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

Committee of the Whole Agenda
Tuesday, October 11, 2016
7:30 PM Council Chambers 1st Floor

1. Roll Call

2. Approve Minutes For August 30, September 13, September 20, And September 27, 2016

   Documents:

   COW 8-30-16M.PDF
   COW 9-13-16M.PDF
   COW 9-20-16M.PDF
   COW 16-09-27M.PDF

3. Items Removed/Added/Changed

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

5. Ordinance 16-62: Creating Class J Liquor License For Sale And Consumption Of Liquor In Movie Theaters (Chf. Schira 10/4/16) GS

   Documents:

   ORD 16-62 CREATE CLASS J LIQLIC.PDF

6. Discussion: To Allow First Baptist Church Congregation The Right Of First Refusal To The Organ Pipes In The First Baptist Church And To Offer Them Next To Any Batavia Religious Congregation Before Offering Them For Disposition To The General Public CD

7. Discussion: Overnight Parking Ban GS

   Documents:

   OVERNIGHT PARKING PROHIBITION MEMO.PDF
   OVERNIGHT PARKING SURVEY-2008.PDF
   OVERNIGHT PARKING SURVEY-2011.PDF
   OVERNIGHT PARKING SURVEY-2016.PDF
   OVERNIGHT PARKING PROS AND CONS.PDF

8. Project Status

9. Other

10. Adjournment

MINUTES
August 30, 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 7:30pm.

1. Roll Call

Members Present: **Chair Brown; Ald. Russotto, Stark, Chanzit, Wolff, Fischer, Callahan, Hohmann, Mueller, Botterman, Cerone, and McFadden**

Members Absent: **Aldermen Atac and O'Brien**

Also Present: **Mayor Schielke (entered at 7:36pm); Kevin Drendel, Legal Counsel; Laura Newman, City Administrator; Rahat Bari, City Engineer; Peggy Colby, Director of Finance; Bob Rogde, Electric Division Senior Engineer; Chris Aiston, Economic Development Consultant; and Jennifer Austin-Smith, Recording Secretary**

2. Items to be Removed/Added/Changed
There were no items to be removed, added or changed.

3. Matters From the Public (For Items NOT on Agenda)
Bill Carlton, owner of property on State and River, stated he is disgusted with the whole situation. From what he has heard no one is going to profit from this other than Shodeen. The parking lot will be for Shodeen's use. He asked the Committee to look at where all the money is going. He has not heard of any of this from the City. He read about it in the paper. The City would be tearing down a perfectly good parking lot that us business owners helped pay for.

Katrina, of Katrina's salon, addressed the Committee. She has heard nothing about this development even though she has been in that building for fourteen years on River Street. The fact that she didn't know all about this and she was shown the plans for the development left her dumbfounded. None of this was brought to us business owners. The City should show respect for our community and our business owners. Six months from now her business will suffer greatly due to the construction as it did during River Street construction. The business owners want to address the fact that there was no communication. Parking is a huge concern to River Street business owners. We have 120 parking spots now and there were none available on Thursday night. The way that this proposed development is being done is not right. There will be new residents and new businesses as part of this project. You need to protect the current and the new businesses that are coming in. The proposed parking is just not enough. We want to make sure that we succeed and live through these three years. We are thinking about valet parking and the business owners should not have to pay for that service alone. The City should consider this as part of their expense. She has employees and tenants to consider. We have financial plans based

on growth. If we would have known we could have worked that into our business plan. She wants answers on what is going to happen with that alley, her parking and her garbage. She asked the City to communicate the public notices better to the community and local businesses. She noted that Batavia MainStreet has all of their emails. She added that River Street businesses are busiest during the evenings and Saturdays.

Gaetano stated that we should all get together in a meeting and learn how this is going to affect us. Newman stated that that a meeting is being planned and an invitation would be sent out.

Jon Hamill, owner of Pal Joeys, asked that going forward there is communication between the City and the River Street business owners. If not done properly, this project has the potential impact to close half the businesses on River Street. This is the least amount of money you could spend and the only time that you could do this right. He stated that there is a parking problem now, and the City and developer need to figure out how to alleviate the parking issues. Hamill stated that he leases additional parking spaces from Larsen Becker now. We need to have the parking addressed. He asked that the City consider having the development impact only one summer, not two. He explained that summer is the busiest and most viable time for the River Street business owners.

Mary Claire Harris stated it is really important for us to be here to support our tenants. The main thing is communication, better dialogue, and she is hopeful for the project but concerned about several things.

Melissa Mano is concerned about handicap parking. She asked if there was an option to have the parking deck to remain. She asked if there is a certain amount of additional parking within a certain radius.

Chanzit stated that the City needs better communication. Chanzit stated that he would vote no on any budget that does not include a Communications Director.

Mark, owner of Wilson Street Tavern, asked Aiston if there was a parking deficit.

Aiston stated that in the preliminary study that was completed, there is a parking deficit in the immediate area that is derived from the parking demand along River Street, between River Street and the River. There is substantial amount of building space and occupancy use that generates a lot of demand and there is very limited public parking. The immediate area in question there is a parking deficit that remains today if you only go six hundred feet from the project area. If you add parking where people walk than it is 900 feet. Then you have public parking associated with this property as well as Houston Street. Aiston explained that they have asked the parking analyst to consider six hundred feet because beyond that in a suburban town the literature states that people don’t really want to walk. If you were in Chicago than you might walk six blocks to get to where you want to go. Aiston reiterated that there is a six hundred foot radius of this development there is a deficit.

Mark, Wilson Street Tavern, stated that there is a deficit and the proposed project will now make it worse. He questioned why is Shodeen the only one working on it and why aren’t there other

developers involved. He would like to hear positives about Shodeen as a developer. He has never heard one person comment that Shodeen has helped anyone out. The Shodeen company is a marketing company, not a building company. He shared a story that that Shodeen owed a landscaper for the city $40,000 and it took Shodeen six years to pay him back.

4. 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) July Financials

Motion: To recommend to City Council approval of the Consent Agenda as presented
Maker: McFadden
Second: Cerone
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.
CONSENT AGENDA

5. Resolution 16-74-R: Authorizing Execution of an Agreement with Hitachi HVB, Inc. for 345kV Breaker Maintenance for $50,000 (Bob Rogde 8/22/16) PU

Rogde reported that as part of the agreement with Fermi Lab was to provide the breakers and perform maintenance on them. The City has in their budget $110,000 to do the maintenance on these two breakers. Staff has a quote from the manufacturer for materials, labor and expenses to do the maintenance. Staff is recommending going through the manufacturer because these are specialty devices. The second breaker will be done in 2017. Staff would like to carry over the $60,000 for next year's work.

Motion: To recommend to City Council approval of Resolution 16-74-R: Authorizing Execution of an Agreement with Hitachi HVB, Inc. for 345kV Breaker Maintenance for $50,000
Maker: Stark
Second: Wolff
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.

6. Resolution 16-75-R: Authorizing Execution of a Master Services Agreement with Schweitzer Engineering Laboratories, Inc.

Rogde reported that staff has done a lot of work with Schweitzer Engineering Laboratories on various substations. This resolution is to enter into a Master Services Agreement with Schweitzer Engineering Laboratories, Inc.

Motion: To recommend to City Council approval of Resolution 16-75-R: Authorizing

Execution of a Master Services Agreement with Schweitzer Engineering Laboratories, Inc.
Maker: Stark
Second: Wolff
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.

7. Resolution 16-76-R: Authorizing Execution of an Agreement with Schweitzer Engineering Laboratories, Inc. for Task 1 for an amount not to exceed $148,200.00 (Bob Rogde 8/23/16) PU

Rogde discussed the info-graphics regarding the project (included in the memo) with the Committee. He stated that this work will not be done during peak time and should not interfere with service to our residents.

Motion: To recommend to City Council approval of Resolution 16-76-R: Authorizing Execution of an Agreement with Schweitzer Engineering Laboratories, Inc. for Task 1 for an amount not to exceed $148,200.00
Maker: Wolff
Second: Stark
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.
CONSENT AGENDA

8. Project Status

There were no project status reports at this time.

9. Other

There were no others at this time.

10. Executive Session:

a) Sale/Purchase of Real Estate

The Committee entered Executive Session at 8:35pm and exited at 9:16pm.

Motion: To enter into executive session for the purpose of sale/purchase of real estate
Maker: Stark
Second: Fischer
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.

11. Adjournment

There being no other business to discuss, Brown asked for a motion to adjourn the meeting at 9:16pm; Made by McFadden; Seconded by Russotto. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith

MINUTES
September 13, 2016
Committee of the Whole
City of Batavia

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Chair Brown called the meeting to order at 7:30pm.

1. Roll Call

Members Present: **Chair Brown; Ald. Russotto, Atac, Stark, Chanzit, Wolff, O'Brien, Mueller, Botterman, and Cerone (entered at 7:35pm)**

Members Absent: **Aldermen Fischer, Callahan, Hohmann, and McFadden**

Also Present: **Mayor Schielke (entered at 8:35pm); Glen Autenrieth, Batavia Police Department; Kevin Drendel, Legal Counsel; Laura Newman, City Administrator; Gary Holm, Director of Public Works; Andrea Podraza, Senior Civil Engineer; Jeff Albertson, Building Commissioner; Rahat Bari, City Engineer; Peggy Colby, Director of Finance; Bob Rogde, Electric Division Senior Engineer; Chris Aiston, Economic Development Consultant; and Jennifer Austin-Smith, Recording Secretary**

2. Approve Minutes for August 9, August 16, and August 23, 2016

Motion: To approve the minutes for August 9, August 16, and August 23, 2016
Maker: Stark
Second: Chanzit
Voice Vote: 9 Ayes, 0 Nays, 5 Absent
Motion carried.

3. Items to be Removed/Added/Changed

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

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

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

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) Ordinance 16-56: Amending Ordinance 04-08 Relating to the Downtown Tax Increment Finance District Redevelopment Plan and Project (TIF #3) (SCB 9/2/16)

Motion: To recommend to City Council approval of the Consent Agenda as presented
Maker: Stark
Second: Chanzit
Voice Vote: 9 Ayes, 0 Nays, 5 Absent
Motion carried.

6. Discussion: Woodland Hills Road Construction and Overall 2016 Roadway Program (Rahat Bari) CS

Bari presented on the 2016 Street Resurfacing Program and the Woodland Hills Resurfacing Plan. Bari explained that a new street would have cost 1.8 million dollars but the resurfacing, which the City choose to do, cost the City $384,000. Bari explained how the City resurfaced Woodland Hills Road. O'Brien asked if this has been done anywhere else in the City. Bari stated that in Naperville, if the street curb is in bad shape they would cover it up with a resurfaced street. That buys ten to twelve years of time on the road. O'Brien asked if this was IDOT approved. Holm answered that it was and is part of an MFT program. O'Brien stated his concern for ponding in peoples yards and potential flooding issues. He stated that he does not like how this street turned out. His real concern is drainage. He fears that we have added to the issues. Botterman asked if there is work similar to this with the curbs virtually disappearing. Bari stated that the streets were in bad shape and other than the resurfacing there was no other fiscal option. Without the overlay the water would continue to sit on the road and the road would continue to deteriorate. Patching was not a viable option. Botterman commented that without the curbs there may a safety issue with cars driving onto people's property.

*Cerone entered the meeting at 7:35pm.

O'Brien stated that he would not like to see resurfacing done on rolled curbs. Holm asserted that there should be a policy discussion on this because a majority of the City has rolled curbs. O'Brien agreed that discussion should be held on this because there needs to be a better design. Chanzit stated that we often brag about how the City's property taxes are the lowest in the area. This discussion is very similar to our rainwater discussion and our sewer discussion. We need to stop bragging that we have low City taxes because we cannot pay for the things that our residents would like us to do. This road feels like a country road. He asked if this has an impact on safety or property value. We might have to do this in other areas unless we raise property taxes to start funding some of these projects.

