

**MINUTES**  
**February 5, 2013**  
**CITY SERVICES COMMITTEE**  
**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 Volk called the meeting to order at 7:30pm.

**1. Roll Call**

**Members Present:** Chair Volk; Vice-Chair Liva; Ald. O'Brien, Frydendall and Jungels

**Members Absent:** Ald. Dietz and Tenuta

**Also Present:** Mayor Schielke; Chief Schira, Batavia Police Department; Aldermen Clark, Stark, Wolff (arrived at 7:33pm) and Atac (arrived at 7:38pm); Jason Bajor, Assistant City Administrator; Jeff Albertson, Building Commissioner; Gary Holm, Director of Public Works; Bill McGrath, City Administrator; Noel Basquin, City Engineer; Scott Haines, Street Superintendent (arrived at 8:13pm); and Jennifer Austin-Smith, Recording Secretary

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

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

**3. Pea Pod Half Marathon Route**

Volk shared that for the discussion regarding the Pea Pod Half Marathon route, the City Services Committee (CSC) will be acting as a judicial body. The CSC will be reviewing the facts, evidence and the case before making a decision to make a City policy. He noted that Alderman Clark received over fifty emails from various race participants.

Bajor reported that staff has been working on all the special events. Bajor stated that in regards to the Pea Pod Half Marathon, we are working on a balance of values: impact on traffic and residents, impact on City services and resources, and exposure to potential liabilities. He gave the example of safety concerns with runners running on the streets when there is a viable alternative of the bike path. Using the bike path reduces the level of risk and liability. The City does get liability issues taken care of to the best of its ability through Hold Harmless Agreements and additional agreements required out of every event sponsor. However, if some unforeseen event would have happened on our City streets we can be confident that our City would be named as an additional party and have to spend time and its resources defending its interests even though all of the potential liabilities were addressed at the forefront at any of these events.

Bajor continued that we do have the Fox River Trail which is a resource that many other communities do not have. To have it here as a potential route for this run and not utilize it and

not answer the concerns that residents have raised seems to be a stone that needs to be unturned by staff. Based on the compelling interest that the event sponsors have for not changing the route, staff and the sponsors have not been able to reach an agreement or compromise. From staff's perspective, we would like to see as much if not all of the race on the river trail. The sponsors have resisted.

Bajor stated that no one is suggesting that these events are not valuable. There is value to any event such as: promoting downtown Batavia, promoting other areas of Batavia, helping the residents celebrate their community, and bringing other people from outside of Batavia to our community.

Bajor commented that there are operating costs associated with these types of events. This event, like other events, does reimburse the City for some direct costs such as the maintenance operator setting up and putting down barricades the day before and day after the event and the patrol officers asked to work the detail. What are not addressed are the opportunity costs, for every day that a maintenance worker has to work on barricades and other event related activities means that it is one day that the worker cannot address the primary responsibilities of that particular department. City signs, sidewalks and other street maintenance would not be supported due to these types of events. With current labor contract agreements and provisions on the City our patrol officers are able to take compensatory time in lieu of overtime. This establishes time away from the office. Training and other aspects of the police work are affected. Bajor noted that there are members of the police department attending this meeting that could speak to those comments. While it is true that event sponsors reimburse the City for direct costs, there are indirect costs that are not being captured and there is an impact.

Bajor stated that staff submits their concerns to the CSC for consideration. If having the race run through City streets is a value to the Committee and does not balance with the issues addressed by staff then that is fine. Staff is trying to balance all of the competing interests at the same time. Bajor questioned that if this event is approved to run through City streets when no other event does, what are we to say to other event organizers who see this as an opportunity. The Fox and Turkey race was moved to the path and they will possibly come back to request running on the streets. Bajor would like direction from the Committee on how to mitigate those requests. Bajor noted that there is a half marathon that is done in May with a cap of 1200 runners within St. Charles and it is a trail specific route. If they have success with a trail specific route in St. Charles, Bajor stated that it is worth a try in Batavia as well.

Danny Delgado, 612 Illinois Street, Geneva, event planner, addressed the Committee. Scott Iott, 2284 Country Water Court, Elgin, event planner, also addressed the Committee. Delgado and Iott handed out last year's Peapod Half Marathon postcards distributed to Batavia residents who live along the course and a handout offering solutions for churches and heavy traffic areas. Delgado thanked the Committee and staff to allow them to plead their case. He also thanked Batavia for five awesome years of having the race within the community. Delgado reported that the race attendance grows 30% per year and the special events committee has always been accommodating. The race has always been a great experience for everyone. Delgado shared that when he became an active runner, he saw a side of Batavia that he felt that he was missing for

the first couple of years as a Batavia resident. The historical areas, residential areas, the path, and the up-and-coming downtown are what the race focuses on and highlights Batavia's best assets.

