

CITY OF BATAVIA
100 N. Island Ave., Batavia, IL 60510
(630) 454-2000 <http://www.cityofbatavia.net>

GOVERNMENT SERVICES COMMITTEE AGENDA
Monday, February 11, 2013
7:30 p.m. – City Council Chamber 1st Floor

1. Roll Call
2. Approve Minutes For January 14, 2013

Documents: [GOV 13-01-14M.PDF](#)

3. Items Removed/Added/Changed
4. Ordinance 13-07 2013 Prevailing Wage Adoption (1/23/13 AMP)

Documents: [ORDINANCE 13-07 2013 PREVAILING WAGE.PDF](#)

5. Municipal Code Revision Discussion: Liquor Code (WRM 2/8/13)

Documents: [LIQUOR CODE DISCUSSION.PDF](#)

6. Executive Session: Collective Bargaining (Jason Bajor 2/11/13)
7. Project Status Update
8. Other
9. Matters From The Public
10. Adjournment

MINUTES
January 14, 2013
Government 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. Minutes 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. Any references to discussion and/or statements are only to provide greater clarity to the public and they may not reference all, some, or any of an individual speaker's comments.

Vice Chairman Sparks called the meeting to order at 7:30 p.m.

1. Roll Call

Members Present: Aldermen Liva, Sparks, Stark, Tenuta, and Thelin Atac
Members Absent: Aldermen Chanzit and Dietz
Also Present: Alderman Volk, Police Chief Schira, Mayor Schielke, and Connie Rizo, Recording Secretary

2. Approve Minutes for December 10, 2012

Motion: To approve the 12/10/12 Government Services Committee meeting minutes.
Maker: Liva
Second: Stark
Voice vote: 5 Ayes, 0 Nays, Motion Carried.

CONSENT AGENDA

3. Items Removed/Added/Changed

None.

4. Resolution 13-01-R Police Authorized Tow Contracts (Gary Schira 1/2/13)

Chief Schira reviewed his January 2, 2013, memo regarding the police authorized tow contracts for the City of Batavia. Chief Schira stated the City's 3-year contract for tows ended in November 2012, so the City sought proposals and received nine towing contractors' proposals. Chief Schira indicated those proposals were evaluated and a site inspection was done for all the towing contractors and three Batavia towing contractors are being recommended. The three towing contractors are Kevin's Auto Repair and Transport, Dazzo's Auto Repair, and Certified Auto. Chief Schira mentioned these three towing contractors were on the previous 3-year contract. Chief Schira asked that Duke and Lee's Service in Geneva be an alternate.

Ald. Thelin Atac inquired if there were a fourth towing company in Batavia. Chief Schira stated the fourth contractor available was inspected and the City was not satisfied with that towing contractor.

Ald. Thelin Atac asked for clarification on the rotation of the towing contractors. Chief Schira stated each towing agency is assigned for a full week and it is a 3-week rotation cycle, which works well. Chief Schira indicated TriCom, the dispatch agency, is notified of which towing contractor is on call for the given week.

Motion: To recommend to City Council approval of Resolution 13-01-R.
Maker: Thelin Atac
Second: Stark
Voice vote: 5 Ayes, 0 Nay, Motion Carried.

CONSENT AGENDA

Chief Schira indicated this contract was a 1-year contract and requested that the City Council provide him the authority to extend the contract each year if there are no issues up to a three year maximum.

Ald. Liva stated the signage surrounding the various parking lots was offensive and asked if it was a requirement to have the services. Chief Schira indicated the City has no jurisdiction over that signage and it was nothing the City had authorized be posted. Chief Schira mentioned it was likely the property owner is the one who has arranged for such signage. Chief Schira indicated the tows covered under this contract are police-authorized tows. Chief Schira added he was not aware that any city-owned lots had signage such as the ones Ald. Liva was referring to.

Vice Chairman Sparks inquired if the towing contractors were comparably priced for service calls. Chief Schira stated the towing contractors determine their own price within reason and were within the same range as is shown in the towing comparison provided along with his 1/2/13 memo. Ald. Liva pointed out the car owner or insurance company is responsible for the payment. Chief Schira pointed out the City does not mandate that the fee be a certain amount.

5. Policy for Public Speakers at Council Meetings (WRM 1/11/13)

Ald. Volk indicated this agenda item was a horrendous overreaction to the event that took place at the City Council meeting on 1/7/13 by someone in the public audience. Ald. Volk commented he understood from Chief Schira steps have been taken since that day regarding this individual. Ald. Volk pointed out it was an isolated incident and no further attention should be given the matter since staff have already spent too much time on this topic.

Mayor Schielke opined it would be good to have some type of standard or written rule as to the length someone would be allowed to address the public who is not on the regular agenda. Mayor Schielke added it is within the privy of the chairperson and the

City Council to allow anyone to speak for as long as they feel they need to. Mayor Schielke indicated there was something to be said for providing a guideline on time allowed for any group that addresses the City Council.

Ald. Tenuta commented that for the most part those addressing the City Council have been respectful with the amount of time they use. Ald. Tenuta stated perhaps it should be considered to put a time frame on individuals speaking to the City Council. Ald. Tenuta shared that she did not have a history with the individual who spoke on 1/7/13 and did not know this individual. Ald. Tenuta expressed that she was concerned for her safety when the City Council meeting of 1/7/13 occurred because the unknown individual had two bags that she continued to pull items from. Ald. Tenuta stated she could clearly see the individual was unstable, agitated, aggravated and opined perhaps a shorter time period could have helped this individual. Ald. Tenuta inquired what the plan would be if a situation like this were to be repeated. Ald. Tenuta stated she felt better once Chief Schira and Bill McGrath, the City Administrator, approached the individual on 1/7/13 and stayed nearby. Ald. Tenuta commended Bill McGrath for the job he did on 1/7/13, but wondered if it is the role of the City Administrator to handle these types of situations.

Chief Schira stated McGrath had a history with this individual, but Chief Schira indicated he did not know her. Chief Schira stated that McGrath brought up the safety of the City Council at the senior staff meeting and plans are underway to continue to try and develop some type of protocol and improve safety if something like this incident were to reoccur. Ald. Tenuta stated she felt too much time had passed during the 1/7/13 meeting to take action to control this individual. Ald. Volk stated Chief Schira maneuvered himself subtly and appropriately into the right position that evening to be closer to the individual. Ald. Volk shared he also felt better once Chief Schira was in position near the individual on 1/7/13. Ald. Volk stated it is a double edged sword to begin setting limits on debate during meetings because it would likely stifle discussion.

