

**MINUTES**  
**January 11, 2022**  
**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 (remote), Beck (remote), Connelly, Chanzit (remote), Solfa, Baerren (remote), Leman, Uher, Malay (remote), Cerone (remote), and Vogelsinger (remote)

**Members Absent:** Ald. Ajazi

**Also Present:** Mayor Schielke; Laura Newman, City Administrator; Chief Eul, Batavia Police Department (remote); Gary Holm, Director of Public Works; Jeff Albertson, Building Commissioner (remote); Scott Buening, Director of Community and Economic Development (remote); Drew Rackow, Planner (remote); Joel Strassman, Planning and Zoning Officer (remote); Wendy Bednarek, Director of Human Resources; Anthony Isom, Assistant to the City Administrator (remote); and Jennifer Austin-Smith, Recording Secretary (remote)

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

**3. Approve Minutes for October 19, 2021**

**Motion:** To approve the minutes for October 19, 2021

**Maker:** Solfa

**Second:** Miller

**Roll Call Vote:** **Aye:** Solfa, Wolff, Baerren, Leman, Ajazi, Cerone, Vogelsinger, Miller, Russotto, Connelly, Chanzit

**Nay:**

11-0 Vote, 3 Absent, Motion carried.

**4. Items Removed/Added/Changed**

There were no items removed, added or changed.

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

There were no matters from the public

**6. 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. Approval: COW Executive Session Minutes for 10/5/21 and 10/21/21**

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

**Maker:** Chanzit

**Second:** Uher

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

**Nay:**

13-0 Vote, 1 Absent, Motion carried.

**7. 7:05 PM: PUBLIC HEARING for an Annexation Agreement Between the City of Batavia and Stephen Lammel for Property Located at the Southern Terminus of Evergreen Drive**

The Public Hearing was opened at 7:05pm. Pat Griffin, counsel for the applicant, commented that they would comply with a number of conditions, notably with stormwater management, listed in the staff memo.

**Motion:** To close the Public Hearing

**Maker:** Solfa

**Second:** Uher

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

**Nay:**

13-0 Vote, 1 Absent, Motion carried.

The Public Hearing was closed at 7:08pm.

*Ald. Beck exited the meeting at 7:08pm.*

**8. Approval: Class B-5 Package Liquor License Application for 7-Eleven Inc. D/B/A 7-Eleven 33874H at 336 E. Wilson Street Batavia IL 60510 (DE 1/11/22)**

Russotto discussed the memo with the Committee of the Whole (COW). Chief Eul stated that once they are approved for the local license and receive their state license they would not be selling alcohol. Once they receive both license then they would be back to business as usual.

**Motion:** To recommend approval of the Class B-5 Package Liquor License Application for 7-Eleven Inc. D/B/A 7-Eleven 33874H at 336 E. Wilson Street Batavia IL 60510

**Maker:** Russotto

**Second:** Cerone

**Roll Call Vote:**      **Aye:** Russotto, Connelly, Chanzit Solfa, Wolff, Baerren, Leman, Malay, Uher, Cerone, Vogelsinger, Miller  
                              **Nay:**  
                              12-0 Vote, 2 Absent, Motion carried.

*Ald. Beck returned to the meeting remotely at 7:11pm.*

**9. Resolution 22-004-R: Accepting a Plat of Dedicating a Portion of Wintergreen Terrace (SCB 12/30/21) CD**

Buening reported that this was proposed back in 2018 and there were concerns with tree removal so this was tabled. With the new plan coming with the drainage project, all the trees will need to be cut down and new landscaping would be planted around the cul de sac in the future.

**Motion:**            To recommend approval of Resolution 22-004-R: Accepting a Plat of Dedicating a Portion of Wintergreen Terrace

**Maker:**            Wolff

**Second:**          Miller

**Roll Call Vote:**    **Aye:** Wolff, Baerren, Leman, Malay, Uher, Cerone, Vogelsinger, Miller, Russotto, Beck, Connelly, Chanzit, Solfa  
                              **Nay:**  
                              13-0 Vote, 1 Absent, Motion carried.

