

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

Committee of the Whole Agenda
Tuesday, February 16, 2016
7:30 PM Council Chambers 1st Floor

1. Roll Call
2. Approve Minutes For February 2, 2016
Documents: [COW 16-02-02M.PDF](#)
3. Items Removed/Added/Changed
4. Matters From The Public (For Items NOT On Agenda)
5. Consent Agenda:

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

- a. Community Development Quarterly Report

Documents: [CD QUARTERLY REPORT 2016-02 COMBINED2.PDF](#)

6. Ordinance 16-12 Amending Title 8 Of The Batavia Municipal Code Relating To Electric Service Regulations And Rates (Gary Holm 2/9/16) PU
Documents: [ORD 16-12 AMENDING TITLE 8 OF THE BATAVIA MUNICIPAL CODE RELATING TO ELECTRIC SERVICE REGULATIONS AND RATES.PDF](#)
7. Resolution 16-20-R: Requesting A Permit From IDOT For The Closure Of Various Roadways For 2016 Loyalty Day Parade (Gary Holm 2/12/16) CS
Documents: [RES 16-20-R REQUESTING IDOT PERMIT TO CLOSE CERTAIN ROADWAYS FOR LOYALTY DAY PARADE.PDF](#)
8. Fox River Issues CD
9. Project Status
10. Other
11. Closed Session:
 - a. Purchase and Sale of Real Property (WRM 2/12/16)
12. Adjournment

MINUTES
February 2, 2016
Committee of the Whole
City of Batavia

Please **NOTE:** These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. They are intended to make an official record of the actions taken by the Committee/City Council, and to include some description of discussion points as understood by the minute-taker. They may not reference some of the individual attendee's comments, nor the complete comments if referenced.

Chair Brown called the meeting to order at 7:31pm.

1. Roll Call

Members Present: Ald. Brown, Russotto, Atac, Stark, Chanzit, Fischer, O'Brien, Callahan, Hohmann, Mueller (entered at 7:34pm), Botterman, Cerone, and McFadden

Members Absent: Ald. Wolff

Also Present: Mayor Schielke (entered at 7:35pm); Gary Holm, Director of Public Works; Rahat Bari, City Engineer; Peggy Colby, Finance Director; Byron Ritchason, Wastewater Division Superintendent; Andrea Podraza, Senior Civil Engineer; and Jennifer Austin-Smith, Recording Secretary

2. Approve Minutes for January 12, 2016

Motion: To approve the minutes for January 12, 2016
Maker: Stark
Second: Fischer
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.

3. Items to be Removed/Added/Changed

Brown stated that there would be no Consent Agenda. There was no objection from the Committee.

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

There were no matters from the public for items not on the agenda at this time.

5. Consent Agenda

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

- a. **September, October, November and December 2015 Financials GS**
- b. **Ordinance 16-07: Prevailing Wage Ordinance (AMP 1/12/16) GS**

Motion: To approve the minutes the Consent Agenda as presented
Maker: Atac
Second: Hohmann
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.

* Mueller entered the meeting at 7:34pm

6. Resolution 16-11-R: Task Order #8 Engineering Services with Trotter & Associates, Inc. for Design Engineering of WWTP (Byron Ritchason 1/16) PU

Ritchason reported that this would get us to 90% completion, as the task order states, and 95% by the end of the year. The task order has a full list of what is going to happen during this year. The improvements are not only for phosphorous removal. There are buildings from the 1930s that need to be upgraded and rehabbed. This is phase one of the design and engineering and requires obtaining permits from the Illinois Environmental Protection Agency (IEPA) and applying for low interest loans in order to get the payments spread out to fit into the budget. O'Brien asked if there were any questions. There were none. Brown encouraged members of the Council to visit the wastewater treatment plant. Ritchason stated that the Committee members could schedule a visit with him.

Motion: To recommend approval of Resolution 16-11-R: Task Order #8 Engineering Services with Trotter & Associates, Inc. for Design Engineering of WWTP
Maker: O'Brien
Second: Brown
Voice Vote: 13 Ayes, 0 Nays, 1 Absent
Motion carried.

7. Ordinance 16-04: Amending Title 11 Chapters 2 and 5, of the Batavia Municipal Code – Subdivision Regulations (AMP 1/14/16) GS

Podraza reported that she would like these standards in place before construction season begins. One of the amendments is for a grading permit. Currently, we do not have expiration for a grading permit. Staff would like to have an expiration date on the permit. The permit would be good for one year with an option to renew for an additional year. Staff would like to increase the fee from \$100 to \$150 and the renewal would be reduced to \$100. The reason for the amendments is to enable staff to get the information needed in a timely fashion. Podraza modified the language in subdivision regulations and permits in order to make the language cohesive. Podraza reported on the as-built permit. Staff would try to close out the process in a timely manner to help get information for GIS and certificates of occupancy. If we had a deposit on this, it would give incentive for the applicant to work with staff and get the process completed a lot quicker. The language was changed to include a deposit based on the construction cost (2%), which should be submitted within six months of any substantial improvements. The Committee discussed the regulations and how staff administers the process.

Motion: To recommend approval of Ordinance 16-04: Amending Title 11 Chapters 2 and 5, of the Batavia Municipal Code – Subdivision Regulations as written
Maker: Stark
Second: Fischer
Voice Vote: 13 Ayes, 0 Nays, 1 Absent
Motion carried.
CONSENT AGENDA

8. Resolution 16-08-R: Tax Abatement – GO Bond Refunding Series 2012A (Liz Perez 1/26/16) GS

Colby reported that the bond ordinance sets up an automatic tax levy that the County levies and we need to pass abatement resolutions to ensure that they do not levy the taxes.

Motion: To recommend approval of Resolution 16-08-R: Tax Abatement – to use sales tax to pay for the bonds for the fire station refunding
Maker: Stark
Second: Russotto
Voice Vote: 13 Ayes, 0 Nays, 1 Absent
Motion carried.
CONSENT AGENDA

9. Resolution 16-09-R: Tax Abatement – GO Bond Refunding Series 2013 (Liz Perez 1/26/16) GS

Motion: To recommend approval of Resolution 16-09-R: Tax Abatement – to use the water and sewer revenue to pay for the IEPA refunding
Maker: Cerone
Second: McFadden
Voice Vote: 13 Ayes, 0 Nays, 1 Absent
Motion carried.
CONSENT AGENDA

10. Resolution 16-10-R: Tax Abatement – GO Bond Refunding Series 2015 (Liz Perez 1/26/16) GS

Motion: To recommend approval of Resolution 16-10-R: Tax Abatement – to use electric revenue to pay for the refunding of the electric general obligation bonds for 2015
Maker: McFadden
Second: Fischer
Voice Vote: 13 Ayes, 0 Nays, 1 Absent
Motion carried.
CONSENT AGENDA

11. Discussion: Stormwater Utility, continuation (AMP 1/27/16) CS

Podraza presented on the stormwater utility. The presentation, titled “Stormwater Utility workshop, What’s the Next Step” included the following:

- Stormwater funding needs
- Stormwater funding gap: Pre June 2015 Event
- Stormwater Funding Needs: June 2015 Rain Event
- Stormwater Funding Gap: June 2015 Event
- Illinois Stormwater Fee Comparison
- Illinois Stormwater Fee Comparison with other communities Rolling Meadows Orland Park, Tinley Park Downers Grove, Aurora, for reference
- Funding Approach: Property Tax
- Funding Approach: Stormwater Fees
- Stormwater Fee vs. Property Taxes (pie graph)
- Parcel Owner Impact – Residential, Commercial and Industrial and Tax exempt and governmental
- Fee Implementation Requirements

Podraza asked the Committee if the City should consider establishing a separate stormwater utility enterprise fund or a property tax increase to fund stormwater projects identified by MFSG and staff. Holm stated that it is staff's recommendation to address the funding gap. It is a policy decision on how to address the funding gap, if the Council chooses to do so. Staff has brought this discussion to the Committee for about two years now. Holm stated if property tax is a non-starter we would take it off the table and discuss a fee. O'Brien pointed out if we increase property taxes we would not have to initiate a fee and people could get a write off on their taxes. Atac asked if it could be a combination of a fee and a property tax. Podraza stated that it could. Podraza explained that it is whatever the Committee feels comfortable with. There are residents that come to us with issues and there is no money so we get to the issues at a very slow fashion and not as quick as residents would like to see. Staff has to prioritize projects based on need and we would like to improve this.

Stark clarified that that the Committee has four choices:

- Property tax
- Fee
- Combination of property tax and fee
- Do nothing

Callahan asked if the fee would address the current flooding issues. Podraza stated that the fee would address those issues. Bari added that the fee would also be utilized to maintain the infrastructure as well. Bari stated that either way the Council decides to go, staff would implement an education component to inform the residents and business owners.

O'Brien stated that the utility would be a proactive approach to help put things on schedule for maintenance to avoid large flooding events. Otherwise, we would have to pull the money from the General Fund, which would make the General Fund more depleted. Bari noted that Rolling Meadows is half of Batavia's storm system size and the fee that is proposed is the same that they have. We are trying to optimize and maintain the system efficiently. Brown stated that we have been talking about the stormwater utility for a long time now and we have found that there is a

real need for this. We cannot continue to take the money out of the General Fund. Brown stated that he is favoring moving ahead with a fee base for the stormwater utility. We need to keep moving with this discussion. The June 2015 flooding event was a very serious event and there are issues all over town.

Hohmann stated that education will be key no matter what Council chooses to do. Hohmann stated that at this point of time he would like to identify the projects, raise the taxes, and get it funded and execute what needs to be done. He does not know if spending another \$90,000 to pay a consultant to lay it all out and the time of staff to get this all implemented for the billing process is a wise decision. At this point of time, he would not be able to support the creation of another utility in town.

Colby stated that we could separate the expenses into a fund and the City could fund it any way you choose. The expenses would be kept separate. It is just what level do you want to fund it at and how, a fee or a tax. The accounting would be separate regardless. We are transferring \$400,000 this year. Colby stated that there would not be taxes on the fee itself. Brown clarified that it would be like the leaf and brush fee, a flat fee. Colby commented that the level recommended for funding stormwater is at a really high level in her opinion, especially since we need to fund other infrastructure, such as our streets. We are not funding our streets at the level that we should. She asserted that it is very aggressive but that does not mean that we do not need that funding. Colby also noted that a large fee for industrial users may impact economic development.

