

**CITY OF BATAVIA  
MINUTES OF THE BATAVIA CITY COUNCIL  
May 16, 2016 at 7:30 p.m. - City Council Chambers  
100 N. Island Ave. Batavia, Illinois**

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. Minutes 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. Any references to discussion and /or statements are only to provide greater clarity to the public and they may not reference all, some, or any of an individual speaker's comments.

**1. MEETING CALLED TO ORDER** by Mayor Schielke 7:33 p.m.

**2. INVOCATION followed by PLEDGE OF ALLEGIANCE** led by Ald. Botterman

**3. ROLL CALL: 14 of 14 aldermen were present.**

Aldermen (by ward): Michael O'Brien (1), Carl Fischer (1), Martin Callahan (2), Alan Wolff (2), Kyle Hohmann (3), Dan Chanzit (3), Susan Stark (4), Paula Mueller (4), Lucy Thelin Atac (5), Kevin Botterman (5), Nicholas Cerone (6), Michael Russotto (6), David Brown (7) and Drew McFadden (7) were present.

Also present were BATV and members of the press, public and the following:

City Administrator	William McGrath
City Attorney	Roman Seckel
City Clerk	Heidi Wetzell
Community Development Director	Scott Buening
Economic Development Consultant	Chris Aiston
Finance Director	Peggy Colby
Human Resources Director	Wendy Bednarek
Fire Chief	Randy Deicke
Police Chief	Gary Schira
Public Works Director	Gary Holm

**4. ITEMS REMOVED/ADDED/CHANGED - None**

**5. CONSENT AGENDA**

Accept and Place on File:

- A. Committee of the Whole Minutes for April 12, 2016
- B. Historic Preservation Minutes for April 11, 2016
- C. Plan Commission Minutes and/or Zoning Board of Appeals for April 6, and April 20, 2016
- D. April 2016 Building Report
- E. January, February, and March 2016 Financial Reports GS

Approvals:

- F. May 6, 2016 Payroll \$762,016.30

G. Accounts Payable Check Register \$728,478.62  
H. City Council Minutes for April 4, and 18, 2016  
**I. ORDINANCE 16-26: Declaring Certain Transformers, Switchgears and Capacitors to be Surplus and Authorizing the Sale/Disposal Thereof**  
(Brian Bettin 4/25/16 COW 5/10/16 11/0) CS  
**J. RESOLUTION 16-46-R: Approving ISO Risk Management Policy**  
(Gary Holm 4/29/16 COW 5/10/16 11/0) PU  
**K. ORDINANCE 16-29: Annexing Sections of Main Street Right-of-Way**  
(Scott Buening 4/28/16 COW 5/10/16 11/0) CD  
**L. RESOLUTION 16-49-R: Authorizing Execution of a Contract with SKC Construction, Inc. of West Dundee, Illinois for the 2016 Crack-filling Program in the amount of \$122,380.00** (Tim Grimm 5/2/16 COW 5/10/16 11/0) CS  
**M. ORDINANCE 16-30: An Ordinance Rescinding Ordinance 15-50 and Thereby Voiding a Tax Increment Financing Redevelopment Agreement Concerning the Property at 27 N. River Street, Batavia, Illinois** (Chris Aiston 5/5/16 COW 5/10/16 11/0) GS  
**N. ORDINANCE 16-23: A Comprehensive Plan Land Use Map Amendment for 21 N. Water Street- Batavia United Methodist Church** (Rackow 5/5/16 COW 5/10/16 11/0) CD  
**O. ORDINANCE 16-24: Amending the Official Zoning Map--Batavia United Methodist Church** (Rackow 5/5/16 COW 5/10/16 11/0) CD  
**P. ORDINANCE 16-25: Variances for Batavia United Methodist Church** (Rackow 5/5/16 COW 5/10/16 11/0) CD  
**Q. ORDINANCE 16-32: Variance for 514 Main Street 2<sup>nd</sup> Story Addition** (Drew Rackow 5/5/16 COW 5/10/16 11/0) CD  
**R. RESOLUTION 16-33 -R: Authorizing execution of the Contract for the 2016 Street Resurfacing Program with Geneva Construction Company in the amount of \$1,500,636.90** (Rahat Bari 5/2/16 COW 5/10/16 11/0) CS  
**S. RESOLUTION 16-47-R: Authorizing execution of the Master Services Agreement (MSA) with Engineering Resource Associates** (Rahat Bari 5/2/16 COW 5/10/16 11/0) CS  
**T. RESOLUTION 16-50-R: Authorizing execution of Task Order #1 for Fox River Stabilization with Engineering Resource Associates (ERA) for an amount not-to-exceed \$37,740** (Rahat Bari 5/2/16 COW 5/10/16 11/0) CS

**Motion by Ald. Atac, seconded by Ald. McFadden, to approve the Consent Agenda as presented. Motion Carried 14 yea/ 0 nay/ 0 absent**

**6. PUBLIC HEARING:** 7:35 PM Annexation Agreement Between TMS Holdings LLC and COB 2S668 Raddant Road

**Mayor Schielke opened the Public Hearing at 7:39 p.m.**

Community Development Director Scott Buening explained this public hearing for the annexation agreement includes certain fee waivers and deferment of certain public improvements on the property.

No one wished to speak.

**The Public Hearing was closed at 7:40 p.m.**

**Motion by Ald. Brown, seconded by Ald. Atac, to close the Public Hearing on an Annexation Agreement Between TMS Holdings LLC and COB 2S668 Raddant Road. Motion carried 14 yea/ 0 nay/ 0 absent.**

**7. MATTERS FROM THE PUBLIC:** (For Items NOT on the Agenda) - None

**8. PROCLAMATION:** National Public Works Week May 15-21, 2016 (Gary Holm 5/9/16)

Ald. Atac read the Proclamation reminding all of the importance of public works services in the lives of citizens, celebrating those who perform such tasks, and proclaiming May 15-21 Public Works Week in Batavia.

Public Works Director Gary Holm accepted the proclamation on behalf of the fine men and women of the department. He noted the retirement of John Dillon head of the Water Department. The annual Touch a Truck event will be May 13 at 10:30 a.m.

**Motion by Ald. Atac, seconded by Ald. McFadden, to approve the Proclamation as read. Motion carried 14 yea/ 0 nay/ 0 absent.**

#### **9. MAINSTREET MINUTE**

Cathy McNally, Assistant Director of Batavia MainStreet, introduced Luke Freiburger the summer intern at Batavia MainStreet.

The Batavia MainStreet Annual Meeting will be held June 8 at 5 pm at Pal Joey's

Cocktails in the Park will be on July 16 at 7:00 pm

June 4 is the opening day of the Farmers Market. MainStreet has received a grant from the USDA to implement a program so SNAP and LINK cards can be accepted at the market.

#### **10. ORDINANCE 16-31: An Ordinance Authorizing Execution of a TIF Redevelopment Agreement with River Street Buildings, LLC and Relating to the Building Improvements at 27-29 N. River Street (Chris Aiston 5/5/16 COW 5/10/16 11/0) GS**

Chris Aiston explained this is a redevelopment agreement with Bruce Harris River Street Buildings, LLC. It is to facilitate a facelift to the exterior and east facing inside walls of 27-29 N. River Street, the store fronts are Bar Evoluion and The Tea Tree.

The City would again commit to awarding a matching grant in the amount of \$25,000 and also provide a low interest loan (2.75% per annum) to Mr. Harris in the amount of \$58,500, the total disbursement amount not to exceed \$83,500. This total disbursement will be made from the City's existing TIF funds. The project includes a new roof and windows and would enhance River Street.

Ald. Brown is happy to see the owner is trying to make sure everything is done right and is willing to take on such a large project,

Ald. Bottermen voted no the original grant and will be voting no tonight as he thinks the amount of dollars is excessive.

Mayor Schielke is in favor of this as there is much positive energy in downtown Batavia and others business are looking to move in.

**Motion by Ald. Brown, seconded by Ald. Hohmann, to approve Ordinance 16-31, An Ordinance Authorizing Execution of a TIF Redevelopment Agreement with River Street Buildings, LLC and Relating to the Building Improvements at 27-29 N. River Street awarding a \$25,000 grant and a \$58,500 low interest (2.75%) loan to River Street Buildings, LLC.. Motion carried 13 yea/ 1 nay ( Botterman)/ 0 absent**

**11. ORDINANCE 16-27: Authorizing Execution of Annexation Agreement 2S668 Raddant Road (Joel Strassman 5/11/16 COW 5/10/16 /0) CD**

Ordinance 16-27, Ordinance 16-28, and Resolution 16-48-R were the subject of the public hearing held earlier in the meeting.

**Motion by Ald. Stark, seconded by Ald. Brown, to approve Ordinance 16-27: Authorizing Execution of Annexation Agreement 2S668 Raddant Road. Motion carried 14 yea/ 0 nay/ 0 absent**

**12. ORDINANCE 16-28: Annexing and Zoning 2S668 Raddant Road (Joel Strassman 5/5/16 COW 5/11/16 11/0) CD**

**Motion by Ald. Stark, seconded by Ald. Brown, to approve Ordinance 16-28: Annexing and Zoning 2S668 Raddant Road. Motion carried 14 yea/ 0 nay/ 0 absent**

**13. RESOLUTION 16-48-R: Accepting Grant of Utility and Drainage Easement 2S668 Raddant Road (Joel Strassman 5/11/16 COW 5/10/16 11/0) CD**

**Motion by Ald. Stark, seconded by Ald. McFadden, to approve Resolution 16-48-R: Accepting Grant of Utility and Drainage Easement 2S668 Raddant Road. Motion carried 14 yea/ 0 nay/ 0 absent.**

**14. APPROVAL:** Class G Liquor License – Gammon Coach House/WSS – Blues on Water Street on June 11, 2016 (Chief Schira 5/12/16)

Ald. Atac informed all this is a fundraiser that will take place Saturday June 11 and is contingent on the receipt of BASSETT certification and approval of Batavia Enterprises. Chief Schira announced the liquor will be served by Gamon Coach House.

**Motion by Ald. Atac, seconded by Ald. McFadden, to approve a Class G Liquor License – Gammon Coach House/WSS – Blues on Water Street on June 11, 2016 subject to receipt of BASSETT training and a letter from Batavia Enterprises. Motion carried 14 yea/ 0 nay/ 0 absent.**

**15. APPROVAL:** Class F Liquor License--MainStreet– Cocktails in the Park on July 16, 2016 (Chief Schira 5/10/16)

Ald. Atac reminded all that MainStreet has requested the fee be waived

**Motion by Ald. Atac, seconded by Ald. Mueller, to approve a Class F Liquor License-- MainStreet– Cocktails in the Park on July 16, 2016 and waive fee. Motion carried 14 yea/ 0 nay/ 0 absent.**

## **16. ADMINISTRATOR’S REPORT – City Administrator Bill McGrath**

The spring river clean- up is on May 21. Participants should meet at the skate and bike park at 9 a.m. and wear sturdy shoes a; participants will have to sign a waiver.

Chris Aiston is working on brining an incubator business to the Thomle Building

The Anderson brothers building owned by the Marconi family just had the trim done and it enhances the area.

The Siemens Property – the company has received approval from the IEPA and USEPA to begin the last remediation work on the site. An RFP will go out and it is hoped that the work will be done this fall to seed the ground and it will be ready for the market.

There will be a discussion with MainStreet on the possibility =y of regular closings of River Street.

## **17. COMMITTEE REPORTS**

### Community Development Committee- Ald. Brown

The Community Development Committee will meet in the Special Committee of the Whole Meetings Tuesday May 17 and Thursday May 19, both starting at 6:00 p.m. to conduct interviews and in the regular Committee of the Whole meeting May 24.. The Plan Commission will meet on May 18. Historic Preservation Committee will meet May 23.

### Government Services Committee- Ald. Atac

The Government Services Committee will meet in the Committee of the Whole on May 24.

### City Services Committee – Ald. Wolff

The City Services Committee has nothing on the agenda for the rest of the month of May.

Public Utilities – Ald. O’Brien

The Public Utilities Committee will meet in the Committee of the Whole on May 24.

**18. OTHER BUSINESS**

Ald. Callahan gave a public thank you to all of the State Representatives who represent Batavia as they were all present when the 3<sup>rd</sup> grade class of AGS was at the state capitol and got them on the floor. Also a thank you to the Batavia Covenant Church that had a talk on Human Trafficking that was very informative and timely.

**19 MAYOR'S REPORT**

On May 17 and 19 the Committee of the Whole will be interviewing very qualified candidates for the position of City Administrator. On May 31 the Park Board will be joining the Committee of the Whole for a Joint Meeting

The river clean up on May 21<sup>st</sup> is very important as the river is the jewel of Batavia. The maintained and enhancement of the river will be part of the Discussion with the Park Board.

The Bulldog Boosters have committed \$500,000 to the new turf at BHS. The Mayor of Rosemont Brad Stevens was there as he has been very helpful in donating items for auction for the Boosters. During this rough financial time is has been very helpful in this town to have a quasi-private organization come forward to offer a half a million dollars. The goodness, generosity and hard work transcends how people may feel about the turf issue itself and sends a positive message.

**22. CLOSED SESSION: 8:18 p.m.-8:38 p.m.**

- a. Purchase and Sale of Electric Power**
- b. Purchase of Real Property**
- c. Personnel**

**Motion by Ald. O’Brien, seconded by Ald. Brown to enter into executive session to discuss Purchase and Sale of Electric Power, Purchase of Real Property, and Personnel.**

**Motion carried 13 yea/1 nay (Wolff) / 0 absent**

**All those who entered Closed Session returned to Regular Session**

**23 ADJOURNMENT 8:38 p.m.**

**Motion to adjourn by Ald. Brown, seconded by Ald. O’Brien, motion passed by voice vote.**

Minutes prepared and submitted by,  
Heidi Wetzel  
City Clerk