

CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL
July 18, 2016 at 6:00 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. PARK DISTRICT WORKSHOP CALLED TO ORDER by Mayor Schielke 6:10 p.m.

2. ROLL CALL: 8 of 14 aldermen were present.

Aldermen (by ward): Michael O'Brien (1), Martin Callahan (2), Kyle Hohmann (3), Paula Mueller (4), Kevin Botterman(5), Lucy Thelin Atac (5), Michael Russotto(6, and David Brown (7) were present. Dan Chanzit (3) and Alan Wolff (2) arriving at 6:12pm. Drew McFadden (7) arriving at 6:45p. Carl Fischer (1) arriving at 7:06pm. Susan Stark (4) and Nicholas Cerone (6) were absent.

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

City Administrator	William McGrath
City Administrator	Laura Newman
City Attorney	Roman Seckel
Deputy City Clerk	Christine Simkins
Community Development Director	Scott Buening
Police Chief	Gary Schira
Public Works Director	Gary Holm
City Engineer	Rahat Bari

3. PARK DISTRICT BOARD:

President	Patrick Callahan
Vice President	John Tilmon
Treasurer	Gary Foiles
Commissioner	Tara Gray
Commissioner	Kevin Riley
Executive Director	Allison Niemela

All Park District Board members were present.

Mayor spoke thanking Park District Board for meeting and for this ongoing discussion on the Fox River. He then turned over the discussion to Allison Niemela to introduce a presentation.

Allison stated the City Council and Park District Board requested both staffs meet to create a presentation showing alternatives for the dam removal that were identified back in 2000. Allison then turned the floor over to Rahat Bari, City Engineer, who she stated worked very hard on gathering the facts for the presentation.

Rahat presented a short history of the dam: In 1830 the dam was constructed. In the early 1900's the dam was replaced with the concrete structure we see today. In the mid 1970's the west dam was breached. In 1999 the east dam was breached, which resulted in the city hiring consultants to look at alternatives for fixing the problem. Four objectives were sought in the solution to the problem: 1. Safety 2. Cost effectiveness 3. Fish passage 4. Maintenance. The consultants came up with - 4 Alternatives Plus one:

1. Remove the current dam and build a new dam 900ft north of current location along with 3-4 white water rapids. Retain Depot Pond with the City and Park District maintaining the Dam and Depot Pond.
2. Build a new dam in the same location, however have opening for fish and boat pass. IDNR, City and the Park Districts rejected this idea from the concept level.
3. Keep the dam in the same location, but widen the cut for fish and boat passage. This would need a lot more investigation and the cost would be very high as roads, bridges will need to be relocated.
4. Remove the dam and connect the peninsula to the west side of river by a berm so that Depot pond can be saved. This will require a pump station to maintain the water level in the pond. The impact on the river would be reduction of the river 650-450ft. IDNR will pay for dam removal and building the berm. The city and the park district will maintain berm and pump station. The annual maintenance was estimated to be at \$18,000 per year based on 2000 cost.
5. Do nothing.

In 2003 the choice made was alternative 4. At some point the city and Park District chose to keep the dam as is due to lack of support and funding, the project was then terminated. Between 2003-2016- dam has been deteriorating rapidly.

Tara Gray asked how our dam involvement came about.

The Mayor stated it was by petition. The economy was still good at that time. Mayor stated it was terminated due to a number of issues back in 2003 – the large money the School District Referendum would cost and the Park District Recreation Center were some of the biggest reason the dam was postponed.

Also the City didn't want the rapids from a firefighter standpoint as there were difficult rescue options.

Ald. Brown stated as he remembered the funding was too much with all the new referendums up for decision at the same time. Other concerns were for our citizens' safety and there was concern the dam removal would dry up the river. There were lots of citizens against this at that time.

The Mayor cautioned how bad Illinois is with funding right now and he does not have much confidence the state will come in and help us with rebuilding the dam.