Ald. Tenuta stated she would like to understand what the plan and protocol would be in these types of situations. Ald. Tenuta stated the situation was unfortunate and indicated she had a conversation with Bill McGrath following this incident. Chief Schira indicated discussions have begun relative to this topic because presently there is no protocol. Chief Schira stated unless someone is a threat to themselves or a physical threat to others there is not a lot that can be done. Chief Schira expressed the City would be developing a protocol on how safety can be ensured to the City Council and to the public in attendance at meetings. Chief Schira opined he did not believe metal detectors and bag searches would be conducted similar to what they do in courthouses in the City of Batavia for meeting conducted in the City Council Chambers.

Vice Chairman Sparks pointed out that during the meeting Bill McGrath stood over the bags and appeared to be looking into the bags, so that made him more comfortable regarding the incident of 1/7/13 as well as having Chief Schira nearby. Vice Chairman Sparks stated it was not being proposed to strictly enforce a 7-minute time limit, but rather as Mayor Schielke stated it is within the privy of the chairperson and the City Council to allow anyone to speak for as long as they feel they need to. Vice Chairman

Sparks suggested perhaps a panic button under the table for the chairperson to alert the police department. Ald. Liva stated if a conversation needed to take more than seven minutes perhaps the issue needed to be returned to the subcommittee for further review. Ald. Liva expressed that he was in favor of setting a time limit and putting a written policy in place in allowing the public to speak at the City Council meeting. Ald. Tenuta reiterated what Ald. Liva expressed. Ald. Thelin Atac indicated she would support a written policy as well. Ald. Thelin Atac pointed out any group or individual could also request to be a regular item on the agenda to present their topic. Ald. Thelin Atac stated there should also be control on individuals who continue to repeat on topics and simply by expressing in the written policy that at the City Council the members would welcome any new comments once a topic has been established would hopefully be a deterrent from repetition.

Mayor Schielke stated he has attended training sessions before relative to how to handle incidents like the one that occurred on 1/7/13. Mayor Schielke explained that the one thing that is taught is to steer away from slamming the gavel or cutting off the person. Mayor Schielke expressed that the best effort is to down play any drama to keep it from becoming more emotional. Mayor Schielke stated the incident of 1/7/13 was de-pressurized and he was confident there was enough people in the room to handle the situation. Ald. Tenuta conveyed that on 1/7/13 it took some time, but as soon as Chief Schira and McGrath were nearby the individual she felt it was the right approach. Ald. Tenuta spoke of being proactive and was in favor of having further conversation on how to handle situations like this.

Vice Chairman Sparks reminded the group that there are more than just City Council meetings that take place in the City Council Chambers and frequently are conducted without the police or fire chief, so there needs to be a way to communicate with the police department in the building if the need arises. Ald. Volk indicated typically one has a sense of what the emotionally charged topics are going into any given meeting and indicated he has had a police officer attend the meeting if he felt it was warranted. Ald. Volk also commented on the appropriate use of the gavel and also allowing the public to voice their opinions on issues.

Ald. Tenuta indicated a plan needs to be put into place for meetings because it is unpredictable to know what future agendas might contain and the meetings are open meetings. Vice Chairman Sparks stated the general consensus was that some type of written policy should be created limiting the public talk time during the City Council meetings with the option for the chairperson to extend the time if deemed necessary as well as implementing some type of emergency plan to alert authorities if necessary. Chief Schira pointed out if a panic button is put into place the signal would then go to the records section or TriCom and then an officer from the street would then need to come in to the City Council Chambers. Chief Schira expressed that the City Council would need to be realistic about the response time.

Ron Rechenmacher, Grove Court, Batavia Illinois, stated that he agreed with what had already been expressed at tonight's meeting. Rechenmacher stated he reviewed the video from the 1/7/13 City Council meeting, since it was a matter of public record

and inquired if anyone would review if there was a way this incident could have been avoided. Rechenmacher asked the aldermen if any of them could tell him what the individual was concerned about when she spoke at the 1/7/13 meeting. Vice Chairman Sparks replied that is what was at issue because the individual never made it clear to them what her concern actually was. Rechenmacher recognized her message was inarticulate. Mayor Schielke indicated he has spoken with this individual on a somewhat regular basis, but was aware she tends to ramble.

Ald. Volk indicated that the staff and police chief have done what is legally and permissibly possible to get the individual help. Rechenmacher stated perhaps nothing further could have been done. Mayor Schielke opined there was nothing further that could have taken place that night that could have stopped the scenario. Rechenmacher stated the individual's issues stem from the death of her child and her potential desire to be involved with the arts in Batavia. Rechenmacher opined the individual could potentially be a resource and stated that likely it would be hard to deal with the individual since she alluded to her perceived opinions regarding chauvinism, but perhaps she could have worked with the bridge sculpture project or assisted in some manner in the arts.

Rechenmacher stated regarding meetings he understood the points on limiting public discourse and safety, but was in favor of allowing more people who want to get involved to actually get involved in Batavia. Rechenmacher relayed even though this individual is difficult to deal with it did appear she may have been pushed around somewhat and perhaps she should have been listened to more in the past. Rechenmacher commented he did not feel that aldermen should have been afraid during the 1/7/13 meeting, since he was not. Ald. Tenuta and Ald. Liva expressed that they had concern for their safety at the 1/7/13 meeting.

Ald. Volk stated this individual has been at other meetings, but did comment she is difficult to deal with. Ald. Volk expressed the City is always looking for new people to get involved and help out bringing other ideas as the City is open and welcoming to the public for the various government meetings. Ald. Volk mentioned the City is not trying to exclude participants.

Rechenmacher stated the City now has another opportunity to show humility and perhaps send her a thank you card for her past suggestions. Ald. Volk reiterated that the staff and police chief have done what is legally and permissibly possible to get the individual medical help.

6. Project Status Update

None.

7. Other

None.

8. Matters From The Public

None.

9. Adjournment

A motion was made by Ald. Stark and seconded by Ald. Liva to adjourn the meeting at 8:04 p.m. All were in favor and the motion was carried.

