

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

**Committee of the Whole Agenda**  
Tuesday, October 20, 2020  
7:00 PM - Remote Meeting

To view the live meeting use the GoToWebinar link below to register for the event at:

Registration Link <https://attendee.gotowebinar.com/register/1439564596303908363>

You will need to provide your name and email address.

Residents can listen by phone to the Committee of the Whole Meeting by

Dialing (415) 930-5321 and use the audio PIN 293-192-221

Dial in calls are unable to ask questions. Questions can be asked prior to meeting by emailing [publiccomment@cityofbatavia.net](mailto:publiccomment@cityofbatavia.net)

1. Roll Call
2. Reminder: Please Speak Directly Into Microphone For BATV Recording
3. Items Removed/Added/Changed
4. Matters From The Public (For Items NOT On Agenda)
5. Consent Agenda  
Consent Agenda  
(The consent agenda is made up of items recommended by city staff that require recommendation to the full City Council by the COW. This agenda is placed as a separate item on the COW agenda. The items on the consent agenda are usually minor items, already budgeted, standard non-policy activities or outgrowths of earlier meetings and are voted on as a "package" in the interest of saving time on non-controversial issues. However, any council member may, by simple request, have an item removed and placed on the "regular" agenda.)
  - a. **Approval:** COW Executive Sessions August 4, 2020, August 25, 2020 and September 1, 2020
6. Approval: Approval Of Request From Suncast Corporation To Install A 1,230 KW Photovoltaic System At Their 1801 Suncast Lane Facility (GH 10/16/20) PU

Documents:

[MEMO SUNCAST CORP REQUEST FOR PHOTOVOLTAIC SYSTEM INSTALLATION.PDF](#)

7. Ordinance 20-62: Surplus Police Vehicle (SM 9/18/20) GS

Documents:

[ORD 20-62 POLICE SURPLUS VEHICLES.PDF](#)

8. Resolution 20-113-R: Authorizing The Execution Of A One-Year Renewable Contract For Victim And Crisis Services With The Association For Individual Development; AID (SM 9/18/20) GS

Documents:

[RES 20-113-R AID CONTRACT.PDF](#)

9. Resolution 20-114-R: Authorizing The Execution Of A One-Year Renewable Contract With Drendel And Jansons Law Group To Provide Local Prosecutor Services (SM 9/18/20) GS

Documents:

[RES 20-114-R DRENDEL AND JANSONS CONTRACT.PDF](#)

10. Project Status
11. Other
12. Adjournment

TO: Mayor and City Council

FROM: Gary Holm

DATE: October 16, 2020

RE: Request from Suncast Corp. to Install 1,230 KW Photovoltaic System  
1801 Suncast Lane Facility (Public Utilities)

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Suncast Corporation has submitted a permit application for installation of a 1,230 KW photovoltaic system at their 1801 Suncast Lane facility. Section 8-1B-19.A of the Ordinance states that *“Allowable small photovoltaic system will be ten (10) kilowatts capacity or less”*. The Ordinance allows for installations greater than 10 KW and indicates that they *“will be considered on a case by case basis”*. Staff is bringing this issue to City Council for consideration as a matter of policy because the size of the photovoltaic system proposed by Suncast is considerably larger than the established limit of 10 KW.

#### **Background**

The City has a power sales agreement in place with NIMPA that obligates the City to purchase 55 MW of power on a 24/7/365 basis. In 2019, and in every year prior, the total MWh of power provided by the NIMPA contract was in excess of the MWh consumed by the City. The City has no need in its portfolio for additional generation resources.

In 2017 a group of citizens approached City Council with a request to adopt a new net metering ordinance for small photovoltaic systems. In light of the NIMPA power sales agreement it was decided to include language in the ordinance to limit the size of solar systems to 10 KW or less. The ordinance also specified that it was applicable to residential and commercial customers, not industrial. In addition, language was included to limit overall capacity from solar system connections to no more than *“two percent (2%) of the City of Batavia system peak from the prior calendar year coming from such connections”*.

Since 2017 a total of thirty (30) residential and two (2) commercial customers have installed solar systems. The City’s Public Works facility, which is considered to be an industrial use, also has a solar system. The City’s installation occurred in 2011 and was grandfathered under the current ordinance. The connected solar capacity for all installations is 340 KW. The permitted capacity (2% of 2019 system peak) is 1,760 KW. If Suncast’s request is approved, then the remaining available capacity will be 190 KW (1,760 – 340 - 1,230).