Callahan stated that we could make priorities today but when a new administration comes in all things could change. Callahan stated that we need to figure out the priority areas today, figure out how to fund those, and move towards getting those projects in process. Atac stated that the infrastructure is going to be ongoing and she would like to see us set up the utility and do it right. It is a long-term commitment and a couple projects over the next five years will not improve our aging infrastructure. She hopes that we look at this and get it done right so the future Council's have a framework to manage this going forward. Atac added that she likes the idea of industrial parks paying for the impervious surfaces and not putting the burden onto the residents. O'Brien stated that infrastructure is an ongoing endeavor and it is always a priority and we are not keeping it a priority. McFadden stated that it would be a disservice if we looked at this as an isolated single case. There are other projects and priorities for the infrastructure. He stated that we need to look at it in the big context with everything else so we could see everything we need to do and how we could fund them.

Brown asked if there was anything else that the Committee would like staff to compile for review. Botterman asked for a list of priorities so we could discuss the funding for those projects. Brown asked the Committee to send the City Administrator an email of what is a priority for the City and staff could bring ideas on how to fund those priorities. Brown asked for the report to be sent out again. Podraza stated that she would make sure that the report is posted on the public folder and she will also post the presentation on the public folder.

The meeting for discussion of pending issues, priorities and potential funding sources would be held on March 8, 2016.

12. Fox River Issues CD

Holm stated that a letter was sent out to a property owner along the river regarding seeking an easement to aid in stabilizing the banks. Bari is planning on reaching out to engineers regarding stream stabilization.

13. Project Status

Mayor Schielke reported that the gas station on Route 25 and Fabyan Parkway has been closed and there hopefully will be a new owner to open the station soon.

14. Other

Botterman asked for an update on the Baptist Church project. Mayor Schielke stated that there is a developer still interested. Brown asked for an update at the next meeting during closed session.

15. Closed Session:

a. Purchase and Sale of Electric Power

b. Deliberations for salary schedule for a class of employees

There was no closed session at this meeting.

16. Adjournment

There being no other business to discuss, Chair Brown asked for a motion to adjourn the meeting at 9:07pm; Made by O'Brien; Seconded by Cerone. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith



CITY OF BATAVIA

JEFFERY D. SCHIELKE
Mayor

MEMORANDUM

DATE: February 5, 2016

TO: Mayor and City Council

FROM: Scott Buening, Community Development Director

SUBJECT: Community Development Quarterly Report

Attached is the Quarterly Report for the Community Development Department for the 4th Quarter of 2015. This report includes the following components: Planning and Zoning Division summary, Building Division summary and Code Enforcement monthly log. You also receive the permit report at the end of each month with the usual agenda posting. The attached Building Division summary provides more details for the last quarter, as well as information and status on significant projects.

If you should have questions on any of this information, please do not hesitate to contact me. Thank you.

2015 – Fourth Quarter Report – Planning Division – Community Development Department

Staff Contact: DMR= Drew Rackow, JLS = Joel Strassman, SCB = Scott Buening

Abbreviations: BMS = Batavia Main Street, CC = City Council, COW = Committee of the Whole, HOA, Homeowners Association, HPC = Historic Preservation Commission PC = Plan Commission, RDA = Redevelopment Agreement, ZBA = Zoning Board of Appeals

Administrative Design Review

Aldi Temporary Parking Lot Expansion: ADR for the construction of a temporary parking facility for Aldi's corporate campus. (DMR)

Plato's Closet: ADR for a wall sign for a new business – 69 N Randall Rd (JLS)

Taco Urbano: ADR for sign changes for a replacement restaurant tenant at BP – 200 N Randall Rd (JLS)

Sure Movements Yoga: ADR for wall sign for a new business – 200 N Randall Rd (JLS)

Green Seed Canopies: ADR for canopy signs for a new business -1005 Paramount Parkway (JLS)

Zano's Salon: ADR for replacement signage for existing business - 2016 W Wilson St (JLS)

Holmstad - Ekstam Vestibule: Minor site changes and building improvements for new entrance with patio for the Ekstam building at Holmstad - 700 W Fabyan Parkway (JLS)

Real Estate Sign: ADR for a larger real estate sign, per Zoning Code requirements (DMR)

Mattress Firm: ADR for new wall signage at for a proposed re-located business at 2014 W Wilson St (JLS)

Diamond Star: ADR for parking lot expansion for business located at 1789 Hubbard Avenue (JLS)

Administrative Use Permit

Verizon Wireless – 200 North Raddant Road: Review and approval for a proposed modification to an existing cell tower on the Public Works site. Issued 12/15/15 (DMR)

AT&T Wireless – 1150 South Kirk Road: Review and approval for proposed modifications with replacement of antennas on an existing cell tower on the Fermilab site. Issued 12/8/15(DMR)

Annexation

2S483 S Raddant Road: Annexation of an existing home on Raddant Road. Initial review of the site was associated with a rezoning request at the county level. COW Review: 10/13/15 - CC Review: 11/2/15. (JLS)

- **Ordinance 15-46:** Authorizing Execution of an Annexation Agreement
- **Ordinance 14-47:** Annexing and Zoning Territory

- **Resolution 15-133-R:** Accepting Right of Way Dedication

Deerpath Road Bridge: Annexation of property recently required for the Deerpath Road reconstruction. COW Review: 10/27/15 - CC Review: 11/2/15 (SCB)

- **Ordinance 15-51:** Annexing Property at Deerpath Road

City Projects

Homes for a Changing Region: Staff worked with our partner communities and local chambers to conduct an Employer Assisted Housing seminar for local business owners on 10/6/15. Staff had further communication with CMAP and partners for scheduling discussion of the next regional implementation goal of examining the feasibility of a Community Land Trust. (SCB/DMR)

TIF 4: Notices sent for West Town TIF 4 Public Hearing. Hearing was held on 11/3/15. COW Review occurred 11/10/15. Final review of ordinances occurred 12/8/15 with Final Action to occur at the start of 2016. (DMR/SCB)

City Projects – Land

Island Parcel (183B): Documents to purchase Fox River island were finalized, presented to the COW and recorded. Purchase assured City owned infrastructure would be controlled in the absence of an easement. 11/24/15 COW – 12/7/15 CC (SCB)

- **Resolution 15-143-R:** Accepting deed for Island 183B in the Fox River

Wilson-Sphuler Parcel: Staff presented Resolution for the sale of the former water tower site. Staff has facilitated the City portions of the sale. The property is now under contract. 11/24/15 COW – 12/7/15 CC. (SCB)

- **Resolution 15-146-R:** Authorizing Execution of Contract to Purchase Vacant Land

City Code Revisions

Backyard Chicken Ordinance: Review of an Ordinance Amendment: Amendment made at the request of Montessori School. COW Review 10/13/15 - CC Review 11/2/15. (JLS)

- **Ordinance 15-45:** Amending Title 5 related to the Keeping of Chickens: An Ordinance to expand allowances for the keeping of Chickens in the PFI district.

Administrative Adjudication Notice Requirement Amendment: Action to modify notice requirements from 15-30 days from the hearing instead of 21 to 40 days. COW Review on CC Review on 11/2/15. (SCB)

- **Ordinance 15-48:** Revising Administrative Adjudication Notice Requirements

Sidewalk Policy Requirements: At the request of the COW, staff presented a proposed revision to the Sidewalk requirements in the Subdivision Code. Presented at the 10/27/15 COW for direction. Staff returned with draft language at 11/24/15 COW. PC review scheduled for Q1 2015. (SCB)

Subdivision Code: Staff worked with the Engineering Department reviewing the first draft of the proposed Design Manual draft that will be reviewed as part of the Subdivision Code. (DMR/JLS/SCB)

Zoning Code Amendment: Amendments to create additional standards for Outdoor Business Property Storage. Additional changes reviewed this quarter added LaSalle Factor requirements to the Zoning Code. (DMR)

- **Ordinance 15-52:** Amending the Text of the Zoning Code – Chapter 4.1 (COW Review 10/27/15 – CC Review 11/2/15)
- **Ordinance 15-60:** Amending the Text of the Zoning Code – Chapter 5.7. COW - 12/1/15 CC Review 12/7/15.

Conferences/Training

IL APA Conference: Rackow attended the Illinois APA Conference in Normal. Credits were received for AICP maintenance, completing continuing education requirements for 2014-2015.

Development Review

Shell – 108 N Batavia Av: Design Review/Conditional Use and Variance request for a drive through facility for a proposed Dunkin Donuts restaurant at the existing building. Item is scheduled for PC, ZBA, COW, CC reviews in Q1 2016. (JLS)

Fermi Plat of Consolidation & Vacation: Review of a Plat consolidating existing parcel lines and rights of way on the Fermilab site east of Kirk Road and in the city into one parcel. PC Review 11-18-15, COW Review 12/1/15 and CC Review 12/7/15. (DMR)

Miscellaneous

Batavia Main Street Downtown Activity Report: Monthly report of building permit and approval activity compiled and sent to BMS for their use. (Monthly-Ongoing) (DMR)

Quarterly Report: Quarterly report on Departmental Activities (Quarterly-Ongoing) (DMR)

Variance

Park & Sons Auto: Application to address code compliance items for parking on site. PC Public Hearing held 11/18/15. 12/1/15 COW – 12/7/15 CC (JLS)

- **Ordinance 15-61:** Grant of Variances for Parking

Building Division Report

October 2015 – December 2015

Statistics

Permits—392 permits for 2015 as opposed to 453 for 2014.

Construction Cost—\$8,721,205 for 2015 as opposed to \$7,582,926 for 2014.

Fees-- \$136,750.24 for 2015 as opposed to \$637,175.99* for 2014. (*Includes \$497,011.88 for Development Permit)

Inspections—1619 inspections for 2015 as opposed to 1619 inspections for 2014.

Projects

Code Update—We had completed our review of the 2012 codes for proposed adoption. The review was longer than anticipated because of some staffing and workload issues. We determined that it made more sense to review the 2015 codes for adoption instead of adopting a 3 year old code. We anticipate have this done and ready for committee process in the spring. We have completed meetings with our neighboring towns on discussing the changes to the residential code and are working on drafting the proposed amendments.

Historic Structure Inspections—We completed 1 additional structure inspection during the period at 25-31 North River Street. We also did several followup inspections and are working on compliance with the discovered issues with the owners.

Sam's Club Remodel—Construction has been completed and the project closed.

Quarrystone Pond—This year we have seen renewed construction interest in this project. We continue to see construction on buildout of some vacant units.

Siemens—Additional contaminated material was discovered. A plan is being submitted to IEPA for remediation of the contamination.

Walgreens—Construction continued at a fast pace on this project. They are anticipating a mid to late March completion and opening. Some items may not be completed until spring 2016.

Batavia Public Library—Construction has been completed on this project.

Tanglewood 5—Permits have been issued and construction is in progress on 9 homes. The first closings are anticipated in January 2016.

