

MINUTES
May 31, 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 7:30pm.

1. Roll Call

Members Present: Chair Brown; Ald. Russotto, Atac, Stark, Wolff, Fischer, O'Brien, Callahan, Mueller, Cerone and McFadden

Members Absent: Ald. Chanzit, Hohmann, and Botterman

BPD Board: Allison Niemela, Executive Director; Kevin Riley, Commissioner; Gary Foiles, Commissioner; Pat Callahan, President; John Tilmon, Vice-President; and Tara Gray, Commissioner

Also Present: Mayor Schielke; Bill McGrath, City Administrator; Scott Buening, Director of Community Development; Kevin Drendel, Legal Counsel; Andrea Podraza, Senior Civil Engineer; Gary Holm, Director of Public Works; Rahat Bari, Civil Engineer; Peggy Colby, Director of Finance; and Jennifer Austin-Smith, Recording Secretary

2. Batavia Park District Board Meeting Called to Order

The Batavia Park District called the meeting to order. Roll call was made. There were no items to be removed or changed to their agenda.

3. Approve COW Minutes for April 26, 2016

Motion: To approve the COW minutes for April 26, 2016

Maker: Wolff

Second: Stark

Voice Vote: 11 Ayes, 0 Nays, 3 Absent
Motion carried.

4. Items to be Removed/Added/Changed

There were no matters to be removed, added or changed.

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

Russotto stated that his daughter, McKayla, and her friend Sophia are here tonight to promote the annual cheerleader five dollar car wash. He welcomed them to addressed the Committee and Board.

McKayla Russotto announced that the annual cheer team \$5 car wash fundraiser for the Batavia High School cheerleaders would be held on Saturday, June 4th from 10am to 2pm at Batavia High School, Main Street parking lot. She invited everyone to attend. Flyers were handed out to the Committee.

6. 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. 2016 Post Issuance Compliance Report (Peggy Colby 5/20/16) GS

Motion: To approve the Consent Agenda as presented
Maker: Wolff
Second: Fischer
Voice Vote: 11 Ayes, 0 Nays, 3 Absent
Motion carried.

7. Discussion: Park District Updates and City/Park District Joint Interests

Mayor Schielke presented on the history of the Fox River. After the presentation Mayor Schielke stated that the Fox River presence through Batavia is the crown jewel of the community. He stated that we could utilize the river frontage for some very positive things. We could make the river a recreational and an economic development tool for the community. The river presents the beauty and strength that Batavia is all about.

Brown shared that Altamanu, the City’s streetscape design firm who designed River Street, had trouble finding their way to downtown Batavia and did not know that there was a river in town. Brown asked what can we do with the river to make it more accessible to the public and what can we do to protect the pond. We need to protect our great asset, which is the river. The river banks are eroding and that is another concern.

Pat Callahan stated that it is part of their mission to maintain and preserve the natural resources. Talking about this in 2003 they had two concerns, the river banks and utilization for public use and the quarry. The Quarry water level needed to be maintained. That was invested in so that it would maintain the water level needed. The dam needs to be in some capacity there to ensure that this community asset to the west is maintained. Whether it is a dam or earth and berm, we believe access along the riverbanks would be far more beneficial then we currently have for our patrons to be able to use the river. We don’t program the river. We share your love for it and your concern to help protect it.

Tilmon stated that the river is our asset and is our jewel. It has been proven through every survey that we have administered that this is our number one park. Whether the Depot Pond is being used for ice skating or being used to look at, it brings people to our town. The concerts in the

summer, it lends itself to the look and feel that people cherish here in Batavia. Tilmon stated that any way we could protect that asset we should talk about it. Callahan stated that a permanent solution should be considered and we need to understand the financial cost. Tilmon stated that we need to really know what is out there in the river. What is out there that has to be dealt with and what are the possibilities. Before we have an intelligent conversation on where to go we need to have a discussion on what we have. Wolff stated that we have some information from the State of Illinois that was planned out and approved. We should get that back out and take a look at that. The berm to make the pond separate from the river could be done regardless of what happens to the dam or how many layers of dams there are.. Wolff stated that they asked the State if we could do just the berm and let nature take its course and when the dam came apart we could see what structures are there and decide how we handle rechanneling the river and removing what is left of the dam. The State said it could be done and it would be an approval from the Army Corps of Engineers and IDNR. The Depot Pond would have to be a separate pond and let it stay on its own. We would have to decide who's responsibility it is to maintain the pond and the pumps. Wolff would like to discuss who's responsibility it would be in the future and how do we get from here to there. Brown stated that he remembers that IDNR got very far on their study, hydraulic modeling, and plans on how the river would look and how the river would narrow down. Brown stated that we need to be proactive rather than reactive. We have to get some definitive action so that we could move forward in some direction.