Jack Walker he asked if with any improvement is there a do no harm. He stated that the residents think you have done a lot of harm in the triage. His curb has been covered. He should have three inches of a curb left. His curb does not tilt. The math is not there. He asked that staff come out and measure. Holm stated that the road is not even so there could be more asphalt in certain locations. Walker stated that he believes he got around six inches of asphalt. He is concerned

about large rainfall and keeping driveways clean in the winter and getting out onto the streets during the wintertime.

Jack Walker stated that the City should have saved our curbs. He asked in areas without a curb could there be sidewalks for a safe area to walk. He asked if the City could correct the apron connections to the street. Could the City delineated the street by putting a line 18-24" away from the curb otherwise they are going to wipe out one hundred mailboxes. The priority should go to the blocks of the street that are not on hills for drainage. He asked why the City could not put in any tiles for drainage to lower the water table out there. He has reviewed the 2016 Street Resurfacing Program and noted that most streets did not lose their curbs and some streets were not in dire need of resurfacing. There is lack of maintenance and state of disrepair in our City, which is why there are so many TIF districts. He hopes that the City will try to do infrastructure improvements incrementally at the very least.

George Baker, 1152 Woodland Hills Road, shared that he is a retired civil engineer. Last fall the City came by for a curb to be removed. He talked to Alderman Fischer and Bari called him. He was told to look at Mandrakes. The asphalt is over the top of the curb. The curb is made to channel water, keep the bulk of the water off yards and channel it all down to prevent water getting underneath the road. The asphalt is now taller than his lawn. The water will find its way back to the subgrade and ruin the road. The City is being a penny wise and a pound foolish. His subpump runs once an hour and seldom shuts off. The lack of the curb will increase that problem. The water is going to go behind the buried curb. If home values go down that would lower your tax base. We are being foolish, we really are. Before this Council approves any other work in this City, this needs to be discussed more. The neighborhood should be informed and asked to come in and listen to what the engineer has to say. The curbs also provide safety for residents.

Roxanne Townsend shared that she has put tens of thousands of dollars into the exterior of the home. She finally is seeing her home the way she expected it to look with a lot of sacrifice by not remodeling the interior. She lives on the side of the street without a sidewalk. Her children walk to the bus stop and they have lost the visual and physical delineation. She has seen semis go down her street daily and this road is a well-traveled road with fast traveling vehicles. Her children have to compete with traffic, which includes semi trucks, to go to the bus stop and the alternative is to cross the street twice. She bought into the established neighborhood for the trees to find that we were ignored for forty years and the home she just bought she will be lucky to get curbs fifteen years from now. People are literally driving into her front yard and that did not happen years ago.

Steve Burtner, Woodland Hills Road and Wilson, stated he was happy to see the work done on Woodland Hills Road. That road has been in terrible shape for several years. Not having cars scrape onto his driveway is a great change. The road really looks nice and adds property value to his house. The curbing is an issue on some parts of Woodland Hills Road. Where he is at he still has three inches of curb. He hopes that the areas without curbs could be addressed by the City.

Claire Boldon, 230 Woodland hills Road, stated that she is concerned about the overall drainage. However, we knew that drainage was a problem so why are we removing curbs. She gets a rush

of water to her inlets and she has saw pooling where the water was pooling past fenders of cars. She worries about the freezing ground because in the wintertime she has seen people go through the stop sign. It disappoints her that there has been no consideration of the future. She asked fellow residents to keep grass clippings and the leaves clear of the inlets be proactive. She suggested lining the street with white lines. She hopes to have curbs added. If storm water is a problem why are we just abandoning the problem.

Fred (?), 131 Woodland Hills Road, shared he worked in construction and drainage. He is surprised that this type of street was built. There is too much gravel. He stated that we should have done half and had a good base. Getting rid of the curb, this is a street that belongs in farmland, not in the City. People have been parking partially on the street and partially on the grass. He asked when it snows how will you know where the street is. We will lose a lot of grass when the ground is plowed beyond the curb. He feels that there will be more drainage problems then there was before. He asked for the City to put a sign behind the curb so people know where the curb ends and not go off the street when there is a lot of snow on the road. Even just a small bar with a red reflective marker would be helpful so that people could see where the street is. He hopes that there is a retainer over some period of time so when this road starts to deteriorate the contractor would have to have some responsibility.

Bari stated that the street department would put some sort of delineation on Woodland Hills Road.

Mark McConaughey, 839 Roxbury Court, stated a large part of his property runs adjacent to Woodland Hills Road. He would not be able to fix his grass every time a snowplow or a vehicle goes over his yard. His grass would also be destroyed by salt in the wintertime. There is a safety concern and notice should be given to the residents before the construction work is completed. He appreciates the new street but wants the Council to consider an approval process before something like this happens.

Ralph Beck, Woodland Hills Road and Merriville, asked if there is going to be any lines along the sides of the roads. He explained that lines are absolutely essential. Beck stated that drivers race down the street there. Beck explained that Woodland Hills Road is very dark and it is very hard to see. He would like to see some delineation.

Clayton Hollowman, 1219 Woodland Hills Road, stated he has concerns on the way the work has been done on our street. He was told once the asphalt is put in place it will cover the gutter of the curb and was directed to look at Mandrake. Mandrake has a steeper pitch to it and there still are curbs visible. He was surprised to see asphalt over the top of the curb. The curb was gone altogether. He thinks that deterioration will happen on the edge of the curb. His property drains to the street and gutter. Now the gutter has moved to his front lawn and will be in his grass on the way to the inlet. It will be very hard to grow things there now as well due to the salt. He thinks that there will be a ragged edge of asphalt. We don’t know if our road will be worked on for another quarter of a century.

Debbie Burringter stated that she wanted to address the issue of safety. There is a lot of speeding going down that road. She was wondering if the police department could address the speeding on

our road. At one point they had a clocking device and it was not very effective. She has not seen the speed monitored down our road.

Brian Calcki stated that he is concerned about safety of the children. He stated that aesthetically the street looks unincorporated. He noted that the drivers are increasing their speed. He asked the City to make safety the top priority to make sure that the children who wait for the bus are safe.

James Gorski, 717 Blaine Street, assessed that the speed in the City is excessive. Thirty mile per hour speed limit on a dead end street is excessive. Safety needs to be the issue and not profits from tickets due to 30 mile per hour speed limits.

Yvonne Dinwiddie, 1156 Pine Street, stated every time the City has a TIF District the money stays in the TIF District and all it does is give money to the developers. TIF Districts take away money from our schools and our park district. We need to use our taxes to fix our town and keep our town in repair. We don't need TIF districts. We are budgeting tightly with our infrastructure but we have money to buy properties for a future redevelopment project. She stated that it is time to have developers stand on their own two feet and do what it takes to keep our town in repair.

O'Brien stated that he will press to have lines for delineation. Supervision on the project was poorly done. O'Brien explained that the clean up after construction was poor and debris was left on the road such as nails and wire mesh.

Bari stated that staff would discuss striping on Woodland Hills Road and report back to the Committee. Brown asked Glen Autenrieth from the Batavia Police Department to address the speeding on Woodland Hills Road.

7. Presentation: Area 3 Combined Sewer Separation by Rempe-Sharpe Associates, Inc. (AMP 8/31/16) CS

Podraza stated that they are doing Area 2 and 3 for the combined sewer system on the west side of town. This is referencing the Trotter report that was done in 2008. Area 2 has construction drawings right now and there is nothing to report.

Brian Bennent, Rempe Sharpe, presented on Area 3 Sewer Separation Study. His presentation included the following information:

- Area 3 Overview
- Combined Sewer Area Three Map
- Purpose of models of storm events
- Modeling Results
- Future Project Costs
    - $3,991,000.00
- Possible Construction Phasing

O'Brien stated that he would not recommend going from a larger pipe to a smaller pipe. Podraza stated that there are concerns with the cemetery and the ability to add a larger pipe through tight quarters. Podraza stated that she would look into that a little further. Bennett stated that it is their

recommendation as well. O'Brien feels like the 10 year storm standard is an old standard so we should consider design for something larger. Wolff stated that the design flaw is the combined sewer and that needs to be corrected.
James Gorski, 717 Blaine Street, stated that separating the storm drain and the sewage has been an ongoing issue. He appreciates the time and effort put into the study. This is something that we do need to move forward with.

Podraza stated that they would be looking at budget and put some projects into the budget for next year. Podraza asked the Committee to send her any comments by the end of this week. Podraza stated that the report would be published on the City of Batavia website.

8. Resolution 16-77-R: Authorizing Execution of a Master Services Agreement with WBK Engineering, LLC (AMP 8/31/16) CS

Motion: To recommend to City Council approval of Resolution 16-77-R: Authorizing Execution of a Master Services Agreement with WBK Engineering, LLC
Maker: Stark
Second: Chanzit
Voice Vote: 10 Ayes, 0 Nays, 4 Absent
Motion carried.
CONSENT AGENDA

9. Resolution 16-80-R: Intergovernmental Agreement between the City of Batavia and Batavia Township Highway Department for Resurfacing of Lund Lane (RB 9/9/16) CS
Bari discussed the memo regarding the Intergovernmental Agreement.

Motion: To recommend to City Council approval of Resolution 16-80-R: Intergovernmental Agreement between the City of Batavia and Batavia Township Highway Department for Resurfacing of Lund Lane
Maker: Cerone
Second: Stark
Voice Vote: 10 Ayes, 0 Nays, 4 Absent
Motion carried.
CONSENT AGENDA

10. Resolution 16-78-R: Authorize Execution of a Construction Contract with Pirtano Construction Company, Inc (RR 9/9/16) PU
O'Brien stated that this is from the 2014 agreement that was never executed to bring infrastructure to Fermi Lab so that we could expand the infrastructure and have people tie on to it. Pirtano has agreed to accept the 2014 price. Rodge stated that staff is requesting waiving formal bidding for this project.

Motion: To waive formal bidding and approve Resolution 16-78-R Authorizing Execution of a Construction Contract with Pirtano Construction Company, Inc for $311,459.75
Maker: Brown

Second: Atac
Voice Vote: 10 Ayes, 0 Nays, 4 Absent
Motion carried.

Motion: To recommend to City Council approval of Resolution 16-78-R: Authorize Execution of a Construction Contract with Pirtano Construction Company, Inc for $311,459.75
Maker: Brown
Second: Mueller
Voice Vote: 10 Ayes, 0 Nays, 4 Absent
Motion carried.

11. Resolution 16-79-R: Authorize Execution of a Pole Attachment Agreement with Sigecom, LLC d/b/a WOW! (RR 9/9/16) PU

Rodge stated that this project is for throughout the City. Rodge discussed the cost estimate, which is four thousand dollars a year for fiber optic.

Motion: To recommend to City Council approval of Resolution 16-79-R: Authorize Execution of a Pole Attachment Agreement with Sigecom, LLC d/b/a WOW!
Maker: Wolff
Second: Cerone
Voice Vote: 10 Ayes, 0 Nays, 4 Absent
Motion carried.
CONSENT AGENDA

12. Ordinance 16-46: An Ordinance Establishing Regulations for Illicit Discharges into the Storm Water Drainage System (AMP 8/17/16) GS

Podraza explained that this ordinance is to protect what is going into the Fox River. O'Brien asked about construction site run off. Podraza answered that Kane DuPage Storm and Water Conservation would monitor the construction site and the City's erosion control measures must be followed and if not they would be fined for improper disposal.

Motion: To recommend to City Council approval of Ordinance 16-46: An Ordinance Establishing Regulations for Illicit Discharges into the Storm Water Drainage System
Maker: Stark
Second: O'Brien
Voice Vote: 10 Ayes, 0 Nays, 4 Absent
Motion carried.