#### **Discussion**

When considered on the whole, Staff is generally supportive of Suncast’s proposed solar installation; however, we’ve identified many pros and cons for you as policymakers to consider:

##### **PROS**

- Suncast is one of the City’s largest employers
- Suncast is one of the City’s largest electric utility customers
- Suncast is a valuable, long-standing corporate citizen and has pledged to remain in Batavia for years to come

- Suncast is adding solar to their facility to demonstrate their commitment to the environment
- The solar installation is being done in combination with expansion of Suncast's manufacturing capabilities
- The solar installation is being done at Suncast's sole cost (capital construction) with no request for financial assistance from the City
- The solar installation will provide short-term construction jobs
- Approval of Suncast's request would demonstrate a willingness on behalf of the City to retain and promote our current business community

#### **CONS**

- Batavia Electric's purchase power costs are determined by its agreement with NIMPA. Any savings achieved by an individual customer results in a proportional corresponding cost increase to all other customers
- The large scale of Suncast's proposed installation will result in minimal remaining solar capacity under the current ordinance. Staff anticipates that City Council will face pressure in the future to increase the percentage of solar permitted within our electric system.
- Suncast's installation would represent the first allowed for an industrial customer. Staff is concerned that other industrial customers will seek approval from the City to install their own systems. There are acres and acres of open roof area within the industrial park.
- Suncast's installation will serve to highlight Batavia's lack of ability to embrace and promote renewable energy resources for our customers. Batavia is not in a financial position, given its contract with NIMPA, to be able to promote alternative generation resources within our electric system.
- As a municipal electric utility Batavia is not currently required to meet any renewable energy portfolio standards. Proposed legislation could obligate Batavia to meet renewable standards. Suncast's proposed installation, and other other private installations, would not count towards Batavia's obligations because they would be considered behind-the-meter and not part of the electric utility system.

There is a precedence for allowing systems in excess of 10 KW. Currently there is one residential system that is 24 KW and there is one commercial system that is 40 KW. The City's Public Works system is 25 KW. There are no systems of the magnitude proposed by Suncast.

To date, no industrial customers have been allowed to connect solar. The City's Public Works system was grandfathered in and would not be allowed under the current ordinance.

Staff is seeking policy direction from City Council regarding whether or not Suncast's proposed 1,230 KW solar system should be allowed.

**CITY OF BATAVIA**

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**MEMO TO:** City Council  
City Services Committee

**FROM:** Deputy Chief Shawn R. Mazza *GM 158*

**DATE:** September 18, 2020

**SUBJECT:** Request for Surplus Vehicle Authorization

I am submitting for your consideration a surplus request related to the following vehicles:

1. 2014 Ford Explorer Police Utility Interceptor (VIN: 1FM5K8AR9EGC49578); Mileage – 111,912; This vehicle was utilized as a marked fleet patrol vehicle for the Department from July 2014 through September 2018. In October 2018, this vehicle was assigned to the School Resource Officer. The original purchase price was \$27,341 in June 2014; Maintenance costs equal \$14,755. The vehicle has over 100,000 miles and the life cycle maintenance costs exceed 50% of the vehicle purchase price.

This vehicle has more than 1,000 hours of engine idle time.

This vehicle meets at least three (3) of the established criteria for fleet replacement:

- Age exceeds 4 years (marked fleet service)/ 10 years (administrative fleet service)
- Mileage more than 100,000
- Lifecycle maintenance costs exceed 50% of vehicle purchase price
- Engine idle time more than 1,000 hours

This vehicle is experiencing transmission issues and would require \$1,500+ of maintenance work to keep it roadworthy. A notice was sent to all City Departments informing them of the availability of the above-mentioned vehicle. There was no interest in this vehicle.

I am recommending that the City Services Committee approve Ordinance 20-62 (Vehicle Surplus) at the Committee of the Whole meeting on Tuesday, October 20, 2020, thereby moving the recommendation for City Council approval at the meeting on Monday, November 2, 2020.

