

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

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

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

1. Roll Call

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

Members Absent: Ald. Wolff

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

2. Approve Minutes for January 12, 2016

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

3. Items to be Removed/Added/Changed

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

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

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

5. Consent Agenda

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

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

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

* Mueller entered the meeting at 7:34pm

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Stark clarified that that the Committee has four choices:

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

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

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

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

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

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

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

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

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

12. Fox River Issues CD

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

13. Project Status

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

14. Other

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

15. Closed Session:

a. Purchase and Sale of Electric Power

b. Deliberations for salary schedule for a class of employees

There was no closed session at this meeting.

16. Adjournment

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

Minutes respectfully submitted by Jennifer Austin-Smith