Atac suggested looking into short-term solutions as well as long term solutions until we come up with what we want to do. Wolff stated that the director of water resources for Illinois told Atac and him that the State would allow for patching of the dam to fill that in to ensure the pond would not disappear until we have funding to fix it. Brown stated that he feels that it would cost as much money to patch the dam as it would to make an earth and berm to protect the pond. Wolff agreed. O'Brien does not want to be forced into action. We are really gambling on time if we don't plan something. We need to protect ourselves while doing the planning and gathering funding. Atac suggested getting preliminary cost estimates to do a temporary fix.

Marty Callahan stated that he would prefer to keep the pond and not have it filled with mud or become a bioswale. Callahan asked if it is the consensus between both bodies to save the pond. Everyone on the Committee was in favor of preserving the pond as we see it today. By a show of hands it was unanimous. Mayor Schielke stated that there is real community ownership of the river walk and a lot of people volunteered and donated money to create this park. Niemela stated that a community needs assessment will be done this year. We need to have a master plan for that area and look at the research that has been done. We also need to induce a visioning process. She stated that we are very fortunate to have a Park Board President that is used to spearheading large projects. We need to look at resources that we have on the Park Board and look beyond us and bring the community into it. The Park District and the City could continue this process and continue meeting like this to bring our resources together.

Pat Callahan suggested some items to address moving forward. He suggested securing some study to see how much silt is collected in the depot pond, study the earth and berm opportunities to maintain refreshed water in the pond and the study the dam last. Doing the pond first, since it is our first priority, would be taken care of and if there were a dam breach it wouldn't be such a detriment. O'Brien asked about what would happen with the north section of the river where the

waterfront condominiums are. O'Brien continued that cleaning up the river needs to be done so that we could utilize the river in recreational activity. Tilmon added another component is to have a plan that goes beyond that, we need a five or ten year plan for this area. The plan would consider what would we do with the extra land once the river narrows. He would like to see a strategic plan for dam removal. Pat Callahan clarified that what he is suggesting is an engineering position, hydrology, and a step-by-step process. He wants to know what do we do with the shoreline when it is available to us. He suggested having the study go from Fabyan Parkway to the edge of Clark Island as a whole. He would like to know what the costs would be now so that we could plan for it.

McGrath stated that a presentation should be made on the past engineering that was done on the river. McGrath continued that one thing that could help the Depot Pond would be to put up the berm and dry the pond and dredge it out. We are here to protect the Depot Pond. We could ask the Army Corps of Engineers to join in on this process and we could learn a lot from them. McGrath stated that staff has the IDNR reports and a presentation could be created but it would take some time. The information could be put on the website on the front page. Tilmon stated that he would like to have the City staff present on this. Pat Callahan stated that it would be beneficial to reconvene in a meeting like this. McGrath suggested a special meeting. McGrath stated that staff could recommend some next steps. Niemela stated that the river walk is the heart and soul of this community. McGrath will work with Niemela on when we could get back together for this discussion.

8. Discussion (Continued): Wayfinding Signage for the Downtown (Scott Buening 5/12/16) CD

Rob Hollis, Vice-President of Batavia MainStreet, reported that MainStreet is in the position to make an investment in the downtown. Batavia MainStreet received a generous donation from a Batavia resident and would like to investment \$50,000 towards wayfinding signage. Fischer suggested that branding be the first place to start. We need to have some sort of branding review and he would like to see a coordinated and consistent message. He noted that branding does not take that long and does not cost that much money. McFadden stated that the City needs to do it right. The City needs to know who they are, what they want to project, and the message that we want see downtown. Consistency with branding is important for wayfinding. Marty Callahan stated that branding should be done first. O'Brien asked if we coordinate with the Park Board or with MainStreet. Fischer stated that a committee should be created to be a part of this. McGrath stated that the Park District and MainStreet have already had done their branding. The staff agrees with starting with branding and would hate to see any delays. McGrath suggested coming back with an RFP to go out and get it done. It does not have to be that long and drawn out. Niemela commented that they have been working on wayfinding signage for the Peg Bond Center and they have several concepts. They are working on wayfinding with a firm.