Respectfully Submitted,

*Shawn R. Mazza #158*  
Shawn R. Mazza  
Deputy Police Chief

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 20-62**

**AN ORDINANCE DECLARING CERTAIN PROPERTY  
TO BE SURPLUS AND AUTHORIZING SALE THEREOF**

**ADOPTED BY THE  
MAYOR AND CITY COUNCIL  
THIS 2ND DAY OF NOVEMBER 2020**

Published in pamphlet form  
by authority of the Mayor  
and City Council of the City of Batavia,  
Kane & DuPage Counties, Illinois,  
This 2<sup>nd</sup> day of November, 2020

Prepared by and mail to:

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

**CITY OF BATAVIA, ILLINOIS  
ORDINANCE 20-62**

**AN ORDINANCE DECLARING CERTAIN PROPERTY  
TO BE SURPLUS AND AUTHORIZING SALE THEREOF**

**WHEREAS**, in the opinion of the corporate authorities of the City of Batavia, it is no longer necessary or useful to or for the best interest of the City to retain the following described property:

- 2014 Ford Explorer Police Utility Interceptor  
VIN: 1FM5K8AR9EGC49578

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois as follows:

**SECTION 1:** Pursuant to Section 11-76-4 of the Illinois Municipal Code, the City Council finds that the following described personal property:

- 2014 Ford Explorer Police Utility Interceptor  
VIN: 1FM5K8AR9EGC49578

is currently owned by the City, is no longer necessary or useful to the City of Batavia and the best interest of the City will be served by its sale.

**SECTION 2:** Pursuant to Section 11-76-4, the City of Batavia Police Department is hereby authorized and directed to sell said above described property.

**SECTION 3:** This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

CITY OF BATAVIA ORDINANCE 20-62

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**PRESENTED** to and **PASSED** by the City Council of the City of Batavia, Illinois, this 2<sup>nd</sup> day of November 2020.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, this 2<sup>nd</sup> day of November 2020.

\_\_\_\_\_  
Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Baerren				
2	Callahan					Wolff				
3	Meitzler					Chanzit				
4	Malay					Knopp				
5	Uher					Beck				
6	Cerone					Russotto				
7	McFadden					Miller				
Mayor Schielke										
<b>VOTE:</b>		Ayes	Nays	Absent	Abstentions					
Total holding office: Mayor and 14 aldermen										

ATTEST:

\_\_\_\_\_  
Ellen Posledni, City Clerk



**CITY OF BATAVIA**

**MEMO TO:** Committee of the Whole  
Government Services

**FROM:** Shawn Mazza  
Deputy Police Chief *SM38*

**DATE:** September 18, 2020

**SUBJECT:** Resolution 20-113-R: Authorizing the Execution of a One-Year Renewable Contract for Victim and Crisis Intervention Services with the Association for Individual Development (A.I.D.)

**Summary:**

The Association for Individual Development (A.I.D.) has been providing Victim and Crisis Intervention Services, as well as follow-up referrals to individuals (who come into contact with our Police and Fire Department personnel) who are determined to be in need of counseling or other social services of some kind. A.I.D. has been providing this invaluable service to our City since 2007 and has helped thousands of local families get through difficult experiences during that span of time. Their highly trained personnel are on call 24 hours per day to provide much needed crisis intervention skills and expertise to Fire and Police personnel upon request. The fees for this service were reduced to \$17,000 last year and have since been readjusted back to \$17,500/year.

Below is a summary of A.I.D. services to City of Batavia clients over the last 3 years. FY20 data is through August. More detailed information can be provided upon request.

	<b>FY 20</b>	<b>FY 19</b>	<b>FY 18</b>
<b>Total Cases:</b>	108	126	147
<b>Total Clients:</b>	187	233	274
<b>Total Direct Hours:</b>	484.5	506	708.5

**Staff Recommendation:**

Staff recommends that the contract with A.I.D. be accepted and renewed due to their exemplary performance over the past decade.

**Recommended Committee/Council Action:**

Authorize the execution of a one-year renewable contract with A.I.D. to provide Victim and Crisis Intervention Services for an amount of \$17,500 for 2021, with the option to extend for a second and third year. Request the attached resolution and agreement discussed and approval recommended at the Tuesday, October 20<sup>th</sup> Committee of the Whole Meeting and formally approved at the Monday, November 2<sup>nd</sup> City Council Meeting.