Minutes prepared by
Connie Rizo

CITY OF BATAVIA

DATE: January 23, 2013
TO: Government Services Committee
FROM: Andrea M. Podraza, Civil Engineer
SUBJECT: 2013 Prevailing Wage

The February 11, 2013 Government Services Committee agenda will include a discussion regarding the 2013 Prevailing Wage Adoption. The State of Illinois has enacted "An Act regulating wages of laborers, mechanics and other workers employed in any public works by the State, county, city or any public body or any political subdivision or by anyone under contract for public works," approved June 26, 1941, as amended, being Section 39s-1-12, Chapter 48, Illinois Revised Statutes, 1983. This Act requires the City of Batavia to investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of City of Batavia employed in performing construction of public works, for said City of Batavia. The City of Batavia has investigated and ascertained the 2013 Kane County Prevailing Wage.

In addition, as in the past years, due to a recent hike in the unemployment rates, where the rate is greater than 5% following two consecutive calendar months, in Illinois we must follow the Illinois Compiled Statutes Section 30 ILCS 570/3 which states that "Whenever there is a period of excessive unemployment in Illinois, if a person or entity is charged with the duty, either by law or contract, of (1) constructing or building any public works, as defined in this Act, or (2) the clean-up and on-site disposal of hazardous waste for the State of Illinois or any political subdivision of the State, and that clean-up or on-site disposal is funded or financed in whole or in part with State funds or funds administered by the State of Illinois, then that person or entity shall employ at least 90% Illinois laborers on such project. Any public works project financed in whole or in part by federal funds administered by the State of Illinois is covered under the provisions of this Act, to the extent permitted by any applicable federal law or regulation. Every public works contract let by any such person shall contain a provision requiring that such labor be used: Provided, that other laborers may be used when Illinois laborers as defined in this Act are not available, or are incapable of performing the particular type of work involved, if so certified by the contractor and approved by the contracting officer." This refers only for the labor on Public Works projects and not for professional services.

Recommended Committee Action

Staff recommends adopting the February 2013 Kane County Prevailing Wage and the attached Ordinance 13-07.

Attachment Ord 13-07

C: Mayor & City Council
File

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 13-07**

2013 PREVAILING WAGE ADOPTION

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
18TH DAY OF FEBRUARY, 2013**

Published in pamphlet form
by authority of the Mayor
and City Council of the City of Batavia,
Kane & DuPage Counties, Illinois,

This 18th day of February, 2013

Prepared by:

City of Batavia
100 N. Island
Ave.
Batavia, IL 60510

CITY OF BATAVIA, ILLINOIS

ORDINANCE 13-07

2013 PREVAILING WAGE ADOPTION

WHEREAS, The State of Illinois has enacted "An Act regulating wages of laborers, mechanics and other workers employed in any public works by the State, county, city or any public body or any political subdivision or by any one under contract for public works," approved June 26, 1941, as amended, being Section 39s-1-12, Chapter 48, Illinois Revised Statutes, 1983; and

WHEREAS, the aforesaid Act requires that City of Batavia investigate and ascertain the prevailing rate of wages as defined in said Act for laborers, mechanics and other workers in the locality of City of Batavia employed in performing construction of public works, for said City of Batavia.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Batavia as follows:

SECTION 1: To the extent and as required by "An Act regulating wages of laborers, mechanics and other workers employed in any public works by State, county, city or any public body or any political subdivision or by any one under contract for public works," approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of City of Batavia is hereby ascertained to be the same as the prevailing rate of wages for construction work in the Kane County area as determined by the Department of Labor of the State of Illinois as of February, 2013, a copy of that determination being attached hereto as Exhibit 1 and incorporated herein by reference. As required by said Act, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the rates in Exhibit 1 by verifying with the Department of Labor and apply to any and all public works construction undertaken by the City of Batavia. The definition of any terms appearing in this resolution which are also used in aforesaid Act shall be the same as in said Act.

SECTION 2: Nothing herein contained shall be construed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of the City of Batavia and to the extent required by the aforesaid Act.

SECTION 3: The City of Batavia City Clerk shall publicly post or keep available for inspection by any interested party in the main office of the City of Batavia this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

CITY OF BATAVIA, ILLINOIS ORDINANCE 13-07

SECTION 4: The City of Batavia City Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

SECTION 5: The City of Batavia City Clerk shall promptly file a certified copy of this resolution with both the State Index Division and the Department of Labor of the State of Illinois.

SECTION 6: The City of Batavia City Clerk shall cause to be published in a newspaper of general circulation within the area a notice of this resolution, and such publication shall constitute notice that the determination is effective and that this is the determination of this public body.

EXHIBIT I

Kane County Prevailing Wage for February 2013

(See explanation of column headings at bottom of wages)