**10. Ordinance 22-01: Establishing Special Service Area Number 68 for Avenue Marketplace and Raising Cane's (JLS 1/6/22) CD**

Strassman discussed the ordinance with the COW.

**Motion:**            To recommend approval of Ordinance 22-01: Establishing Special Service Area Number 68 for Avenue Marketplace and Raising Cane's

**Maker:**            Wolff

**Second:**          Solfa

**Roll Call Vote:**    **Aye:** Wolff, Baerren, Leman, Malay, Uher, Cerone, Vogelsinger, Miller, Russotto, Beck, Connelly, Chanzit, Solfa  
                              **Nay:**  
                              13-0 Vote, 1 Absent, Motion carried.

**11. Ordinance 22-02: Establishing Special Service Area Number 42 for the Nagel Industrial Park PUD/Farmstead III Development (DMR 1/6/22) CD**

Rackow discussed the ordinance with the COW.

**Motion:**            To recommend approval of Ordinance 22-02: Establishing Special Service Area Number 42 for the Nagel Industrial Park PUD/Farmstead III Development

**Maker:**            Wolff

**Second:**          Uher

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

13-0 Vote, 1 Absent, Motion carried.

**12. Ordinance 22-03: Authorizing the Execution of an Annexation Agreement by and among the City of Batavia and Stephan Josef Lammel for Property Located at the Southern Terminus of Evergreen Drive (DMR 1/6/22) CD**

Rackow discussed the Annexation Agreement with the COW. Rackow noted that if the owner were ever to develop the property the Annexation Agreement specifies during the terms of the agreement as part of the zoning entitlements the Annexation Agreement would have to be reopened and approved with any changes.

**Motion:** To recommend approval of Ordinance 22-03: Authorizing the Execution of an Annexation Agreement by and among the City of Batavia and Stephan Josef Lammel for Property Located at the Southern Terminus of Evergreen Drive

**Maker:** Wolff

**Second:** Leman

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

**Nay:**

13-0 Vote, 1 Absent, Motion carried.

**13. Resolution 22-0005-R: Acceptance of Public Water Main System and Authorize the City Engineer to Reduce the Letter of Credit for Public Improvements at 1850 E. Fabyan Drive (RB 1/6/22) CS**

Russotto discussed the memo with the COW.

**Motion:** To recommend approval of Resolution 22-0005-R: Acceptance of Public Water Main System and Authorize the City Engineer to Reduce the Letter of Credit for Public Improvements at 1850 E. Fabyan Drive

**Maker:** Russotto

**Second:** Connelly

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

**Nay:**

13-0 Vote, 1 Absent, Motion carried.

**14. Resolution 22-006-R: Authorizing the City Administrator to Apply for Kane County Development Funds and Execution of all Necessary Documents (RB 1/6/2022) CS**

Rahat summarized the memo with the COW.

**Motion:** To recommend approval of Resolution 22-006-R: Authorizing the City Administrator to Apply for Kane County Development Funds and Execution of all Necessary Documents

**Maker:** Russotto

**Second:** Miller

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

**Nay:**

13-0 Vote, 1 Absent, Motion carried.

**15. Resolution 22-007-R: Authorizing a Contract with QP Testing to Perform Testing for 38kV Bushings at Northeast Distribution Substation for an Amount Not to Exceed \$22,842.00 (RB 1/6/22) PU**

Cerone discussed the memo with the COW.

**Motion:** To recommend approval of Resolution 22-007-R: Authorizing a Contract with QP Testing to Perform Testing for 38kV Bushings at Northeast Distribution Substation for an Amount Not to Exceed \$22,842.00

**Maker:** Cerone

**Second:** Miller

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

**Nay:**

13-0 Vote, 1 Absent, Motion carried.

**16. Resolution 22-008-R: Authorizing a Contract for Carlisle Utility to Perform 35kV Underground Facilities at 1789 Hubbard Ave for an Amount Not to Exceed \$188,062 Which Includes 10 Percent Contingency Amount (RB 1/6/2022)**

Bari discussed the resolution with the COW.