Ald. Brown stated there needs to be a future plan to lobby the state. He stated we need to preserve the depot – but the dam is failing.

The Mayor also stated he is not confident the community would support this right now. Some residents have opinions we should leave alone and let nature take its course. He also stated it would be hard to pass a referendum right now.

Ald. O'Brien stated there are so many misguided half truths out there and we have to get the truth out. Ald. O'Brien stated there have been on three separate occasions' really good referendums out there that didn't pass all because of false information.

Pat Callahan stated it is hard to control these opinions and he has seen 3 factions regarding this particular issue: The save the dam group, the river health group and the people who don't think municipal government should be involved it's an IDNR issue. Ultimately the outcome is dismal no matter what. The experts say it's very hard to fix, but there are options.

Allison asked what the current life span of the dam is and how far out we should look to plan for the short term and long term.

Ald. Wolff stated we are only one hard winter away or a really bad freeze and the dam will not withstand these things.

Ald. Brown agreed with Ald. Wolff, that one act of nature is all it would take to destroy the dam.

Ald. Wolff stated we should not wait on an emergency to have to fix this issue.

Tillman added we should focus on an information campaign to educate the residents in advance, such as: "This is what's happening to our river." We need to get people to realize the problem immediately.

Ald. Wolff said information campaign for the public should focus on preserving the pond. Tillman agreed with Ald. Wolff stating it would be good to show the cause and effect and how the dam and pond work together.

Ald. Chanzit stated there is no time for a referendum this time and does not want to see this tabled.

Pat Callahan stated that last time was a Citizen referendum it was not a binding referendum.

The Mayor pointed out the residents will want to know the cost point and who would be paying for this, the state or the citizens?

Ald. Wolff stated we cannot wait until there is funding and then plan to resolve this; there is no time for that.

Ald. Atac asked the Mayor to rephrase his statement, did he mean to fix or leave the project be?

The Mayor said we need to understand the cost difference and then get this information out there.

Ald. Brown said we need to keep the process moving and would like to hire consultants now to preserve the pond.

Gary Holm stated if the Council decided to keep the berm we have to do in combination with preserving the pond and rebuilding the pond. They cannot be done at separate times.

Ald. Atac asked Park District about long term ideas for what they planned on adding to recreational activities during the last discussion.

P Callahan stated discussions at the time were that the boat club area was the only access to the river. Keeping the pond adjacent to the #1 park in town is most important to Batavia.

Ald. Atac wanted to know were there any ideas now for the future.

Tillman said all long term plans include the pond. We cannot loose the depot pond.

Allison mentioned they will be doing a community needs assessment in winter to get public vision. One of the possibilities included paddle boarding.

Ald. Chanzit pointed out that Yorkville has a beautiful river area to model after with lots of recreational opportunities.

P Callahan stated people liked different options, but cost was main thing people consider.

Ald. O'Brien voiced how demographics are changing and there is a bigger focus on healthier lifestyles.

Mayor suggested we update staffs together to fine tune – and work together with the Park District to get final decisions.

Ald. Brown mentioned we need to hire consultants.

Ald. Cahnzit seconded this motion.

Motion by Ald. Brown, seconded by Ald. Chanzit, to approve the hiring of consultants

Motion Carried 11yea/ 0 nay/ 3 absent

Discussion on the Flag Day Memorial

P Callahan said they are working with the Historical Society on changing the location for the memorial which has a large footprint and would take up too much of the most used park in town. They are looking to redevelop on the east side of the river by the gazebo & frog stature.

Tillman stated the idea is well received –but grossly oversized and takes up too much of the park. It would be a disservice to citizens to build it in current location choice.

The Mayor asked if we have another location.

Ald. O'Brien asked Tillman if he was speaking for all of Park District.

Tillman responded that it was his personal opinion –the current option takes up too much grassy area, but the idea for the memorial is great and very popular.