Trade Name	RG	TYP	C	Base	FRMAN	M-F>8	OSA	OSH	H/W	Pensn	Vac	Trng
=====	==	===	=	=====	=====	=====	===	===	=====	=====	=====	=====
ASBESTOS ABT-GEN		ALL		36.200	36.700	1.5	1.5	2.0	12.78	9.020	0.000	0.500
ASBESTOS ABT-MEC		BLD		34.160	36.660	1.5	1.5	2.0	10.82	10.66	0.000	0.720
BOILERMAKER		BLD		43.450	47.360	2.0	2.0	2.0	6.970	14.66	0.000	0.350
BRICK MASON		BLD		40.680	44.750	1.5	1.5	2.0	9.550	12.00	0.000	0.970
CARPENTER		ALL		41.520	43.520	1.5	1.5	2.0	13.19	11.76	0.000	0.530
CEMENT MASON		ALL		41.550	43.550	2.0	1.5	2.0	9.500	13.76	0.000	0.500
CERAMIC TILE FNSHER		BLD		34.440	0.000	2.0	1.5	2.0	9.700	6.930	0.000	0.610
COMMUNICATION TECH	N	BLD		35.770	37.870	1.5	1.5	2.0	12.07	9.370	0.000	0.450
COMMUNICATION TECH	S	BLD		36.390	38.490	1.5	1.5	2.0	10.02	10.19	0.000	1.090
ELECTRIC PWR EQMT OP		ALL		35.400	48.110	1.5	1.5	2.0	5.000	10.97	0.000	0.270
ELECTRIC PWR GRNDMAN		ALL		27.380	48.110	1.5	1.5	2.0	5.000	8.490	0.000	0.210
ELECTRIC PWR LINEMAN		ALL		42.390	48.110	1.5	1.5	2.0	5.000	13.14	0.000	0.320
ELECTRIC PWR TRK DRV		ALL		28.350	48.110	1.5	1.5	2.0	5.000	8.790	0.000	0.220
ELECTRICIAN	N	ALL		43.080	47.380	1.5	1.5	2.0	12.06	11.41	0.000	0.540
ELECTRICIAN	S	BLD		43.560	47.920	1.5	1.5	2.0	10.02	12.20	0.000	1.310
ELEVATOR CONSTRUCTOR		BLD		49.080	55.215	2.0	2.0	2.0	11.88	12.71	3.930	0.600
FENCE ERECTOR		ALL		44.950	47.200	2.0	2.0	2.0	8.890	17.69	0.000	0.400
GLAZIER		BLD		39.500	41.000	1.5	2.0	2.0	11.99	14.30	0.000	0.840
HT/FROST INSULATOR		BLD		45.550	48.050	1.5	1.5	2.0	10.82	11.86	0.000	0.720
IRON WORKER		ALL		44.950	47.200	2.0	2.0	2.0	8.890	17.69	0.000	0.400
LABORER		ALL		36.200	36.950	1.5	1.5	2.0	12.52	9.280	0.000	0.500
LATHER		ALL		41.520	43.520	1.5	1.5	2.0	13.19	11.76	0.000	0.530
MACHINIST		BLD		43.550	46.050	1.5	1.5	2.0	6.130	8.950	1.850	0.000
MARBLE FINISHERS		ALL		29.700	0.000	1.5	1.5	2.0	9.550	11.75	0.000	0.620
MARBLE MASON		BLD		39.880	43.870	1.5	1.5	2.0	9.550	11.75	0.000	0.730
MATERIAL TESTER I		ALL		26.200	0.000	1.5	1.5	2.0	12.52	9.280	0.000	0.500
MATERIALS TESTER II		ALL		31.200	0.000	1.5	1.5	2.0	12.52	9.280	0.000	0.500
MILLWRIGHT		ALL		41.520	43.520	1.5	1.5	2.0	13.19	11.76	0.000	0.530
OPERATING ENGINEER		BLD 1		45.100	49.100	2.0	2.0	2.0	15.70	10.55	1.900	1.250
OPERATING ENGINEER		BLD 2		43.800	49.100	2.0	2.0	2.0	15.70	10.55	1.900	1.250
OPERATING ENGINEER		BLD 3		41.250	49.100	2.0	2.0	2.0	15.70	10.55	1.900	1.250
OPERATING ENGINEER		BLD 4		39.500	49.100	2.0	2.0	2.0	15.70	10.55	1.900	1.250
OPERATING ENGINEER		BLD 5		48.850	49.100	2.0	2.0	2.0	15.70	10.55	1.900	1.250
OPERATING ENGINEER		BLD 6		46.100	49.100	2.0	2.0	2.0	15.70	10.55	1.900	1.250
OPERATING ENGINEER		BLD 7		48.100	49.100	2.0	2.0	2.0	15.70	10.55	1.900	1.250
OPERATING ENGINEER		HWY 1		43.300	47.300	1.5	1.5	2.0	15.70	10.55	1.900	1.250
OPERATING ENGINEER		HWY 2		42.750	47.300	1.5	1.5	2.0	15.70	10.55	1.900	1.250
OPERATING ENGINEER		HWY 3		40.700	47.300	1.5	1.5	2.0	15.70	10.55	1.900	1.250
OPERATING ENGINEER		HWY 4		39.300	47.300	1.5	1.5	2.0	15.70	10.55	1.900	1.250
OPERATING ENGINEER		HWY 5		38.100	47.300	1.5	1.5	2.0	15.70	10.55	1.900	1.250
OPERATING ENGINEER		HWY 6		46.300	47.300	1.5	1.5	2.0	15.70	10.55	1.900	1.250
OPERATING ENGINEER		HWY 7		44.300	47.300	1.5	1.5	2.0	15.70	10.55	1.900	1.250
ORNAMNTL IRON WORKER		ALL		44.950	47.200	2.0	2.0	2.0	8.890	17.69	0.000	0.400
PAINTER		ALL		40.880	42.880	1.5	1.5	1.5	9.650	8.200	0.000	1.250
PAINTER SIGNS		BLD		33.920	38.090	1.5	1.5	1.5	2.600	2.710	0.000	0.000
PILEDRIVER		ALL		41.520	43.520	1.5	1.5	2.0	13.19	11.76	0.000	0.530
PIPEFITTER		BLD		41.200	43.200	1.5	1.5	2.0	10.75	15.34	0.000	1.710
PLASTERER		BLD		40.250	42.670	1.5	1.5	2.0	10.85	10.94	0.000	0.550
PLUMBER		BLD		41.200	43.200	1.5	1.5	2.0	10.75	15.34	0.000	1.710
ROOFER		BLD		38.350	41.350	1.5	1.5	2.0	8.280	8.770	0.000	0.430
SHEETMETAL WORKER		BLD		42.160	44.160	1.5	1.5	2.0	9.890	11.61	0.000	0.780
SIGN HANGER		BLD		26.070	27.570	1.5	1.5	2.0	3.800	3.550	0.000	0.000
SPRINKLER FITTER		BLD		49.200	51.200	1.5	1.5	2.0	10.25	8.200	0.000	0.450
STEEL ERECTOR		ALL		44.950	47.200	2.0	2.0	2.0	8.890	17.69	0.000	0.400
STONE MASON		BLD		40.680	44.750	1.5	1.5	2.0	9.550	12.00	0.000	0.970
TERRAZZO FINISHER		BLD		35.510	0.000	1.5	1.5	2.0	9.700	9.320	0.000	0.400
TERRAZZO MASON		BLD		39.370	42.370	1.5	1.5	2.0	9.700	10.66	0.000	0.550
TILE MASON		BLD		41.430	45.430	2.0	1.5	2.0	9.700	8.640	0.000	0.710
TRAFFIC SAFETY WRKR		HWY		28.250	29.850	1.5	1.5	2.0	4.896	4.175	0.000	0.000

TRUCK DRIVER	ALL 1	32.550	33.100	1.5	1.5	2.0	6.500	4.350	0.000	0.150
TRUCK DRIVER	ALL 2	32.700	33.100	1.5	1.5	2.0	6.500	4.350	0.000	0.150
TRUCK DRIVER	ALL 3	32.900	33.100	1.5	1.5	2.0	6.500	4.350	0.000	0.150
TRUCK DRIVER	ALL 4	33.100	33.100	1.5	1.5	2.0	6.500	4.350	0.000	0.150
TUCKPOINTER	BLD	40.950	41.950	1.5	1.5	2.0	8.180	10.82	0.000	0.940

Legend:

RG (Region)

TYP (Trade Type - All,Highway,Building,Floating,Oil & Chip,Rivers)

C (Class)

Base (Base Wage Rate)

FRMAN (Foreman Rate)

M-F>8 (OT required for any hour greater than 8 worked each day, Mon through Fri.