13. Ordinance 16-58: Revising Title 3 Chapter 3 of the Batavia Municipal Code Amending the Class F Special Event (Nonprofits) License Terms (Chief Schira 9/1/16) GS

Newman reported that Water Street Studios is doing a phenomenal job of outreach to the community and hosting events and has seen a large amount of growth over the last several years. They have outgrown the licensing ordinance that only allows for fourteen events a year. They have an event on the second Friday of every month that counts as twelve events. The State of

Illinois interprets the same ordinance as a type of event, so the second Friday events would be one type of event with the various event dates listed. Staff would like to make that more explicit in the statute so that it is not a mere matter of interpretation but it is specifically stated. That is why we are amending title 3, chapter 3.

Motion: To recommend to City Council approval of Ordinance 16-58: Revising Title 3 Chapter 3 of the Batavia Municipal Code Amending the Class F Special Event (Nonprofits) License Terms
Maker: Wolff
Second: Cerone
Voice Vote: 10 Ayes, 0 Nays, 4 Absent
Motion carried.
CONSENT AGENDA

14. Discussion: Revisit Crosswalk Safety Concerns Following Fatal Accident in Mount Prospect GS

Wolff stated that pedestrians and motorists should be educated on how to use these crosswalks. He suggested having an education program in the schools. Botterman asked for specific reports from the police department regarding these crosswalks. Newman asked Autenrieth to supply any reports the police department may have on these crosswalks. Autenrieth commented the Federal Government is researching if there is a conflict with the flashing yellow lights. He continued that flashing yellow lights have always signified caution and slow down and does not mean to stop. Everyone knows red means stop and danger.

This discussion was postponed to the next agenda.

15. Project Status

The Strategic Planning Workshop and Goal Setting Meeting is proposed to be on November 5, 2016.

This Friday there will be a meeting with the River Street businesses to address their concerns. Batavia Chamber of Commerce, Batavia MainStreet, and Dave Patzelt from Shodeen would be at that meeting as well.

Staff had a meeting regarding temporary parking before the public parking that cureently exists is removed.

There will be a meeting tomorrow to discuss the City Hall projects.

Thursday Advanced Disposal will be meeting with staff about the community garbage issues during the construction phase of One Washington Place.

Budget meetings with Department Heads begin this Friday and continue throughout the next week.

Today staff had a meeting with Metronet.

Newman has an October 3rd meeting with State Representative Mike Fortner to discuss economic issues and to seek his assistance.

O'Brien asked about Blue Goose. Newman reported there should be a report back from them early next week. There will be a meeting with Batavia Enterprises and the owner of Blue Goose with staff to move this project forward.

16. Other
There were no others at this time.

17. Executive Session:
- **a) Personnel**
- **b) Acquisition of Real Property**

The Committee entered Executive Session at 10:10pm and exited at 10:37pm.

Motion:	To enter into Executive Session for the purpose of personnel and acquisition of real property
Maker:	O'Brien
Second:	Stark
Voice Vote:	10 Ayes, 0 Nays, 4 Absent Motion carried.

18. Acquisition of Real Property
This agenda item was removed from the agenda.

19. Adjournment
There being no other business to discuss, Brown asked for a motion to adjourn the meeting at 10:37pm; Made by O'Brien; Seconded by Chanzit. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith

MINUTES
September 20, 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 7:30pm.

1. Roll Call

Members Present: **Chair Brown; Ald. Russotto, Stark, Chanzit, Wolff, Fischer (entered at 7:31pm); O'Brien, Mueller, Botterman, Cerone, and McFadden**

Members Absent: **Aldermen Atac, Callahan, Hohmann**

Also Present: **Mayor Schielke (entered at 7:33pm); Chief Schira, Batavia Police Department; Laura Newman, City Administrator; Howard Chason, Information Systems Director; Billy Kellum, Assistant Street Superintendent; and Jennifer Austin-Smith, Recording Secretary**

2. Items to be Removed/Added/Changed

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

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

Mike Hogan, Wilson Street Tavern, asked the Committee to reconsider the video gaming ordinance. He stated that he has talked to several business owners and they would like the City to revisit this discussion. Brown stated that he has been in support of video gaming and he would entertain the idea to have the conversation again. We need to be competitive with the surrounding communities and it could be a revenue source for the City. O'Brien stated that he supported it when it came up originally and he supports it now. It is a revenue source for our businesses. Mayor Schielke stated that it is the Council's decision, however, he has heard from other mayors that establishments are disappointed with the revenue and it is not what they thought it would be. Botterman asked for this to be revisited again during the budget process. O'Brien seconded. Chanzit requested information on what has changed since the last time we voted on this other than a request by one person. There are some material facts that have not changed.

4. Discussion: Revisit Crosswalk Safety Concerns Following Fatal Accident in Mount Prospect GS

Chief Schira reported that the flashing beacons were installed in August 2015 and they have looked at all crosswalk accidents since August 2015. There were two crosswalk accidents but neither were at the flashing beacons. One was at South Raddant and Wind Energy and the other was at Route 31 and McKee.

Chief Schira stated that crosswalks across four lane highways are much different that crosswalks across two lanes. We don't think it is wise to put cross walks along four-lane highways period because there are a lot of blind spots. The Mount Prospect accident is a perfect example. The crosswalk itself has been in for ten to fifteen years. Only in the last year they put in a flashing beacon and a median to increase the safety measures. Tragically, a car did not see past another car (which was stopped) and kept going through the crosswalk. Mount Prospect has been since allowed to put a flashing light on the median as well. Chief Schira stated that as far as a cross walk is concerned, someone standing on the sidewalk and has not entered the crosswalk there is no expectation or responsibility for motorists to stop. The responsibility to stop is only when someone enters the crosswalk. By law, unless the person steps off the curb into the crosswalk there is no mandatory duty for motorists to stop. When people believe that activating the amber flashing beacon means people would stop gives them a false sense of security. Chief Schira continued that people are not trained as motorists to stop at flashing yellow lights, that is a caution or a warning. That means be careful. You stop at reds. It makes much more sense to him to have a flashing red light or a solid red light than an amber light.

Chief Schira discussed the Hawk Signal, which is mounted across the intersection, and has been proven safe and effective in other states. The Hawk Signal works as a traffic signal where it goes to a flashing yellow and then to a red. That time delay helps prevent cars from being rear ended. Mount Prospect is interested in installing a Hawk signal, however, IDOT does not allow for Hawk Signals. Chief Schira found out from Mount Prospect that IDOT feels that drivers are trained to stop when a traffic signal is out and they don't want people to stop at the Hawk Signal when it is not activated. IDOT thinks that it would confuse drivers.

O'Brien stated that IDOT has to reevaluate their standards. Chief Schira stated that he would recommend starting to have discussions with IDOT to have them reconsider the Hawk Signal on State highways. He suggested having the Mayor contact IDOT and join with Mount Prospect to put legislative pressure on IDOT. Chief Schira stated that he would work with the chief of the Mount Prospect Police Department. Chanzit queried if we have enough data at this time. He continued that if we do not find the crosswalk to be safe we should take down the flashing beacons. He stated that he does not want a fatality to occur in our City and if we were to vote tonight he would vote to take it down. Botterman stated that from his perspective he has seen these crosswalks work as they were designed to do. He too does not want to see anyone get hurt but at Morton the crosswalk has been working. Pedestrians still have to utilize discretion and judgment prior to entering the crosswalk and drivers do need to be alert and aware of their surroundings. Unless we have some other plan to increase safety we should not take the lighted crosswalks out at a whim. Brown stated that we don't have the data for how many near misses there were or how many times the crosswalk has helped increase safety. Wolff suggested creating a demonstration on how to use the crosswalk and air it on BATV. He also suggested crosswalk education at all the schools for children to learn as well. Stark stated that education is a good initiative from now until spring. We should have a road safety program developed prior to spring.

Brown stated that IDOT should be lobbied and the City should work with Mount Prospect to get the Hawk Signal approved. McFadden agreed. O'Brien asked that staff put something together regarding a road safety program to implement citywide.

5. Proposal to Hire a Communications Coordinator (Laura Newman 9/16/16)

Newman reported that one of the first tasks as a City Administrator was to review if it were advantageous for the City to have a position that was dedicated to communications. Newman stated that it is a resounding yes. She has seen several instances in which a Communications Coordinator would have been beneficial to the City. Chason stated that he spends ten to twenty percent of his time on the website. We do push information from our website to Facebook and Twitter but unfortunately it is not the best looking posts. Unless someone does it manually the format could not be altered. Chason stated that Geneva has someone to post the information manually. Chason stated that he does not believe that we have all the information needed on the website and it would be nice to have someone monitoring that as well as monitoring the website for accuracy. Chason stated that our City Administrator spends a lot of time following up with communication. He stated that a communications position would be extremely helpful to the City.

Chanzit stated that it would be helpful to the City to get resident's approval of receiving push notifications when construction or other items are happening in their neighborhood. Chanzit commented that a person with a journalism background would be ideal for the communications position. He suggested having the salary be high enough to attract quality applicants. Wolff stated that he supports this position. The school district brought in someone to do communications and it has been very beneficial. Russotto and McFadden were in favor of this position. Botterman asked if this position would be working with the police department as well. Newman stated that this position would be used to assist the police department in communications, such as with press release formats. Botterman stated that he hopes this position won't spend too much time on Facebook but rather pushing information ahead of the story, which could make all the difference.

O'Brien stated that the Council worked really hard on the budget and he would be opposed to a budget amendment now and we should discuss this at the next coming budget. Chason stated that if this does pass now and there is an amendment, we are not looking to hire anyone until after thanksgiving or Christmas. It would probably be a small budget amendment for the first month of salary and would get us going starting the New Year. Stark would like to get started on this process because it is very important to get the right information out there. Brown and Botterman agreed with O'Brien. Brown stated that he truly feels that this should be a part of the budget discussion because we have not yet heard from staff on which areas they need help. He feels that the job description is a lot for one person. Brown stated that the communications person would have to attend the City Council and the COW meetings and be a part of the process so they know what to communicate. Brown stated that we need to fully understand the budget and what we can or cannot afford before we fill this position. Fischer stated that he supports the hiring of this position and the range of salary proposed. Botterman encouraged the City to make the salary equivalent to the work because you get what you pay for with this type of work. Botterman asked if the City has considered a contract worker for this, free of full-time benefits. Newman stated that the City felt that it would be more beneficial to have a salaried position versus an hourly contract employee. Mueller stated that she feels that this position is necessary but our budget was very tight. We need to understand all of the other obligations the City needs for the next budget.

Mueller stated that information does need to get out there more quickly and more accurately. Cerone stated that our staff is overworked and this position helps every department at a relatively low cost and he supports it.

Motion: To direct staff to begin the search process to hire a Communications Coordinator with the hire date of January 1, 2017 with the understanding if they need to approach us beforehand we would entertain that later
Maker: Chanzit
Second: Cerone

Discussion was held on the motion. Wolff stated that if we have the hire date of January 1st it gives us time to put it into the budget.

Roll Call Vote: **Aye:** Chanzit, Wolff, Fischer, O'Brien, Mueller, Botterman, Cerone, McFadden, Russotto, Stark
Nay: Brown
10-1 Vote, 3 Absent, Motion carried.

6. Project Status
There was no project status.

7. Other
Newman reported that interviews for the Fire Marshall have been completed and the position should be filled in the next month or two.

Fischer asked about the Marathon Station. Newman stated that the City received a favorable response from the owner with the interest in learning how to utilize the property for additional temporary parking. There will be a meeting set up in the near future. Newman reported that the owner has engaged with an environmental company to remove the tanks from the property.