**Motion:** To recommend approval of Resolution 22-008-R: Authorizing a Contract for Carlisle Utility to Perform 35kV Underground Facilities at 1789 Hubbard Ave for an Amount Not to Exceed \$188,062 Which Includes 10 Percent Contingency Amount

**Maker:** Cerone

**Second:** Uher

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

**Nay:**

13-0 Vote, 1 Absent, Motion carried.

**17. Resolution 22-009-R: Authorizing a Contract for Electric Conduit Construction to Perform Windmill Cove Directional Boring and Cable Replacement for an Amount Not to Exceed \$1,103,420 Which Includes 10 Percent Contingency Amount (RB 1/6/2022) PU**

**Motion:** To recommend approval of Resolution 22-009-R: Authorizing a Contract for Electric Conduit Construction to Perform Windmill Cove Directional Boring and Cable Replacement for an Amount Not to Exceed \$1,103,420 Which Includes 10 Percent Contingency Amount

**Maker:** Cerone

**Second:** Uher

**Roll Call Vote:**      **Aye:** Cerone, Vogelsinger, Miller, Russotto, Beck, Connelly, Chanzit, Solfa, Wolff, Baerren, Leman, Malay, Uher  
                              **Nay:**  
                              13-0 Vote, 1 Absent, Motion carried.

**18. Resolution 22-003-R: Authorizing Contract with National Research Center Inc., For the National Community Survey for the City of Batavia (LN 1/7/2022) GS**

Chanzit discussed the success of the past surveys and the resolution with the COW. Uher noted that it has been only two years since the last survey and questioned if there would be significant difference since the past two years has remained stagnant due to COVID restrictions. Uher stated that he does not see the need to do this survey right now. Newman commented that the pandemic could have changed priorities they seek for the City in the future. We could wait longer to do this survey and instead of every two years we could wait three years to do the survey. Cerone stated that we could wait a year for this survey. Chanzit stated that when this was originally discussed we were looking into a two to three year interval. It was decided upon to go with the two-year interval because it was a lot of time for changes within the community. Chanzit added another positive to having the survey every two years was having an open-ended question for the community to answer.

The Committee discussed budget, survey time frame, and the strategic plan. Newman stated that she would like the Strategic Plan in place before the budget planning for next year. The survey is a five-month process and that backs up to November of this year. The general consensus of the Committee was in favor of delaying the survey to November 2022.

Newman stated she would speak with the National Research Center Inc. regarding authorizing this contract in November 2022 and report back to the City Council on January 18<sup>th</sup>.

**19. Project Status**

Newman reported on the following:

- In observance of the Martin Luther King Jr. holiday, City Council will be on Tuesday, January 18<sup>th</sup> at 7:30pm.
- The Park District has requested that the joint meeting with City Council be postponed until it is safer to meet in person.
- The City of Batavia has an opening for a Communications Manager and we are accepting applications through the end of this month.
- A new Building Inspector started on December 13<sup>th</sup>
- Full site development permit has been issued for Avenue Marketplace Development
- The COW on January 11<sup>th</sup> has several items on the agenda.
- Final engineering plans are being reviewed for the Winding Creek Development on McKee Street.
- Annual parkway tree pruning operations are being done.
- Mahoney Creek Tributary project is out for bid. It is anticipated that contracts will come to City Council for approval in February. Construction would commence in early spring.
- The City is looking for participation in a walking and biking survey.
- Times are hard for our restaurant community; order a few meals to go.

- There was a development review meeting with the new tenants of the theater on Randall Road.

## **20. Other**

Miller announced the Batavia Public Schools engagement sessions are being held beginning on Tuesday, February 1<sup>st</sup> at 6:30pm.

## **21. Executive Session: Personnel**

**Motion:** To enter into Executive Session for the purpose of discussing personnel

**Maker:** Solfa

**Second:** Uher

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

**Nay:**

13-0 Vote, 1 Absent, Motion carried.

The Committee entered Executive Session at 8:24pm and exited at 9:31pm.

## **22. Adjournment**

There being no other business to discuss, Chair Wolff asked for a motion to adjourn the meeting at 9:31pm; Made by Solfa; Seconded by Uher. Motion carried.