OSA (Overtime (OT) is required for every hour worked on Saturday)

OSH (Overtime is required for every hour worked on Sunday and Holidays)

H/W (Health & Welfare Insurance)

Pensn (Pension)

Vac (Vacation)

Trng (Training)

Explanations

KANE COUNTY

ELECTRICIANS AND COMMUNICATIONS TECHNICIAN (NORTH) – Townships of Burlington, Campton, Dundee, Elgin, Hampshire, Plato, Rutland, St.Charles (except the West half of Sec. 26, all of Secs. 27, 33, and 34, South half of Sec. 28, West half of Sec. 35), Virgil and Valley View CCC and Elgin Mental Health Center.

The following list is considered as those days for which holiday rates of wages for work performed apply: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day and Veterans Day in some classifications/counties. Generally, any of these holidays which fall on a Sunday is celebrated on the following Monday. This then makes work performed on that Monday payable at the appropriate overtime rate for holiday pay.

Common practice in a given local may alter certain days of celebration. If in doubt, please check with IDOL.

EXPLANATION OF CLASSES

ASBESTOS - GENERAL - removal of asbestos material/mold and hazardous materials from any place in a building, including mechanical systems where those mechanical systems are to be removed. This includes the removal of asbestos materials/mold and hazardous materials from ductwork or pipes in a building when the building is to be demolished at the time or at some close future date.

ASBESTOS - MECHANICAL - removal of asbestos material from mechanical systems, such as pipes, ducts, and boilers, where the mechanical systems are to remain.

CERAMIC TILE FINISHER

The grouting, cleaning, and polishing of all classes of tile, whether for interior or exterior purposes, all burned, glazed or unglazed products; all composition materials, granite tiles, warning detectable tiles, cement tiles, epoxy composite materials, pavers, glass, mosaics, fiberglass, and all substitute materials, for tile made in tile-like units; all mixtures in tile like form of cement, metals, and other materials that are for and intended for use as a finished floor surface, stair treads, promenade roofs, walks, walls, ceilings, swimming pools, and all other places where tile is to form a finished interior or exterior. The mixing of all setting mortars including but not limited to thin-set mortars, epoxies, wall mud, and any other sand and cement mixtures or adhesives when used in the preparation, installation, repair, or maintenance of tile and/or similar materials. The handling and unloading of all sand, cement, lime, tile, fixtures, equipment, adhesives, or any other materials to be used in the preparation, installation, repair, or maintenance of tile and/or similar materials. Ceramic Tile Finishers shall fill all joints and voids regardless of method on all tile work, particularly and especially after installation of said tile work. Application of any and all protective coverings to all types of tile installations including, but not be limited to, all soap compounds, paper products, tapes, and all polyethylene coverings, plywood, masonite, cardboard, and any new type of products that may be used to protect tile installations, Blastrac equipment, and all floor scarifying equipment used in preparing floors to receive tile. The clean up and removal of all waste and materials. All demolition of existing tile floors and walls to be re-tiled.

COMMUNICATIONS TECHNICIAN

Construction, installation, maintenance and removal of telecommunication facilities (voice, sound, data and video), telephone, security systems, fire alarm systems that are a component of a multiplex system and share a common cable, and data inside wire, interconnect, terminal equipment, central offices, PABX and equipment, micro waves, V-SAT, bypass, CATV, WAN (wide area network), LAN (local area networks), and ISDN (integrated system digital network), pulling of wire in raceways, but not the installation of raceways.

MARBLE FINISHER

Loading and unloading trucks, distribution of all materials (all stone, sand, etc.), stocking of floors with material, performing all rigging for heavy work, the handling of all material that may be needed for the installation of such materials, building of scaffolding, polishing if needed, patching, waxing of material if damaged, pointing up, caulking, grouting and cleaning of marble, holding water on diamond or Carborundum blade or saw for setters cutting, use of tub saw or any other saw needed for preparation of material, drilling of holes for wires that anchor material set by setters, mixing up of molding plaster for installation of material, mixing up thin set for the installation of material, mixing up of sand to cement for the installation of material and such other work as may be required in helping a Marble Setter in the handling of all material in the erection or installation of interior marble, slate, travertine, art marble, serpentine, alberene stone, blue stone, granite and other stones (meaning as to stone any foreign or domestic materials as are specified and used in building interiors and exteriors and customarily known as stone in the trade), carrara, sanionyx, vitrolite and similar opaque glass and the laying of all marble tile, terrazzo tile, slate tile and precast tile, steps, risers treads, base, or any other materials that may be used as substitutes for any of the aforementioned materials and which are used on interior and exterior which are installed in a similar manner.

MATERIAL TESTER I: Hand coring and drilling for testing of materials; field inspection of uncured concrete and asphalt.

MATERIAL TESTER II: Field inspection of welds, structural steel, fireproofing, masonry, soil, facade, reinforcing steel, formwork, cured concrete, and concrete and asphalt batch plants; adjusting proportions of bituminous mixtures.

OPERATING ENGINEER - BUILDING

Class 1. Asphalt Plant; Asphalt Spreader; Autograde; Backhoes with Caisson Attachment; Batch Plant; Benoto (requires Two Engineers); Boiler and Throttle Valve; Caisson Rigs; Central Redi-Mix Plant; Combination Back Hoe Front End-loader Machine; Compressor and Throttle Valve; Concrete Breaker (Truck Mounted); Concrete Conveyor; Concrete Conveyor (Truck Mounted); Concrete Paver Over 27E cu. ft; Concrete Paver 27E cu. ft. and Under; Concrete Placer; Concrete Placing Boom; Concrete Pump (Truck Mounted); Concrete Tower; Cranes, All; Cranes, Hammerhead; Cranes, (GCI and similar Type); Creter Crane; Crusher, Stone, etc.; Derricks, All; Derricks, Traveling; Formless Curb and Gutter Machine; Grader, Elevating; Grouting Machines; Highlift Shovels or Front Endloader 2-1/4 yd. and over; Hoists, Elevators, outside type rack and pinion and similar machines; Hoists, One, Two and Three Drum; Hoists, Two Tugger One Floor; Hydraulic Backhoes; Hydraulic Boom Trucks; Hydro Vac (and similar equipment); Locomotives, All; Motor Patrol; Lubrication Technician; Manipulators; Pile Drivers and Skid Rig; Post Hole Digger; Pre-Stress Machine; Pump Cretes Dual Ram; Pump Cretes: Squeeze Cretes-Screw Type Pumps; Gypsum Bulker and Pump; Raised and Blind Hole Drill; Roto Mill Grinder; Scoops – Tractor Drawn; Slip-Form Paver; Straddle Buggies; Tournapull; Tractor with Boom and Side Boom; Trenching Machines.