O'Brien stated that the condition of the sidewalk on Batavia Avenue needs to have something done about it by next week. This should not be delayed. Newman reported that Scott Haines has contacted a contractor to fix that portion of the sidewalk and Peggy Colby has identified funds to pay for it. O'Brien thanked staff for their timely response. Brown added that the sidewalk south of First Street in front of the liquor store is in even worse condition.

O'Brien stated that Woodland Hills Road was striped. A speed limit calculator was placed on the stop sign and they should put the calculator mid-block to get the best data collection.

Brown pointed out that there are piles of dirt and asphalt left at the gravel parking lot. We should expect the same out of us as we would expect from every other developer. This is in the heart of downtown and we shouldn't have piles left out and they need to be cleaned up.

Wolff would like to revisit the discussion to televise the COW meetings at a future COW meeting. McFadden seconded that request.

8. Adjournment

There being no other business to discuss, Brown asked for a motion to adjourn the meeting at 9:20pm; Made by O'Brien; Seconded by Mueller. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith

MINUTES
September 27, 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 7:30pm.

1. Roll Call

Members Present: **Chair Brown; Ald. Russotto, Atac, Stark, Wolff, O'Brien, Callahan, Hohmann, Mueller (entered at 7:45pm), Botterman, Cerone, and McFadden**

Members Absent: **Aldermen Chanzit and Fischer**

Also Present: **Gary Holm, Director of Public Works; Scott Buening, Director of Community Development; Howard Chason, Information Systems Director; Joel Strassman, Planning and Zoning Officer; Drew Rackow, Planner; and Jennifer Austin-Smith, Recording Secretary**

2. Items to be Removed/Added/Changed
There were no items to be removed, added or changed.

3. Matters From the Public (For Items NOT on Agenda)
There were no matters from the public for items not on the agenda.

4. 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. August 2016 Financials
b. Resolution 16-82-R: Amending Professional Services Agreement

Motion: To approve the Consent Agenda as presented
Maker: Wolff
Second: Cerone
Voice Vote: 11 Ayes, 0 Nays, 3 Absent
Motion carried.
CONSENT AGENDA

5. Initial Land Use Proposal Review for the Proposed Mill Bridge Development, McKee & Deerpath Road-K. Hovanian Homes, Applicant (Rackow 9-23-16) CD

Vice-Chair Stark read the memo regarding the initial land use proposal review for the proposed Mill Bridge Development.

Jim Truesdell, 1804 Naperville IL, presented on the proposed development and his presentation included the following:

- The history of K. Hovnanian Homes, formally Town & Country Homes, active in Chicago since 1958.
- Chicago Communities (list and map)
- Surrounding Land use Exhibit
- Zoning Intensity Map
- Planning Factors Exhibit
- Concept Plan Map and Topography Map
- Proposed buffering
- Park Area Exhibit (will work with the Geneva Park District as this moves forward)
- Cell towers would remain on the site

Stark opened the floor for questions and comments from the public.

Nina Moore, 510 Thorne Street, asked how the buffering would be done for the Trout Farm subdivision as far as their open lands and the houses right next door. Truesdell stated they are providing a thirty-foot buffer. Another alternative would be to make that section one larger lot. The intention is to provide buffer. Moore asked about the open property that backs up to the Trout Farms open area. She stated that they are concerned about ball fields and how it would impact their liability. Truesdell stated that it is their intent to keep the existing wetland. The open space provided would be stormwater retention as a passive open space detention area, which would then transition into the wetland area and then transition into the future park area.

Kathleen Cuda, 404 Thorne Street, asked what are the single family homes lot sizes, square footage and price points. Truesdell answered that the lot sizes are minimum 7200 square feet. The duplexes would be on a 10,000 square foot lot. At this point they do not have price points. They will be market-rate homes and be consistent with what homes are selling for in the general area. They are looking at the 2,000-3000 square foot range.

Marie Sanderson, Heritage Ridge area, stated that she is at the highest area of the layout. She would like more information on the buffer. The reason being is that there are homes with front door entrances and she is concerned on what she would see from her front door. She does not want to see someone's backyard and garbage cans from her front door. She asked if the buffer would be dense so that she would not be looking at the new development. Truesdell stated that they understand that there are front doors to consider. They provided the thirty-feet buffer to add in addition to the thirty-feet that they already have and plan on planting additional plantings there. The intent is to plant that and maintain property for both sides of the property line. Sanderson asked if there was any consideration to put up any fencing since that is the only

section that would have property backed up to each other. Truesdell stated that the options are open considering the buffer. He stated that there would be 90 feet from building to a building.

Bob Kekefer, Hamilton Way, asked about the proposed road extension and bridge across the McKee Tributary. He asked Stark to reread the memo discussing that section. Stark reread the section in the memo regarding the possibility of a bridge. Buening stated that as part of the access agreements, Kane County has asked us to try to build a bridge, there is no formal agreement, but Kane County has asked the City try to build this bridge. Kekefer asked if there was a formal agreement or requirement to do this. Russ Whitenker, developer's attorney, stated the City has stated that this is a requirement and they have been putting the bridge as part of the plan. Brown stated that it was a desire to make that connection so that there are opportunities to be able to come out to Randall Road without accessing Fabyan Parkway. Also, for Fire, Police and Ambulance that is a way to be more efficient and quicker and save lives. Buening stated that Cambridge contributed some money towards that bridge. These are items to be discussed through the annexation or debate. Chair Brown stated that it has been the desire of past Councils to have this bridge developed. Wolff stated that the surrounding communities and the roads are all designed for a future bridge. Wolff stated that he does not think this is going to happen unless there is a bridge there. Kekefer stated that he does not have a problem with the bridge necessarily. Buening noted that financing of any project has not been discussed. We have a long way to go if they were willing to proceed with this.

Cindy Kekefer, Hamilton Way, stated that she feels that this is a nice looking development. Her concern is rainwater runoff. She is wondering what happens when we have a large rainstorm. She asked if studies have been done to ensure that the detention area could handle large amounts of rain water runoff and is the marsh being monitored by the City for water flow. Holm stated that we manage that water by storing it on site and it is released slower. Kekefer asked about the price range of houses. She asked about the strategy going forward, such as what is the timeframe from the sale of the first house to the completion of this subdivision. Attorney Whitenker stated that they are here working on a local regional basis, they need to have more detailed discussion on significant elements that would determine house pricing.

Tracy Drake, 429 Thorne Street, stated that they have had times in the past where the green space area is soggy and there was is water in the street. She is concerned about increasing the water right along Thorne Street. She stated that if we increase the density then we would be increasing the stormwater runoff. Truesdell stated that stormwater runoff studies would be conducted. O'Brien stated that he wants to make sure that we would have ample drainage. He wants to prepare for future years. The water would flow in this proposed subdivision since you are elevated and we want to make sure that we are not flooding people ten years from now. O'Brien stated that our stormwater guidelines are outdated and we should plan for larger rainstorms going forward.

Nina Moore, 510 Thorne Street, asked if the developer has bought the property. Attorney Whitenker stated that they have not purchased the property and they would have to have all the items worked out. They are at least six to nine months out before buying the property.

Brown thanked the audience for their comments. He stated that he likes the idea duplexes with first floor masters because it fits a housing need in Batavia. This proposed development does fit with the Comprehensive Plan. The use of the current streets are well done. Mill Street as the main entrance is a positive. The open space to the north and west conforms to what was done with the Cambridge subdivision and has been worked out well. He encourages sensitivity to the Trout Farm and Wolcott Lane and would like more sensitivity to houses that border it on the west side. He asked if the developer could add some more landscaping or give a little more space there that would be great. Brown cautioned against the use of horseshoe drainage because it does not work and asked the developer to avoid it all costs. Brown stated a sixty six-foot right of way is positive. He noted that the Park District is all Geneva Park District. In general he is supportive of this proposed development and he would approve it as it is proposed.

Callahan stated that we have so few large segments available for development it would be ridiculous to sell these homes at a low selling point and the price point should dictate what is already there in that area.

O'Brien asked about sanitary lines. Holm answered that this is the City's sanitary line. Holm stated that there is a large overall capacity in the system.

Brown opined to the developer that the City does not have any money to contribute to the bridge. If you are going to hang your hat on the possibility that the City is going to build the bridge for you it will not happen. Stark stated that this is a well-designed development and age-in-place housing stock. O'Brien stated that he hopes that the bridge does not deter you from moving forward. Truesdell stated that these are things that we need to know. We are anxious to move ahead and plan on continuing with this project.

6. Project Status

There was no project status.

7. Other

Holm discussed Braeburn Marsh. The City manages the marsh west of Randall Road and the Kane County Forest Preserve manages the marsh east of Randall Road. The City has a contract in place to do a burn. We would like to extend that burn further east. The contractor needs to get a permit to do that and they already have a western permit. Staff has no control of what is happening east of Randall Road and staff is working with the Kane County Forest Preserve. The Kane County Forest Preserve is getting a maintenance plan in place and they may do a burn this fall. The City does not control the Forest Preserve's schedule or their costs.

Wolff asked if the outfall from the marsh to Mill Creek would be cleared or expanded. Holm stated that the area is out of the City's control. We could only control our portions. Stark asked if this is a good timeframe to do a burn. Holm answered that May and fall are good times to do a burn. Brown stated that there is a need for the burn and it needs to be done. Brown stated that the Mayor supports the burn. Holm stated that our portion would be burned.

Holm reported on the excavations on the Baptist Church property. The excavations were searching bedrock and they did not find any, which is good news. Holm explained that the

digging would be easy. Holm stated that one of the questions was are we going to repave the trenches to get us through winter time. Holm stated that we are planning on having demolition specs in the December/January time frame. They plan to build a parking lot on the Larson Becker property by February or March. When the asphalt plans open in mid April we need the parking lot graded and ready to purchase asphalt. We will not be going into 2017 in July with the building standing and the parking lots not developed. If we want to repave the area in question it would cost eight to ten thousand dollars. Staff is recommending not spending that money. Holm asserted that staff would be able to maintain gravel better than asphalt because asphalt would continue to settle throughout the winter. O'Brien agreed but would like to avoid rocks flying around and suggested to put down screenings down as an option. Stark asked about the pile of rubble. Holm stated that staff would get estimates for removal of the debris. It is considered an industrial site and needs to be tested as an industrial site per the law. We are getting a cost to get it tested. Holm noted that in two months we would have a large gravel pile yet again. Brown stated that we should hold ourselves to the same standards as we would hold anyone else to. He suggested installing a fence around it to comply with regulations. O'Brien stated keep doing what you are doing and put fencing around the large pile.

Callahan asked about the status of the Joint Review Board. Buening stated at the meeting the School District raised general concerns with the number of children that would be generated out of Shodeen's proposed development. The meeting was continued until next Tuesday to try to get additional information from the developer and other developments such as this one to see what the actual child generation rate would be. Currently, we feel that there would be a dozen or less based on our research.

Brown asked about the bricks on Batavia Avenue. Holm stated that he will talk with Scott Haines about this and assured the Committee that this is being addressed and should be done before the snow falls. O'Brien stated that it should be done sooner. Holm stated that as soon as we get a contractor in we would work on it. Holm noted that Haines is out of the office next week. Brown asked to have information about this tomorrow before Haines is out of office. Brown asked about excess cash and look at that so we could plan.

Stark stated that a resident informed her that there is a piece of pipe on the sidewalk on 31. Stark asked for City staff to take care of this tripping hazard.

O'Brien stated that there are weeds growing where they planted seed on Woodland Hills Road. Holm explained that the turf has not yet been established. The engineering department is overseeing that project. O'Brien noted that he has been notified by residents that there is still debris in the road. Holm asked to be informed on where the debris are and they would take care of it.

O'Brien thanked Holm for putting the line in on Woodland Hills Road.