Delgado addressed the concerns made by staff. He stated that he is glad that Bajor spoke first because they have not been exactly told what the issues have been. He has heard that church goers would be affected, traffic concerns in certain parts of the town, runners crossing the street randomly and not being organized. He noted that two of the concerns were not addressed tonight by staff. He shared that they have received very conflicting information by staff. Delgado stated that they have always been consistent with the amount of volunteers provided and try to exceed the amount of volunteers each year. We have always wanted the same amount of police support each year. Up until this year the event sponsors have heard zero complaints. Delgado commented that he is not saying that there have not been any. However, if the sponsors have been made aware of complaints, they would have loved to address them. What seems to be the biggest concern is traffic. Delgado stated that they are consistent with 35 volunteers on the road. There is about 6.5 road miles on the course, the rest is on the path. We are being compared to a marathon in which the first three miles are run on Route 31, the busiest road in the Kane County area. The event planners manage that and the rest is out back. He ran this race last year and saw very little police support and it did not showcase any of the towns.

Delgado stated that our race needs volunteers and we have them. This past year we had about fifteen police officers. We suggested pulling police support from surrounding towns and it was denied. They wanted to keep the police support local and he understands the desire to pay City employees first. If we are short, from years past, they have drawn from other towns and have not heard any complaints. He feels if we could have had more support on the streets then the concerns with safety or traffic may have been avoided.

The race committee meets ten months prior to the race. We are one of the most organized races in Kane County. He feels that we do a lot of benefit from having the course on the street. They have heard more negative comments from the proposed changes to having it on the path then negative responses from race day. Iott stated that one of the concerns with safety is fitting the amount of runners that they have on to such a small space such as the trail. Also, there are safety concerns for those who utilize the trail on a daily basis will be affected by the race being held on the trail. Whether it is people walking dogs or people riding bikes, it will not be safe for them to utilize the trail during the race. We have always worked very hard to not have any issues regarding this race and for the past six years there have been none. Iott stated that they are willing to work on solutions to fix issues that have been addressed tonight. They would like to make this the race it can and should be.

Delgado discussed emails that he has received from participants. He received an email from a participant who has attended the race five years in a row from Minnesota. This person comes here to visit family and run the race. He has another resident of Chicago that says "we don't go that far, it is like Iowa. We only come to Batavia because of this race." He has an email from a Carol Stream resident whose husband was a resident of Batavia. Two of the houses her husband has lived in happen to be on the course. They are now looking for a house in Batavia. She wants to move here because of the race. There is a marketing aspect of a town that we are missing. The downtown should have as much organized traffic as possible. And that is what we feel we have

provided over the past five years. The CSC discussed the postcard campaign, prior notification to churches, the route of the course, and timing of runners. Chair Volk opened the floor for public comment.

Jeff Patterson, 1401 Green Pheasant Lane, Batavia, addressed the CSC. He stated that he is here to support long-time friends and council members who he has personally witnessed finish their first Peapod Half Marathon. He hopes that we can all relate and understand how wonderful of an event this is and what a great day this event brings about. The event benefits the City and the participants. Patterson questioned why we would want to turn our back on so many participants, family members, residents and tell them that they are not welcome when we should open our doors more. We have great new additions to the City with the streetscape. Why not run the event down River Street and showcase our great work. He wondered what the worst that could happen is, someone may bring their friends back over the weekend and enjoy our beautiful town that we are trying to revamp and revitalize. There are other races in this town that are fun to participate in, such as the triathlon which is 14 miles with bicycles on the roads. Festivals and events create traffic concerns and noise concerns and we are not turning them away. There is a bigger picture at stake and we should be mindful of. Our arms should be opening and welcoming versus scrutinizing and turning people away. Patterson closed that he hopes that we can come to a solution that benefits everyone involved.

Tom Spadafora, 1861 Pinnacle Drive, Aurora, president of the Fox River Trail Runners addressed the CSC. He noted that he is not associated with the Peapod race. The Fox River Trail Runners do hold races in Batavia, namely the Fox and Turkey Race. This event was pushed off onto the path and changed our race entirely. A lot of people were disappointed with having to change the route. The two issues the City has to understand are that we love the path and the ability to use the path but it is only good for 5 kilometers or three miles. Anything over that it really cannot be utilized in any sort of fashion. Even the four mile race we administer the path barely accommodates. The bigger issue is the City has to determine if they want to be a marquee city in promoting health and fitness in an event that will attract more business, more residents and more revenue to the City when people come in from outside the area to showcase it. He does not hear anyone talk about this. Every race organization wants to be great partners with municipalities and address all concerns. We want to be partners, we raise a lot of money for charities in the area and want to work in a collaborative fashion. There has to be some collaboration that the City can come up with to promote health and fitness for an event and showcase the town. He stated that races drive more residents here, promotes more tax dollars and showcases the great things within the city.

Paul Kelley, 931 Roberts Court, Batavia, shared that he is proudly a block off the race route and for eight years lived on Church Street and happily watched the race run past his house. He waited for his chance to be a participant of the race, got into better shape and did it. He did the race twice now and will not run the race on the trail. He runs on the trail all of the time, he loves the trail, but there is no incentive for him to run on the trail. Kelley shared that he works in Arlington Heights. The reason why he commutes is because he loves Batavia. He loves this town, what we do, how we have our own way of doing things, and how we have an art festival when those communities surrounding us stick with the conventional. We hold a race on our streets when other towns take the easy route. He will not run the Great Western Trail marathon because he

does not desire to run on a trail. He loves that we run through our town, we see our high school that we put so much money into, we run on our trail, our neighborhoods, and we see residents outside greeting us and cheering us on. For such a small amount of time and for such a small relative cost, people come from all over and rave from what they experience here. It would be a terrible mistake to change this race and he urges the Committee to keep this race truly in our town. He thanked the CSC for their consideration.