Class 2. Boilers; Broom, All Power Propelled; Bulldozers; Concrete Mixer (Two Bag and Over); Conveyor, Portable; Forklift Trucks; Highlift Shovels or Front Endloaders under 2-1/4 yd.; Hoists, Automatic; Hoists, Inside Elevators; Hoists, Sewer Dragging Machine; Hoists, Tugger

Single Drum; Rock Drill (Self-Propelled); Rock Drill (Truck Mounted); Rollers, All; Steam Generators; Tractors, All; Tractor Drawn Vibratory Roller; Winch Trucks with "A" Frame.

Class 3. Air Compressor; Combination Small Equipment Operator; Generators; Heaters, Mechanical; Hoists, Inside Elevators; Hydraulic Power Units (Pile Driving, Extracting, and Drilling); Pumps, over 3"(1 to 3 not to exceed a total of 300 ft.); Low Boys; Pumps, Well Points; Welding Machines (2 through 5); Winches, 4 Small Electric Drill Winches; Bobcats (up to and including $\frac{3}{4}$ cu yd.) .

Class 4. Bobcats and/or other Skid Steer Loaders (other than bobcats up to and including $\frac{3}{4}$ cu yd.); Oilers; and Brick Forklift.

Class 5. Assistant Craft Foreman.

Class 6. Gradall.

Class 7. Mechanics.

OPERATING ENGINEERS - HIGHWAY CONSTRUCTION

Class 1. Asphalt Plant; Asphalt Heater and Planer Combination; Asphalt Heater Scarfire; Asphalt Spreader; Autograder/GOMACO or other similar type machines: ABG Paver; Backhoes with Caisson Attachment; Ballast Regulator; Belt Loader; Caisson Rigs; Car Dumper; Central Redi-Mix Plant; Combination Backhoe Front Endloader Machine, (1 cu. yd. Backhoe Bucket or over or with attachments); Concrete Breaker (Truck Mounted); Concrete Conveyor; Concrete Paver over 27E cu. ft.; Concrete Placer; Concrete Tube Float; Cranes, all attachments; Cranes, Tower Cranes of all types: Creter Crane: Crusher, Stone, etc.; Derricks, All; Derrick Boats; Derricks, Traveling; Dowell Machine with Air Compressor; Dredges; Formless Curb and Gutter Machine; Grader, Elevating; Grader, Motor Grader, Motor Patrol, Auto Patrol, Form Grader, Pull Grader, Subgrader; Guard Rail Post Driver Truck Mounted; Hoists, One, Two and Three Drum; Hydraulic Backhoes; Backhoes with shear attachments; Lubrication Technician; Manipulators; Mucking Machine; Pile Drivers and Skid Rig; Pre-Stress Machine; Pump Cretes Dual Ram; Rock Drill - Crawler or Skid Rig; Rock Drill – Truck Mounted; Rock/Track Tamper; Roto Mill Grinder; Slip-Form Paver; Soil Test Drill Rig (Truck Mounted); Straddle Buggies; Hydraulic Telescoping Form (Tunnel); Tractor Drawn Belt Loader (with attached pusher - two engineers); Tractor with Boom; Tractaire with Attachments; Trenching Machine; Truck Mounted Concrete Pump with Boom; Raised or Blind Hole Drills (Tunnel Shaft); Underground Boring and/or Mining Machines 5 ft. in diameter and over tunnel, etc; Underground Boring and/or Mining Machines under 5 ft. in diameter; Wheel Excavator; Widener (APSCO).

Class 2. Batch Plant; Bituminous Mixer; Boiler and Throttle Valve; Bulldozers; Car Loader Trailing Conveyors; Combination Backhoe Front Endloader Machine (Less than 1 cu. yd. Backhoe Bucket or over or with attachments); Compressor and Throttle Valve; Compressor, Common Receiver (3); Concrete Breaker or Hydro Hammer; Concrete Grinding Machine; Concrete Mixer or Paver 7S Series to and including 27 cu. ft.; Concrete Spreader; Concrete Curing Machine, Burlap Machine, Belting Machine and Sealing Machine; Concrete Wheel Saw; Conveyor Muck Cars (Haglund or Similar Type); Drills, All; Finishing Machine -Concrete;

Highlift Shovels or Front Endloader; Hoist - Sewer Dragging Machine; Hydraulic Boom Trucks (All Attachments); Hydro-Blaster; All Locomotives, Dinky; Off-Road Hauling Units (including articulating)/2 ton capacity or more; Non Self-Loading Ejection Dump; Pump Cretes: Squeeze Cretes - Screw Type Pumps, Gypsum Bulker and Pump; Roller, Asphalt; Rotary Snow Plows; Rototiller, Seaman, etc., self-propelled; Scoops - Tractor Drawn; Self-Propelled Compactor; Spreader - Chip - Stone, etc.; Scraper; Scraper - Prime Mover in Tandem (Regardless of Size); Tank Car Heater; Tractors, Push, Pulling Sheeps Foot, Disc, Compactor, etc.; Tug Boats.

Class 3. Boilers; Brooms, All Power Propelled; Cement Supply Tender; Compressor, Common Receiver (2); Concrete Mixer (Two Bag and Over); Conveyor, Portable; Farm-Type Tractors Used for Mowing, Seeding, etc.; Fireman on Boilers; Forklift Trucks; Grouting Machine; Hoists, Automatic; Hoists, All Elevators; Hoists, Tugger Single Drum; Jeep Diggers; Low Boys; Pipe Jacking Machines; Post-Hole Digger; Power Saw, Concrete Power Driven; Pug Mills; Rollers, other than Asphalt; Seed and Straw Blower; Steam Generators; Stump Machine; Winch Trucks with "A" Frame; Work Boats; Tamper-Form-Motor Driven.