Speedway—Construction is moving very quickly with completion anticipated in February 2016. Some minor site landscaping may not occur until spring 2016.

Advanced Disposal Call Center—Permits were issued and construction began on this addition and remodel on Hagemann Drive. Project cost is \$1.9 million.

City Hall—Worked with Building Maintenance on the Conditions Assessment Report (CAR). Issued permits and started inspections on some of the improvement projects associated with the report.



CITY OF BATAVIA

JEFFERY D. SCHIELKE
Mayor

January 12, 2015

To: Scott Buening, Community Development Director

From: Rhonda Klecz, CCEO, Code Compliance Officer

Re: 2015 Code Enforcement Activity

726 Code Enforcement Inspections

- 352 Grass complaints
- 151 Garbage/open storage
 - 51 Exterior property maintenance
 - 43 Inoperable/unlicensed vehicles
 - 27 Illegal signage
 - 32 Landlord complaints
 - 11 Vegetation blocking vision
 - 16 Stop works orders
 - 43 Other (Noise, Watering, ROW, Animal, Hoarding)

54 - Adjudication Cases

- (6) Open Storage/Garbage - 3 Complied prior to Adjudication
- (13) High Grass - 13 Complied prior to Adjudication
- (18) Failure to Obtain Final Inspection – 18 Complied Prior to Adjudication
 - (3) Signs -3 Complied Prior to Adjudication
 - (4) Inoperable Vehicle/Yard Parking - 2 Complied Prior to Adjudication
 - (3) Zoning Violations - 1 Complied Prior to Adjudication
 - (8) Property Maintenance – 5 Complied Prior to Adjudication

5 - Circuit Court Cases

- 124 N. Batavia Ave – Gregory – Unfinished deck, open storage and inoperable vehicle
- 702 Shabbona – Gonzales Illegal boat storage and trailer
- 703 N. Washington – Long – Open storage and occupying a RV on premise
- 333 Meadowrue - Pederson – Open storage and unlicensed vehicle
- 204 N. Batavia Ave – Siddiqui – Illegal yard parking

6 Hoarding Cases – Worked with property owners to have structures cleaned out

94 Foreclosed/abandoned properties – Weed Abatement (in addition to the grass complaints)

11 Exterior property clean up foreclosed/abandoned property

Rental inspections completed on Revere house

Exterior property inspections on the East side of town

Code updates to the 2015 International Property Maintenance Code

Conducted Elderly wellbeing checks

Continued to work with Batavia residents to find other alternatives to gain compliance that did not have resources available to them

Sent out 9 rental license renewal applications for 2016

Assisted with front counter coverage.

Assisted in Fox Valley Hoarding & Mental Health Task Force educational training. Over 300 code enforcement and social workers and first responders attended.

Received the 2015 Illinois Association of Code Enforcement President's Award for volunteering time to make sure that Code Enforcement Officers throughout the State of Illinois are properly educated and certified with ICC.

Worked closely with Scott Kurth, Batavia Police Department's CSO.

Building Activity Report Summary
December 1, 2015 - December 31, 2015

Type of Permit	This Month			Year To Date			This Month Last Year			Year To Date Last Year		
	No. of Permits	Constr. Cost	Permit Fees	No. of Permits	Constr. Cost	Permit Fees	No. of Permits	Constr. Cost	Permit Fees	No. of Permits	Constr. Cost	Permit Fees
Single Family												
Addition	0	\$0	\$0.00	10	\$399,000	\$3,831.00	0	\$0	\$0.00	7	\$169,700	\$936.00
Modification	31	\$207,215	\$5,735.40	775	\$6,495,894	\$97,819.09	39	\$267,143	\$7,858.00	747	\$6,495,391	\$76,293.12
New	1	\$302,298	\$10,215.09	15	\$7,196,075	\$160,022.04	0	\$0	\$0.00	15	\$5,197,300	\$157,386.60
Other	24	\$101,791	\$1,505.00	586	\$3,561,302	\$38,159.00	17	\$118,786	\$1,020.00	521	\$3,290,255	\$30,996.00
Special Event	0	\$0	\$0.00	1	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Totals	56	\$611,304	\$17,455.49	1387	\$17,652,271	\$299,831.13	56	\$385,929	\$8,878.00	1290	\$15,152,646	\$265,611.72

Two Family

Addition	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Modification	0	\$0	\$0.00	18	\$143,439	\$2,450.00	1	\$7,520	\$40.00	24	\$85,863	\$3,817.00
New	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Other	2	\$8,180	\$110.00	16	\$76,560	\$975.00	0	\$0	\$0.00	9	\$16,758	\$590.00
Special Event	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Totals	2	\$8,180	\$110.00	34	\$219,999	\$3,425.00	1	\$7,520	\$40.00	33	\$102,621	\$4,407.00

Single Family Attach

Addition	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Modification	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	22	\$118,673	\$957.00
New	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Other	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	2	\$4,700	\$110.00
Special Event	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Totals	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	24	\$123,373	\$1,067.00

Multifamily

Addition	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
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Modification	0	\$0	\$0.00	253	\$1,678,890	\$15,409.00	1	\$4,000	\$60.00	159	\$2,905,151	\$25,327.43
New	0	\$0	\$0.00	1	\$97,000	\$4,193.11	3	\$287,500	\$11,923.22	7	\$575,500	\$29,324.66
Other	0	\$0	\$0.00	146	\$684,559	\$9,515.00	2	\$7,168	\$455.00	65	\$718,201	\$11,138.60
Special Event	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Totals	0	\$0	\$0.00	400	\$2,460,449	\$29,117.11	6	\$298,668	\$12,438.22	231	\$4,198,852	\$65,790.69

Mixed Use

Addition	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Modification	0	\$0	\$0.00	3	\$71,810	\$666.00	0	\$0	\$0.00	5	\$36,247	\$872.33
New	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Other	0	\$0	\$0.00	3	\$5,630	\$140.00	0	\$0	\$0.00	4	\$39,165	\$530.00
Special Event	0	\$0	\$0.00	1	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Totals	0	\$0	\$0.00	7	\$77,440	\$806.00	0	\$0	\$0.00	9	\$75,412	\$1,402.33

Commercial Office

Addition	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Modification	2	\$85,500	\$988.00	11	\$197,090	\$1,769.00	0	\$0	\$0.00	12	\$449,331	\$5,420.00
New	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Other	1	\$2,180	\$75.00	16	\$61,361	\$909.00	1	\$0	\$0.00	14	\$97,975	\$1,045.00
Special Event	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Totals	3	\$87,680	\$1,063.00	27	\$258,451	\$2,678.00	1	\$0	\$0.00	26	\$547,306	\$6,465.00

Commercial Retail

Addition	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00	0	\$0	\$0.00
Modification	0	\$0	\$0.00	22	\$3,389,473	\$37,713.76	5	\$427,000	\$6,741.00	29	\$1,996,638	\$34,255.16
New	0	\$0	\$0.00	2	\$7,924,714	\$252,521.42	0	\$0	\$0.00	0	\$0	\$0.00
Other	7	\$46,547	\$1,025.00	63	\$535,374	\$6,085.00	1	\$0	\$0.00	52	\$576,437	\$4,805.00
Special Event	0	\$0	\$0.00	4	\$0	\$486.62	0	\$0	\$0.00	8	\$0	\$422.14
Totals	7	\$46,547	\$1,025.00	91	\$11,849,561	\$296,806.80	6	\$427,000	\$6,741.00	89	\$2,573,075	\$39,482.30

Industrial

Addition	1	\$1,913,697	\$28,695.90	1	\$1,913,697	\$28,695.90	0	\$0	\$0.00	1	\$1,500,000	\$35,167.06
Modification	5	\$623,780	\$595.00	33	\$4,742,709	\$122,189.90	4	\$86,135	\$2,820.18	25	\$3,602,916	\$44,926.45

CITY OF BATAVIA

DATE: February 9, 2016
TO: Committee of the Whole - PU
FROM: Gary Holm
SUBJECT: Ordinance 16-12 Revision to Batavia Municipal Code Relating to Electric Service Regulations and Rates Electric Rate Classifications

Summary

This Ordinance DOES NOT modify rates or fees for any existing electric rate classification. Rather, this Ordinance establishes a new rate classification for our largest industrial customers. This Ordinance modifies our market based rate classification to include an energy cost adjustment. This Ordinance also addresses some technical issues that have been identified since the last revision.

Detail

The City retained Baker Tilly in 2015 to analyze our electric rates and to make recommendations on our rate structure. One of Baker Tilly's recommendations was to establish a new rate classification for our largest industrial customers. The City previously established a new classification for industrial customers who utilize more than 50,000,000 kWh per month. Baker Tilly recommended another rate classification for customers who utilize between 30,000,000 and 50,000,000 kWh each month. Ordinance 16-12 establishes that new rate class.

The City previously established an economic development based purchase power adjustment factor (PPAF). Ordinance 16-12 establishes that the new rate classification is subject to the economic development PPAF.

Ordinance 16-12 also modifies the existing Market Based Rate classification. Ordinance 16-12 establishes an Energy Cost Adjustment (ECA) for customers who qualify for Market Based rates after the effective date of the Ordinance. Existing customer accounts which currently qualify to receive Market Based rates are exempt from the ECA.

Finally, Ordinance 16-12 addresses some miscellaneous technical issues.

- The Ordinance eliminates "totalizing" language from the General Service w/Demand classification. This language had previously been deleted from the General Service classification but was inadvertently left in the General Service w/Demand classification.
- This Ordinance corrects errors in the text to clarify the standard for power factor correction at ninety percent (90%) for all applicable rate classifications.

Attached is both a CLEAN and REDLINE version of Ordinance 16-12. The redline version is provided to help you identify the revisions to the Ordinance which are proposed.

Staff is recommending approval of Ordinance 16-12 amending Title 8 of the Batavia Municipal Code Relating to Electric Service Regulations and Rates.