Bob Miller, 1171 Wakefield Lane, Bartlett, shared that he and his wife run a fourteen minute mile. They started running in their mid fifties. Miller stated that he has run 39 half marathons and 7 marathons. About 75% of the races he has run on have been on city streets. Cities such as Highland Park and Naperville support runners on their streets. Miller shared that he and his wife love spectators and love running through the city streets. It is a big deal for him and his wife to meet the residents and spectators. We understand that the race causes delays, but he does not feel that the delays are longer than a train or a parade through the city. He loves the Peapod and suggests that they city give the Peapod race their full support. Miller stated that his wife wanted him to share that when she was a spectator of the Peapod race she found a place called the Belleview Place. She fell in love with it and got to run the race the next year and view all of the historical homes built within Batavia. As a runner, it is a phenomenal thing to be able to run through Batavia's streets and he hopes that he can do it again.

Pastor Steven Srock, Bethany Lutheran Church 8 South Lincoln St. Batavia, addressed the CSC. He has been here in Batavia for five and a half years but has served in the Fox Valley in three congregations for over thirty years. He stated that he is here tonight representing his colleagues and others in the church community. They have voiced concerns over the timing of this race every year it has been run. It is extremely disruptive to our Sunday morning schedules with people getting to church, getting across the streets, and getting around town. The Methodist church is basically shut down on that Sunday since they have little off street parking. Most of their parking is on the street or in business parking lots that are closed Sunday morning. All of those spots are taken up by people involved in the race. There is no place for their people to park. A lot of the downtown churches are older churches built before parking was a part of the plan of the facility. Parking on streets is an issue plus getting around town. The race affects attendance, offerings and makes schedules difficult. Getting notification is great but does not change the fact that people cannot get there. He has heard complaints from parishioners of not being able to get out of their driveways due to streets being blocked. It is a real concern and issue. We are not opposed to community events and are a strong supporter of the community. We do not know why the race has to take place on a Sunday morning when the primary group that gets affected is the churches.

Laura Newman, 345 North Batavia Avenue, spoke on behalf of the race staying on its current route. She commented that she participated in the Great Western Trail Race three years ago and it was a mess. Newman explained that it rained the night before the race. The trail is not wide enough to accommodate the beginning of a race when the runners bunch up. Runners are then forced to run along the side of the trail. Since it rained the night before, runners were up to their ankles in mud. Batavia's trail is not as wide as the trail the Great Western Trail. In addition, there are areas of our trail that are more difficult to maneuver than a trail that is one hundred percent in a rural area. She would like the CSC and staff to take this into consideration when trying to

compare this race to the Great Western Trail race. She thanked the Committee for taking the time to listen to all of the concerns stated tonight.

Gretchen Graham, 131 Pitz Lane, Batavia, shared that her and her husband are avid runners. They love Batavia and the bike path. She and her husband look forward every year to the Batavia half-marathon. The race goes throughout the town, it is not narrow, it is well-planned and blocked off. She shared that they have run races all over and the races have all been a nightmare. This race, however, is well-organized. They ran the Turkey Trot this past year and previous years. It was awesome to have the race on the street. It was wide and the energy on Thanksgiving morning for the race was such a great rush. Graham shared that she is a Batavia high school graduate and at the race she sees many Batavia High School alums running the race. They all come home to visit their family and run the race. This past year, on the path, the race was extremely congested. She and her husband almost got injured because they could not pass around people. Having the race on the street lets people breath, get around, and is easy to maneuver.

Graham asserted that the street is safer than the bike path. The bike path is not safe. This is an extremely busy path that she does not run on the weekends during midday. As a runner she is certain that she will get run over by a bike rider. Not as many people use the Great Western Trail as they do Batavia's bike path. Batavia's bike path is a premier bike path and a destination for out-of-town people. The 13.1 race brings in elite runners. D1 athletes even have a tough time on the trail and cannot place where they should be. This is a great race, it has a great vibe, people from all over Chicago come to this race and let's keep them coming. This race is wonderful to the community.

Chris Staley, 514 South Williston Street, Wheaton, stated that he has come out here because he wanted to support the race staying the way it is now. He shared that two years ago he was five hundred pounds. He lost that weight because he is dedicated to the sport. This last season he ran sixteen races and six of which were on trails. Four of the races he will never do again simply because it rained the night before or the day of and it ruined his entire race. When he ran through this town, he saw a part of Batavia he never knew existed. It was beautiful, he saw beautiful neighborhoods, and he kept commenting to his running partner how beautiful it was. When a race is run on a trail, your family cannot support you. They cannot meet you. With this race his family was able to see him four different times. When you are doing this much of a race, it is a great encouragement when you see your two-year old supporting you yelling "daddy!" and wants to give you a high-five and a hug. He supports this race staying on the streets.

