

MINUTES
August 18, 2020
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 Wolff called the meeting to order at 7:00pm.

1. Roll Call

Members Present: Chair Wolff; Ald. Miller, Russotto, Beck, Knopp, Baerren, O'Brien, Callahan (on phone), and Uher

Members Absent: Chanzit, Meitzler, Malay, Cerone and McFadden

Also Present: Mayor Schielke; Laura Newman, 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

The Committee considered tabling Ordinance 20-46 to another meeting so that more aldermen are in attendance. O'Brien asked to vote on the ordinance. Uher noted that either way it would go to City Council for a vote. Uher suggested at least having discussion on the matter. Wolff stated that he was against bringing this back to the Committee of the Whole (COW) and we should have voted at City Council and have been done with it. O'Brien agreed. The consensus of the Committee was to leave Ordinance 20-46 on the agenda.

4. Matters From the Public (For Items NOT on the 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) Approval: COW Executive Session Minutes July 14, 2020

Motion: To approve the Consent Agenda as presented

Maker: Knopp

Second: Uher

Roll Call Vote: **Aye:** Knopp, Baerren, Wolff, O'Brien, Callahan, Uher, Miller, Russotto, Beck
 Nay: None
 9-0 Vote, 5 Absent, Motion carried.

6. Ordinance 20-43: Limiting the Number of Video Gaming Sites in the City of Batavia (LN 6/30/20) GS

*Alderman Beck exited the meeting at 7:04pm

Uher stated that there were some concerned with putting a limit on video gaming sites because it could put us in a precarious situation if someone were to ask for a variance. Uher stated that he would like to make a change where he would recommend to City Council that we remove video gaming from our ordinance and allow anyone who has it to be grandfathered in. Knopp asked that whoever has a video gaming license now would keep their license until their business no longer exists. Uher responded that was correct.

Newman reported that there have been no incidents where video gaming has been associated with any police calls for service or complaints to the Police Department or Community Development Department. This is revenue that we have appreciated being able to put towards general fund expenses. Staff recommends we continue to allow it since we have had it for nearly four years we still only have seven establishments that have video gaming. This is not being rampantly pursued by businesses. The downside to grandfathering it is you then give those businesses a competitive advantage that new businesses would not enjoy.

Baerren stated that video gaming is a tool that business owners could utilize to get people into their establishment. Not everyone will want them in their restaurants and establishments. She does not believe people come into Batavia for video gaming, it is just an amenity and offering. O'Brien agreed that this is a tool for businesses to help them succeed. The Committee discussed State Law of up to six machines total for each establishment, and the City's requirements for a video gaming license.

Newman explained how the ordinance is currently structured and how it does not allow video gaming sites that only offer video gaming. You have to have a liquor license for a tavern or a restaurant that also serves liquor. She has had inquiries on opening a café type of gambling and when they are informed they have to hold an A or D liquor license for a year they hang up. It is not financially worth it to pay rent on a place and not have any revenue generated for an entire year of rent just to put up five video gaming machines. Wolff stated that because of our restrictions video gaming cafes look elsewhere to open their business. He does not believe our restrictions have to change to disallow those types of operations. What would make it more difficult would be to raise the fees and we have talked about that before. Mayor Schielke concurred. Callahan stated that there are enough provisions in the way the current ordinance is written.

Motion: To recommend to City Council amending the ordinance for the removal of video gaming and to allow establishments that already have video gaming to retain their license

Maker: Uher
Second: Knopp

Discussion was held on the motion. Chair Wolff asked if the ordinance would have to be rewritten. Newman stated that the Committee could vote on an amendment to this ordinance and she would have it changed for the City Council meeting. Chair Wolff asked Alderman Uher if that is what he would want. Uher answered yes.

Roll Call Vote: **Aye:** Uher, Knopp, Miller
 Nay: Baerren, Wolff, O'Brien, Callahan, Russotto
 3-5 Vote, 6 Absent, Motion failed.