**CITY OF BATAVIA, ILLINOIS
ORDINANCE ~~16-12~~**

**AMENDING TITLE 8 OF THE BATAVIA MUNICIPAL
CODE RELATING TO ELECTRIC SERVICE
REGULATIONS AND RATES**

**ADOPTED BY THE MAYOR
AND CITY COUNCIL THIS ~~7th~~
DAY OF ~~MARCH~~, 2016**

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Published in pamphlet form
by authority of the Mayor
and City Council of the City of Batavia,
Kane and DuPage Counties, Illinois,
This ~~7th~~ of ~~March~~, 2016

Prepared by:
City of Batavia
100 N. Island Ave.
Batavia, IL 60510

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**CITY OF BATAVIA,
ILLINOIS ORDINANCE**

16-12

**AMENDING THE CITY OF BATAVIA MUNICIPAL CODE
RELATING TO ELECTRIC SERVICE REGULATIONS AND
RATES**

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WHEREAS, the City of Batavia has reviewed the existing provisions within Title 8, Chapter 1A, Section 5, of the Batavia Municipal Code relating to electric utility rates and charges; and

WHEREAS, following an analysis of the current electrical rate structure as well as the cost of purchasing power, the City Council of the City of Batavia has determined that a modification of rates and charges for electrical service is in the best interests of the City of Batavia, and that Title 8, Chapter 1A, Section 5, of the Batavia Municipal Code be modified, as set forth below;

NOW THEREFORE, be it hereby ordained by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

SECTION 1: That effective March 7, 2016, Title 8, Chapter 1A, Section 5, of the Batavia Municipal Code is hereby modified and revised to provide as follows:

Deleted: May 1, 2014

“8-1A-5: RATES:

The following rates are hereby established and applicable to all customers served by the municipal electric utility:

A. Residential Rate:

1. Availability: This rate is available to any residence of the city using the service of the municipal electric utility for single-family residential purposes.

2. Charges:

a. Monthly Customer Charge: The net monthly customer charge shall be fourteen dollars and no cents (\$14.00).

b. Energy Charge:

For electric bills issued starting May 1, 2015: \$0.10389 per kilowatt-hour supplied in the month.

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Deleted: (1) For electric bills issued starting May 1, 2014: \$0.09755 per kilowatt-hour supplied in the month.¶
(2)

Minimum Charge: The minimum monthly bill shall be fourteen dollars and zero cents (\$14.00).

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3. Term Of Service: The customer's term of service shall commence when service is established and shall continue for not more than ten (10) days after notice is received to discontinue service.

4. Delayed Payment: Delayed payment charge of five percent (5%) shall be added after twenty-five (25) days from the billing date of invoice on bill.

5. General: Where a residence and a business are combined on one premise, service will not be furnished hereunder for the whole premises unless the preponderant requirement is for residential purposes. This rate is subject to all of the applicable sections of the general administrative, operating and sales policies of the municipal electric utility.

B. General Service Without Demand Rate:

1. Availability: This rate is available to any nonresidential customer with a monthly usage less than two thousand five hundred (2,500) kilowatt hours for nine (9) or more of the twelve (12) months proceeding the billing month and for new customers with an estimated average monthly usage less than two thousand five hundred (2,500) kilowatt hours.

2. Charges:

a. Monthly Customer Charge: The net monthly customer charge shall be twenty-five dollars and no cents (\$25.00).

b. Energy Charge:

For electric bills issued starting May 1, 2015: \$0.09792 per kilowatt-hour supplied in the month.

Deleted: (1) For electric bills issued starting May 1, 2014: \$0.09507 per kilowatt-hour supplied for the month.¶
(2)

Minimum Charge: The minimum monthly bill shall be twenty-five dollars and no cents (\$25.00).

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3. Term Of Service: The customer's term of service shall commence when the service is established and shall continue for not more than ten (10) days after notice is received to discontinue service.

4. Delayed Payment: Delayed payment charge of five percent (5%) shall be added after twenty-five (25) days from the billing date of invoice on bill.

C. General Service With Demand Rate:

1. Availability: This rate is applicable for service to any customer with a monthly kilowatt hour usage which exceeds two thousand five hundred (2,500) kilowatt hours in four (4) or more of the preceding twelve (12) months and with a maximum demand of less than seven hundred fifty (750) kilowatts in nine (9) or more of the twelve (12) months preceding the billing month and for new customers with an estimated monthly usage of over two thousand five hundred (2,500) kilowatt hours or with a demand of less than seven hundred fifty (750) kilowatts.

2. Charges:

a. Monthly Customer Charge: The net monthly customer charge shall be eighty dollars and no cents (\$80.00).

b. Demand Charge:

For electric bills issued starting May 1, 2015: Sixteen dollars and twenty-eight cents (\$16.28) per kilowatt for all kilowatts of billing demand.

Deleted: (1) For electric bills issued starting May 1, 2014: Fifteen dollars and fourteen cents (\$15.14) per kilowatt for all kilowatts of billing demand.¶
(2)

c. Energy Charge:

For electric bills issued starting May 1, 2015: \$0.04403 per kilowatt-hour supplied in the month.

Deleted: (1) For electric bills issued starting May 1, 2014: \$0.04134 per kilowatt-hour supplied in the month.¶
(2)

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3. Maximum Demand: The maximum demand in any month shall be the highest thirty (30) or fifteen (15) minute demand established during such month.

4. Delayed Payment: Delayed payment charge of five percent (5%) shall be added after twenty-five (25) days from billing date of invoice on bill.

Deleted: 4. Measurement Of Demand And Kilowatt Hours: Where two (2) or more metering installations are provided on the customer's premises, the demand in any thirty (30) or fifteen (15) minute period shall be determined by totalizing such thirty (30) or fifteen (15) minute period. Where there are two (2) or more watt hour metering installations on the customer's premises, the kilowatt hours supplied shall be determined by totalizing together the kilowatt hours metered at each installation. The kilowatt hours supplied at two (2) or more premises will not be combined for billing purposes hereunder. All metering will be on the line side of the customer's service.

5. General Requirements: The rate is subject to all applicable general administrative, operating, and sales policies of the city of Batavia municipal electric utility.

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D. Large General Service Rate Under 30,000,000 kWh:

1. Availability: This rate is applicable for service to any customer with a maximum demand of seven hundred fifty (750) kilowatts or more in four (4) or more of the twelve (12) months preceding the billing month and for new customers with an estimated monthly demand of over seven hundred fifty (750) kilowatts for service at primary voltage. This

rate is applicable for service to any customer with an annual use of less than 30,000,000 kWh calculated on a calendar year basis beginning on January 1 of each year.

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2. Charges:

a. Monthly Customer Charge: The net monthly customer charge shall be one hundred dollars and no cents (\$100.00).

b. Demand Charge:

For electric bills issued starting May 1, 2015: Seventeen dollars and twenty-five cents (\$17.25) per kilowatt for all kilowatts of billing demand.

Deleted: (1) For electric bills issued starting May 1, 2014: Sixteen dollars and fifty-one cents (\$16.51) per kilowatt for all kilowatts of billing demand.
(2)

c. Energy Charge:

For electric bills issued starting May 1, 2015: \$0.04362 per kilowatt hour supplied in the month. Except that, the charge for such kilowatt hours in excess of the product of four hundred fifty (450) times the kilowatts of maximum demand shall be reduced by 1.05 cents per kilowatt hour.

Deleted: (1) For electric bills issued starting May 1, 2014: \$0.04115 per kilowatt hour supplied in the month. Except that, the charge for such kilowatt hours in excess of the product of four hundred fifty (450) times the kilowatts of maximum demand shall be reduced by 1.05 cents per kilowatt hour.
(2)

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3. Minimum Demand Charge: There shall be a minimum demand charge of seven hundred fifty dollars (\$750.00) per month.

4. Maximum Demand: The maximum demand in any month shall be the highest thirty (30) or fifteen (15) minute demand established during such month.

5. Power Factor Adjustment: For power factors less than ninety percent (90%) lagging, the monthly measured demand used to calculate the billing demand will be adjusted for the average lagging power factor less than ninety percent (90%) in accordance with the following formula:

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$$\text{Adjusted demand} = 0.90 \times \text{measured demand average lagging power factor}$$

6. Load Factor Credit: A load factor credit will be provided to high efficiency customers. The load factor is calculated in accordance with the following formula:

$$\text{Total demand} \times \text{meter multiplier} \times 450 - \text{kWhs consumed} \times .0105$$

If the result is negative; a credit is applied to the account. There is no additional charge if the result is positive.

7. Measurement Of Demand And Kilowatt Hours: Where two (2) or more metering installations are provided on the customer's premises, the demand in any thirty (30) or

fifteen (15) minute period shall be determined by totalizing such thirty (30) or fifteen (15) minute period. Where there are two (2) or more watt hour metering installations on the customer's premises, the kilowatt hours supplied shall be determined by totalizing together the kilowatt hours metered at each installation. The kilowatt hours supplied at two (2) or more premises will not be combined for billing purposes hereunder. All metering will be on the line side of the customer's service.

8. Delayed Payment: Delayed payment charge of five percent (5%) shall be added after twenty-five (25) days from billing date of invoice on bill.
9. General Requirements: The rate is subject to all applicable general administrative, operating and sales policies of the municipal electric utility.
10. Primary Metering Adjustment: Customers metered on the low voltage side of their service transformers shall have a monthly measured energy and a maximum demand determinant increased by one percent (1.0%) to account for transformer losses.

E. Large General Service Rate 30,000,000 to 50,000,000 kWh:

1. Availability: This rate shall become effective May 1, 2016 and is applicable for service to any customer with a maximum demand of seven hundred fifty (750) kilowatts or more in four (4) or more of the twelve (12) months preceding the billing month and for new customers with an estimated monthly demand of over seven hundred fifty (750) kilowatts for service at primary voltage. This rate is applicable for service to any customer with an annual use of 30,000,000 to 50,000,000 kWh calculated on a calendar year basis beginning on January 1 of each year.

2. Charges:

a. Monthly Customer Charge: The net monthly customer charge shall be one hundred dollars and no cents (\$100.00).

b. Demand Charge:

For electric bills issued starting May 1, 2016: Seventeen dollars and twenty-five cents (\$17.25) per kilowatt for all kilowatts of billing demand.

c. Energy Charge:

For electric bills issued starting May 1, 2016: \$0.04362 per kilowatt hour supplied in the month. Except that, the charge for such kilowatt hours in excess of the product of

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four hundred fifty (450) times the kilowatts of maximum demand shall be reduced by 1.05 cents per kilowatt hour.

3. Minimum Demand Charge: There shall be a minimum demand charge of seven hundred fifty dollars (\$750.00) per month.

4. Maximum Demand: The maximum demand in any month shall be the highest thirty (30) or fifteen (15) minute demand established during such month.

5. Power Factor Adjustment: For power factors less than ninety percent (90%) lagging, the monthly measured demand used to calculate the billing demand will be adjusted for the average lagging power factor less than ninety percent (90%) in accordance with the following formula:

Adjusted demand = 0.90 x measured demand average lagging power factor

6. Load Factor Credit: A load factor credit will be provided to high efficiency customers. The load factor is calculated in accordance with the following formula:

Total demand x meter multiplier x 450 - kWhs consumed x .0105

If the result is negative: a credit is applied to the account. There is no additional charge if the result is positive.