Chris Lowe, 2071 Alexander Drive, Batavia, addressed the CDC. He shared that he is a Batavia resident, and just recently took on a healthier life-style, lost weight and started running races. This race was one of the first 10K and half-marathons that he did because it was close and local. He loves how this race showcases our community, provides an opportunity for a lot of community support, and is friendly for spectators. This is one of the races in which out-of-town spectators can find a spot and cheer their family member or friend on and can do it from several locations. The topography for this race is excellent. There are hills and it is a challenge. It astonishes him that we as a community would actually discourage people from coming into our town. This race gives people the opportunity to see what businesses we have out here, what homes we have out here, to find out about our community and the community support we have.

Lowe has lived here since 2002. Every time he has moved, he has moved to a smaller town. He has noticed that the longer he has been here, the smaller the town gets: the more people he knows, the more people that he recognizes. We have a great community and we deserve to show it off. We should be proud of Batavia and what we have to offer. It blows his mind that we should discourage two thousand people, and that is just the runners, from coming here and all the people who support them. The route should stay the way it is because he does not think that people would come here if we stayed on the trail. As someone who trains in our town, he runs the trail all of the time. He avoids the trail when it is busy. He would not like to run a race when there are another couple hundred or a thousand people out there. This race is a pleasure because it gives him an opportunity to run through Batavia like he never could on his own. Lowe concluded stating that he thinks that the town should support the race.

Jack Rohan, 1441 Holbrook, Batavia, stated that the nature of shorter 5k races versus longer races as the half-marathon is the difference between going to a drag strip and going to a Nascar race. You need the space for longer, specialized events. It is rare that a city can support a half-marathon. There were 941 5k races in the state of Illinois last year. There were only 48 half-marathons. Of those 48 half-marathons, within forty-five minutes of Batavia, there are two that are on a concrete or asphalt surface. The Batavia half-marathon is one of those. This is a very special race and that is why it draws so many people. It is very rare set of circumstances that has allowed this race to be offered to the athletes. Rowen thanked the City for the past five years of support and looks forward to the same type of specialized event in the future.

Diane Miller, 1171 Wakefield Lane, Bartlett, addressed the CSC. Miller pointed out that she is a runner but the greatest joy she had was being a spectator. It was great to watch the runners run through the town. She got to see and experience Batavia. She learned pieces of history that she would have never had known if she was not a spectator for this event. Being able to walk through the town and visit the businesses on Wilson Street was enjoyable. She pointed out that it was a pleasure being a spectator. There were places she could safely walk, the police officers were very friendly, and she looked forward to running the race herself so that she could see places she didn't see before. If the race is moved to the trail, she will not be inviting any of her friends to come see her run. There would be no point because they would only be able to see her at the finish of the race and that saddens her. Batavia is such a beautiful town and you should show it off. Runners love to see where they run and spectators love to see where the runners are running. She thanked the Committee for their time.

Steve Vasilion, 426 Illinois Avenue, stated that he is not a runner but he completely supports this event. His concern is what does this say about us as a community. Are we a community that says 'don't bother us, leave us alone, go away, we do not want to be disturbed' or are we a community that says 'we welcome change, we welcome events that show off our town and we are proud of it.' He thanked the Committee for their time.

Volk stated that emails he received will be posted in the minutes. The emails are listed at the end of this document.

The CSC discussed the race proceeds, charities supported, the triathlon club and the race route. Frydendall stated that he would like to see the race route more detailed as to the time the runners

reach certain locations. He stated that simple adjustments to the route could eliminate the traffic on Main Street. O'Brien commented that this is an economic generator for our town. We need to do more for our downtown and this is one way we can do that. This is an event that promotes good health. The Kane County plan is all about supporting good health and we have supported that initiative as a City Council. O'Brien stated that he is disappointed that the Turkey Trot was moved to the trail and we should see if that could come back to the streets as well. Jungels shared that she experienced this race first-hand and what got her through it was having the race run through the neighborhoods and the support of the residents and spectators.

The aldermen in attendance stated their support for keeping the race on the streets. Volk stated his support of the mayor's comments at the past City Council meeting. He recommended that the route avoid Main Street if possible. If we can keep Main Street open we could eliminate a lot of the issues. The Committee's consensus was to keep the race on the street and asked staff to work with the race organizers. Volk asked Bajor to keep the minutes from the Association and this Committee to work out a solution.

#### **4. Train Horns (Noel Basquin 1/30/13)**

Basquin reported that staff has received numerous complaints from residents over the past several years regarding the Train Horn noise from the BNSF trains crossing through downtown Batavia. Trains are required to blow their horns when coming into a railroad crossing which is not located in a Federal Railroad Administration (FRA)- approved "Quiet Zone". The City of Batavia contracted with Rempe-Sharpe Consulting Engineers, which has experience with this issue, to review the requirements to make our crossings Quiet Zone Crossings. Rempe-Sharpe reviewed eight crossings: Raddant Road, Wilson Street, Prairie Street, Van Buren St., Adams St., Laurel St., the private crossing at Amcor and Bond Dr. to ascertain the improvements are needed to bring the crossings in compliance with FRA standards for a Quiet Zone. An important point mentioned in the study is that a Quiet Zone delineation does not guarantee that horn will not sound. FRA requires that the horn must be sounded in emergency situations, inclement weather, power outages, signal failure, and the presence of workers or trespassers. The potential changes to each crossing have significant impacts, whether monetary (costs of gates, wayside horns) or non-monetary (effects of permanent or temporary closure of crossings, or driveways, noise of wayside horns) and these must be balanced against the positive effects of eliminating, or significantly reducing trains horns.