Bill McGrath mentioned there is a lot of passion behind this project. Many questions need to be addressed such as: Will it be a national tourist attraction or Local-historical? There will need to be building permits, HVAC will be needed, many citizen needs need to be thought of.

Allsion stated there is a need for the City and Park District to partner and work together to keep the discussion going.

Ald. O'Brien wants to keep the discussion open and loves the design. He stated we can all be proud of this.

The Mayor asked if we are we ready tonight to make any decisions or should we continue onto another meeting.

Allison asked if we could get an agreement on location.

The Mayor asked if we do have a drawing to view.

Bill McGrath stated he thought we might be premature on this discussion at this time. He thought it better to get the Flag Day people here and meet with the two bodies as a whole to brainstorm then.

Tillman said he would like to see a presentation to come up with placement size.

Ald. Chanzit voiced he thinks these are innovative exciting ideas for the monument.

Maintenance costs should be thought of? How many bathrooms will be needed? There will be thousands of visitors.

The Mayor mentioned we should put something on the agenda for a couple months away.

Allsion stated she is excited to coordinate and work with Laura Newman on this project.

The Mayor asked do we want to set a tentative date to re-discuss this.

Ald. Chanzit suggested the 1st COW in Sept, or the meeting on Sept 6th.

Ald. Brown stated he would like a definite idea by then of who will be the developer?

P Callhan mentioned the Sept 6th date is good.

The Mayor wanted to point out he had attended three of the Batavia class reunions in the last few months. Many former residents/students mentioned downtown used to be trashy and now it's like a garden right in the center of town by the river and these Batavia Alumni were very impressed. He also mentioned that building the Flag Day Memorial will add to how great it is downtown.

Sept 6th is set to meet for another conversation on these topics.

Mayor called to adjourn Park District Workshop

Adjournment of Workshop: 7:10pm

Motion by Ald Brown. , seconded by Ald. O'Brien , to adjourn Park District Workshop

Motion Carried for voice vote 12 yea/ 0 nay/ 2 absent

1. CC MEETING CALLED TO ORDER by Mayor Schielke 7:32 p.m.

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

3. ROLL CALL: 13 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), Kevin Botterman(5),

Lucy Thelin Atac (5), Michael Russotto(6) Drew McFadden (7), and David Brown (7) were present. Nicholas Cerone (6) arriving at 8pm.

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

City Administrator	William McGrath
City Administrator	Laura Newman
City Attorney	Roman Seckel
Deputy City Clerk	Christine Simkins
Community Development Director	Scott Buening
Finance Director	Peggy Colby
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 [June 21, 2016](#)
- B. June 2016 Building Report
- C. Historic Preservation Commission Minutes for [June 13 and June 27, 2016](#)
- D. Washington-Wilson TIF 5 Eligibility Findings (Chris Aiston 7/6/16 COW 7/12/16 12/0)

Approvals:

- E. July 15, 2016 Payroll \$786,132.29
- F. [Accounts Payable Check Register](#) \$3,529,720.76
- G. City Council Minutes for July 5, 2016
- H. **APPROVAL:** Water Street Studios/BEI Loan Forgiveness Year 7 (Peggy Colby 7/6/16 COW 7/12/16 12/0) GS
- I. **APPROVAL:** Class B-5 Liquor License The Pride of Batavia (BP Amoco)(Chief Schira 6/30/16 COW 7/12/16 12/0) GS
- J. **RESOLUTION 16-60-R:** Authorizing Agreement with Thorne Electric Inc. for 1801 Suncast Lane (Mustafa Kahvedzic 7/1/16 COW 7/12/16 12/0) PU
- K. **ORDINANCE 16-39:** Amending Title 8 of the Batavia Municipal Code regarding Electric Rates And Metering (Peggy Colby 7/6/16 COW 7/12/16 12/0) PU

Motion by Ald. Atec, seconded by Ald. Fisher , to approve the Consent Agenda as presented. Motion Carried 13 yea/ 0 nay/ 1 absent

6. MATTERS FROM THE PUBLIC: (For Items NOT on the Agenda)

None

7. MAINSTREET MINUTE

Jamie Saam spoke on how it was packed downtown for the Farmers market 8-12 Sat with about 2500 every weekend. They are now accepting SNAP and food stamps. Since June had \$600 in SNAP purchases have been made. The Farmers Market has also received a grant to match and double coupons. \$200 has been purchased in the match program for fruits and vegetables thus far. These programs make local fresh food accessible to everyone in our community. There have been tons volunteers 200+ hours donated by 75 people. Jamie wanted to encourage all to volunteer.

Cocktails in the Park turned out to be a fantastic evening with great weather, Jamie mentioned.

This is Main St.'s annual fundraiser and they had a \$15,000 goal this year. Jamie said by looking at numbers so far they have roughly \$20,000 received from this event. That money they received will be re-invested in downtown Batavia for events such as Batfest, the farmers market and helping local businesses. Main St. is having its annual Block Party Sept 4th featuring Dick Diamond and the Dusters. There will be a Car show and \$3 tasters from local restaurants, and the popular event, Pie in the Face. Sept 25th will be the House Swap from 11-4pm. Tickets are on sale now. On July 28th there will be a blood drive for Heartland Blood Center, please sign up.

Jamie then turned over the discussion to Abby Beck, who is the manager of the Farmers market and is in charge of the Green Fair on Fox.

Abby mentioned there have been 23 scans on the walk signs since these signs were put up. Change 1 campaign is the theme of the Green Fair on Aug 13th and they are excited and working on motivating residents to change one thing about their lives. Abby said small things add up to make a big impact when we all do this together. There will be 55 vendors at the fair this year. Bicycle swap sponsored by the Bicycle Commission, the Clothes Swap with proceeds going to the Clothes Closet. There will also be amphibians & reptiles to see.

The Mayor said he wanted to say thank you for all the Environmental Committee does.

8. OATH: Swear in Police Officer Lawrence Hill

Chief Schira spoke about new Batavia officer, Larry Hill who grew up in Evergreen Park and now lives in Chicago. Larry was employed with the Chicago Police Dept. for 10 years. Larry is already a certified police officer, so no training will be need. Chief Schira said Batavia PD is happy to have him.

The Mayor swears in Lawrence Hill.

9. PRESENTATION: Lifesaving Award 5 Bat Police officers

Illinois Association of Police nominated five of Batavia's Police: Justin Howe, Eric Blowers, Pottoff, Erica Stover and Mark Sorem who couldn't attend this evening. Chief Black VP of the IL Assoc of Police, who is a resident of Batavia, presented the awards.

On July 14, 2015 police dispatch received a call to the 300 block of Walnut St in Batavia for a call on a suicidal man with a possible gun. After securing the area, Officer Howe immediately worked to develop a trust with the man. Officer Howe learned the man was despondent over a failed relationship and was depressed, but stated he wasn't going to harm himself. The officer also managed to talk the man into turning his firearm over, which turned out to be a bee bee gun. After clearing the area the officers called the subjects parents and requested they follow up with their son.

45 min after the initial call a second call came through 911 and the same man was then expressing suicidal thoughts and expressing suicide by cop ideas. All officers responded and took tactical positions on arrival. The parents of the subject had called and stated their son had a knife and was on his way home. The officers saw the subject in his Ford Focus turning into parking lot. All officers took position around car. Officer Howe made contact with the subject and calmly spoke with the man. Due to his strong communication skills in 20 minutes the subject turned himself in and was taken into custody peacefully without incident. He was then transferred to the hospital.

10. RECOGNITION: Battalion Chief Robert "Jami" White.

Chief Diecke spoke of Jami White who is retiring after 36 years at the City of Batavia.- Jami stated in 1980 as a paid call Firefighter. In 1992 he went full time and in 2006 he was promoted to Lieutenant. In 2012 Jami was promoted to Battalion Chief. Chief Diecke stated Jami has been a valuable employee and a friend to all on Fire Department. Chief stated on behalf of BFD he wanted to say thank you for all his years of service.