8. Executive Session

- **a. Threatened Litigation (CD)**
- **b. Setting the Price of Land for Sale or Lease (CD)**

Motion: To enter into Executive Session for the purpose of threatened litigation and setting the price of land for sale or lease
Maker: Stark
Second: McFadden
Voice Vote: 12 Ayes, 0 Nays, 2 Absent
Motion carried.

The COW exited Executive Session at 9:46pm.

9. Adjournment

There being no other business to discuss, Brown asked for a motion to adjourn the meeting at 9:46pm; Made by O'Brien; Seconded by Callahan. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith

CITY OF BATAVIA

MEMO TO: Committee of the Whole
Government Services

FROM: Gary J. Schira
Chief of Police

DATE: October 4, 2016

SUBJECT: Ordinance 16-62 Liquor Code Changes – Creating a Class J Liquor License for the Sale and Consumption of Liquor in Movie Theaters

Attached is Ordinance 16-62 Revising Title 3 Chapter 3 of the Batavia Municipal Code by adding a Liquor License Classification for Movie Theaters. This revision creates a Class J license authorizing the retail sale and consumption of alcoholic liquors on the premises of movie theaters. Goodrich Quality Theaters, owner of Randall 15 IMAX in Batavia, is requesting this license and the police department has no objection.

Please approve Ordinance 16-62 at your Tuesday, October 11, 2016 Committee of the Whole meeting and recommend approval at the Monday, October 17, 2016 City Council Meeting. If you have any questions, please contact me.

Copy to: L. Newman, City Administrator
Department Heads
City Attorney
Economic Development
D/C Autenrieth
S. Mazza
K. Bretz
T. Doggett
J. Armbrust

CITY OF BATAVIA, ILLINOIS
ORDINANCE 16-62

REVISING TITLE 3 CHAPTER 3 OF THE BATAVIA MUNICIPAL CODE BY ADDING A LIQUOR LICENSE CLASSIFICATION FOR MOVIE THEATERS

ADOPTED BY THE
MAYOR AND CITY COUNCIL
___ DAY OF _____, 2016

Published in pamphlet form
by authority of the Mayor
and City Council of the City of Batavia,
Kane & DuPage Counties, Illinois,
This ____ day of _____, 2016

Prepared by:

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

CITY OF BATAVIA, ILLINOIS
ORDINANCE 16-62

REVISING TITLE 3 CHAPTER 3 OF THE BATAVIA MUNICIPAL CODE BY ADDING A LIQUOR LICENSE CLASSIFICATION FOR MOVIE THEATERS

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. Title 3, Chapter 3, Section 3-3-15 of the Batavia Municipal Code is hereby revised by amending Subsection J as follows:

J. Class J - Brewery Licenses: Class J licenses authorize a movie theater in which the primary business is the sale of movies for public viewing and non-alcoholic concessions to sell alcoholic liquor at retail for consumption on the premises only to subject to the following terms and conditions:

1. Alcoholic liquor may be sold only in the lobby at a designated place separate from the general concession area, except that alcoholic liquor may be sold at temporary bar locations in specific auditoriums, rooms or ancillary lobbies that are closed off for private parties.

2. Alcoholic liquor may only be served by persons who have been trained as provided in Section 3-3-28, and sales shall be limited to patrons who have:

   a. Purchased a movie ticket,

   b. Proven they are of drinking age by appropriate State ID, and

   c. Displayed a tamperproof wristband that is valid only for the date that is issued applied by an agent of the licensee who has verified the patron's age.

3. Drinks with alcoholic liquor that may be sold in a movie theater are limited to:

   a. One drink per person per visit to the area where alcoholic liquor is served;

   b. Beer, wine or mixed drinks that include, in part, some non-alcoholic liquid;

   c. Clear plastic cups that are distinctly different from the cups used for non-alcoholic beverages (no drinks in cans or glass are allowed)

4. Consumption of alcoholic liquor shall be limited to the main lobby area, party/meeting rooms, promenade, and auditoriums where the movies are shown, and no alcohol consumption shall be permitted within ten feet (10') of the main

entry and the exits to the building and signage shall be prominently posted consistent with this limitation.

5. Alcoholic liquor shall not be removed from the premises, and signs prohibiting the removal of alcoholic liquor shall be prominently posted at all exists to the theater.

6. The sale of alcoholic liquor shall be limited to the regular hours that alcoholic liquor may be sold in the City and shall be further limited as follows:

   a. Alcoholic liquor may not be sold any earlier than one (1) hour before the first movie is advertised to be shown and not later than one (1) hour before the last movie is advertised to finish, except for private rentals and events.

   b. Alcoholic liquor may not be consumed in an auditorium in which a G or PG movie is showing before 8:00 pm.

7. "Happy hour" and similar promotions or practices are prohibited.

SECTION 2. Title 3, Chapter 3, Section 3-3-18 of the Batavia Municipal Code is hereby amended by adding an $1500 fee for Class J Movie Theater Liquor License.

SECTION 3. This Ordinance shall be in full force and effect upon its presentation, passage and publication according to law.

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this ____ day of _____, 2016.

APPROVED by me as Mayor of said City of Batavia, Illinois, this this ____ day of _____, 2016.

_____

Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien									
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

ATTEST:

_____

Christine Simkins, Deputy City Clerk

R:\Secretary\Clients - Municipal\City of Batavia\Liquor\2016 Amendments\Ord. Amending the Liquor Code License for Brewery and Theater.doc

CITY OF BATAVIA

MEMO TO: Committee of the Whole
(Government Services Committee)

FROM: Gary J. Schira
Chief of Police

DATE: October 7, 2016

SUBJECT: Overnight Parking Restriction (1:00 a.m. to 6:00 a.m.)

Attached are some "Pros" and "Cons" as it relates to the current Overnight Parking of Vehicles on City streets from 1:00 a.m. to 6:00 a.m. Prohibition, which I've gathered from various city staff members to begin the discussion on this topic. I've also included some surveys of other communities reference the overnight parking issue we've done through the years. It seems that we revisit this issue every few years.

Section 6-6-13 (All Night Parking Prohibited) of Batavia City Code, passed on July 18, 1983 as Ordinance 83-37, is the governing law; thus this prohibition was put in place 33 years ago. An overnight parking prohibition on residential streets in some fashion is the rule rather than the exception in the Chicagoland area. Further, even under our current prohibition, the Police Department will grant an overnight or short term permission in extraordinary circumstances, such as a late ending party, out-of-town visitors, driveways being re-sealed, vehicles broken down, etc. by calling our Police Department and requesting same. This is usually granted unless a resident is deemed to be "abusing" the permission for convenience. Long term overnight parking permission is not granted by the Police Department, but instead is directed to the City Council for a permit. In my 10 + years as Chief, I know of only one such permit granted by the City Council (for I believe a temporary period of 1 year).

Some cities across the country, especially where off-street parking is insufficient, do allow residents to apply for an annual parking permit if certain mandatory requirements are all met, such as:

1. All available garage space and driveway space designated for vehicle storage is to be used for that purpose. The city reserves the right to conduct on-site inspection of the property at any time to verify requests.
2. Applicants must provide a current vehicle registration showing that the vehicle is registered to the city address listed on the application. For students attending local colleges while living in the city, a student ID will waive the requirement that the vehicle must be registered to the city address.
3. A completed application must be accompanied with a non-refundable Application Fee. Renewals have a discounted fee.

The premise for the above, as explained by cities who have such a permitting system, is simply this – a public street belongs to everyone (residents, out-of-towners and people just traveling through), not just the people in the neighborhood living there. The needs of the residents to use them must be balanced against the needs of everyone else. The main purpose of a public city street is the conveyance of traffic and smooth traffic flow, not parking (which is a secondary purpose).

Currently, Section 6-6-9 (Parking During Snow Removal Operations) of Batavia City Code states that no vehicle can park on City streets during or after a snowfall accumulation of 2" or more. If a permitting system is adopted, you may wish to continue to prohibit overnight parking during winter months, November 1 to April 1.

This memo and its attachments should be sufficient to arm you with enough information to begin your discussions at the October 11, 2016 Committee of the Whole Meeting. Let me know if there is anything else you wish me to explore.

Attachments

CC: L. Newman
Department Heads
D/C Eul
D/C Autenrieth
B. Kellum

SURVEY CONDUCTED IN 2008

OVERNIGHT PARKING

The following 15 municipalities were surveyed reference overnight parking restrictions:

Naperville	Addison	Bloomingdale
Carol Stream	Geneva	Lisle
Mundelein	Rolling Meadows	Glen Ellyn
St. Charles	Aurora	West Chicago
Bartlett	Elgin	North Aurora

Each municipality was asked the same 8 questions. The results are as follows:

1. Do you have overnight parking restrictions on City streets?

   60% of the communities have overnight parking restrictions in residential areas with 27% limited to business districts, only restricted in certain areas and/or no 24-hour parking. Only two (2) communities, Mundelein and North Aurora have no overnight parking restrictions what so ever.

2. If so, what are the hours that parking is **not** permitted?

   33% of the communities restrict overnight parking hours from 2 a.m. to 5 p.m. with another 33% from 2 a.m. to 6 a.m. Geneva and Aurora restricts overnight parking in the business district from 2:30 a.m. to 8:30 a.m. Mundelein, North Aurora and St. Charles have no restricted hours except that St. Charles does not allow 24-hour parking anywhere.

3. What are the reasons for having an overnight parking restriction?

   73% restrict overnight parking for crime preventive reasons with 53% restricting for emergency access. Mundelein, North Aurora and St. Charles are N/A.

4. Are residents allowed to park on the street with verbal permission from the Police Department?

   53% of the communities will allow residents to park with verbal permission from their perspective police departments. 33% do not restrict residents overnight parking which includes Mundelein, North Aurora and St. Charles as well as Geneva and Aurora, which only restrict in their business districts.

4a. How often will this be granted to the same residence?

   20% grant 1-3 days, 7% grant up to 5 days, 7% at the discretion of the Supervisor, 47% have various regulations and 33% are N/A. Addison, Lisle, and Rolling Meadows, allows

longer than 5 days at the discretion of the Supervisor, Bloomingdale allows 3 times per month unless construction of a driveway, West Chicago restricts to no more than 3 times/3 nights per month, and Bartlett allows overnight parking 10 nights per year.

4b. Do you issue a hardcopy permit to resident to allow them to park overnight?

100% do **not** issue hardcopy permits for overnight parking.

5. Do you enforce overnight parking restrictions on streets where there are no curbs (just a shoulder)? Do you enforce (in this regard) parking overnight on parkways or on City right-of-ways?

Only one (1) community, Glen Ellyn, has this scenario. Every other community either has curbing throughout its City limits or where there are no curbs, is an incorporated area and not within their jurisdictions. Therefore, only Glen Ellyn enforces the same restrictions as in areas with curbs.

6. What is the fine for parking in a fire lane?

47% of the communities fine $50.00 for parking in a fire lane. This includes Naperville, Geneva, Lisle, Rolling Meadows, St. Charles, North Aurora, and Aurora. Both Lisle and St. Charles may also charge $100.00 for an additional occurrence. Bloomingdale charges $10.00; Bartlett charges $15.00; Carol Stream and Glen Ellyn charge $20.00; Mundelein and West Chicago charge $25.00; and Addison charges $85.00.

7. What is the fine for parking where signs prohibit?

20% of the communities surveyed charge $25.00 for other parking complaints, which includes Mundelein, St. Charles and West Chicago. Glen Ellyn, however, has a Frequent Violators List in which fines increase with each incident and begin at a fine of $15.00. Aurora also has parking fines on a sliding scale with tickets starting at $50.00. Geneva uses a sliding scale also, however, their tickets start at $10.00. Addison is the most expensive with parking fines starting at $85.00. Bloomingdale charges $10.00 per parking incident, Lisle and Carol Stream charges $20.00; Rolling Meadows charges $30.00; and North Aurora charges $50.00.

