

**MINUTES**  
**September 13, 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, Chanzit, Wolff, O'Brien, Mueller, Botterman, and Cerone (entered at 7:35pm)

**Members Absent:** Aldermen Fischer, Callahan, Hohmann, and McFadden

**Also Present:** Mayor Schielke (entered at 8:35pm); Glen Autenrieth, Batavia Police Department; Kevin Drendel, Legal Counsel; Laura Newman, City Administrator; Gary Holm, Director of Public Works; Andrea Podraza, Senior Civil Engineer; Jeff Albertson, Building Commissioner; Rahat Bari, City Engineer; Peggy Colby, Director of Finance; Bob Rogde, Electric Division Senior Engineer; Chris Aiston, Economic Development Consultant; and Jennifer Austin-Smith, Recording Secretary

**2. Approve Minutes for August 9, August 16, and August 23, 2016**

**Motion:** To approve the minutes for August 9, August 16, and August 23, 2016

**Maker:** Stark

**Second:** Chanzit

**Voice Vote:** 9 Ayes, 0 Nays, 5 Absent  
Motion carried.

**3. Items to be Removed/Added/Changed**

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

**4. Matters From the Public (For Items NOT on 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) Ordinance 16-56: Amending Ordinance 04-08 Relating to the Downtown Tax Increment Finance District Redevelopment Plan and Project (TIF #3) (SCB 9/2/16)**

**Motion:** To recommend to City Council approval of the Consent Agenda as presented  
**Maker:** Stark  
**Second:** Chanzit  
**Voice Vote:** 9 Ayes, 0 Nays, 5 Absent  
Motion carried.

**6. Discussion: Woodland Hills Road Construction and Overall 2016 Roadway Program (Rahat Bari) CS**

Bari presented on the 2016 Street Resurfacing Program and the Woodland Hills Resurfacing Plan. Bari explained that a new street would have cost 1.8 million dollars but the resurfacing, which the City choose to do, cost the City \$384,000. Bari explained how the City resurfaced Woodland Hills Road. O’Brien asked if this has been done anywhere else in the City. Bari stated that in Naperville, if the street curb is in bad shape they would cover it up with a resurfaced street. That buys ten to twelve years of time on the road. O’Brien asked if this was IDOT approved. Holm answered that it was and is part of an MFT program. O’Brien stated his concern for ponding in peoples yards and potential flooding issues. He stated that he does not like how this street turned out. His real concern is drainage. He fears that we have added to the issues. Botterman asked if there is work similar to this with the curbs virtually disappearing. Bari stated that the streets were in bad shape and other than the resurfacing there was no other fiscal option. Without the overlay the water would continue to sit on the road and the road would continue to deteriorate. Patching was not a viable option. Botterman commented that without the curbs there may a safety issue with cars driving onto people’s property.

\*Cerone entered the meeting at 7:35pm.

O’Brien stated that he would not like to see resurfacing done on rolled curbs. Holm asserted that there should be a policy discussion on this because a majority of the City has rolled curbs. O’Brien agreed that discussion should be held on this because there needs to be a better design. Chanzit stated that we often brag about how the City’s property taxes are the lowest in the area. This discussion is very similar to our rainwater discussion and our sewer discussion. We need to stop bragging that we have low City taxes because we cannot pay for the things that our residents would like us to do. This road feels like a country road. He asked if this has an impact on safety or property value. We might have to do this in other areas unless we raise property taxes to start funding some of these projects.

Jack Walker he asked if with any improvement is there a do no harm. He stated that the residents think you have done a lot of harm in the triage. His curb has been covered. He should have three inches of a curb left. His curb does not tilt. The math is not there. He asked that staff come out and measure. Holm stated that the road is not even so there could be more asphalt in certain locations. Walker stated that he believes he got around six inches of asphalt. He is concerned

about large rainfall and keeping driveways clean in the winter and getting out onto the streets during the wintertime.

Jack Walker stated that the City should have saved our curbs. He asked in areas without a curb could there be sidewalks for a safe area to walk. He asked if the City could correct the apron connections to the street. Could the City delineated the street by putting a line 18-24" away from the curb otherwise they are going to wipe out one hundred mailboxes. The priority should go to the blocks of the street that are not on hills for drainage. He asked why the City could not put in any tiles for drainage to lower the water table out there. He has reviewed the 2016 Street Resurfacing Program and noted that most streets did not lose their curbs and some streets were not in dire need of resurfacing. There is lack of maintenance and state of disrepair in our City, which is why there are so many TIF districts. He hopes that the City will try to do infrastructure improvements incrementally at the very least.