Class 4. Air Compressor; Combination - Small Equipment Operator; Directional Boring Machine; Generators; Heaters, Mechanical; Hydraulic Power Unit (Pile Driving, Extracting, or Drilling); Hydro- Blaster; Light Plants, All (1 through 5); Pumps, over 3" (1 to 3 not to exceed a total of 300 ft.); Pumps, Well Points; Tractaire; Welding Machines (2 through 5); Winches, 4 Small Electric Drill Winches.

Class 5. Bobcats (all); Brick Forklifts; Oilers.

Class 6. Field Mechanics and Field Welders

Class 7. Gradall and machines of like nature.

TRAFFIC SAFETY - work associated with barricades, horses and drums used to reduce lane usage on highway work, the installation and removal of temporary lane markings, and the installation and removal of temporary road signs.

TRUCK DRIVER - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION

Class 1. Two or three Axle Trucks. A-frame Truck when used for transportation purposes; Air Compressors and Welding Machines, including those pulled by cars, pick-up trucks and tractors; Ambulances; Batch Gate Lockers; Batch Hopperman; Car and Truck Washers; Carry-alls; Fork Lifts and Hoisters; Helpers; Mechanics Helpers and Greasers; Oil Distributors 2-man operation; Pavement Breakers; Pole Trailer, up to 40 feet; Power Mower Tractors; Self-propelled Chip Spreader; Skipman; Slurry Trucks, 2-man operation; Slurry Truck Conveyor Operation, 2 or 3 man; Teamsters; Unskilled Dumpman; and Truck Drivers hauling warning lights, barricades, and portable toilets on the job site.

Class 2. Four axle trucks; Dump Crets and Adgetors under 7 yards; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turnapulls or Turnatrailers when pulling other than self-loading

equipment or similar equipment under 16 cubic yards; Mixer Trucks under 7 yards; Ready-mix Plant Hopper Operator, and Winch Trucks, 2 Axles.

Class 3. Five axle trucks; Dump Crets and Adgetors 7 yards and over; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turntrailers or turnapulls when pulling other than self-loading equipment or similar equipment over 16 cubic yards; Explosives and/or Fission Material Trucks; Mixer Trucks 7 yards or over; Mobile Cranes while in transit; Oil Distributors, 1-man operation; Pole Trailer, over 40 feet; Pole and Expandable Trailers hauling material over 50 feet long; Slurry trucks, 1-man operation; Winch trucks, 3 axles or more; Mechanic--Truck Welder and Truck Painter.

Class 4. Six axle trucks; Dual-purpose vehicles, such as mounted crane trucks with hoist and accessories; Foreman; Master Mechanic; Self-loading equipment like P.B. and trucks with scoops on the front.

TERRAZZO FINISHER

The handling of sand, cement, marble chips, and all other materials that may be used by the Mosaic Terrazzo Mechanic, and the mixing, grinding, grouting, cleaning and sealing of all Marble, Mosaic, and Terrazzo work, floors, base, stairs, and wainscoting by hand or machine, and in addition, assisting and aiding Marble, Masonic, and Terrazzo Mechanics.

Other Classifications of Work:

For definitions of classifications not otherwise set out, the Department generally has on file such definitions which are available. If a task to be performed is not subject to one of the classifications of pay set out, the Department will upon being contacted state which neighboring county has such a classification and provide such rate, such rate being deemed to exist by reference in this document. If no neighboring county rate applies to the task, the Department shall undertake a special determination, such special determination being then deemed to have existed under this determination. If a project requires these, or any classification not listed, please contact IDOL at 217-782-1710 for wage rates or clarifications.

LANDSCAPING

Landscaping work falls under the existing classifications for laborer, operating engineer and truck driver. The work performed by landscape plantsman and landscape laborer is covered by the existing classification of laborer. The work performed by landscape operators (regardless of equipment used or its size) is covered by the classifications of operating engineer. The work performed by landscape truck drivers (regardless of size of truck driven) is covered by the classifications of truck driver.

CITY OF BATAVIA

DATE: February 8 , 2013
TO: Government Services Committee
FROM: Bill McGrath, City Administrator
SUBJECT: Municipal Code Revisions: Liquor Code

The current liquor code is out of synch with modern liquor regulation. Over time, classifications have been set up in response to particular situations and buildings and need to be simplified. The development of different kinds of businesses, events, spaces (such as Water Street Studios) and gatherings requires new models to deal with them, especially as some of these places and gatherings can be occasions for minors to be present.

Kevin Drendel, Tyler Stevenson from Kevin's office, along with Chief Schira, Deputy Chief Eul and other staff have been working on the code for quite a long time, in between other projects.

There will be several discussions to be had, and we don't know whether they will be able to be completed in time for the issuance of the licenses May 1. We have contacted the Liquor Control Commission, and we have the ability to extend current licenses for a month or so with no issues, except people will have to deal with their dramshop coverage. We want to make sure that we have enough time for the Council to review new code provisions as well as let the stakeholders weigh in.

We are meeting with the Mayor as the Liquor Commissioner next week to review the final draft and make sure it addresses what he thinks are the very few issues we have here in town presently (but with an eye toward future possibilities) before re sending it to the license holders and the committee.

In the meantime, however, there are 3 areas that can be discussed right now. These are in the areas of "BYOB" which has proliferated, especially in smaller venues for which the investment in a liquor license is a large obstacle, the Special Use" and "Special Events" areas, in which groups of people who ordinarily do not work with alcohol sponsor events which do allow drinking.

I have attached the 3 code sections in final draft form.

Carry In Licenses (BYOB)

For our purposes we are calling BYOB license Carry-In Licenses. It requires dramshop protection, limits quantities, but does allow removal of partially full wine bottles if secured in one-time sealable plastic bags as permitted by state law. To recover the costs of dramshop coverage, the licensee can (and most likely will) charge for "setups" or serving. People can still bring their favorite beverage but will have to pay something so that they and all residents are protected by the penalties for violation of license terms as well as the mandatory insurance. It is limited to restaurants.

The proposed language is as follows:

Class C – Carry In License

A Class C licenses authorize the carry in of beer or wine to a commercial business or place of public accommodation in which food is prepared and served for consumption on the premises subject to the following limitations:

1. The beer or wine is carried in unopened;
2. No more than one bottle of wine not exceeding seven hundred fifty milliliters and no more than a 6-pack of beer may be carried in per patron;
3. The beer or wine must be opened and served by the licensee;
4. The beer or wine may be only be consumed by persons who are served a meal;
5. The beer or wine may be served only during the hours that food is being served;
6. A patron may not leave the premises with a partially consumed container of beer or wine, except that a patron may leave the premises with a partially consumed container of wine if it is securely sealed by the licensee prior to removal and placed in a transparent, one-time used, tamper proof bag, as required by State law;
7. Proof of dramshop insurance;
8. CIL is limited to indoor seating only. Carry In alcohol may only be outside if under the terms of a separate license held by the Licensee;
9. Licensees are prohibited from storing alcohol on the premises, unless under the terms of a separately held license held by the Licensee; and
10. Licensees shall be liable for violations of this Chapter in the same manner as the holder of any other classification of liquor license, including but not limited to violations for service to minors and the over-serving of patrons.