8. Do you enforce parking in a driveway blocking the sidewalk? If so, on complaint only?

Although every community surveyed does enforce the parking restriction of a vehicle parked in a driveway blocking a sidewalk, only Carol Stream strictly enforces this especially during the day. 80% respond on complaints only with 31% also using Officer Initiative. This type of overnight parking is permitted in 20% of the communities between the hours of 10 p.m. and 7 a.m. Geneva offers residents a lot for overnight parking for $1.25/day. Glen Ellyn, Aurora and Geneva strictly enforce this parking issue within their business districts any time of the day or night. The majority of this enforcement is on

Officer Initiative. It should be noted that all communities enforce this parking restriction upon receiving a complaint.

SURVEY CONDUCTED IN 2011

OVERNIGHT PARKING ORDINANCE: COMMUNITY COMPARISON

COMMUNITY	OVERNIGHT PARKING ORDINANCE?	HOURS OF RESTRICTED PARKING	COST OF CITATION	CAN PARKING BE PERMITTED ON TEMP BASIS BY PD?	PROS/CONS OF ORDINANCE
ADDISON	Yes	2-5 am	$25	Yes: max 3 days	-Allows for quick access for City Service (street sweeper/snow plows) -Aids PD in crime prevention patrolling
CAROL STREAM	Yes	2-5 am	$20	Yes: max 3 days	-See above answers
GENEVA	Yes: Downtown Business District only.	No parking on any street for more than 24 hrs	$10 (24 hr parking)	No	Does not apply
LISLE	Yes	2-6 am	$20	Yes: max 3 days	See above
ROLLING MEADOWS	Yes	2-6 am	$50	Yes: case by case	See above
BATAVIA	Yes	1-6 am	$15 ($30 if late)	Yes: 3 days	See above
ST. CHARLES	No	Does not apply	Does not apply	Does not apply	Does not apply
NORTH AURORA	No	Does not apply	Does not apply	Does not apply	Does not apply
AURORA	Yes: Downtown Business District and other designated areas	2-6 am	$50	No	Unable to answer
WEST CHICAGO	Yes	2-5 am	$50	Yes: max 3 times	See above
BARTLETT	Yes	2-5 am	$15	Yes: 10 per year	See above
NAPERVILLE	Yes	2-5 am	$30	Yes: 7 days max	See above
ELGIN	Yes: designated areas only	2-6 am	$20	No	Aids in snow/leaf removal + street cleaning
MUNDELEIN	Yes: recently adopted (PD very happy with new ordinance)	2-6 am	$25 (tow 2nd offense)	Yes	-Enacted to combat parking issues in and around residential /apartment complex areas: very effective. -Aids in keeping junk vehicles off of streets

SURVEY CONDUCTED IN 2016

AGENCY	OVERNIGHT PARKING ORDINANCE	AGE OF ORDINANCE	HOURS OF RESTRICTED PARKING	FEE	TEMP PERMISSION?	PROS OF OVERNIGHT ORDINANCE	CONS OF OVERNIGHT ORDINANCE	OTHER COMMENTS
ADDISON	YES	1962	2:00AM - 5:00AM, BUT ALLOWED FOR UNDER 30 MINUTES DURING THESE HOURS.	$15.00 WITHIN 10 DAYS, $75.00 THEREAFTER, $135 AFTER 30 DAYS, $195 AFTER 60 DAYS, $250.00 AFTER 90 DAYS.	YES, 5 DAYS PER MONTH, CAN BE EXTENDED BY SUPERVISOR.	EASY FOR PATROL TO SEE SUSPICIOUS ACTIVITY. MAKES SNOW PLOWING EASIER.	ONCE SOMEONE ON A BLOCK GETS A TICKET, THEY CALL WHEN ANOTHER CAR IS ON THE STREET BUT DOESN'T GET TICKETED. LOTS OF DISPUTES AS TO HAVING GIVEN PERMISSION TO PARK VERSUS NO PERMISSION. SIGNS POSTED AT VILLAGE ENTRANCES ONLY, NOT ON EVERY STREET.	N/A
ARLINGTON HEIGHTS	YES	SINCE THE START OF THE ICE AGES	2:00AM - 5:00AM	$25.00, THEN $30.00 AFTER 10 DAYS, $35.00 AFTER 21, $45.50 AFTER 90 DAYS.	YES, 3 DAYS MAX PER INSTANCE.	SAME AS BATAVIA	SAME AS BATAVIA	DOWNTOWN PARKING PERMIT PROGRAM DONE BY A TRAFFIC CSO AND DOWNTOWN OVERNIGHT GUEST PARKING PERMIT PROGRAM ARE IN PLACE.

AGENCY	OVERNIGHT PARKING ORDINANCE	AGE OF ORDINANCE	HOURS OF RESTRICTED PARKING	FEE	TEMP PERMISSION?	PROS OF OVERNIGHT ORDINANCE	CONS OF OVERNIGHT ORDINANCE	OTHER COMMENTS
BARTLETT	YES	SINCE THE START OF THE ICE AGES	2:00AM - 6:00AM	$15.00, THEN $30.00 AFTER 10 DAYS.	YES, 3 DAYS MAX PER INSTANCE AND A TOTAL OF 10 OCCURENCES PER YEAR. EXCEPTIONS MUST BE APPROVED BY A SERGEANT OR ABOVE.	REQUESTS ARE LOGGED INTO A DATABASE THAT TRACKS USAGE. WHEN CITIZENS REACH THEIR 8TH REQUEST THEY ARE REMINDED THAT ONLY 10 REQUESTS CAN BE HONORED PER YEAR AND WE ARE UNABLE TO OVERRIDE THE SYSTEM. THIS ORDINANCE PROVIDES GREATER VISIBILITY FOR PATROL, EASY ACCESS FOR PUBLIC WORKS, KEEPS "JUNKERS/BEATERS" OFF STREET, DIFFERENTIATES BETWEEN RESIDENTS AND OUT OF TOWN GUESTS, FACILITATES FOR SMOOTH TRAFFIC PATTERNS, LIMITS PARKING COMPLAINT CALLS.	TIME EXPENDED ON TAKING CALLS AND LOGGING. RESIDENTS RELENTLESSLY SEEKING ADVICE ON WHERE THEY SHOULD PARK EXCESS VEHICLES TO MEET ONGOING NEEDS (LONG TERM GUESTS, RENTERS, KIDS HOME FROM SCHOOL, ETC.). THE CALLS FROM THE "CITIZENS AGAINST OVERNIGHT PARKERS" WATCH.	I AM STILL HOPING WE ARE STILL ON A LIST OF AGENCIES INTERESTED IN DU-COMM'S OVERNIGHT PARKING PROGRAM.
BATAVIA	YES	SINCE THE START OF THE ICE AGES	1:00AM - 6:00AM	$15.00, THEN $30.00 AFTER 10 DAYS.	YES, 3 DAY MAX PER INSTANCE.	ALLOWS GREAT VISIBILITY FOR PATROL, EASY ACCESS FOR PUBLIC WORKS, KEEPS "JUNKERS/BEATERS" OFF STREET, DIFFERENTIATES BETWEEN RESIDENTS AND OUT OF TOWN GUESTS, FACILITATES FOR SMOOTH TRAFFIC PATTERNS, LIMITS PARKING COMPLAINT CALLS.	CONSTANT REQUESTS FOR EXEMPTIONS/DISPUTES, ARGUMENTS WITH CITIZEN WHO STATE "THERE WAS NO SIGN". SPREADSHEET MUST BE UPDATED DAILY WITH THE NUMBER OF EXEMPTIONS PER RESIDENCE.	N/A
CAROL STREAM	YES	MORE THAN 25 YEARS	2:00AM - 5:00AM	20, THEN $40.00 AFTER 30 DAYS. THEN TO COLLECTIONS AFTER 60 DAYS.	DEPENDING ON THE CIRCUMSTANCES MORE TIME IS GIVEN. WE KEEP TRACK OF OVERNIGHT PARKING IN A LOG THAT IS MAINTAINED BY RECORDS, WHNE RESIDENTS CALL TO ASK FOR PERMISSION TO PARK OVERNIGHT.	SAME AS BATAVIA	NONE, MAYBE JUST KEEPING TRACK OF THE LOG TO MONITOR PEOPLE WHO REQUEST OVERNIGHT PARKING TOO FREQUENTLY.	N/A

AGENCY	OVERNIGHT PARKING ORDINANCE	AGE OF ORDINANCE	HOURS OF RESTRICTED PARKING	FEE	TEMP PERMISSION?	PROS OF OVERNIGHT ORDINANCE	CONS OF OVERNIGHT ORDINANCE	OTHER COMMENTS
CLARENDON HILLS	YES	SINCE THE START OF THE ICE AGES	2:00AM - 6:00AM	$25.00, THEN $50.00 AFTER 30 DAYS, $75.00 FINAL NOTICE AFTER 60 DAYS	ONLY BY AN OFFICER OR RECORDS CLERK, THEN DETERMINED AS NEEDED FOR THE CIRCUMSTANCES.	SAME AS BATAVIA	SAME AS BATAVIA	N/A
DARIEN	YES	SINCE 1971	2:00AM - 6:00AM	$25.00	OPEN FOR AS OFTEN AS YOU NEED IT FOR NOW	WE ASK WHY DO W DO IT? MOST ISSUES ARE WITH RESIDENCE - THEY DO NO LIKE TO BE TICKETED	SAME AS BATAVIA, PLUS PEOPLE WITH 3 KIDS HOME FOR SUMMER - WITH 3 EXTRA CARS - WHERE SHOULD THEY PARK - FRONT LAWN - DON'T BLOCK SIDWALK	N/A
DOWNERS GROVE	YES	20 + YEARS	2:00 AM - 6:00 AM	$25.00	UP TO 7 DAYS EVERY 6 MONTHS, AS LONG AS THEY CALL TO REQUEST PERMISSION	ASSISTS WITH SNOW REMOVAL, DISCOURAGES LONG TERM PARKING OR ABANDONED VEHICLES ON SIDE STREETS	VILLAGE MAN HOURS TRACKING AND LOGGING PARKING PERMISSIONS.	N/A

AGENCY	OVERNIGHT PARKING ORDINANCE	AGE OF ORDINANCE	HOURS OF RESTRICTED PARKING	FEE	TEMP PERMISSION?	PROS OF OVERNIGHT ORDINANCE	CONS OF OVERNIGHT ORDINANCE	OTHER COMMENTS
ELGIN (2010 DATA)	YES, DESIGNATED AREAS ONLY	N/A	2:00AM - 6:00AM	$20.00	NO	AIDS IN SNOW/LEAF REMOVAL, STREET CLEANING.	N/A	N/A
ELMHURST	YES	SINCE THE START OF THE ICE AGES	3:00AM - 6:00AM	$25.00, THEN $50.00 AFTER 15 DAYS.	3 DAYS MAX. ANY LONGER HAS TO BE APPROVED BY SGT./COMMANDER AND ONLY IN VERY SPECIAL CIRCUMSTANCES.	SAME AS BATAVIA	SAME AS BATAVIA	N/A
GENEVA (2010 DATA)	YES, DOWNTOWN BUSINESS DISTRICT ONLY	N/A	NO PARKING ON ANY STREET FOR MORE THAN 24 HOURS.	$10.00	NO	N/A	N/A	N/A