George Baker, 1152 Woodland Hills Road, shared that he is a retired civil engineer. Last fall the City came by for a curb to be removed. He talked to Alderman Fischer and Bari called him. He was told to look at Mandrakes. The asphalt is over the top of the curb. The curb is made to channel water, keep the bulk of the water off yards and channel it all down to prevent water getting underneath the road. The asphalt is now taller than his lawn. The water will find its way back to the subgrade and ruin the road. The City is being a penny wise and a pound foolish. His subpump runs once an hour and seldom shuts off. The lack of the curb will increase that problem. The water is going to go behind the buried curb. If home values go down that would lower your tax base. We are being foolish, we really are. Before this Council approves any other work in this City, this needs to be discussed more. The neighborhood should be informed and asked to come in and listen to what the engineer has to say. The curbs also provide safety for residents.

Roxanne Townsend shared that she has put tens of thousands of dollars into the exterior of the home. She finally is seeing her home the way she expected it to look with a lot of sacrifice by not remodeling the interior. She lives on the side of the street without a sidewalk. Her children walk to the bus stop and they have lost the visual and physical delineation. She has seen semis go down her street daily and this road is a well-traveled road with fast traveling vehicles. Her children have to compete with traffic, which includes semi trucks, to go to the bus stop and the alternative is to cross the street twice. She bought into the established neighborhood for the trees to find that we were ignored for forty years and the home she just bought she will be lucky to get curbs fifteen years from now. People are literally driving into her front yard and that did not happen years ago.

Steve Burtner, Woodland Hills Road and Wilson, stated he was happy to see the work done on Woodland Hills Road. That road has been in terrible shape for several years. Not having cars scrape onto his driveway is a great change. The road really looks nice and adds property value to his house. The curbing is an issue on some parts of Woodland Hills Road. Where he is at he still has three inches of curb. He hopes that the areas without curbs could be addressed by the City.

Claire Boldon, 230 Woodland hills Road, stated that she is concerned about the overall drainage. However, we knew that drainage was a problem so why are we removing curbs. She gets a rush

of water to her inlets and she has saw pooling where the water was pooling past fenders of cars. She worries about the freezing ground because in the wintertime she has seen people go through the stop sign. It disappoints her that there has been no consideration of the future. She asked fellow residents to keep grass clippings and the leaves clear of the inlets be proactive. She suggested lining the street with white lines. She hopes to have curbs added. If storm water is a problem why are we just abandoning the problem.

Fred (?), 131 Woodland Hills Road, shared he worked in construction and drainage. He is surprised that this type of street was built. There is too much gravel. He stated that we should have done half and had a good base. Getting rid of the curb, this is a street that belongs in farmland, not in the City. People have been parking partially on the street and partially on the grass. He asked when it snows how will you know where the street is. We will lose a lot of grass when the ground is plowed beyond the curb. He feels that there will be more drainage problems then there was before. He asked for the City to put a sign behind the curb so people know where the curb ends and not go off the street when there is a lot of snow on the road. Even just a small bar with a red reflective marker would be helpful so that people could see where the street is. He hopes that there is a retainer over some period of time so when this road starts to deteriorate the contractor would have to have some responsibility.

Bari stated that the street department would put some sort of delineation on Woodland Hills Road.

Mark McConaughy, 839 Roxbury Court, stated a large part of his property runs adjacent to Woodland Hills Road. He would not be able to fix his grass every time a snowplow or a vehicle goes over his yard. His grass would also be destroyed by salt in the wintertime. There is a safety concern and notice should be given to the residents before the construction work is completed. He appreciates the new street but wants the Council to consider an approval process before something like this happens.

Ralph Beck, Woodland Hills Road and Merriville, asked if there is going to be any lines along the sides of the roads. He explained that lines are absolutely essential. Beck stated that drivers race down the street there. Beck explained that Woodland Hills Road is very dark and it is very hard to see. He would like to see some delineation.