**CITY OF BATAVIA, ILLINOIS  
RESOLUTION 20-113-R**

**RENEWING A CONTRACT FOR THE ASSOCIATION FOR  
INDIVIDUAL DEVELOPMENT (A.I.D.) VICTIM SERVICES**

**WHEREAS**, the Association for Individual Development (A.I.D.) has been providing Victim Services to the City of Batavia, primarily thru referrals by the Batavia Police or Fire Departments, since 2007; and

**WHEREAS**, these very critically needed Victim Services have been very well-received by and beneficial to citizens encountered by City first responders; and

**WHEREAS**, A.I.D. Victim Services personnel have both the requisite skills and the time to provide these essential counseling, crisis intervention and follow-up services, which City first responders don't; and

**WHEREAS**, the City of Batavia wishes to continue its contract with A.I.D. Victim Services for calendar year 2021 for a fee amount of \$17,500.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

**SECTION 1:** The Victim Services Contract for Program Operation attached hereto and incorporated herein by reference as Exhibit "A" setting forth the terms and conditions for the continuation of A.I.D. Victim Services for the City of Batavia is hereby approved, and the City Administrator, on behalf of the Mayor and City Council, is authorized and directed to execute the contract in the form attached.

**SECTION 2:** This Resolution shall take immediate force and effect upon its passage.

CITY OF BATAVIA, ILLINOIS RESOLUTION 20-113-R

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**PRESENTED** to and **PASSED** by the City Council of the City of Batavia, Illinois, this 2<sup>nd</sup> day of November, 2020.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, this 2<sup>nd</sup> day of November, 2020.

\_\_\_\_\_  
Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Baerren				
2	Callahan					Wolff				
3	Meitzler					Chanzit				
4	Malay					Knopp				
5	Uher					Beck				
6	Cerone					Russotto				
7	McFadden					Miller				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent	Abstention(s)					
Total holding office:		Mayor and 14 aldermen								

ATTEST:

\_\_\_\_\_  
Ellen Posledni, City Clerk

**Victims Services  
Contract for Program Operation**

**By and Between the City of (Batavia or City) and Association for Individual Development (A.I.D.)**

- .01 Statement of Purpose:**  
A.I.D.'s Victims Services Program employees will respond to crime victim's psychological and emotional needs. This is achieved through crisis intervention, counseling, advocacy, education, information, and referral for victims of crime and/or trauma, the mentally ill, witnesses, and communities. In addition to these primary responsibilities, the program provides assistance to criminal justice personnel, the community and others in non-crime situations. The overall mission is to positively impact the quality of life for the citizens of Batavia by assisting victims/survivors, families/neighborhoods and City employees Experiencing crime and/or trauma whether or not job related.
- .02 Organization and Staffing:**  
The program evaluation will be done quarterly to ensure it is organized in such a way that it meets the changing needs of the Batavia community. This evaluation may result in changes, over time, to redistribute resources to optimally address contemporary issues and conditions. Each entity shall give 30 day notice prior to major redistribution of resources or termination of the program. Provided, however, the program shall not be terminated prior to the conclusion of each service period ending, Dec. 31, 2021, Dec. 31, 2022, and Dec. 31, 2023. The Association for Individual Development (A.I.D.) will be in charge of, and responsible for, all staff. It is also the responsibility of A.I.D. to ensure the program is staffed to adequately handle the needs in the Batavia community.
- .03 Utilization and Deployment:**  
A.I.D.'s Victims Services Program will respond to requests for assistance from BPD, BFD, EMS, civilians and any community entities. There shall be no limit to the number of requests. Types of assistance shall include, but are not limited to: on-scene crisis stabilization counseling, community and emergency personnel debriefings, critical incident mental health response, judicial advocacy, case management, follow-up services, and information and referral assistance with victims' compensation. In addition, the division provides training and presentations to volunteers, law enforcement personnel and other internal and external organizations as requested.
- .04 Goals and Objectives:**  
Program goals and performance measures are the responsibility of A.I.D. and are tallied on a quarterly basis. Periodic reports indicating progress are available by contacting the Program Director and will be made to the City of Batavia as required. A.I.D. program representatives will meet at least annually with City staff in order to discuss evaluation of the program.
- .05 Indemnification:**  
To the fullest extent permitted by law, A.I.D shall indemnify, defend and hold Batavia, its employees and agents, harmless from and against all demands, claims, suits, liabilities and costs including reasonable attorney's fees and litigation costs caused by or arising out of the negligent acts, errors or omissions, or willful misconduct of A.I.D., its employees, agents or subcontractors except to the extent, if any, that any such Claims results from the negligent acts, errors or omissions, or willful misconduct of Batavia, its employees or agents.