Rempe-Sharpe included an estimate of cost to install 4 quadrant gates which is for \$4,063,675.00. 2 quadrant gates were studied at each location but with the number of residential and commercial driveways in close proximity of the crossings it was determined not to be feasible. They excluded the crossings at Bond Dr. and the private crossing at Amcor due to the intersection layout and the close proximity to Rt. 25 which would not leave any room for stacking of vehicles. The modifications at these crossing would not assist in establishing a quiet zone. So in any event these two crossings will still require sounding of horns.

Jim Bibby, Consulting Engineer, Rempe-Sharpe, presented on the following: corridor proposed quiet zones (quiet zone 1, quiet zone 2, quiet zone 3), purpose of the quiet zone study, Train Horn Final Rule, new quiet zones to be applied for, probable steps to create quiet zone(s), timelines, site specific crossings and improvements that would be required, estimate,



recommendations, and contact information. Bibby discussed the engineer's cost estimate, possible grant funding, the unavailability of federal funding, and the timeline to find out if grant funding is approved.

The CSC discussed financial aspects of the process such as the cost for continuing the application process (estimated \$7,500) and how much grant funding may be available (estimated 25-30%). The CSC continued discussion on various intersections, train schedules, train horns, and train speeds.

Mayor Schielke reported that if dividable medians at the railroad crossings are built (such as on Laurel Street, Adams, and South Prairie Street) there will be an impact on quite a few driveways and houses. The effect would result in one-way-in and one-way-out designations for those driveways. Before we move forward with the process, we need to discuss these matters with the people that would possibly be affected by the construction. Mayor Schielke stated that we are finding that a lot of the horn noise that is being complained about is not occurring in Batavia. The horns start down on Route 25 right by the Fox Valley Nature Center because there are several unguarded crossings there. Whatever Batavia decides to do, we will still have the train horn noise in this situation. There is nothing that Batavia can do about that noise because it is out of our city limits. Mayor Schielke is glad that the City is examining the train horn complaints and feels that most of the focus should be in the residential area between Laurel and Wilson Street. The crossing at Wilson and Prairie would be very expensive and challenging. Chair Volk opened the floor for public comment.

Duke Wahl, 811 Manchester, Batavia, addressed the CSC. He reported that he lives two and a half blocks from the train tracks. He asserted that it seems that the tax payers always are footing the bill for City issues. There is no ability to get a lot of additional funding which means that the Batavia tax payers will have to foot the bill for this. Four million dollars is a lot of money to solve a noise problem. He does not support this as a tax payer. He cannot afford a lot because he is a retiree now and it costs a lot of money to live in this town due to all the taxes that we have.

There will not be much difference in safety because there have only been two accidents in Batavia at the railroad crossings that Wahl researched on the FRA. One accident was in 1977 and the other was in 2005. There were no injuries for both accidents. Wahl stated that he does not feel that we will get any additional funding at any of these crossings in order to establish or get the FRA to give a quiet zone. He does not want to pay for it. The train horns always sound, two short and one long blast, and the speed is around ten to twelve miles per hour coming up and going back. There are four times that the trains are on the crossing because it is a single ended route. This usually happens in the morning. The trains usually go up around eight in the morning and go back around two in the afternoon. Twice in the evening, once at eleven and come back two to three in the morning. The typical number of cars that the trains have is five to fifteen. We do not have many trains here to justify putting in two to three million dollars crossings. He does not feel that this is a good investment for noise abatement. The Suncast foundry unloads the cars during the day and the cars are brought back in the evening because they are empty. This is done twice in a twenty-four hour shift. They do not have space to stockpile the additional raw material needed for their business. Wahl closed by stating that he is opposed to any further action to do any sound abatement due to the price tag involved.

Eric Latsch, 32 South Prairie Street, stated that this does not look like this is a good financial move at all. After reading the FRA website, he discovered wayside horns and asked if the City looked into wayside horns because they are a little quieter. Basquin responded that the one thing to keep in mind, at a hundred feet the decibel would be ninety so it would still be loud and people would still be impacted. The price would be less but he is not aware of the cost. Latch stated that the noise level would be less as well. Ninety is better than one-hundred thirty-three decibels. Latch suggested that the City look into wayside horns. Latch's biggest complaint is idling trains. It is very disturbing and the trains come through any time night or day.

Basquin asked Bibby if there was a cost for the wayside horns. Bibby responded that at a staff meeting wayside horns were discussed and it was found that it would cost 70% of the cost of these improvements with only a 20-25% reduction in the decibels. At that point, wayside horns were not considered.