7. Measurement Of Demand And Kilowatt Hours: Where two (2) or more metering installations are provided on the customer's premises, the demand in any thirty (30) or fifteen (15) minute period shall be determined by totalizing such thirty (30) or fifteen (15) minute period. Where there are two (2) or more watt hour metering installations on the customer's premises, the kilowatt hours supplied shall be determined by totalizing together the kilowatt hours metered at each installation. The kilowatt hours supplied at two (2) or more premises will not be combined for billing purposes hereunder. All metering will be on the line side of the customer's service.

8. Delayed Payment: Delayed payment charge of five percent (5%) shall be added after twenty-five (25) days from billing date of invoice on bill.

9. General Requirements: The rate is subject to all applicable general administrative, operating and sales policies of the municipal electric utility.

10. Primary Metering Adjustment: Customers metered on the low voltage side of their service transformers shall have a monthly measured energy and a maximum demand determinant increased by one percent (1.0%) to account for transformer losses.

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F. Large General Service Rate over 50,000,000 kWh:

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1. Availability: This rate is applicable for service to any customer with a minimum annual use of 50,000,000 kWh calculated on a calendar year basis beginning on January 1 of each year using the (12) months preceding the billing month to determine eligibility and for new customers with at least two months of kWh use of 4,166,600 or higher.

2. Charges:

a. Monthly Customer Charge: The net monthly customer charge shall be seventy-five dollars and no cents (\$75.00).

b. Demand Charge:

(1) All Months: Fifteen dollars and eighty cents (\$15.80) per kilowatt for all kilowatts of billing demand.

(2) Energy Charge: \$0.03882 per kilowatt hour supplied in the month. Except that, the charge for such kilowatt hours in excess of the product of four hundred fifty (450) times the kilowatts of maximum demand shall be reduced by 1.05 cents per kilowatt hour.

3. Minimum Demand Charge: There shall be a minimum demand charge of seven hundred fifty dollars (\$750.00) per month.

4. Maximum Demand: The maximum demand in any month shall be the highest thirty (30) or fifteen (15) minute demand established during such month.

5. Power Factor Adjustment: For power factors less than ninety percent (90%) lagging, the monthly measured demand used to calculate the billing demand will be adjusted for the average lagging power factor less than ninety percent (90%) in accordance with the following formula:

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Adjusted demand = 0.90 x measured demand average lagging power factor

6. Load Factor Credit: A load factor credit will be provided to high efficiency customers. The load factor is calculated in accordance with the following formula:

Total demand x meter multiplier x 450 - kWhs consumed x .0105

If the result is negative; a credit is applied to the account. There is no additional charge if the result is positive.

7. Measurement Of Demand And Kilowatt Hours: Where two (2) or more metering installations are provided on the customer's premises, the demand in any thirty (30) or fifteen (15) minute period shall be determined by totalizing such thirty (30) or fifteen (15) minute period. Where there are two (2) or more watt hour metering installations on the customer's premises, the kilowatt hours supplied shall be determined by totalizing together the kilowatt hours metered at each installation. The kilowatt hours supplied at two (2) or more premises will not be combined for billing purposes hereunder. All metering will be on the line side of the customer's service.
8. Delayed Payment: Delayed payment charge of five percent (5%) shall be added after twenty-five (25) days from billing date of invoice on bill.
9. General Requirements: The rate is subject to all applicable general administrative, operating and sales policies of the municipal electric utility.
10. Primary Metering Adjustment: Customers metered on the low voltage side of their service transformers shall have a monthly measured energy and a maximum demand determinant increased by one percent (1.0%) to account for transformer losses.

G. Purchased Power Adjustment Factor (PPAF): A purchased power adjustment factor shall be applied to all bills issued on and after May 1, 2015, except those bills for electric loads which are billed under the Large General Service Rate 30,000,000 to 50,000,000 kWh and Large General Service Rate over 50,000,000 kWh. The charges to all customers, except those noted above, for each kilowatt hour (kWh) supplied shall be adjusted by a purchased power adjustment factor (PPAF) to reflect the actual changes in the cost of purchased power. The PPAF will be determined to the nearest \$0.00001 in accordance with the following formula:

Base Cost of power per kWh for bills issued after May 1, 2015 shall be \$0.06882

Base Cost of power per kWh for bills issued after May 1, 2016, shall be \$0.07000.

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PPAF	=	$\frac{PP + T - WR}{K}$	x	$\frac{TKP - BC \text{ per kWh}}{TKS}$
Where:				
PPAF	=	Purchased power adjustment factor.		

PP	=	Cost of purchased power from all suppliers and from the PJM market in the month 2 months prior to the billing month, including any ancillary costs directly related to the cost of purchased power.
T	=	Cost of transmission in the month 2 months prior to the billing month, for all power purchased or sold, including any ancillary costs directly related to the cost of transmission, less transmission revenue.
WR	=	Revenue from wholesale sales in the month 2 months prior, including sales of excess power into the PJM market.
K	=	Number of kilowatt hours purchased in the month 2 months prior to the billing month.
TKP	=	Total kilowatt hours purchased in the 12 preceding calendar months.
TKS	=	Total kilowatt hours sold at retail and wholesale in the 12 preceding calendar months.
BC	=	Base cost of power per kWh purchased including cost of delivery.

H. Economic Development Purchased Power Adjustment Factor (PPAF): An economic development based purchased power adjustment factor shall be applied to all Large General Service Rate 30,000,000 to 50,000,000 kWh and Large General Service Rate over 50,000,000 kWh bills issued on and after May 1, 2015. The charges to all such customers for each kilowatt hour (kWh) shall be adjusted by an economic development based PPAF to reflect the actual changes in the cost of purchased power. A PPAF shall be calculated to the nearest \$0.00001 in accordance with the following formula. The applied PPAF shall be the lesser of the calculated value or \$0.01825:

Base Cost of power per kWh for bills issued after May 1, 2015 shall be \$0.05900

Base Cost of power per kWh for bills issued after May 1, 2016 shall be \$0.05900

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PPAF	=	$\frac{PP + T - WR}{K}$	x	$\frac{TKP - BC \text{ per kWh}}{TKS}$
Where:				
PPAF	=	Purchased power adjustment factor.		
PP	=	Cost of purchased power from all suppliers and from the PJM market in the month 2 months prior to the billing month, including any ancillary costs directly related to the cost of purchased power.		
T	=	Cost of transmission in the month 2 months prior to the billing month, for all power purchased or sold, including any ancillary costs directly related to the cost of transmission, less transmission revenue.		
WR	=	Revenue from wholesale sales in the month 2 months prior, including sales of excess power into the PJM market.		
K	=	Number of kilowatt hours purchased in the month 2 months prior to the billing month.		
TKP	=	Total kilowatt hours purchased in the 12 preceding calendar months.		
TKS	=	Total kilowatt hours sold at retail and wholesale in the 12 preceding calendar months.		
BC	=	Base cost of power per kWh purchased including cost of delivery.		

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1. Market Based Rate:

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1. Availability: This rate is for qualifying new electric load or incremental expansion of existing load established after March 17, 2014 as further described below. All other existing loads shall remain on their applicable rate structure, including those loads

already on Market Based Rates. This rate is established for economic development purposes and cannot be combined with other electric utility incentives.

2. Participation: This rate has been established to provide an economic incentive for qualifying new or incrementally expanded load. The Customer shall be required to enter into a formal agreement with the City in order to participate in this rate program. Said agreement shall specify the qualification terms and duration of market based rates.

If, based upon current market conditions or other consideration, the customer does not wish to receive this rate, then the applicable Large General Service electric rate shall apply.

If upon qualification, the customer elects to receive this rate but due to changing market conditions or other consideration the customer, at a subsequent point in time, no longer desires to receive this rate, then the customer shall have the option to convert to the applicable Large General Service rate. This option can only be exercised one time. Customers who initially select the applicable Large General Service rate or switch to the applicable Large General Service rate cannot switch back to this rate.

Qualifying new or incrementally expanded electric load(s) added after March 17, 2014 shall be eligible for this rate provided that such load(s) have not received any other utility incentives.

3. Qualification:

Unless otherwise modified by means of a written agreement deemed to be in the best interest of the utility and the City of Batavia, all new loads must equal or exceed an average of three million six hundred thousand (3,600,000) kilowatt hours per month for a minimum of twelve (12) consecutive months to qualify for market based rates.

Incremental expansion of existing loads for customers in the Large General Service Rate Under 30,000,000 kWh and Large General Service Rate 30,000,000 to 50,000,000 kWh rate classes must equal or exceed an average of three million six hundred thousand (3,600,000) kilowatt hours per month for a minimum of twelve (12) consecutive months to qualify for market based rates. For customers in the Large General Service Rate over 50,000,000 kWh, all incremental expansion of existing load shall qualify for market based rates. . For both new and incrementally expanded loads, the applicable Large General Service rate shall apply during the qualification period.

Prior to commencing new service or expanding existing service, customers shall provide a preliminary projection of new or expanded load. This projection shall be certified by a qualified design professional.

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Deleted: - Over 50,000,000 kWh rate class,

For existing customers who received service from the City prior to ~~and~~ and who add eligible new load after that date, the determination of qualifying expanded load shall be calculated using a baseline of existing monthly average load for the twelve months immediately preceding the qualifying period. For new customers who previously did not receive service from the City a baseline monthly average of zero (0) kWh shall be assumed.

Deleted: March 17, 2014

For customers who did not receive service from the city prior to March 17, 2014 and for customers in the Large General Service [Rate Under 30,000,000 kWh and Large General Service Rate 30,000,000 to 50,000,000 kWh](#) rate classes who received service from the City prior to March 17, 2014, market based rates shall terminate and the applicable Large General Service rate shall apply if any new or incrementally expanded monthly average load drops below three million six hundred thousand (3,600,000) kilowatt hours per month for more than three (3) consecutive months. For customers in the Large General Service [Rate Over 50,000,000 kWh](#) rate class who received service from the City prior to March 17, 2014, market based rates shall apply only to load in excess of the established baseline and the applicable Large General Service rate shall apply to any load less than the baseline.