**.06 Insurance and Limitation of Liability.**

A.I.D. shall maintain insurance coverage as set forth below:

Worker's Compensation - Statutory  
Employer's Liability - \$1,000,000 Each Occurrence/\$1,000,000 Aggregate, plus  
\$2,000,000 umbrella  
General Liability - \$1,000,000 Each Occurrence/\$1,000,000 Aggregate, plus  
\$2,000,000 umbrella  
Automotive Liability - \$1,000,000 Each Occurrence, plus \$2,000,000 umbrella  
Professional Liability - \$1,000,000, plus \$2,000,000 umbrella

Upon request, A.I.D. shall furnish copies of insurance certificates showing insurance coverage on its behalf in the amounts as set forth above, and further, showing that Batavia is an additional insured on said policies. Said insurance coverage shall remain in full force and effect during the term of this Agreement.


In consideration for the services to be provided, the City of Batavia shall pay the Association for Individual Development the sum of \$17,500.00 by July 15<sup>th</sup>, 2021 for services between January 1, 2021 and December 31, 2021. Service costs will be renegotiated prior to each consecutive service year and will be due by July 15<sup>th</sup> of 2022, 2023. Services shall begin January 1, 2021 and conclude on December 31, 2023. In the event that either party needs to opt out of this contract, written notice shall be required to be presented at least 30 days in advance.

Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
Executive Director, Association for Individual Development

Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
City Administrator, City of Batavia

## CITY OF BATAVIA

**MEMO TO:** Committee of the Whole  
Government Services

**FROM:** Shawn Mazza  
Deputy Police Chief 

**DATE:** September 18, 2020

**SUBJECT:** Resolution 20-114-R: Authorizing the Execution of a One-Year Renewable Contract with Drendel and Jansons Law Group to Provide Local Prosecutor Services

**Summary:**

The Drendel and Jansons Law Group has been providing local prosecutor services for the City of Batavia Police Department since December of 2016, which was the result of the Department receiving short notice of retirement from our previous (long-time) local prosecutor, Schroeder and Schroeder Law Firm. Since agreeing to provide these services for us on short notice, the Drendel and Jansons Law Group has provided highly professional and comprehensive prosecutorial services for our agency. Drendel and Jansons Law Group has also provided general legal services to the City of Batavia for a number of years, and therefore has an extensive understanding of the needs of the City and Police Department relating to prosecutorial services.

As a result of this agreement, Drendel and Jansons agrees to provide a member of their law group to appear and prosecute all traffic and ordinance violations for the Batavia Police Department on the first, second and third Tuesday each month, and handles other prosecution related correspondence, to include additional motions, continuances and court appearance notices to officers, offenders, victims and witnesses as required. The fee for these services will be \$2600 per month.

**Staff Recommendation:**

Staff recommends that the contract Drendel and Jansons Law Group be accepted and approved. Their firm has provided a seamless transition from our previous prosecutor service-provider and performed in a highly proficient manner. This figure is currently awaiting approval in the 2021 City of Batavia Budget.

**Recommended Committee/Council Action:**

Authorize the execution of a one-year renewable contract with Drendel and Jansons Law Group to provide local prosecutor services for an amount of \$2600 per month for 2021 (this figure is awaiting budget approval for 2021), with the option to extend for a second and third year. Request the attached resolution and agreement discussed and approval recommended at the Tuesday, October 20<sup>th</sup> Committee of the Whole Meeting and formally approved at the Monday, November 2<sup>nd</sup> City Council Meeting.

**CITY OF BATAVIA, ILLINOIS  
RESOLUTION 20-114-R**

**RENEWING A CONTRACT FOR LEGAL SERVICES FOR TRAFFIC AND ORDINANCE  
VIOLATION PROSECUTIONS WITH DRENDEL & JANSONS LAW GROUP**

**WHEREAS**, the Drendel & Jansons Law Group is experienced in providing prosecutions for traffic and other ordinance violations for municipalities, and the City has an existing relationship with the Drendel & Jansons Law Group; and

**WHEREAS**, the Drendel & Jansons Law Group has submitted a proposed agreement for the provision of legal services to handle the traffic and ordinance violation prosecutions in the Kane County Branch Court; and

**WHEREAS**, the Mayor desires to appoint the Drendel & Jansons Law Group, and the Council desires to give its advice and consent in favor of retaining the Drendel & Jansons Law Group to provide those legal services agreement pursuant to the terms and conditions that have been proposed.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

**SECTION 1:** The recitals set forth above are incorporated herein as the material findings of the Mayor and the City Council.

**SECTION 2:** The agreement attached hereto and incorporated herein by reference as Exhibit "A" setting forth the terms and conditions for the handling of the City traffic and ordinance violations prosecutions is hereby approved, and the Mayor and the City Clerk are hereby authorized and directed to execute the agreement in the form attached.

**SECTION 3:** This Resolution shall take immediate force and effect upon its passage.

**PRESENTED** to and **PASSED** by the City Council of the City of Batavia, Illinois, this 2<sup>nd</sup> day of November, 2020.

CITY OF BATAVIA, ILLINOIS RESOLUTION 20-114-R

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**APPROVED** by me as Mayor of said City of Batavia, Illinois, this 2<sup>nd</sup> day of November, 2020.

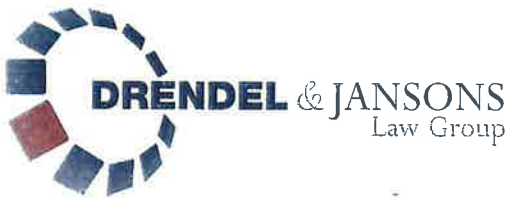
\_\_\_\_\_  
Jeffery D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Baerren				
2	Callahan					Wolff				
3	Meitzler					Chanzit				
4	Malay					Knopp				
5	Uher					Beck				
6	Cerone					Russotto				
7	McFadden					Miller				
Mayor Schielke										
<b>VOTE:</b>		0 Ayes	0 Nays	0 Absent	Abstentions					
<b>Total holding office: Mayor and 14 aldermen</b>										

ATTEST:

\_\_\_\_\_  
Ellen Posledni, City Clerk





ATTORNEYS AT LAW  
Kevin G. Drendel  
Carolyn D. Jansons  
Roman J. Seckel  
Mark D. Brent  
Lawrence W. Lobb  
Edward J. Boula, III

August 18, 2020

OF COUNSEL  
Gilbert X. Drendel, Jr.

Deputy Chief Shawn Mazza  
Batavia Police Department  
100 N. Island Ave.  
Batavia, IL 60510

**RE: City of Batavia Prosecutions Letter of Intent**

Dear Deputy Chief Mazza:

Please allow this letter to serve as a Letter of Intent between the City of Batavia and Drendel & Jansons Law Group. Drendel & Jansons Law Group has been providing services to the City of Batavia as the local prosecutor since 2017 under a mutually agreed upon financial arrangement. Pursuant to the terms of the current agreement, our office will appear and prosecute all traffic and ordinance violations for the City on the first, second, and third Tuesday's of the month, both in the mornings and in the afternoons for trial, as needed, and attend to all additional prosecution related business for a flat rate of \$2,600.00 per month. Any motions to continue trials that were previously set which are based on the unavailability of an officer due to vacation, training or the like would continue to be billed at our regular hourly municipal rate.

The parties agree to extend the terms of the 2018 proposal, which began on January 1, 2018 and is set to expire on December 31, 2020, for an additional three-year period to terminate on December 31, 2023. In the fall of each year, representatives of Drendel & Jansons Law Group and the City of Batavia will meet or correspond to negotiate the price of the next year's contract. Any agreement reached during the term of this agreement shall be deemed to have been approved by the City Council without further resolution.

Both parties shall have the right to terminate this agreement as of December 31 each year for any reason, including the failure to reach an agreement as to the financial terms. Written notice of intent to terminate the agreement at the end of the year shall be provided at least sixty (60) days prior.

Sincerely,

**DRENDEL & JANSONS LAW GROUP**

Kevin G. Drendel

Approved:

Chief Daniel Eul

Kevin Drendel

Z: Shared Documents (R): Secretary-Clients - Municipal City of Batavia: Police: Prosecutions and Traffic: 2020 Prosecutions 2020-8-18 Ltr to Mazza re LOI for contract term.docx

**Mailing Address**

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Phone: 630.406.5440  
Fax: 630.406.6179

■ [www.batavialaw.com](http://www.batavialaw.com) ■  
■ [www.ilfamilylaw.com](http://www.ilfamilylaw.com) ■  
■ [www.ndillinoisbankruptcy.com](http://www.ndillinoisbankruptcy.com) ■  
■ [www.FoxValleyEstatePlanning.com](http://www.FoxValleyEstatePlanning.com) ■

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