Joe Messerklinger, 217 Laurel St, shared that he lives right next to the train tracks since 1962. He enjoys living there. He stated that the cost estimate for this project may increase in price by the time the project gets started. He guaranteed that it will not be less. He questioned who instigated this need for a quiet zone. The simple solution to the whole problem is earplugs. He has used earplugs for thirty-five years and the work inside the house and outside of the house. This solution is guaranteed. Forget about the four million dollars, spend fifty cents.

Bill LaFond, 212 Laurel Street, has lived in Batavia for twenty-six years. They have raised a family here and have not had any problems. His concern is with the crossing gates and the result on property values. The 28ft tall gates would cast a shadow upon his house. He is against this proposal.

Lisa Castillo, 418 Webster Street, stated that she moved here three years ago and was new to the trains. She had lived in downtown Chicago and had busses idling outside her bedroom window and did not find that to be a problem. The trains here are obnoxious. We have two small kids, a three month old and a two-year old that wake up whenever the train comes by. She understands that three million dollars is a lot of money. However, they may move because the train noise is that obnoxious. They do not want to leave Batavia. She is afraid that the property value may be going down due to the noise pollution of the train. She asserted that during the three years she has been here the trains have become louder and louder. She does not know what BNSF can do, but perhaps they can change the idling problem when the conductor goes into the 7/11 and then twenty minutes later starting the horn again when her family has fallen back to sleep. She asked for the City to try to eliminate that problem to help the situation just a little bit. She thanked the Committee for their time.

Ed Castillo, 418 Webster Street, shared that he lived in Batavia for most of his life. He lived at Webster for the past eight years. He loves living near the downtown. His family enjoys the river walk, the trail, and the new streetscape. During the night it is a totally different story. He sleeps with earplugs and still hears the train. Some engineers are much worse with the horn than others. The train idles there for twenty, thirty minutes at night and even during the day by the 7/11. If the City would like to have mixed-use developments in the downtown, the train situation would

be a big disincentive. The money is a big investment but that is what it is, it is an investment in our downtown. He questioned if TIF money could be used towards this project since it would benefit the downtown community, help revitalize the downtown, and get more housing into the downtown.

Jason Cook, 634 Ritter Drive, is in favor of any proposal including the gates. The train wakes him up every night. He sleeps with earplugs and an air purifier but it doesn't help much. He has lived here two and a half years and sometimes they are ready to move out where they won't hear trains. He understands that the cost is high but if money can be obtained elsewhere it would be beneficial. Safety concerns are with school busses and it would be a lot safer with crossing gates. He thanked the Committee for their time.

There were no others that wanted to speak and Volk closed the public hearing portion of the meeting. He stated that 3.2 million dollars is a major amount of money and suggested that staff continue to look into what can be done. Basquin stated that staff will research the complaint regarding the idling train at 7/11. There was no objection by the Committee.

#### **5. Final Acceptance of Fox Valley Industrial Park Phase 1 (John Kennedy 1/30/13)**

**Motion:** To approve final acceptance of the Fox Valley Industrial Park Phase 1  
**Maker:** Liva  
**Second:** O'Brien  
**Voice Vote:** 5 Ayes, 0 Nays, 2 Absent  
Motion carried  
CONSENT AGENDA

#### **6. Resolution 13-19-R: Authorizing to Purchase a 2013 John Deere 524 End Loader Through GSA Purchasing Program for \$82,877.00 (Scott Haines 1/30/13)**

Haines reported that the Street Division would like to purchase a 2013 John Deere 524 End Loader through the GSA purchasing program. The End Loader costs \$137,877.00 less a trade-in allowance of \$55,000.00 for a 2004 Caterpillar 928 end loader making the final price of \$82,877.00.

O'Brien and Jungels moved to waive formal bidding but were informed by McGrath that waiving formal bidding was not necessary for this resolution.

**Motion:** To recommend approval of Resolution 13-19-R: Authorizing to purchase a 2013 John Deere 524 End Loader with a trade-in through the GSA purchasing program for \$82,877.00  
**Maker:** Liva  
**Second:** O'Brien  
**Voice Vote:** 5 Ayes, 0 Nays, 2 Absent  
Motion carried.  
CONSENT AGENDA

**7. Resolution 13-20-R: Authorization to Purchase a DuraPatch Trailer through the State of Illinois Joint Purchasing Program for \$48,467.00**

Haines reported that a DuraPatch machine is specifically used for roadway maintenance. Staff budgeted for this type of machine last year but it was not available on the State Bid so staff budgeted \$55,000.00 for 2013. This machine is used to fill potholes, large cracks, and depressions with hot asphalt emulsion and aggregate in layers, if needed, without removing any existing pavement. Staff will be able to use this process primarily during spring through fall seasons but it can be used during a mild winter day. Staff believes that once we have had an opportunity to use the machine a full season, there will be a significant reduction in contractual patching.

**Motion:** To recommend to City Council approval of Resolution 13-20-R: Authorization to purchase a DuraPatch Trailer through the State of Illinois Joint Purchasing Program for \$48,467.00

**Maker:** O'Brien

**Second:** Jungels

**Voice Vote:** 5 Ayes, 0 Nays, 2 Absent  
Motion carried.

CONSENT AGENDA

**8. Resolution 13-21-R: Authorization to Purchase a 2013 John Deere 328E Skid Steer Through GSA Purchasing Program for \$58,925.00 (Scott Haines 1/31/13)**

Haines reported that this would be replacing a nineteen year old Skid Steer. Staff will also be purchasing Cold Planner and Pallet Fork attachments. Staff hopes to reduce the money used towards pavement patching and use this purchase towards repairing roads when it needs to be done.