Motion: To direct staff to develop a RFQ for City branding
Maker: Callahan
Second: Fischer
Voice Vote: 11 Ayes, 0 Nays, 3 Absent
Motion carried.

Marty Callahan suggested having the School District as part of this discussion. McGrath was asked by Brown to create a meeting to discuss the wayfinding with the School District and Park District. McGrath agreed.

The Batavia Park District moved to adjourn their meeting at 9:01pm. Motion made by Callahan and seconded by Gray. The COW took a five-minute break before returning at 9:06pm to continue the meeting.

9. Resolution 16-51-R: Authorizing Execution of Task Order #6 with Rempe Sharpe for Area 2 & 3 Storm Separation for an amount not to exceed \$25,975.00 (Andrea Podraza 5/26/16) CS

Podraza reported as part of the City of Batavia's efforts to alleviate repeated drainage concerns and sewer back-ups in area 2 & 3 of the combined sewer on the City's west side the City Council allocated funds this fiscal year to conduct a drainage study and perform construction to improve this area. The Engineering Division sent out a request for proposals to the same consultants that submitted proposals for the Ward 1 drainage study. Four firms submitted updated statements of qualifications and sealed cost proposal. The consultant with the lowest adjusted cost and being recommended for this project is Rempe-Sharpe & Associates, Inc. from Geneva. The City has worked with Rempe-Sharpe on an IDOT drainage project on Rt. 31 as well as numerous projects for the Water Division. Those projects include the Batavia Avenue Water Service Replacement & McKee Street Substation Watermain Replacement, Maple Lane Watermain Replacement and watermain replacement on W. Wilson Street. The City has found Rempe-Sharpe to be responsive, responsible and timely in finishing submittals. This is the second project out of the \$400,000 allocated in the 2016 budget to investigate/study, prepare design drawings and/or construct solutions on a city-wide basis to help alleviate the drainage and sewer back-ups problems encountered most recently with the June 2015 rain event. Staff is in the process of evaluating what project will be next and then start preparing a request for qualifications.

Callahan asked about the timeline. Podraza stated that they are looking at them doing a final presentation on September 13th and preliminary engineering drafts in July. Podraza stated that Area 3 is being researched and we are asking for final engineering plans for Area 2.

James Gorski, 717 Blaine Street, appreciates the meeting the City had. The drain water and the sewage needs to get done. Last year around this time we had a major problem with rainwater and sewage backing up into housing. Blaine Street had sewage. This study makes sense because this is a health issue. He understands that this stuff is expensive but this also makes the City a better place to live. He stated that there are a lot of houses for sale on his block. We need to take the step forward to get these sewer lines separated. He stated that this plan needs to go forward.

Brown asked if they could focus on areas where sewage was coming into the house. Podraza stated that staff would work hand-in-hand to resolve those issues.

Motion: To recommend approval of Resolution 16-51-R: Authorizing Execution of Task Order #6 with Rempe Sharpe for Area 2 & 3 Storm Separation for an amount not to exceed \$25,975.00
Maker: O'Brien
Second: Callahan
Voice Vote: 11 Ayes, 0 Nays, 3 Absent
Motion carried.

10. Resolution 16-52-R: Authorizing Agreement with the Conservation Foundation Relating to Maintenance of Windmill Lakes Detention Basin (Andrea Podraza 5/25/16) CS

Podraza stated that The Conservation Foundation (TCF) and City of Batavia (COB) have an existing maintenance agreement for Windmill Lakes Detention Basin. The agreement gives TCF authority to manage the basin on COB's behalf. The initial agreement (Res 10-71-R) between the two parties only went from June 2011 until June 2014, not the full 5 years as the maintenance agreement language suggested. In November 2014 we brought this back to Committee to extend the original agreement to June 2016 (Res 14-131-R) and modified the agreement language to reflect the process that was in place. The ending date of the agreement was the only thing that has been revised to the agreement since the last one. Both the City and TCF have agreed to the end date of December 31st each year to coincide better with the growing season rather than having to renew right in the middle of it. The new agreement would be in effect until December 31, 2016.