Mayor spoke on how he has known Jami a very long time. One memory came to mind involving an elderly resident who had health problems had called 911 many times. The Mayor had spoke with this resident who wanted to tell him she loved our Fire Department and especially Jami, because he had a great bedside manner.

Mayor presented Jamie with a plaque and a future street sign in his name.

Jamie spoke wanted to thank the City, his fellow employees and his family.

11. OATH: John Lucas

Chief Diecke spoke of John Lucas who in 2006 became a City Firefighter full time. In 2013 he became Lieutenant.

The Mayor swears in John Lucas to the position of Battalion Chief for the Fire Department.

12. OATH: Steven Smit

Chief Diecke spoke of Steven Smit who started with the Fire Department in 2003.

Mayor swears in Steven Smit as Lieutenant for the Fire Department.

13. RECOGNITION: John Dillon

Gary Holm spoke of what a dedicated employee John Dillon has been and of all the accomplishments in Water Department that have been made because of his hard work. John is also involved with numerous charities and churches in the community. He has spent countless hours at the Batavia Library on his own time researching to help the City's Water Dept. Gary stated as a supervisor John was an ideal employee and he will be greatly missed after 37 years in the Water Dept.

The Mayor spoke about when John started working at the City after high school.

During Johns career he has researched modernized our City's' water system to one of the best in Northern IL. He has been very dedicated to our city. All work has flowed seamlessly under John's direction.

The Mayor then presents John Dillon Dr. street sign to be used in the City.

John Dillon's thanked the Mayor and read a speech:

First of all congratulations to the Police and Firefighters who are on-hand tonight. It is an honor to be recognized on the same evening as these individuals. I can tell you during my long career with the City of Batavia that each of the departments has mutual respect for one another and is always willing to lend a hand and offer support whenever needed. I want to personally congratulate one of my best friends, Battalion Chief Jami White, on his recent retirement. Jami and I have been friends since our high school days and were former roommates when he and I served together as paid on call firemen back in the early 1980's. ~~Apparently, he and I may both have some extra time to spend this year on our annual August motorcycle trip. Of course we still need to figure out where we're going.~~

As has been mentioned I have decided to retire from the City of Batavia effective July 29, 2016. This was not an easy decision, but I felt that now was the right time for me to move on to the next stage of my life. I want to take time to enjoy my family and do some traveling while continuing with my passion for volunteering in our community. I hope to also stay involved within the water works industry, both regionally, and at the State level, on a variety of committees.

These last 36+ years have been a wonderful experience for me and my wife, Marcy. I want to thank the Citizens of Batavia, for whom I have always had the utmost respect; the elected officials for your dedication and on-going support; the City's department heads and supervisory staff for your support and guidance and especially my co-workers who have been so reliable and dedicated during the good times and the crisis moments. The men and women at Batavia Public Works today, and those that mentored me as a young man, have always been truly committed to working for the betterment of our community. Throughout my career I have often bragged to my constituents about the excellent crew I have had the good fortune to work with and I truly appreciate everything they have done to make my job so much easier and enjoyable. I also want to thank my family for their support and especially my wife Marcy who has been a huge supporter and sounding board for me during the past 30 years.

The opportunities that have been provided to me by the City of Batavia have led to a rewarding and fulfilling career and, in hindsight; I don't think I could have chosen a better profession or community to work for. I am looking forward to continuing my employment with the City on a part-time basis as we work together to continue making improvements to the Government Center infrastructure and in any other way I can be of assistance to the community.

Thank-you from the bottom of my heart.