**Motion:** To recommend to City Council approval of Resolution 13-21-R: Authorization to purchase a 2013 John Deere 328E Skid Steer through the GSA purchasing program for \$58,925.00

**Maker:** O'Brien

**Second:** Jungels

**Voice Vote:** 5 Ayes, 0 Nays, 2 Absent  
Motion carried.

CONSENT AGENDA

**9. Refuse and Recycling Program: Discussion (Scott Haines 1/31/13)**

Haines stated that St. Charles had extended their program and have decided not to partner with Batavia. Geneva is still interested in partnering with the city and intends to continue to work with us to get this done together.

Haines stated that there are three options for the refuse and recycling program. The first option is exactly what exists now in Batavia. Option two does away with the cost for recycling and the 18 gallon totes and gives 65 gallon recycling totes to everyone. Everything else stays the same: stickers, different sized totes and half bag. Haines stated that the option three toter program is

the least likely we would go forward with since it is a one size fits all program. We can look at this when the bids come in.

Liva stated that he observes the streets getting very messy after garbage pickup. Therefore, he would prefer option two with the larger recycling bins. He feels that it would encourage more recycling. O'Brien stated that he is in favor of option two as well. Volk stated that the deciding factor will be keeping the price down.

#### **10. Others**

McGrath requested that it be stated on the record that he thinks that the professional staff tonight was treated horribly by the chairman. He asked the aldermen to consider coming up with a code of conduct for themselves when conducting business. McGrath continued that this has happened too many times in public when professional staff is embarrassed in public and it is not appropriate. Volk responded that he was ignored by the staff when he asked if staff had proper direction from the Committee.

Liva stated that he would like to develop a program to reestablish growth along the banks of the Fox River so that we are not constantly removing invasive species. He questioned if the Riverboat Grant could be used towards such program. Holm stated that staff is concerned with erosion due to chopping down all of the foliage along the river. He continued that what you see now is an interim step and not a permanent solution. The River Boat Grant is meant to be a plan that can eventually be implemented. The grant cannot be used towards construction dollars to replant. Subsequent funding is needed to replant. Holm stated that the landscape architect will be working with the city to help deter invasive species. The tree roots have been left in to help prevent erosion but it is not a permanent solution. Liva stated that he would support permanent solutions and to do this the right way. Holm stated that the river plan that staff is working on now for a grant is not only erosion prevention but identifying recreational opportunities along the river and promoting the river as a resource.

Frydendall commented that there is a lot of debris on city-owned property by the transformers by Larson Becker. He asked staff to put this on their list because people are parking there as River Street is getting more successful.

O'Brien questioned how snow removal went on River Street. Haines stated that it took about two hours and he feels that it went well. It is a lot of work and a challenge but should get easier with practice.

#### **11. Matters from the Public**

There were no matters from the public at this time.

#### **12. Adjournment**

There being no other business to discuss, a motion was requested by Chair Volk to adjourn the meeting at 9:52 pm; Made by O'Brien and seconded by Jungels. Motion carried.

Minutes respectfully submitted by: Jennifer Austin-Smith

I am not a resident of Batavia nor have participated in this race, but I am a part of the large running community in the Fox Valley and regularly attend church services.

I read in the Chronicle this morning that there were complaints from residents that they were unable to attend church services because of road closures race morning. Where I would prefer races on Saturdays so I can worship on Sunday morning would be ideal, this may not be an option.

With proper advertising and announcements during the month prior to the race, I believe negative impact would be minimal. Did the race directors reach out to the local organizations that may be affected. I am certain volunteers for the race would handle any necessary communication to reduce issues on race day.

I understand the need to balance the desires of residents of Batavia and attracting large events. I have not registered for this race so far because it never fit my training plan. I can tell you that the Fox and the Turkey was a horrible experience on the trail last year because of the overcrowding. If that race is not moved back to the streets of Batavia, I (and many others) will skip that race or ask that it be moved to another town where it can be run on city streets.

Respectfully,

Margo

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**Margo Churchwell**  
Strategic Account Executive - BioPharm  
Market Access

Dear Jim and Lisa,

I am a local runner, who has enjoyed this particular half marathon in the past. I am also a licensed massage therapist with a great number of runners, triathletes and iron man competitors as clients. I understand that your city event administrator is seeking to prohibit the race from being run through the streets of your community, and attempting to have the course run on trails only.

I certainly understand the additional costs and burdens on your city resources, that come with running this event in the streets. I know that it requires insurance coverages, police presence, and barricades that running only on the trails might reduce or mitigate. Here are the problems that a trail-only half marathon presents to the runners.

1. Trail running for an event of this nature requires runners to bunch together down a much narrower pathway than a city street provides. This means that runners who attempt to move forward past slower runners will meet with a great deal of time delay and frustration, and will more likely encounter collisions and greater frequency of injury. Slower runners, or runners who need to take walk breaks as a part of their race strategy are going to be endangered because there will be insufficient room for other runners to safely pass them.