Podraza reported that lot 14 out of that development had Golden Corral collecting all the funds for maintenance. Buening is currently working on this and we may have to look at funding this for the next five years. Buening is working on getting a backup SSA or some other option to get the funding. Buening stated that the Golden Corral situation is in limbo without a property owner. Buening stated that he has met with several of the property owners to work on some sort of solution. Wolff noted that the streets in that area are getting worse and worse. Buening stated that a backup SSA could be created as another option and if it is not working it could always be terminated. It could be set up and the returned to a dormant status.

Motion: To recommend approval of Resolution 16-52-R: Authorizing Agreement with the Conservation Foundation Relating to Maintenance of Windmill Lakes Detention Basin
Maker: O'Brien
Second: Cerone
Voice Vote: 11 Ayes, 0 Nays, 3 Absent
Motion carried.
CONSENT AGENDA

11. Ordinance 16-20: Water Pollution Control Loan Program Authorizing Loan Agreement City of Batavia a Home Rule Entity (Peggy Colby 5/12/16) GS

Colby reported the Wastewater Treatment Plant improvements as presented in Task Order #8 with Trotter & Associates approved by Resolution 16-11-R will be financed with an IEPA Loan. Ordinance 16- 20 is an Authorizing Ordinance for the issuance of up to \$30,000,000 in an IEPA Loan. This is not the official Bond Ordinance but is a requirement to proceed through the application process. The loan will have a Official Bond Ordinance prepared by Chapman and Cutler that will need to be approved by the City Council at a later date.

The projected cost for Phase I is currently \$27.7 million including projected construction loan interest. The amount in the authorizing Ordinance is set higher than expected to provide for unforeseen costs. The City Council has authorized three years of 6% rate increases to cover the costs of Phase I, however it should be noted that at least one more year of an increase is necessary to support Phase I. Further rate increases beyond 6% will be necessary for Phases II and III.

Brown stated that Gary Holm was authorized to hire another consultant to verify that we are spending the money the best way we could spend it. We are spending money but we are being careful on how we spend it. Colby noted that this has nothing to do with the storm sewer separation. O'Brien stated that we are also planning for the future for more capacity. Atac asked if we are building to the IEPA standards and if they change the standards what is our plan. Holm stated that they are building to get to the IEPA standards. We are designing with the idea that we could accommodate changes and we are not putting ourselves into a box.

Motion: To recommend approval of Ordinance 16-20: Water Pollution Control Loan Program Authorizing Loan Agreement City of Batavia a Home Rule Entity
Maker: O'Brien
Second: Atac
Voice Vote: 11 Ayes, 0 Nays, 3 Absent
Motion carried.

12. Project Status

McGrath distributed a handout titled "Status Updates Monday, May 31, 2016."

Brown asked about the TIF status and land sales and asked if that information could be distributed to the Committee. Colby stated that they are both ready and they just need to be presented.

June 7th is when the incubator business would be presented to the COW for the Thomle Building.

Wolff asked about Dunkin Donuts. Buening stated that they are finding that the retaining wall would have some conflicts and they would like to move it east and south and make it lower. That should go to the Plan Commission for a design review amendment.

Brown asked about the updates to City Hall. Holm stated that the server room project is just about finishing. The alarm system project is 80% done. The windows and stairs are still being worked on. They are getting one project done at a time.

O'Brien requested engineering reports. Holm stated that the website has all the latest updates on the web map. The project information is available on the map. If there are specific things we could give updates on to let him know. Holm stated that the creation of the map was made to keep updates available for all to view.

Mueller asked about the truck at the Larsen Becker building. She stated that there is a tree growing out of the windshield. Buening stated that he would check. Mayor Schielke stated that it is an active conversation.

Fischer asked about the Marathon station. Buening stated that canopy and pumps letter was sent out. That is a list to follow-up on and there should be a firm deadline created before we take further action.

13. Other

Mueller stated that Committee attendance is very important.

O'Brien complimented how the town looked and all the plantings looked very good. He thanked staff for that. Holm noted that Scott Haines is the person who takes care of that.

14. Closed Session

- a. Appointment of City Officer**
- b. Personnel**

Motion: To enter into closed session for the purpose of appointment of City Officer and personnel
Maker: O'Brien
Second: McFadden
Voice Vote: 11 Ayes, 0 Nays, 3 Absent
Motion carried.

Closed Session began at 9:46pm.

15. Adjournment

There being no other business to discuss, Brown asked for a motion to adjourn the meeting at 10:46pm; Made by O'Brien; Seconded by Mueller. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith