

**MINUTES**  
**April 14, 2020**  
**Committee of the Whole**  
**City of Batavia**  
**REMOTE MEETING**

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 Wolff called the remote meeting to order at 7:00pm.

**1. Roll Call**

**Members Present:** Chair Wolff; Ald. Miller, Russotto, Beck, Knopp, Chanzit, Baerren, O'Brien, Callahan, Meitzler, Malay, Uher, Cerone and McFadden

**Members Absent:**

**Also Present:** Mayor Schielke; Chief Deicke, Batavia Fire Department; Laura Newman, City Administrator; Scott Buening, Director of Community Development; Gary Holm, Director of Public Works; Wendy Bednarek, Director of Human Resources; Howard Chason, Director of Information Systems; Anthony Isom, Assistant to the City Administrator; and Jennifer Austin-Smith, Recording Secretary

**2. Reminder: Please speak into the microphone for BATV recording**

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

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

There were no matters from the public.

**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 20-30: Declaring Certain Property to be Surplus and Authorizing Sale Thereof (SH 4/3/20) CS**

Alderman Chanzit read the Consent Agenda.

**Motion:** To recommend approval of the Consent Agenda as presented

**Maker:** Chanzit

**Second:** Knopp

**Voice Vote:** 14 Ayes, 0 Nays, 0 Absent  
All in favor. Motion carried.

**6. Resolution 20-060-R: Authorizing a Change Order for the 2020 Sidewalk and Curb Replacement Program (CB 4/8/20)**

Wolff stated that this is for a change in the sidewalk replacement along North Batavia Avenue between Wilson Street and Houston Street on the east side. It would be a little over budget but due to the projected savings from the sidewalk program we are in good standing. Holm added that staff is anticipating the sidewalk program coming in around \$10,000 below budget. This project is \$2,000 over the budget. In the end we will be \$8,000 in the positive over budget. Staff has looked at spot repairs of the brick between Wilson and Houston. Staff is recommending the full removal of the old concrete bricks and installation of new concrete, which is a permanent solution for this \$34,000 value.

The Committee discussed the change order. Uher asked if we could add in trees while doing this project and close up the curb cuts on the corner building. O'Brien concurred because it is not his wish to take streetscape off of the table. We have been discussing some streetscape along Batavia Avenue. Wolff noted that the adjacent church will be making renovations and he does not know if planting a tree at this time would be a wise investment because we don't know where the street access is going to be into that property. Beck agreed with Uher. She stated that the church does not own the corner building. It is a prominent corner as a gateway and some street trees and closing up the curb cuts would make it a much more comfortable entry into downtown. A lot of people walk and cross the street at that location. Beck added that trees would be a small increment as long as we are already saving money in the budget. She suggested that street trees be included in bid requests so that becomes the norm and we are always putting them in. Holm stated that every tree is about \$2,000 to go into the downtown. O'Brien commented we are a tree city and we should be trying to follow that norm. O'Brien stated regardless of the cost it is money well spent.

Holm stated that if it is Council's desire to do some larger scale improvement than maybe we wait for the church property. Property owners are supposed to pay for improvements adjacent to their property. Perhaps the church would contribute some of the cost. That would give the opportunity for a final plan to be done in conjunction with the church property. In the interim we do \$10,000 of improvements that gets us by until the church is redeveloped. Newman noted that at the southeast corner of Route 31 and Houston that is the bank's property not the church's and there has been environmental remediation going on there. There is still at least one monitoring well that is required by the IEPA so she is unsure if that would impact our ability to plant trees there. She explained access is the issue. If the IEPA needed access at a particular location we could not plant a tree there.

O'Brien stated that at least for the short-term we replace the concrete brick pavers to keep the area safe with no tripping hazards until we know what is going on with the church and the bank property. Russotto commented that there are too many unknowns going on right now and we should wait and see what the plans are before putting trees in. Cerone agreed and added to put concrete down might not be the best solution. He suggested putting in replacement brick pavers for the time being.

Callahan asked if there were any spare large concrete planters so that we could plant some greenery in those and break up the monotony at that location. Holm stated that the City would have to order those. Holm stated that it would be a fair option to put planters out there. Callahan stated that the planters could be moved somewhere else if trees are planted in the future. Holm stated if we did the brick paver replacement we would have money left over. We could reach out to the company that did all of our planters and come back to City Council with a cost. If Council wanted to move forward we could get some planters cast and put them out there. That would be a separate decision for a separate time. Tonight would be just for doing the sidewalk. Wolff stated that he likes the brick remediation option and the planter idea to bring more appeal to the area. Holm stated that if the direction is to move forward with the brick repairs, no formal action is needed. He suggested removing this item from the agenda with no action taken and staff would proceed forward with the brick repairs.

**Motion:** To remove this item from the agenda with no action taken and staff will proceed forward with the brick repairs  
**Maker:** Knopp  
**Second:** Russotto  
**Voice Vote:** 14 Ayes, 0 Nays, 0 Absent  
All in favor. Motion carried.

**7. Resolution 20-58-R: Authorizing the Purchase of Self-Contained Breathing Apparatus (SCBA) from Municipal Emergency Services Inc. of Deer Creek, Illinois for an Amount Not To Exceed \$262,250 (RD 4/09/20) CS**

Chief Deicke reported that late last year he received a grant from FEMA for \$262,250 for self-contained breathing apparatus, which is the air packs they bring into fires. The air packs are called SCBAs. The grant will cover 90% of the purchase and we pay 10% of the purchase, which is \$23,841. Chief Deicke noted that is how FEMA calculated our contribution. Our current SCBAs are 13 years old right now. At the 15-year mark we have to replace all bottles with new bottles. We brought in three different manufacturers of SCBAs and tried them all. The field-testing was beneficial in choosing what would be the best fit for the Fire Department.

**Motion:** To recommend to City Council approval of Resolution 20-058-R for the purchase of Scott Self Contained Breathing Apparatus  
**Maker:** Wolff  
**Second:** Malay  
**Voice Vote:** 14 Ayes, 0 Nays, 0 Absent  
All in favor. Motion carried.

**8. Resolution 20-059-R: License Agreement with Owner of the Popcorn Depot (LN 4/09/20) CS**

Newman reported that the Popcorn Depot is a historic part of our downtown. There is a new owner of the Popcorn Depot and staff recommends that the Committee approve the resolution for the use of land as a popcorn stand. Mayor Schielke added that this facility has been in downtown Batavia since 1929.

**Motion:** To recommend to City Council approval of Resolution 20-059-R authorizing the amended license agreement with the owner of The Popcorn Depot  
**Maker:** Wolff  
**Second:** Cerone  
**Voice Vote:** 14 Ayes, 0 Nays, 0 Absent  
All in favor. Motion carried.

**9. Discussion: Industrial Opportunity for Undeveloped Property at Kirk Road and Fabyan Parkway Re-Zoning and Amendment to the Comprehensive Plan (LN 4/9/20)**

Newman reported that we have the opportunity for economic development in the City of Batavia that would bring a huge industrial employer who is a manufacturer of lithium ion batteries. Intersect Illinois is an agent of the Department of Commerce and Economic Opportunity notified various municipalities and Chambers of Commerce in Illinois. This is the opportunity for the City to share with the company an area in our City that meets the specifications they require. They are looking for a relatively level 37-acre site that could accommodate a building of 950,000 square feet. It would be a 90 million dollar investment and they anticipate an employment count of 480 full-time employees once construction is completed in 2022. This company requires a tremendous amount of electricity and our City's electrical company could more than accommodate their needs. This would increase the electric load that the City needs because we are in the unfortunate situation where we are required to purchase more power than we use. If this project were to come to fruition at 10 gigawatts per year, it would absorb about half of that overage.

Newman discussed the proposed site at the southwest corner of the intersection of Kirk and Fabyan Parkway with the Committee. She explained this site would have to be rezoned to General Industrial because it is currently zoned General Commercial. While zoned as General Commercial there have been zero proposals to develop it as such. For the City to attract this business we would have to make a change to the zoning of this property.

The consensus of the Committee was in favor of staff initiating the process of a Zoning Map Amendment to be able to avail the City to this opportunity. Wolff asked for someone to join him in directing staff to move forward with this process. Cerone and several others voiced their support in joining Wolff with his request.

**10. Project Status**

Newman reported on the following:

- COVID-19 financial impact is impossible to calculate at this time. At this point we don't know how long the stay-at-home order will be in place. Sadly we don't know what businesses might now reopen because of the impact this situation has had. What is necessary right now is to look at preserving our cash. We have already incurred expenses this year in which we will have to pay as well as future unavoidable expenses. Each one of the Department Heads are looking at the 2020 budgets to determine what projects are we able to put on hold for the short-term until the financial picture becomes more clear. A presentation of this will be held at the next COW meeting.

- One Washington Place: Newman stated that she has consulted with the TIF consultants and TIF attorney since option one, extending the TIF, is now off the table. The other two options are to de-TIF and re-TIF or to make adjustments to the project where the potential increment remaining is enough to solve the but-for for a smaller project. Newman noted that with the de-TIF and re-TIF the City may be able to recoup the cost the City has invested in the project depending on what other areas we might include within a new TIF. The next Committee of the Whole (COW) meeting we will have a proposal for the COW to consider for the de-TIF and re-TIF or leaving the TIF as it is. The developer will be attending that meeting and will have elevation drawings and will be able to discuss the financial impacts of putting commercial back into the project.
- Bike Share Program: This is one of the projects we could delay for the short-term.
- Batavia Dam: Phase One of engineering is being done for the removal of the dam in North Aurora. Batavia, Geneva and St. Charles are on their radar for future communities to work with. Newman has contacted the Park District. The Park District informed her they have a Master River Planning contractor that would create a scope of work that would encompass reviewing where our plans stood back in 2000 with the removal of the dam and preservation of the depot pond in order to make an evaluation of the feasibility of that plan. Newman will update the Committee on any upcoming dates.
- The Finance Department is working on an virtual on-site audit.
- The Public Works Department is working on completing the 2019 Area 3 Sewer Separation Project. Underground utility work has begun on the Main Street project. Emergency vehicular access has been restored on VanNortwick. Ward One drainage project has received favorable bids.
- Communications has received a final draft of our community survey and we hope to be getting that out to residents in the near future. The new City of Batavia logo has been submitted to the National CMA competition.
- The City has provided a COVID-19 link on its homepage of the website to share the newest information.

## 11. Other

The next remote COW meeting will be held on April 28, 2020.

The Committee discussed the various ways the community is fundraising such as double blessing meals where meals are purchased from local restaurants and donated to front line workers (spearheaded by Batavia MainStreet) and fundraising events where money is collected for charity resulting in Alderman Callahan receiving a haircut.

## 12. Executive Session: Collective Bargaining

**Motion:** To adjourn the COW meeting and enter into Executive Session for collective bargaining

**Maker:** O'Brien

**Second:** Knopp

**Voice Vote:** 14 Ayes, 0 Nays, 0 Absent  
All in favor. Motion carried.

### **13. Adjournment**

There being no other business to discuss, Chair Wolff asked for a motion to adjourn the meeting and enter into remote Executive Session at 8:29pm; Made by O'Brien; Seconded by Knopp. Motion carried.