Special Events Licenses

Kevin and Tyler and the team review our current regulations for special events. Our current code calls these “Temporary Licenses” and Kevin has recommended changing the term to "Special Events" licenses to mirror the language used by the State.

Here are the current Code provisions:

Class F - Temporary License: Class F licenses shall authorize the retail sale on the premises specified by service clubs, fraternal and charitable organizations and not for profit corporations of alcoholic liquor subject to the following conditions:

1. The said license shall be valid only for a period of ten (10) hours during any given day, said ten (10) hours to be within the closing hours as established for class A licenses.
2. The fee for each ten (10) hour period shall be fifty dollars (\$50.00).
3. The organization applying for said license must have been in existence for at least two (2) years prior to the application for said license.
4. Each said license shall be issued only on approval by the city council.
5. Each licensee shall provide evidence of liability and dramshop insurance for both the licensee and the owner of the premises where the alcoholic liquor is to be sold upon the filing of the application for said license. (Ord. 82-37, 8-2-1982)

Here is the recommended language. It does not the classification significantly, though it does add provision of security.

Class F - Special Event (Not-For-Profit) Licenses

Class F - Special Event (Not-For-Profit) License: A Class F license shall authorize a Special Event Licensee to purchase less than \$500 of alcoholic liquors from a licensed liquor retailer or \$500 or more of alcoholic liquor from a licensed liquor distributor and to offer for sale and sell alcoholic liquors for use or consumption, but not for resale in any form, at the specific location, on specific date(s) and during the specific hours designated in the application. There is no limit to the number of Special Event (Not-For-Profit) Licenses that can be issued with (City Council) (Liquor Commissioner) [to be discussed] approval, but Special Event (Not-For-Profit) shall be limited to no more than fourteen (14) days in the aggregate to any Special Event Licensee in a year. A Special Event (Not-For-Profit) License shall be valid only for a period of fifteen (15) hours during any given day, which hours must be during the hours of sale for alcoholic liquor as provided in Section 3-3-19. The following conditions shall apply to Special Event (Not-For-Profit) Licenses:

1. A Special Event (Not- For-Profit) License may only be issued to an educational, fraternal, political, civic, religious, or non-profit organization that has been in existence for at least two (2) years prior to the application for said license.
2. The Applicant must obtain a valid State of Illinois Special Event Retailer Liquor License, a copy of which must be filed with the City prior to any sale.
3. Each Special Event (Not-For-Profit) License must be approved by the City Council.
4. Every Special Event (Not-For-Profit) Licensee shall comply with the provisions of Section 3-3-15.1 below.
5. No sale or consumption of alcohol shall take place outdoors unless the applicant complies with the provisions in Section 3-3-15.2 below.
6. The applicant shall provide a bond, letter of credit or cash surety to the City in the amount of \$1,000 prior to issuance of the license. The surety will be returned to the license holder within thirty (30) days after the event, provided no offenses occurred during the event. In the event the license holder is charged with any type of violation during the course of the event, the surety will be retained by the City and used to cover hearing and other related costs.
7. Each licensee shall provide evidence of liability and dramshop insurance for both the licensee and the owner of the premises where the alcoholic liquor is to be sold upon the filing of the application for said license.
8. The applicant, president of the organization, or equivalent, and/or the executive director of the organization, or equivalent, shall submit to fingerprinting and/or a criminal background check at the discretion of the Chief of Police, providing that fingerprinting may not be required more than once per year.

Special Use Licenses

This is a new classification to again mirror State terminology. This is a classification that will address the desire for either not-for-profit or profit entities to allow alcohol to be sold by without resorting to the sponsor getting a license. It allows a person who already has the appropriate license (and who obtains the requisite State Special Use license) to appear at the activity site and sell. This is what will be used at a Water Street Studios opening in the event it does not want to get its own Special Event License. The entity that already has a license can more easily get a

rider for dramshop coverage, and the fact that they already have a license gives them a greater stake in conforming to the regulations. They will have trained personnel, and be more experienced. Issues to be discussed are whether the City Council would have to issue each one or whether the Mayor as Liquor Commissioner could.

Importantly, having both of these classes of license will also address the giving away of alcohol, which is only allowed under state law in the context of a private, invitation only gathering. Thus, for example, some of our races, which traditionally reward adult runners with a beverage, will have to pay for that as part of their registration.

The proposed language is:

G. Class G Special Use Licenses

Class G licenses authorize a person who has an existing local and State retailer liquor license to transfer a portion of its alcoholic liquor inventory from its licensed retail premises to a designated site for a specific event and to sell or offer for sale at retail, only on the premises specified in the license, the transferred alcoholic liquor for use or consumption, but not for resale in any form. There is no limit to the number of Special Use Licenses that can be issued with (City Council) (Liquor Commissioner) approval, but special use licenses shall be limited to no more than fourteen (14) days in the aggregate to an individual retail licensee in a year. The Special Use License shall be valid only for a period of ten (10) hours during any given day, said ten (10) hours to be within the closing hours as established for class A licenses. The following conditions shall apply to Special Use Licenses:

1. The applicant must obtain a valid State of Illinois Special Use Permit Liquor License, a copy of which must be filed with the City prior to the event and any sale of alcoholic liquor.
2. Each Special Use License must be approved by the City Council.
3. An applicant who does not have a local liquor license issued by the City of Batavia shall submit to fingerprinting and/or a criminal background check if required by the Chief of Police.
4. Every Special Use Licensee shall comply with the provisions of Section 3-3-15.1 below.
5. No sale or consumption of alcohol shall take place outdoors unless the Applicant complies with the provisions in Section 3-3-15.2 below.

We would like to move these provisions forward as soon as possible if we can. They can be approved independently of the rest of the proposed code and thus can be put into use without regard to what we end up doing with existing license holders.

This will be on the Government Services Committee agenda for Monday, February 11, 2013 agenda.

Please call with any questions. Thank you.

C: City Council
Department Heads