Newman stated that she would amend the ordinance and it would go to City Council with a negative recommendation.

*Alderman Beck re-entered the meeting at 7:29pm

7. Discussion: COVID Grants for Small Businesses and Not for Profits

Beck reported that this discussion came up with Water Street Studios when they were here to discuss their new operating model. It had her thinking how there are a lot of other businesses out there that need to make adjustments to stay afloat with unbudgeted expenses to try to keep their customers and their employees as safe as possible. We did a great job with the roll out of small business grants. She comes tonight with questions on how many grants we distributed and how much funds we have left. She asked if the Committee were comfortable with utilizing the remaining funds towards other business types, for-profit and non-profit, that are also trying to keep their customers and employees as safe as possible.

Newman discussed the different grants the City distributed. She stated that the Gateway Improvement Grants we have given out \$26,000. She estimates that we have \$60,000 remaining of the balance from the \$296,000 that was provided to the City when the Illinois Department of Commerce and Economic Opportunity ended the micro-loan program back in 2015. The City Council had established that fund for future economic development projects. We have given grants of \$110,000 and \$32,000 just recently. We gave COVID Grants to twenty-eight small businesses for an additional \$23,000. What remains is approximately \$60,000.

Newman continued we should take it into consideration that Kane County has designated \$10 million dollars of the \$92.9 million dollars that they have received through the CARES Act. Of the \$10 million, \$8 million will be for small business grants and \$2 million dollars for grants for not-for-profits. They have not yet developed the parameters of those programs. Newman advised that we wait and see what type of businesses that those grants would cover and we could come back to see if there are any gaps associated with that. Newman suggested reserving the money for as we move forward with construction of One Washington Place we might be able to establish programs that would assist the neighboring businesses who might be negatively impacted by the construction and offer some kind of grant funding to them as well.

Callahan suggested that the grants should be in a certain allocated amount under the same criteria as we did for the restaurants and open it to the for-profit and non-profit businesses. This would be for anyone who is customer facing.

The consensus of the Committee was in favor of authorizing twenty grants for up to up to one thousand dollars for small businesses and not-for-profits utilizing the same format as the previous small business grants.

Chair Wolff asked for the list from the first round of small business grants be distributed to the Committee for review.

8. Project Status

Newman reported on the following:

- The City is doing an additional brush pick up to pick up the trees and debris from last Monday's storm. They are going to start at west side of town and work their way over to the east side. The City website, under Services, there is a category for brush pick-up and there is a link to the map. Green is the areas they have not yet been and red are the completed area.
- Peggy Colby and Newman attended a webinar presented by the Kane County State's Attorney Office that explained the application process for the City of Batavia's CARES Act Funds. The City was awarded a little more than 1.5 million dollars. There is an application process and our application will be due on September 4th. Following submittal of our application the County will notify us that we would have to enter into an intergovernmental agreement. That would be by September 24th. Between 9/24-12/30 is when we could make requests for reimbursement. Requests for reimbursement will be made on two different schedules for expenses that the City incurred from 3/1 and 8/31. And the second schedule will be for costs between 9/1 and 12/30.

9. Other

Knopp stated that we were talking about the CARES Act and helping non-profits. Unanticipated costs of COVID have caused problems for residents with school children who have had to improve their internet speed in order to accommodate remote learning. Knopp asked if there are any programs to help residents offset costs incurred by COVID. Newman stated that she believes that the cost would be covered through the School District. Kane County was very specific that the money that comes to the municipality could only be used to cover expenses incurred by the municipality and may not be given to another entity who might be paying eligible costs. Knopp stated that we are doing a lot to help our business community but he does not hear a lot about how we are helping our residents. Newman stated that she would be happy to explore that.

10. Adjournment

There being no other business to discuss, Chair Wolff asked for a motion to adjourn the meeting at 8:05pm; Made by O'Brien; Seconded by Knopp. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith, Recording Secretary, on August 24, 2020.