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4. Calculation of Monthly Service Charges:

- a. All metering equipment necessary to provide hourly load measurements and any other data required to meter Customer under this rate will be furnished, owned, installed and maintained by the City. Customer shall provide reasonable access to City Personnel to permit inspection, maintenance and/or replacement of such metering equipment.
- b. Upon qualification, the monthly charges for market based load shall be calculated as follows:

Monthly Charges = PJM Batavia Hub Energy Price + [Energy Cost Adjustment](#) + All PJM Charges + Local Distribution & Administration Charges + All Penalties, Taxes, Fees & Levies

Where:

- Batavia Hub Energy Price shall be as defined by PJM for the applicable Real Time or Day Ahead hour and currently published at pjm.org/markets/energy-market/

~~- [Energy Cost Adjustment of \\$0.0200 per kWh shall be added to the Batavia Hub Energy Price for customers who did not receive service from the city prior to March 7th, 2016 and for customers in the Large General Service Rate](#)~~

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Under 30,000,000 kWh and Large General Service Rate 30,000,000 to 50,000,000 kWh classes who did not receive market based rates prior to March 7th, 2016. Energy Cost Adjustment shall be waived for all customers who received market based rates from the City prior to March 7th, 2016.

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- PJM Charges shall include but not be limited to Energy, Capacity, Transmission Service, Operating Reserves and Renewable Portfolio Standards.
- Local Distribution Charge shall be calculated based on utility infrastructure resources necessary to provide service to the customer.
- Local Administration Fee shall be \$5,200/month per consolidated meter location. For example, a single fee would apply to the scenario where a customer has multiple meters at one facility location that are consolidated into one monthly reading for billing purposes.
- Penalties, Taxes, Fees and Levies shall be in accordance with the applicable sections of this Ordinance and applicable State and Federal statutes.

Market Based rates shall not be subject to a Purchase Power Adjustment Factor or an Economic Development Purchase Power Adjustment Factor as described elsewhere in this Article.

↓ Economic Development Incentive:

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1. Incentive: An incentive equal to \$0.02/kWh/month will be credited for qualifying new or incrementally expanded existing loads.
2. Availability: This incentive is available only for new electric loads or incremental expansion of existing loads established after March 7th, 2016. This incentive is established for economic development purposes and is limited in duration in accordance with the following:

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New or Incrementally Expanded Monthly Average Load (kWh)	Maximum Duration of Economic Development Incentive*
0 to 99,999	Two Years or No Incentive**
100,000 to 399,999	Two Years
400,000 to 799,999	Three Years
800,000 to 1,079,999	Four Years
1,080,000 or Greater***	Five Years

* Duration of economic development incentive could decrease or terminate if electric consumption decreases
** Two years of incentives for those customers in the Large General Service - Under 50,000,000 kWh rate class. No incentive for other rate classes.
*** Economic development incentive cannot be combined with Market Based Rate

3. Qualification:

Prior to commencing new service or expanding existing service, customers shall provide a preliminary projection of new or expanded load. This projection shall be certified by a qualified design professional.

This incentive shall apply to all new and expanded loads for customers in the Large General Service – Under 50,000,000 kWh rate class. For customers in other rate classes this incentive shall apply only to those new or expanded loads that equal or exceed an average of one hundred thousand (100,000) kilowatt hours per month for a minimum of twelve (12) consecutive months in order to qualify. Qualifying electric load(s) added after March 7th, 2016, shall be eligible for this rate provided that such load(s) have not received any other utility incentives.

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For existing customers who received service from the City prior to March 7th, 2016, and who add eligible new load after that date, only the new load shall be eligible for incentives under this program.

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The determination of qualifying expanded load shall be calculated using a baseline of existing monthly average load for the twelve months immediately preceding the qualifying period. This baseline shall remain in effect throughout the entire duration of the incentive period. For new customers who previously did not receive service from the City a baseline monthly average of zero (0) kWh shall be assumed.

4. Calculation: All metering equipment necessary to provide data in support of economic development incentives shall be furnished, owned, installed and maintained by the City. Customer shall provide reasonable access to City Personnel to permit inspection, maintenance and/or replacement of such metering equipment.

SECTION 3: That this Ordinance 16-12, shall be in full force and effect upon its presentation, passage and publication according to the law.

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PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this 7th day of March, 2016,

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APPROVED by me as Mayor of said City of Batavia, Illinois, this 7th day of March, 2016,

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Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Fischer				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Thelin Atac				
6	Cerone					Russotto				
7	McFadden					Brown				
Mayor Schielke										
VOTE: Ayes		Nays		Absent		Abstentions				
Total holding office: Mayor and 14 aldermen										

- Deleted: Sparks
- Deleted: Saam
- Deleted: Vasilion
- Deleted: Clark

ATTEST:

Heidi Wetzel, City Clerk

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 16-12**

**AMENDING TITLE 8 OF THE BATAVIA MUNICIPAL
CODE RELATING TO ELECTRIC SERVICE
REGULATIONS AND RATES**

**ADOPTED BY THE MAYOR
AND CITY COUNCIL THIS 7th
DAY OF MARCH , 2016**

Published in pamphlet form
by authority of the Mayor
and City Council of the City of Batavia,
Kane and DuPage Counties, Illinois,
This 7th of March , 2016

Prepared by:

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

**CITY OF BATAVIA,
ILLINOIS ORDINANCE
16-12**

**AMENDING THE CITY OF BATAVIA MUNICIPAL CODE
RELATING TO ELECTRIC SERVICE REGULATIONS AND
RATES**

WHEREAS, the City of Batavia has reviewed the existing provisions within Title 8, Chapter 1A, Section 5, of the Batavia Municipal Code relating to electric utility rates and charges; and

WHEREAS, following an analysis of the current electrical rate structure as well as the cost of purchasing power, the City Council of the City of Batavia has determined that a modification of rates and charges for electrical service is in the best interests of the City of Batavia, and that Title 8, Chapter 1A, Section 5, of the Batavia Municipal Code be modified, as set forth below;

NOW THEREFORE, be it hereby ordained by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

SECTION 1: That effective March 7, 2016, Title 8, Chapter 1A, Section 5, of the Batavia Municipal Code is hereby modified and revised to provide as follows:

“8-1A-5: RATES:

The following rates are hereby established and applicable to all customers served by the municipal electric utility:

A. Residential Rate:

1. **Availability:** This rate is available to any residence of the city using the service of the municipal electric utility for single-family residential purposes.

2. **Charges:**

a. **Monthly Customer Charge:** The net monthly customer charge shall be fourteen dollars and no cents (\$14.00).

b. **Energy Charge:**

For electric bills issued starting May 1, 2015: \$0.10389 per kilowatt-hour supplied in the month.

Minimum Charge: The minimum monthly bill shall be fourteen dollars and zero cents (\$14.00).

3. Term Of Service: The customer's term of service shall commence when service is established and shall continue for not more than ten (10) days after notice is received to discontinue service.
4. Delayed Payment: Delayed payment charge of five percent (5%) shall be added after twenty-five (25) days from the billing date of invoice on bill.
5. General: Where a residence and a business are combined on one premise, service will not be furnished hereunder for the whole premises unless the preponderant requirement is for residential purposes. This rate is subject to all of the applicable sections of the general administrative, operating and sales policies of the municipal electric utility.

B. General Service Without Demand Rate:

1. Availability: This rate is available to any nonresidential customer with a monthly usage less than two thousand five hundred (2,500) kilowatt hours for nine (9) or more of the twelve (12) months proceeding the billing month and for new customers with an estimated average monthly usage less than two thousand five hundred (2,500) kilowatt hours.

2. Charges:

a. Monthly Customer Charge: The net monthly customer charge shall be twenty-five dollars and no cents (\$25.00).

b. Energy Charge:

For electric bills issued starting May 1, 2015: \$0.09792 per kilowatt-hour supplied in the month.

Minimum Charge: The minimum monthly bill shall be twenty-five dollars and no cents (\$25.00).

3. Term Of Service: The customer's term of service shall commence when the service is established and shall continue for not more than ten (10) days after notice is received to discontinue service.
4. Delayed Payment: Delayed payment charge of five percent (5%) shall be added after twenty-five (25) days from the billing date of invoice on bill.

C. General Service With Demand Rate:

1. Availability: This rate is applicable for service to any customer with a monthly kilowatt hour usage which exceeds two thousand five hundred (2,500) kilowatt hours in four (4) or more of the preceding twelve (12) months and with a maximum demand of less than seven hundred fifty (750) kilowatts in nine (9) or more of the twelve (12) months preceding the billing month and for new customers with an estimated monthly usage of over two thousand five hundred (2,500) kilowatt hours or with a demand of less than seven hundred fifty (750) kilowatts.
2. Charges:
 - a. Monthly Customer Charge: The net monthly customer charge shall be eighty dollars and no cents (\$80.00).
 - b. Demand Charge:

For electric bills issued starting May 1, 2015: Sixteen dollars and twenty-eight cents (\$16.28) per kilowatt for all kilowatts of billing demand.
 - c. Energy Charge:

For electric bills issued starting May 1, 2015: \$0.04403 per kilowatt-hour supplied in the month.
3. Maximum Demand: The maximum demand in any month shall be the highest thirty (30) or fifteen (15) minute demand established during such month.
4. Delayed Payment: Delayed payment charge of five percent (5%) shall be added after twenty-five (25) days from billing date of invoice on bill.
5. General Requirements: The rate is subject to all applicable general administrative, operating, and sales policies of the city of Batavia municipal electric utility.

D. Large General Service Rate Under 30,000,000 kWh:

1. Availability: This rate is applicable for service to any customer with a maximum demand of seven hundred fifty (750) kilowatts or more in four (4) or more of the twelve (12) months preceding the billing month and for new customers with an estimated monthly demand of over seven hundred fifty (750) kilowatts for service at primary voltage. This rate is applicable for service to any customer with an annual use of less than 30,000,000 kWh calculated on a calendar year basis beginning on January 1 of each year.

2. Charges:

a. Monthly Customer Charge: The net monthly customer charge shall be one hundred dollars and no cents (\$100.00).

b. Demand Charge:

For electric bills issued starting May 1, 2015: Seventeen dollars and twenty-five cents (\$17.25) per kilowatt for all kilowatts of billing demand.

c. Energy Charge:

For electric bills issued starting May 1, 2015: \$0.04362 per kilowatt hour supplied in the month. Except that, the charge for such kilowatt hours in excess of the product of four hundred fifty (450) times the kilowatts of maximum demand shall be reduced by 1.05 cents per kilowatt hour.

3. Minimum Demand Charge: There shall be a minimum demand charge of seven hundred fifty dollars (\$750.00) per month.

4. Maximum Demand: The maximum demand in any month shall be the highest thirty (30) or fifteen (15) minute demand established during such month.

5. Power Factor Adjustment: For power factors less than ninety percent (90%) lagging, the monthly measured demand used to calculate the billing demand will be adjusted for the average lagging power factor less than ninety percent (90%) in accordance with the following formula:

$$\text{Adjusted demand} = 0.90 \times \text{measured demand average lagging power factor}$$

6. Load Factor Credit: A load factor credit will be provided to high efficiency customers. The load factor is calculated in accordance with the following formula:

$$\text{Total demand} \times \text{meter multiplier} \times 450 - \text{kWhs consumed} \times .0105$$

If the result is negative; a credit is applied to the account. There is no additional charge if the result is positive.