AGENCY	OVERNIGHT PARKING ORDINANCE	AGE OF ORDINANCE	HOURS OF RESTRICTED PARKING	FEE	TEMP PERMISSION?	PROS OF OVERNIGHT ORDINANCE	CONS OF OVERNIGHT ORDINANCE	OTHER COMMENTS
GLEN ELLYN	YES	FOREVER	2:00AM - 6:00AM	$25.00, WITH FINE ESCALATIONS AS FOLLOWS: $50.00, $30.00, $30.00 - THEN TO COLLECTIONS.	NO DEFINED NUMBER OF PERMISSIONS GRANTED; ALL ON A CASE-BY-CASE BASIS. WE DO DENY THOSE WHO ABUSE THE PRIVILEGE AND WE KEEP A DENIAL LOG AS WELL.	EASIER TO IDENTIFIED ABANDONED VEHICLES; CONTACT INFORMATION FOR INSTANCES WHEN VEHICLES NEED TO BE REMOVED (SNOW PLOWING, OTHER EMERGENCY, ETC.)	SAME COMPLAINTS THAT EVEYRONE ELSE RECEIEVES.	N/A
GURNEE	YES	1977	2:00AM - 6:00AM	$25.00, THEN $35.00 AFTER 35 DAYS	YES, OVERNIGHT PERMISSION MAY BE GRANTED IF THERE ISN'T ANY NO PARKING SIGNS OR WHEN THE 2 INCH SNOWFALL RULE IS IN AFFECT. NO SPECIFIC LIMITATION ON WHEN PERMISSION REQUESTS BECOMES EXCESSIVE, BUT PERMISSION MAY BE DENIED WHEN IT APPEARS TO BECOME EXCESSIVE.	N/A	N/A	N/A
HOFFMAN ESTATES	NO	N/A	N/A	N/A	N/A	N/A	N/A	N/A

AGENCY	OVERNIGHT PARKING ORDINANCE	AGE OF ORDINANCE	HOURS OF RESTRICTED PARKING	FEE	TEMP PERMISSION?	PROS OF OVERNIGHT ORDINANCE	CONS OF OVERNIGHT ORDINANCE	OTHER COMMENTS
HUNTLEY	YES, NO PARKING ON ANY VILLAGE STREET AFTER 2" OF SNOWFALL	UNKNOWN	2:00AM - 6:00AM	$25.00 AND $50.00 AFTER 10 DAYS	YES, IT IS ON A CASE BY CASE BASIS.	IT IS GOOD CRIME PREVENTION TOOL AS IT DRAWS ATTENTION TO VEHICLES PARKED ON THE STREET AFTER HOURS.	THE BIGGEST CHALLENGE IS INFORMING THE PUBLIC OF THE ORDINANCE, WE HAVE SIGNS POSTED AT THE ENTRANCES TO ALL THE SUBDIVISIONS, IT GOES OUT IN NEW RESIDENT PACKETS AND IT IS ON THE WEBSITE AND PEOPLE STILL DON'T SEE IT.	N/A
LEMONT	YES	FOREVER	3:00AM - 6:00AM	$50.00 FOR INTIAL CITATION, THEN IT IS PROCESSED THROUGH OUR ADJUDICATION PROCESS. FAILURE TO PAY, CAN RESULT IN THE FINE RISING UP TO $250.00	SAME AS WEST CHICAGO PD	SAME AS WEST CHICAGO PD	SAME AS WEST CHICAGO	N/A
LISLE (2010 DATA)	YES	N/A	2:00AM - 6:00AM	$20.00	YES, MAX 3 DAYS	SAME AS CAROL STREAM	N/A	N/A

AGENCY	OVERNIGHT PARKING ORDINANCE	AGE OF ORDINANCE	HOURS OF RESTRICTED PARKING	FEE	TEMP PERMISSION?	PROS OF OVERNIGHT ORDINANCE	CONS OF OVERNIGHT ORDINANCE	OTHER COMMENTS
MUNDELEIN (2010 DATA)	YES, RECENTLY ADOPTED (PD VERY HAPPY WITH NEW ORDINANCE	N/A	2:00AM - 6:00AM	$25.00 (TOW 2ND OFFENSE)	YES	ENACTED TO COMBAT PARKIGN ISSUES IN AND AROUND RESIDENTIAL/APARTMENT COMPLEX AREAS: VERY EFFECTIVE, AIDS IN KEEPING JUNK VEHICLES OFF THE STREETS	N/A	N/A
NAPERVILLE	YES	1948	2:00AM - 5:00AM	$25.00 IF PAID WITHIN FIRST TWO WEEKS, $50.00 AFTERWARDS AND/OR IF VIOLATOR HAS MORE THAN 3 CITATIONS IN A 12 MONTH PERIOD.	YES, OVERNIGHT PARKING CAN BE GRANTED UP TO 3 DAYS PER MONTH, BASED ON THE LICENSE PLATE. 2 WEEK PERMITS ARE ISSUED FOR CERTAIN CIRCUMSTANCES SUCH AS DRIVEWAY REPAIR OR HOME CONSTRUCTION. AN EXTENSION OF TIEM CAN BE APPROVED BY A COMMANDER.	THE ORDINANCE ALLOWS EASY ACCESS FOR PUBLIC WORKS, FIRE, AND EMS, DURING WINTER MONTHS, IT FURTHER ALLOWS PUBLIC WORKS TO PLOW MORE EFFECTIVELY AND WITH MINIMAL RISK TO DAMAGE TO VEHICLES. THE OVERNIGHT ORDINANCE ALSO DOESN'T ALLOW VEHICLES WITH INVALID PLATES/REGISTRATION TO BE LEFT ON STREETS.	SAME AS BATAVIA, PLUS HAVING AN OVERNIGHT PARKING ORDINANCE MEANS THE AGENCY WILL REQUIRE AN EFFECTIVE MEANS TO TRACK REQUESTS FOR THE PURPOSES OF PARKING ORDINANCE IS THESE TYPES ARE INFREQUENTLY PAID.	NAPERVILLE WOULD SUGGEST TO HAVE A COMPREHENSIVE MEANS TO IDENTIFY, RECORD, AND MONITOR OVERNIGHT PARKING REQUESTS TO ENSURE THAT AN INDIVDIUAL IS NOT TRYING TO CHEAT THE SYSTEM. HAVING A LOCATION BASED SEARCH QUERY MAY PROVIDE YOU A BETTER PICTURE OF HOW MANY TIMES AN ADDRESS HAVE CALLED IN AS SEARCH, THE BETTER YOUR ANALYTICS WILL BE.
NORTH AURORA (2010 DATA)	NO	N/A	N/A	N/A	N/A	N/A	N/A	N/A

AGENCY	OVERNIGHT PARKING ORDINANCE	AGE OF ORDINANCE	HOURS OF RESTRICTED PARKING	FEE	TEMP PERMISSION?	PROS OF OVERNIGHT ORDINANCE	CONS OF OVERNIGHT ORDINANCE	OTHER COMMENTS
OSWEGO	YES	SINCE THE START OF THE ICE AGES	2:00AM - 6:00AM	$55.00 FOR 1ST VIOLATION, $75.00 FOR 2ND, $100.00 FOR 3RD, COURT FINES OF $25.00 IF NO PAID PRIOR TO OR AT ADJUDICATION	YES, EACH RESIDENT ALLOWED 30 DAYS PER YEAR. PERMANENT EXEMPTIONS MAY BE ALSO REQUESTED. A RESIDENT REQUESTING A PERMANENT EXEMPTION MUST SUBMIT THE REQUEST IN WRITING. THE RESIDENCE IS CHECKED BY A TRAFFIC OFFICER FOR THE NEED, ONCE COMPLETED A DECSION IS MADE TO ALLOW THE EXEMPTION OR NOT.	SAME AS BATAVIA; ADDITIONALLY VILLAGE ALLOWS VEHICLES TO BE PARKED OVER THE SIDEWALK FROM 10:00PM TO 6:00AM WHICH HELPS TO DECREASE THE AMOUNT OF CARS CALLED IN FOR OVERNIGHT EXEMPTIONS.	CONSTANT REQUESTS FOR EXEMPTIONS/DISPUTES, ARGUMENTS WITH CITIZEN WHO STATE "THERE WAS NO SIGN". SPREADSHEET MUST BE UPDATED DAILY WITH THE NUMBER OF EXEMPTIONS PER RESIDENCE.	N/A
PROSPECT HEIGHTS	YES	SINCE START OF ICE AGES	2:00AM - 6:00AM	$75.00, THEN $150.00 AFTER 10 DAYS	YES, 3 DAYS MAX PER INSTANCE	SAME AS BATAVIA	SAME AS BATAVIA	N/A
ROLLING MEADOWS (2010 DATA)	YES	N/A	2:00AM - 6:00AM	$50.00	YES, CASE BY CASE	SAME AS CAROL STREAM	N/A	N/A

AGENCY	OVERNIGHT PARKING ORDINANCE	AGE OF ORDINANCE	HOURS OF RESTRICTED PARKING	FEE	TEMP PERMISSION?	PROS OF OVERNIGHT ORDINANCE	CONS OF OVERNIGHT ORDINANCE	OTHER COMMENTS
SCHAUMBURG	YES	UNKNOWN	2:30 AM - 6:00 AM	$50.00 THEN $100.00 AFTER DUE DATE	LIMITED TO FIVE REQUESTS WITHIN A THIRTY DAY PERIOD, WILL NOT BE GRANTED WHEN THERE IS TWO INCHES OR MORE SNOW FALL.	IF APPEALED, THESE GO THROUGH OUR LOCAL ADJUDICATION HEARING PROCESS.	SOME PEOPLE HAVE FIGURED OUT SOME OF THE LOOPHOLES IN THE SYSTEM AND ENTER THEIR PLATES DIFFERENTLY (SPACES, TRANSPOSED NUMBERS, ETC.). PARKIGN PERMISSIONS WILL CREATE MORE WORK FOR EVERYONE INVOLVED (OFFICERS, DISPATCHERS, RECORDS, CITY STAFF), AS THERE ARE INSTANCES WHERE OFFICERS MISS THE PERMISSIONS ON THE LIST, OR TICKETS WRE ISSUED AT THE SAME TIME AS THE REQUEST WAS MADE. ON THE OTHER HAND, THERE ARE INSTANCES WHERE PEOPLE DO NOT HAVE ROOM IN THEIR DRIVEWAYS FOR VISITORS, ETC. SO THIS WILL NOT GO AWAY FOR US.	OUR IT DEPARTMENT CREATED A CUSTOM APP WHERE THE RESIDENTS CAN SUBMIT THEIR OWN REQUEST. AS LONG AS THEY MEET THE PARAMETERS OF THE ORDINANCE, THEIR CARS CAN OBTAIN PERMISSION.
ST. CHARLES (2010 DATA)	NO	N/A	N/A	N/A	N/A	N/A	N/A	N/A
SYCAMORE	YES, ONLY IN DOWNTOWN	UNKNOWN	NO PARKING DOWNTOWN FROM 2:30AM - 6:00AM. ALL OTHER CITY STREETS ARE ALLOWED	$20.00	PARKING ON ALL OTHER STREETS ARE ALLOWED.	WE DO HAVE ORDINANCES ABOUT TRAILERS, NON-WORKING VEHICLES, TRACTORS, SEMI-TRUCKS, TRAILER NOT ATTACHED TO VEHICLES, ETC. THEY ARE NOT ALLOWED TO BE PARKED ON ANY STREET. ALTHOUGH WE DO HAVE A TEMPORARY PARKING PERMIT THEY CAN COME IN AND FILL OUT. SOMETIMES PEOPLE HAVE VISITORS OR RV'S THEY ARE PACKING UP FOR A LONG TRIP, ETC.	N/A	N/A