2. Trail running will also be much more hazardous at every water station, for the same reasons as stated above, the reduced amount of space for runners to slow and take water cups, coupled with the need for space to give out water cups, will lead to a much greater incidence of injury, and also will cause runner delay.

3. A major draw for many runners to participate in an event such as this, is the opportunity to enjoy the sights of the community, including beautiful homes and tree-lined streets, as well as the splendor of the running trails. If those factors are removed from this race, it will lose a great deal of interest to the running community.

A similar issue was plaguing the Hot Chocolate run which is held annually in Chicago. The run was originally performed along the lakeshore trails only, and not on the streets, and because of this, it lost many participants who had come for it's inaugural running. Countless numbers of the runners who had shown up for the first event vowed never to return to this run, because the lack of room to run (which the streets would have provided) meant that they would be faced with time delays, frustration trying to pass other runners, or collisions with other runners trying to pass them, and hazardous conditions in and around the water stations. Please consider these issues when your council meets to decide this matter. If your township benefits from this event and wants to keep seeing the large crowds that this race usually brings, please keep the course on the streets as well as the trails.

Sincerely,

Anne Quigley  
Pure Harmony Massage

Mr. Volk and Ms. Clark –

I have just learned of the potential plan that all races in the City of Batavia will be run on trails. I believe this to be a mistake for a couple of reasons.

First is safety: the trails are just not wide enough to safely handle the number of runners. There have been nearly 1000 finishers in the Half Madness Half Marathon each of the last four years. The fact that this race starts on the streets before it gets to the trails allows the crowd to “thin-out”; that is, by the time we hit the trails, the runners are spread out enough that we are not crowded, and we can safely pass others.

Second, I believe if you limit this race to trails, you will lose runners. Nobody will want to run a race entirely on a trail, where they feel like they cannot safely run their race. I don't want to spend my race energy dodging runners and constantly looking in all directions to see if I can pass another runner. I predict you will see the number of runners dwindle as the race gets a reputation for being run only on trails, where a runner can't run his/her best race because of congestion.

I live in Minneapolis, but have come to Batavia three of the last four years, with the sole purpose of running the Half Madness Half Marathon. I was already making plans to make the trip to Batavia in August of this year – just for this race. But if this race will be run only on trails, I will take my race dollars elsewhere, where I feel safe and have an opportunity to run my best.

The Half Madness Half Marathon is a great race, and gives one a great tour of the City of Batavia. My hope is that you will consider allowing the race to continue to use city streets.

Thank you for your time,

**Dave Boese**

**Minneapolis, MN**

Greetings from Asheville, North Carolina!

As a former resident of Batavia, Illinois, I am writing to you to address an upcoming vote on whether to allow the Batavia Half Madness Half Marathon to include city streets as part of the course. While we no longer live in Batavia, we have plans to travel to Illinois specifically so that I may run this race in August.

There have been numerous races that have begun in Batavia, the Half Marathon and Batavia Triathlon by far are my favorites and have both done a fantastic job of showcasing beautiful Batavia. As Lisa is probably well aware given her involvement in the Batavia Triathlon for nearly ten years, runners and triathletes come from all over to participate in these races. In some cases, from out of state. Unlike other smaller races, such as the numerous 5K races the city hosts, the Batavia Triathlon and Half Madness Half Marathon draw larger and more diverse participants from greater distances, thus the importance of giving the athletes the ability to see and experience the quaint neighborhoods that flank both sides of the river.

I have no doubt that both of these races have significantly contributed to the local economy, as exhibited by the fact that both these races usually partner with a local hotel, and local sponsors continue to sponsor these races year after year.

The primary reason athletes choose to run the Batavia Half Madness Half Marathon is for the *experience*, and that is why the race has been successful in the past. Anyone can run on the trails, however, to allow runners to pass through the neighborhoods in city streets, greeted by the families that come out of their homes and cheer them from the sidewalks (including the mayor!) is truly a unique and memorable *experience*.

Please consider voting yes to allow this race to continue as it has in the past and to continue a tradition of putting on one of the best half marathons in the region.

Sincerely,

Carolyn Kovash



Dear City Officials,

I am writing this on behalf of Calvary Episcopal Church. We are of the understanding that there is discussion regarding route changes to the various runs that take place in the community. First, let me express our support for the races. They showcase our city and community and that is a good thing. However, the routes that have been selected in the past have greatly disrupted our worship schedule. We average between 40-60 people who attend our 8am service as this is the group most affected. It is no secret as to our location at a major intersection, Route 31 and Main Street. Every route north, south, east and west is impacted and we strongly urge that you find a way to reroute the events. The triathlon is a major worry. As the event has grown in popularity, runners look for places to park and we have seen event participants using our parking and walking to the events which is close by. This impacts our service at 8 and also at 10 when these participants return to claim their vehicles when we have arriving worshippers.

We strongly ask that you find a way that improves our member's ability to attend worship by selecting a different route for events or dates.

Respectfully,

Dan Hoefler  
Senior Warden  
Calvary Episcopal