7. Measurement Of Demand And Kilowatt Hours: Where two (2) or more metering installations are provided on the customer's premises, the demand in any thirty (30) or fifteen (15) minute period shall be determined by totalizing such thirty (30) or fifteen (15) minute period. Where there are two (2) or more watt hour metering installations on the customer's premises, the kilowatt hours supplied shall be determined by totalizing

together the kilowatt hours metered at each installation. The kilowatt hours supplied at two (2) or more premises will not be combined for billing purposes hereunder. All metering will be on the line side of the customer's service.

8. Delayed Payment: Delayed payment charge of five percent (5%) shall be added after twenty-five (25) days from billing date of invoice on bill.

9. General Requirements: The rate is subject to all applicable general administrative, operating and sales policies of the municipal electric utility.

10. Primary Metering Adjustment: Customers metered on the low voltage side of their service transformers shall have a monthly measured energy and a maximum demand determinant increased by one percent (1.0%) to account for transformer losses.

E. Large General Service Rate 30,000,000 to 50,000,000 kWh:

1. Availability: This rate shall become effective May 1, 2016 and is applicable for service to any customer with a maximum demand of seven hundred fifty (750) kilowatts or more in four (4) or more of the twelve (12) months preceding the billing month and for new customers with an estimated monthly demand of over seven hundred fifty (750) kilowatts for service at primary voltage. This rate is applicable for service to any customer with an annual use of 30,000,000 to 50,000,000 kWh calculated on a calendar year basis beginning on January 1 of each year.

2. Charges:

a. Monthly Customer Charge: The net monthly customer charge shall be one hundred dollars and no cents (\$100.00).

b. Demand Charge:

For electric bills issued starting May 1, 2016: Seventeen dollars and twenty-five cents (\$17.25) per kilowatt for all kilowatts of billing demand.

c. Energy Charge:

For electric bills issued starting May 1, 2016: \$0.04362 per kilowatt hour supplied in the month. Except that, the charge for such kilowatt hours in excess of the product of four hundred fifty (450) times the kilowatts of maximum demand shall be reduced by 1.05 cents per kilowatt hour.

3. Minimum Demand Charge: There shall be a minimum demand charge of seven hundred fifty dollars (\$750.00) per month.

4. Maximum Demand: The maximum demand in any month shall be the highest thirty (30) or fifteen (15) minute demand established during such month.

5. Power Factor Adjustment: For power factors less than ninety percent (90%) lagging, the monthly measured demand used to calculate the billing demand will be adjusted for the average lagging power factor less than ninety percent (90%) in accordance with the following formula:

$$\text{Adjusted demand} = 0.90 \times \text{measured demand average lagging power factor}$$

6. Load Factor Credit: A load factor credit will be provided to high efficiency customers. The load factor is calculated in accordance with the following formula:

$$\text{Total demand} \times \text{meter multiplier} \times 450 - \text{kWhs consumed} \times .0105$$

If the result is negative; a credit is applied to the account. There is no additional charge if the result is positive.

7. Measurement Of Demand And Kilowatt Hours: Where two (2) or more metering installations are provided on the customer's premises, the demand in any thirty (30) or fifteen (15) minute period shall be determined by totalizing such thirty (30) or fifteen (15) minute period. Where there are two (2) or more watt hour metering installations on the customer's premises, the kilowatt hours supplied shall be determined by totalizing together the kilowatt hours metered at each installation. The kilowatt hours supplied at two (2) or more premises will not be combined for billing purposes hereunder. All metering will be on the line side of the customer's service.

8. Delayed Payment: Delayed payment charge of five percent (5%) shall be added after twenty-five (25) days from billing date of invoice on bill.

9. General Requirements: The rate is subject to all applicable general administrative, operating and sales policies of the municipal electric utility.

10. Primary Metering Adjustment: Customers metered on the low voltage side of their service transformers shall have a monthly measured energy and a maximum demand determinant increased by one percent (1.0%) to account for transformer losses.

F. Large General Service Rate over 50,000,000 kWh:

1. Availability: This rate is applicable for service to any customer with a minimum annual use of 50,000,000 kWh calculated on a calendar year basis beginning on January 1 of each year using the (12) months preceding the billing month to determine eligibility and for new customers with at least two months of kWh use of 4,166,600 or higher.

2. Charges:

a. Monthly Customer Charge: The net monthly customer charge shall be seventy-five dollars and no cents (\$75.00).

b. Demand Charge:

(1) All Months: Fifteen dollars and eighty cents (\$15.80) per kilowatt for all kilowatts of billing demand.

(2) Energy Charge: \$0.03882 per kilowatt hour supplied in the month. Except that, the charge for such kilowatt hours in excess of the product of four hundred fifty (450) times the kilowatts of maximum demand shall be reduced by 1.05 cents per kilowatt hour.

3. Minimum Demand Charge: There shall be a minimum demand charge of seven hundred fifty dollars (\$750.00) per month.

4. Maximum Demand: The maximum demand in any month shall be the highest thirty (30) or fifteen (15) minute demand established during such month.

5. Power Factor Adjustment: For power factors less than ninety percent (90%) lagging, the monthly measured demand used to calculate the billing demand will be adjusted for the average lagging power factor less than ninety percent (90%) in accordance with the following formula:

Adjusted demand = 0.90 x measured demand average lagging power factor

6. Load Factor Credit: A load factor credit will be provided to high efficiency customers. The load factor is calculated in accordance with the following formula:

Total demand x meter multiplier x 450 - kWhs consumed x .0105

If the result is negative; a credit is applied to the account. There is no additional charge if the result is positive.

7. Measurement Of Demand And Kilowatt Hours: Where two (2) or more metering installations are provided on the customer's premises, the demand in any thirty (30) or fifteen (15) minute period shall be determined by totalizing such thirty (30) or fifteen (15) minute period. Where there are two (2) or more watt hour metering installations on the customer's premises, the kilowatt hours supplied shall be determined by totalizing together the kilowatt hours metered at each installation. The kilowatt hours supplied at two (2) or more premises will not be combined for billing purposes hereunder. All metering will be on the line side of the customer's service.

8. Delayed Payment: Delayed payment charge of five percent (5%) shall be added after twenty-five (25) days from billing date of invoice on bill.

9. General Requirements: The rate is subject to all applicable general administrative, operating and sales policies of the municipal electric utility.

10. Primary Metering Adjustment: Customers metered on the low voltage side of their service transformers shall have a monthly measured energy and a maximum demand determinant increased by one percent (1.0%) to account for transformer losses.

G. Purchased Power Adjustment Factor (PPAF): A purchased power adjustment factor shall be applied to all bills issued on and after May 1, 2015, except those bills for electric loads which are billed under the Large General Service Rate 30,000,000 to 50,000,000 kWh and Large General Service Rate over 50,000,000 kWh. The charges to all customers, except those noted above, for each kilowatt hour (kWh) supplied shall be adjusted by a purchased power adjustment factor (PPAF) to reflect the actual changes in the cost of purchased power. The PPAF will be determined to the nearest \$0.00001 in accordance with the following formula:

Base Cost of power per kWh for bills issued after May 1, 2015 shall be \$0.06882

Base Cost of power per kWh for bills issued after May 1, 2016 shall be \$0.07000

PPAF	=	$\frac{PP + T - WR}{K}$	x	$\frac{TKP - BC \text{ per kWh}}{TKS}$
Where:				
PPAF	=	Purchased power adjustment factor.		

PP	=	Cost of purchased power from all suppliers and from the PJM market in the month 2 months prior to the billing month, including any ancillary costs directly related to the cost of purchased power.
T	=	Cost of transmission in the month 2 months prior to the billing month, for all power purchased or sold, including any ancillary costs directly related to the cost of transmission, less transmission revenue.
WR	=	Revenue from wholesale sales in the month 2 months prior, including sales of excess power into the PJM market.
K	=	Number of kilowatt hours purchased in the month 2 months prior to the billing month.
TKP	=	Total kilowatt hours purchased in the 12 preceding calendar months.
TKS	=	Total kilowatt hours sold at retail and wholesale in the 12 preceding calendar months.
BC	=	Base cost of power per kWh purchased including cost of delivery.

H. Economic Development Purchased Power Adjustment Factor (PPAF): An economic development based purchased power adjustment factor shall be applied to all Large General Service Rate 30,000,000 to 50,000,000 kWh and Large General Service Rate over 50,000,000 kWh bills issued on and after May 1, 2015. The charges to all such customers for each kilowatt hour (kWh) shall be adjusted by an economic development based PPAF to reflect the actual changes in the cost of purchased power. A PPAF shall be calculated to the nearest \$0.00001 in accordance with the following formula. The applied PPAF shall be the lesser of the calculated value or \$0.01825:

Base Cost of power per kWh for bills issued after May 1, 2015 shall be \$0.05900

Base Cost of power per kWh for bills issued after May 1, 2016 shall be \$0.05900

PPAF	=	$\frac{PP + T - WR}{K}$	x	$\frac{TKP - BC \text{ per kWh}}{TKS}$
Where:				
PPAF	=	Purchased power adjustment factor.		
PP	=	Cost of purchased power from all suppliers and from the PJM market in the month 2 months prior to the billing month, including any ancillary costs directly related to the cost of purchased power.		
T	=	Cost of transmission in the month 2 months prior to the billing month, for all power purchased or sold, including any ancillary costs directly related to the cost of transmission, less transmission revenue.		
WR	=	Revenue from wholesale sales in the month 2 months prior, including sales of excess power into the PJM market.		
K	=	Number of kilowatt hours purchased in the month 2 months prior to the billing month.		
TKP	=	Total kilowatt hours purchased in the 12 preceding calendar months.		
TKS	=	Total kilowatt hours sold at retail and wholesale in the 12 preceding calendar months.		
BC	=	Base cost of power per kWh purchased including cost of delivery.		

I. Market Based Rate:

1. Availability: This rate is for qualifying new electric load or incremental expansion of existing load established after March 17, 2014 as further described below. All other existing loads shall remain on their applicable rate structure, including those loads

already on Market Based Rates. This rate is established for economic development purposes and cannot be combined with other electric utility incentives.

2. Participation: This rate has been established to provide an economic incentive for qualifying new or incrementally expanded load. The Customer shall be required to enter into a formal agreement with the City in order to participate in this rate program. Said agreement shall specify the qualification terms and duration of market based rates.

