelsinger, Miller, Russotto, Beck, Knopp, Solfa, Wolff, Baerren, Leman, Uher, Malay

**Nay:**

12-0 Vote, 2 Absent. Motion carried.

CONSENT AGENDA

**13. Project Status**

Newman reported on the following:

- The July 4<sup>th</sup> fireworks were a success and the volunteers did an excellent job cleaning up after the show.
- Avenue Market Place Development will be going to Plan Commission on August 4<sup>th</sup>
- Bar One Steel on Pearson Drive submitted a permit for building expansion
- The Plan Commission will meet on July 21<sup>st</sup>
- Demolition work on the home at 916 Park Street has begun
- Sanitary sewer lining is underway on Main Street
- Electric Substation material delivery has been delayed making work on the project projected for early Fall
- The City's roadway resurfacing, sidewalk repair and new sidewalk programs are all underway for the next few months. A list of those areas are located on the City website under City Maps, Capital Programs, Map Overlay for roadway resurfacing, sidewalk repair and new sidewalks
- The Fire Department has been performing mask fit testing for all of our fire and police personnel which is important to do on an annual basis

#### **14. Other**

Uher asked about the road diet study on Route 31. Holm reported staff is working on the RFQ right now for our consultants. Russotto asked for any updates on One North Washington. Newman stated they have not yet secured their financing but plan on hearing back from their lender over the next three weeks. Since the material costs have now come back down, the bank would like them to resubmit their estimation for the cost of the project and that would be reviewed and hopefully approved. Under the timeline in the RDA this would have been the date they should have applied for the building permit. Chair Wolff stated that he would like to know exactly what is going on in four weeks. Newman stated that is what she told Shodeen and plans on having them attend a future COW for status updates.

#### **15. Adjournment**

There being no other business to discuss, Chair Wolff asked for a motion to adjourn the meeting at 9:05pm; Made by Knopp; Seconded by Solfa. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith, Recording Secretary, on August 3, 2021.