AGENCY	OVERNIGHT PARKING ORDINANCE	AGE OF ORDINANCE	HOURS OF RESTRICTED PARKING	FEE	TEMP PERMISSION?	PROS OF OVERNIGHT ORDINANCE	CONS OF OVERNIGHT ORDINANCE	OTHER COMMENTS
WEST CHICAGO	YES	ABOUT A YEAR BEFORE MOSES WAS BORN	2:00AM - 5:00AM	$25.00 INITALLY, $50.00 AFTER 10 DAYS	UP TO THREE OCCURRENCES PER MONTH, LONGER WITH A CALL TO THE CHIEF OR COMMANDER, FOR EXAMPLE, WE HAVE HAD A SUBDIVISION GETTING THE STREETS REPAVED. WE WILL GIVE BLANKET PERMISSION FOR "X" NUMBER OF DAYS IN _____ AREA OF THE CITY.	GREAT QUESTION, IT DOES FORCE PEOPLE TO REMOVE CARS FROM THE STREETS SO HYPOTHETICALLY YOU DON'T END UP WITH A BUNCH OF DERELICT CARS ON THE STREETS, (THINK CHICAGO). ALSO SOME HAVE SAID THAT THE OFFICERS CAN LOOK ALL THE WAY DOWN A STREET AND SEE IF THERE ARE ANY CARS WHICH "DON'T BELONG.". PROBABLY THE BEST EXPLANATION I EVER GOT THROUGH WAS SO THE STREET SWEEPER CAN GET DOWN THE STREETS, DESPITE THE FACT HE STARTS AT 0700.	I GUESS REALLY NONE OTHER THAN THE PUBLIC PERSEPTION ISSUES. THE MOST FRUSTATING ISSUE IS A CLAIMED IGNORANCE OF THE ORDINANCE: "I'VE BEEN LIVER HERE XXX YEARS AND NEVER HEARD OF..." OR "MY SISTER WAS IN TOWN, WHAT WAS I SUPPOSED TO DO?", OR "I MOVED HERE FROM _____ AND THEY DIDN'T DO THAT", OR THE EVER POPULAR " I WAS ONLY THERE FOR XX MINUTES" AND "I'M A MEDICAL (NURSE, CAREGIVER, MIDWIFE, ETC.), AND MUST PARK IN THE STREET WHILE CARE FOR MR./MRS. MCGILICUTTY." PRETTY MUCH HEARD THEM ALL. THE NICE THING IS WE USE A LOCAL ADJUDICATION SYSTEM. GOT AN EXCUSE? NO PROBLEM, HERE IS YOUR HEARING DATE. EXPLAIN IT TO THE JUDGE/HEARING OFFICER, WE RARELY, AND I MEAN RARELY, AND THEN ONLY WITH THE CHIEF'S SIGNATURE DO WE VOID PARKING TICKETS. ALSO, SCHAUMBURG CREATED AN ONLINE OVERNIGHT PARKING SYSTEM THEY GAVE TO DUCOMM. IT SAVES A BUNCH OF ADMINSTRATIVE TIME, AUTOMATICALLY LIMITS THE NUMBER OF TIMES A PERSON CAN GET PERMISSION BASED ON ADDRESS, DENIES PERMISSION TO OTHER PEOPLE IN APARTMENT COMPLEXES, ETC. GOOD STUFF.	ALSO, SCHAUMBURG CREATED AN ONLINE OVERNIGHT PARKING SYSTEM THEY GAVE TO DUCOMM. IT SAVES A BUNCH OF ADMINSTRATIVE TIME, AUTOMATICALLY LIMITS THE NUMBER OF TIMES A PERSON CAN GET PERMISSION BASED ON ADDRESS, DENIES PERMISSION TO OTHER PEOPLE IN APARTMENT COMPLEXES, ETC. GOOD STUFF.
WHEATON	YES	SINCE THE START OF THE ICE AGES	2:00AM - 6:00AM	$30.00, $15.00 (IF PAID WITHIN 15 DAYS)	YES, 3 DAYS IN THE PAST 30 DAYS, MORE IF APPROVED BY A SUPERVISOR.	ALLOWS GREAT VISIBILITY FOR PATROL, EASY ACCESS FOR PUBLIC WORKS, KEEPS "JUNKERS/BEATERS" OFF STREET, DIFFERENTIATES BETWEEN RESIDENTS AND OUT OF TOWN GUESTS, FACILITATES FOR SMOOTH TRAFFIC PATTERNS, LIMITS PARKING COMPLAINT CALLS. ENABLES OFFICER TO EASILY SEE OUT OF PLACE CARS IN THEIR BEAT. DISCOURAGES CRIMINALS FROM BURGLARIZING CARS AND HOMES. EASY ACCESS FOR STREET CLEANING.	MANPOWER MANAGING DATABASES, CITIZEN COMPLAINTS FOR TICKETS AND TIME SPENT ON CITATION REVIEWS. CITIZEN COMPLAINTS THAT IT TAKES TIME TO EITHER CALL OR LOG THEIR INFORAMTION INTO A DATABASE. THE CITY HAS TO POST SIGNS AND COMMUNCATE WITH THE COMMUNITY. THE CITY HAS TO MANAGE THE FINES BY COLLECTING AND SENDING OUT OVERDUE NOTICES. MODIFY TICKETS TO INCLUDE NEW ORDIANNCE.	THE WHEATON POLICE DEPARTMENT UTILIZES AN ONLINE PARKING DATABASE WHICH IS MANAGED BY DUCOMM.
WOODALE	YES	FOREVER	2:00AM - 6:00AM	$20.00, THEN $40.00 AFTER 10 DAYS	YES, 3 DAYS MAX PER INSTANCE, PER MONTH	SAME AS BATAVIA	SAME AS BATAVIA	N/A
YORKVILLE	NO	I GUESS WE'RE THE ONLY ONES WITHOUT AN OVERNIGHT PARKING BAN.	N/A - WE DO ENFORCE THE PARKING OVE RTHE SIDEWALK BAN AND WE ALSO HAVE ORDINANCES AGAINST PARKING A DETACHED TRAILER OR IMMOVABLE VEHICLE/TRAILER AT ANY TIME. WE ALSO HAVE A COMMERCIAL VEHICLE BAN; THEY CAN'T BE ON THE STREET FOR MORE THAN 2 HOURS IN A RESIDENTIAL AREA UNLESS RESPONDING TO A CALL. LASTLY, WE HAVE A LIST OF CERTAIN STREETS WITH VARIOUS HOURS OF PARKING RESTRICTIONS THE	N/A BUT MOST OF OUR OTHER PARKING CITATIONS ARE $25.00	N/A	I'M SURE THERE ARE THE PROS YOU ALL LISTED, BUT I'M PRO-NOT HAVING TO DEAL WITH ADDITIONAL CITATIONS, COMPLAINTS FROM CITIZENS, ETC!	BLISSFULLY UNAWARE	N/A

"Pros" For Keeping Overnight Parking Ban in Place

Cars parked on the street overnight complicate snow removal and will be blocked in by plowed snow. I realize this is true for cars parked on the street during the day, but I believe overnight parking will lead to cars that never leave their street parking spot. If not for an overnight parking ban, that car would not be there during the day either.

Neighbors will complain that cars parked in front of their house belong to neighbors who should park in front of their own house. If the car is not in violation, there is nothing the police department can do about it.

Street would be narrowed to one lane for bi-directional traffic leading to the potential for accidents.

If we allow overnight parking on the street we will find many cars "stored" on the street that people do not use, but which they either do not have room for or do not want to move around on their own driveway.

Allowing people to store their unused cars on the street encourages the collection of cars beyond what the family needs due to the availability of reasonably priced permanent parking spots.

If overnight parking is allowed with the exception of winter, how will people be informed of this? Will we have to post signs in the parkway everywhere? That's unsightly.

I understand that people are allowed to park on the street during the daytime, but if they are allowed to park overnight they may never move the vehicle.

A street with fewer cars parked on it is more aesthetically pleasing.

1. **Emergency Operations:**
    a. One reason for the parking ban is to ensure enough room exists for the throughput of emergency vehicles overnight.
2. **Emergency Maintenance operations** would be greatly impeded, during both day & night operations:
    a. Snow Removal:
        i. On-street parking runs the risk of more accidents with snowplows.
        ii. On that note, without the ban, snowplows would not be able to efficiently plow off all of the snow (curb to curb),
        iii. and in some cases, not even be able to plow a street.
        iv. Without the ban, snow storage areas would be impacted during the storm as well as cleanup operations.
        v. Cul-de-sac snow removal would be impossible with cars parked on the street.
    b. Storm Damage

        i. Damage that occurs overnight would be greatly impacted (removal of downed trees, wires, plugged catch basins, etc.)

3. **Maintenance Operations:**
    a. Street sweeping operations would be less efficient (going in and around cars could leave debris in the street that would eventually end up blocking up our catch basins, causing flooding).
    b. Leaf pickup operations could be hindered with the presence of abandoned vehicles.
        i. Going around parked cars increases the opportunity for accidents
        ii. Staff time would be greatly impeded by having to rake leaf piles from around parked cars
    c. Mosquito prevention applications (both catch basin treatments and aerial spraying) would be nearly impossible.
    d. Early morning and overnight work zone setups for Temporary Traffic Control would be impacted by cars still parked in the zone from the night before.
    e. Street Striping operations would be less efficient as I would foresee cars parked both day & night in areas needing maintenance.
4. **Special Events:**
    a. Road closures would be impacted by having to hunt down car owners to remove their cars from the night before.
5. **Abundance of Signs:**
    a. Without the overnight parking ban, I see an overall sign increase to areas where parking restrictions would need to be implemented:
        i. Snow Parking Restrictions (including specific spaces to be setup for snow storage),
        ii. Downtown Traffic Flow
        iii. Street Sweeping (signs for odd/even address/days parking similar to the water sprinkling restrictions)
        iv. Etc.
6. **Abandoned Vehicles:**

By implementing the ban, it also cuts down on the presence of abandoned vehicles, as they would be more obvious to residents, Police, and City Staff.

1. The City is able to properly and efficiently plow City streets during snow events. The time taken to remove vehicles would significantly slow down the proper plowing strategies.

2. There are cities in closer to Chicago that allow overnight parking, however, with no enforcement authority those cities have experienced many vehicles that simply breakdown and never get moved. Many of those vehicles are properly registered (have valid license plates) but are never moved. Without an overnight parking restriction, this could easily develop into a junk vehicle situation and cause our streets to have unsightly vehicles in many states of disrepair.

3. There have been several times over the years that police officers conducting patrol/parking enforcement have noted vehicles parked on the street in the middle of the night, recognizing them as strange in the neighborhood and parked on the street. Criminals cannot simply drive into

our town, park amongst the vehicles on the street un-noticed, and commit crimes in our neighborhoods. The lack of vehicles on the street (except those with permits), allows us to keep better care of our streets and residents.

The "No Parking Overnight 1-6 a.m." signs are located at the main entrances to the community, and the ordinance is listed in the City of Batavia Code. It would be impractical and cost prohibitive to post one of these signs on every street in town. Citizens (or their visitors) can make a phone call to the PD and receive permission to park overnight when needed. For new residents in town, our Police Department does offer a single issuance ticket void as a matter of public relations.

"Cons" For Lifting the Overnight Parking Ban"

Prevents people from parking on driveways in a manner that obstructs the sidewalk for pedestrians

It is convenient for people who have so many cars that they cannot fit them all on their driveway.

It is convenient for families that have a person that comes home late and blocks the other family vehicles in that may need to leave early in the morning

1:00 a.m. may be too early to enforce the overnight parking ban since people may have guests that are not staying over but who may not be going home yet. Some of our bars do not close until 2 a.m. Perhaps change prohibition to 2:00 a.m. – 5:00 a.m.

Vehicles parked on the street will act as an artificial "traffic calming method and reduce speeding.

"Pros and Cons"

Currently parking tickets (and other Ordinance violations) account for a revenue of approximately $32, 000 a year – not much in the scheme of things, so revenue should not be used as an argument to retain the ban or lift it or something in between.