If, based upon current market conditions or other consideration, the customer does not wish to receive this rate, then the applicable Large General Service electric rate shall apply.

If upon qualification, the customer elects to receive this rate but due to changing market conditions or other consideration the customer, at a subsequent point in time, no longer desires to receive this rate, then the customer shall have the option to convert to the applicable Large General Service rate. This option can only be exercised one time. Customers who initially select the applicable Large General Service rate or switch to the applicable Large General Service rate cannot switch back to this rate.

Qualifying new or incrementally expanded electric load(s) added after March 17, 2014 shall be eligible for this rate provided that such load(s) have not received any other utility incentives.

3. Qualification:

Unless otherwise modified by means of a written agreement deemed to be in the best interest of the utility and the City of Batavia, all new loads must equal or exceed an average of three million six hundred thousand (3,600,000) kilowatt hours per month for a minimum of twelve (12) consecutive months to qualify for market based rates.

Incremental expansion of existing loads for customers in the Large General Service Rate Under 30,000,000 kWh and Large General Service Rate 30,000,000 to 50,000,000 kWh rate classes must equal or exceed an average of three million six hundred thousand (3,600,000) kilowatt hours per month for a minimum of twelve (12) consecutive months to qualify for market based rates. For customers in the Large General Service Rate over 50,000,000 kWh all incremental expansion of existing load shall qualify for market based rates. . For both new and incrementally expanded loads, the applicable Large General Service rate shall apply during the qualification period.

Prior to commencing new service or expanding existing service, customers shall provide a preliminary projection of new or expanded load. This projection shall be certified by a qualified design professional.

For existing customers who received service from the City prior to and who add eligible new load after that date, the determination of qualifying expanded load shall be calculated using a baseline of existing monthly average load for the twelve months immediately preceding the qualifying period. For new customers who previously did not receive service from the City a baseline monthly average of zero (0) kWh shall be assumed.

For customers who did not receive service from the city prior to March 17, 2014 and for customers in the Large General Service Rate Under 30,000,000 kWh and Large General Service Rate 30,000,000 to 50,000,000 kWh rate classes who received service from the City prior to March 17, 2014, market based rates shall terminate and the applicable Large General Service rate shall apply if any new or incrementally expanded monthly average load drops below three million six hundred thousand (3,600,000) kilowatt hours per month for more than three (3) consecutive months. For customers in the Large General Service Rate Over 50,000,000 kWh rate class who received service from the City prior to March 17, 2014, market based rates shall apply only to load in excess of the established baseline and the applicable Large General Service rate shall apply to any load less than the baseline.

4. Calculation of Monthly Service Charges:

- a. All metering equipment necessary to provide hourly load measurements and any other data required to meter Customer under this rate will be furnished, owned, installed and maintained by the City. Customer shall provide reasonable access to City Personnel to permit inspection, maintenance and/or replacement of such metering equipment.
- b. Upon qualification, the monthly charges for market based load shall be calculated as follows:

Monthly Charges = PJM Batavia Hub Energy Price + Energy Cost Adjustment +
All PJM Charges + Local Distribution & Administration Charges + All
Penalties, Taxes, Fees & Levies

Where:

- Batavia Hub Energy Price shall be as defined by PJM for the applicable Real Time or Day Ahead hour and currently published at pjm.org/markets/energy-market/
- Energy Cost Adjustment of \$0.0200 per kWh shall be added to the Batavia Hub Energy Price for customers who did not receive service from the city prior to March 7th, 2016 and for customers in the Large General Service Rate

Under 30,000,000 kWh and Large General Service Rate 30,000,000 to 50,000,000 kWh classes who did not receive market based rates prior to March 7th, 2016. Energy Cost Adjustment shall be waived for all customers who received market based rates from the City prior to March 7th, 2016.

- PJM Charges shall include but not be limited to Energy, Capacity, Transmission Service, Operating Reserves and Renewable Portfolio Standards.
- Local Distribution Charge shall be calculated based on utility infrastructure resources necessary to provide service to the customer.
- Local Administration Fee shall be \$5,200/month per consolidated meter location. For example, a single fee would apply to the scenario where a customer has multiple meters at one facility location that are consolidated into one monthly reading for billing purposes.
- Penalties, Taxes, Fees and Levies shall be in accordance with the applicable sections of this Ordinance and applicable State and Federal statutes.

Market Based rates shall not be subject to a Purchase Power Adjustment Factor or an Economic Development Purchase Power Adjustment Factor as described elsewhere in this Article.

J. Economic Development Incentive:

1. Incentive: An incentive equal to \$0.02/kWh/month will be credited for qualifying new or incrementally expanded existing loads.
2. Availability: This incentive is available only for new electric loads or incremental expansion of existing loads established after March 7th, 2016. This incentive is established for economic development purposes and is limited in duration in accordance with the following:

New or Incrementally Expanded Monthly Average Load (kWh)	Maximum Duration of Economic Development Incentive*
0 to 99,999	Two Years or No Incentive**
100,000 to 399,999	Two Years
400,000 to 799,999	Three Years
800,000 to 1,079,999	Four Years
1,080,000 or Greater***	Five Years

* Duration of economic development incentive could decrease or terminate if electric consumption decreases
** Two years of incentives for those customers in the Large General Service - Under 50,000,000 kWh rate class. No incentive for other rate classes.
*** Economic development incentive cannot be combined with Market Based Rate

3. Qualification:

Prior to commencing new service or expanding existing service, customers shall provide a preliminary projection of new or expanded load. This projection shall be certified by a qualified design professional.

This incentive shall apply to all new and expanded loads for customers in the Large General Service – Under 50,000,000 kWh rate class. For customers in other rate classes this incentive shall apply only to those new or expanded loads that equal or exceed an average of one hundred thousand (100,000) kilowatt hours per month for a minimum of twelve (12) consecutive months in order to qualify. Qualifying electric load(s) added after March 7th, 2016 shall be eligible for this rate provided that such load(s) have not received any other utility incentives.

For existing customers who received service from the City prior to March 7th, 2016 and who add eligible new load after that date, only the new load shall be eligible for incentives under this program.

The determination of qualifying expanded load shall be calculated using a baseline of existing monthly average load for the twelve months immediately preceding the qualifying period. This baseline shall remain in effect throughout the entire duration of the incentive period. For new customers who previously did not receive service from the City a baseline monthly average of zero (0) kWh shall be assumed.

4. Calculation: All metering equipment necessary to provide data in support of economic development incentives shall be furnished, owned, installed and maintained by the City. Customer shall provide reasonable access to City Personnel to permit inspection, maintenance and/or replacement of such metering equipment.

SECTION 3: That this Ordinance 16-12 shall be in full force and effect upon its presentation, passage and publication according to the law.

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this 7th day of March, 2016.

APPROVED by me as Mayor of said City of Batavia, Illinois, this 7th day of March, 2016.

 Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Fischer				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Theilin Atac				
6	Cerone					Russotto				
7	McFadden					Brown				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent	Abstentions					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

 Heidi Wetzal, City Clerk

CITY OF BATAVIA

DATE: February 12, 2016
TO: Committee of the Whole - CS
FROM: Gary Holm
SUBJECT: Resolution 16-20-R requesting a permit from IDOT for the closure of various roadways for 2016 Loyalty Day parade

The Illinois Department of Transportation requires that a permit be obtained whenever one of their routes needs to be closed (or partially closed) to accommodate a special event. The VFW Post #1197 holds its annual Loyalty Day Parade on the first Sunday of May, which will be May 1, 2016. The parade will commence on the east side of town as in years past. The parade will stage on N. Raddant Road, north of E. Wilson Street, and then proceed west on E. Wilson Street to River Street (Rt. 25), and then southbound on S. River Street to the VFW, it's final destination. All staging can then be accomplished using the numerous parking lots of the warehouses and factories (with owner's permission) along N. Raddant Road. This will also allow parade participants to enter from Fabyan Parkway, thus eliminating even more traffic through the downtown area. The attached resolution is required as part of IDOT's permitting process. The resolution outlines the event date and the associated affected roadways. We recommend approval of Resolution 16-20-R.

**CITY OF BATAVIA
RESOLUTION 16-20-R**

**A RESOLUTION TO SEEK A PERMIT FROM I.D.O.T. TO CLOSE
N. RIVER STREET, A LOCAL ROAD WITHIN A STATE
SIGNALIZED INTERSECTION, STATE ROUTE 25, FOR THE
DATES/TIMES SPECIFIED FOR A LOYALTY DAY PARADE.**

WHEREAS, the V.F.W. Post #1197 is sponsoring a Loyalty Day Parade in the City of Batavia on May 1, 2016; and

WHEREAS, this Loyalty Day Parade will require the temporary closure of State Route 25, a State highway in the City of Batavia; and from Route 25/Route 56 in North Aurora.

WHEREAS, Section 4-408 of the Illinois Highway Code authorizes the Department of Transportation to issue permits to local authorities to temporarily close portions of State highways for such public purposes; and

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

1. That permission to close Route 25 for the period from 12:00 P.M. to 4:00 P.M., Sunday, May 1, 2016, is requested of the Illinois Department of Transportation.

BE IT FURTHER RESOLVED that if such permission is granted by the Department of Transportation, all highway traffic during the periods of time specified for the Loyalty Day Parade, shall be detoured over the following routes; Route 25 – Route 56 traffic detour to Route 31 and Route 25 traffic south from Fabyan Parkway will be detoured to Route 31.

BE IT FURTHER RESOLVED that if such permission is granted by the Department of Transportation, the City of Batavia assumes full responsibility for the direction, protection, and regulation of the traffic during the times the detour is in effect, and all liabilities for damages of any kind occasioned by the closing of the State highway, and it is further agreed that efficient all-weather detours shall be maintained to the satisfaction of the Department of Transportation, and conspicuously marked for the benefit of traffic diverted from the State highway. Detour marking shall conform to the requirements of the Manual of Uniform Traffic Control Devices.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Department of Transportation to serve as a formal request for the permissions sought in this resolution.

PRESENTED to the City Council of the City of Batavia, Illinois, on the 7th day of March, 2016.

PASSED by the City Council of the City of Batavia, Illinois, on the 7th day of March, 2016.

APPROVED by me as Mayor of said City of Batavia, Illinois, on the 7th day of March, 2016.

Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Fischer				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Mueller					Stark				
5	Botterman					Thelin Atac				
6	Cerone					Russotto				
7	McFadden					Brown				
Mayor Schielke										
VOTE:		Ayes	0 Nays	Absent	0 Abstention(s) counted as _____					
Total holding office: Mayor and 14 aldermen										

ATTEST:

Heidi Wetzel, City Clerk