14. PRESENTATION: Innovation Center FV

Britta Mckenna spoke that she is glad to be back. Britta has been at the Math and Science Academy for 3 years, the Aurora campus. Steve Chen, alumni of IMSA and co-founder of U-Tube gifted IMSA 1 million with the challenge to raise another million. This gifts purpose was to collaborate with the community. Britta came up with IN2 which stands for Innovation and Inquiry. The 2 stands for the sophomores, juniors & seniors at IMSA. This is a large collaboration of 6400 sq ft. right to left inside front door which has resident offices, a learning lab and small conference rooms. People can try tech before buying it. An idea barista right inside the front door, will great you. People can sign up to idea wall or mentor students. They will have 3d printers, makers camps, a maker lounge, and emerging technology from student projects. This will hopefully to be a catalyst for teaching and learning throughout state. The ecosystem of Imsa is connected throughout IL, including higher education for Fermi lab, Argon, Incubator spaced. Britta and students visited Silicon Valley and then went to Boston and Harvard. Also they got ideas from Caterpillar and the University of IL. Memberships will be available. No funding is needed for IN2.

Britta asked “Why is innovation important to Batavia?” The idea is to promote job growth and promote young talents with ideas that they don’t know what to do with. Keep up with latest trends. Work on problems together. Connect local cities and people. IN2 is similar as being a member of chamber of commerce. Work on regional problems together. Britta thanked everyone and stated they will be open after Labor Day.

The Mayor thanked Britta for speaking.

16. ADMINISTRATOR’S REPORT – City Administrator Bill McGrath

Bill McGrath stated the brush pick up is July 18th eastside August 8th eastside We had a 1 N. Washington meeting at the COW about details about finances. Thursday morning there will be a development meeting with staff current owners to discuss auction items with the church members. We are looking at the temporary parking situation. We will also discuss land acquisition. Peggy will working on bond issues. Main St. will be having the Farmers Market this Saturday. We will also be meeting with Batavia Enterprises and reviewing documents in regards to Blue Goose to make sure all is in line for that project.

Laura is in transition for my position and working on overall health insurance. She has also had meetings with Gary and they will be traveling to New York to NIMPA about possibly refinancing and hopefully saving considerable funds for the City.

COMMITTEE REPORTS

Community Development Committee- Ald. Brown

The Community Development Committee will meet in the Committee of the Whole on July 19 7:30pm. The Plan Commission Scheduled for at 7:30 p.m. The Historic Preservation Commission will meet on July at 5:30 p.m.

Ald, Brown mentioned at the last COW meeting there was a nice presentation on 1 N. Washington.

Government Services Committee- Ald. Atac

COW July 1 N. Washington Place agreement strategic planning meeting.

City Services Committee – Ald. Wolff

The City Services Committee July 26 contract registrations.

Public Utilities – Ald. O’Brien

The Public Utilities Committee

18. OTHER BUSINESS:

Ald. Brown mentioned the Water Treatment Plant tour was very informative.

Ald. Botterman would like a presentation on prairie state to hear an update.

19. MAYORS REPORT

The Mayor attended a panel discussion with all regional mayors at DePaul University. The builders and developers in the Chicago region are noticing and asking about all our renovations in Batavia and ask why there? Batavia has many older homes built by good Scandinavian craftsman and have lasted. But also the biggest selling point for the Batavia market is the school system they move here for the schools. They Mayor said he has spoke with many new residents at various city events. All have answered that it is the school system that brought them to Batavia. Then there is a boom on the grandparents of these new students moving to town as well. The Mayor stated he comes out those meetings thankful of what we have in our town and for the positive things happening.

20. EXECUTIVE SESSION

Land Acquisition

**Motion by Ald. Brown. , seconded by Ald. O'Brien, to go to Executive Session
Motion Carried for 14 yea/ 0 nay/ 0 absent**

21. ADJOURNMENT 9:05p.m.

Motion to adjourn by Ald. Brown, seconded by Ald. O'Brien Motion passed by voice vote.

Minutes prepared and submitted by,
Christine Simkins
Deputy City Clerk