Clayton Hollowman, 1219 Woodland Hills Road, stated he has concerns on the way the work has been done on our street. He was told once the asphalt is put in place it will cover the gutter of the curb and was directed to look at Mandrake. Mandrake has a steeper pitch to it and there still are curbs visible. He was surprised to see asphalt over the top of the curb. The curb was gone altogether. He thinks that deterioration will happen on the edge of the curb. His property drains to the street and gutter. Now the gutter has moved to his front lawn and will be in his grass on the way to the inlet. It will be very hard to grow things there now as well due to the salt. He thinks that there will be a ragged edge of asphalt. We don't know if our road will be worked on for another quarter of a century.

Debbie Burringter stated that she wanted to address the issue of safety. There is a lot of speeding going down that road. She was wondering if the police department could address the speeding on

our road. At one point they had a clocking device and it was not very effective. She has not seen the speed monitored down our road.

Brian Calcki stated that he is concerned about safety of the children. He stated that aesthetically the street looks unincorporated. He noted that the drivers are increasing their speed. He asked the City to make safety the top priority to make sure that the children who wait for the bus are safe.

James Gorski, 717 Blaine Street, assessed that the speed in the City is excessive. Thirty mile per hour speed limit on a dead end street is excessive. Safety needs to be the issue and not profits from tickets due to 30 mile per hour speed limits.

Yvonne Dinwiddie, 1156 Pine Street, stated every time the City has a TIF District the money stays in the TIF District and all it does is give money to the developers. TIF Districts take away money from our schools and our park district. We need to use our taxes to fix our town and keep our town in repair. We don't need TIF districts. We are budgeting tightly with our infrastructure but we have money to buy properties for a future redevelopment project. She stated that it is time to have developers stand on their own two feet and do what it takes to keep our town in repair.

O'Brien stated that he will press to have lines for delineation. Supervision on the project was poorly done. O'Brien explained that the clean up after construction was poor and debris was left on the road such as nails and wire mesh.

Bari stated that staff would discuss striping on Woodland Hills Road and report back to the Committee. Brown asked Glen Autenrieth from the Batavia Police Department to address the speeding on Woodland Hills Road.

#### **7. Presentation: Area 3 Combined Sewer Separation by Rempe-Sharpe Associates, Inc. (AMP 8/31/16) CS**

Podraza stated that they are doing Area 2 and 3 for the combined sewer system on the west side of town. This is referencing the Trotter report that was done in 2008. Area 2 has construction drawings right now and there is nothing to report.

Brian Bennet, Rempe Sharpe, presented on Area 3 Sewer Separation Study. His presentation included the following information:

- Area 3 Overview
- Combined Sewer Area Three Map
- Purpose of models of storm events
- Modeling Results
- Future Project Costs
  - \$3,991,000.00
- Possible Construction Phasing

O'Brien stated that he would not recommend going from a larger pipe to a smaller pipe. Podraza stated that there are concerns with the cemetery and the ability to add a larger pipe through tight quarters. Podraza stated that she would look into that a little further. Bennett stated that it is their

recommendation as well. O'Brien feels like the 10 year storm standard is an old standard so we should consider design for something larger. Wolff stated that the design flaw is the combined sewer and that needs to be corrected.

James Gorski, 717 Blaine Street, stated that separating the storm drain and the sewage has been an ongoing issue. He appreciates the time and effort put into the study. This is something that we do need to move forward with.

Podraza stated that they would be looking at budget and put some projects into the budget for next year. Podraza asked the Committee to send her any comments by the end of this week. Podraza stated that the report would be published on the City of Batavia website.

**8. Resolution 16-77-R: Authorizing Execution of a Master Services Agreement with WBK Engineering, LLC (AMP 8/31/16) CS**

**Motion:** To recommend to City Council approval of Resolution 16-77-R: Authorizing Execution of a Master Services Agreement with WBK Engineering, LLC

**Maker:** Stark

**Second:** Chanzit

**Voice Vote:** 10 Ayes, 0 Nays, 4 Absent  
Motion carried.  
CONSENT AGENDA

**9. Resolution 16-80-R: Intergovernmental Agreement between the City of Batavia and Batavia Township Highway Department for Resurfacing of Lund Lane (RB 9/9/16) CS**

Bari discussed the memo regarding the Intergovernmental Agreement.

**Motion:** To recommend to City Council approval of Resolution 16-80-R: Intergovernmental Agreement between the City of Batavia and Batavia Township Highway Department for Resurfacing of Lund Lane

**Maker:** Cerone

**Second:** Stark

**Voice Vote:** 10 Ayes, 0 Nays, 4 Absent  
Motion carried.  
CONSENT AGENDA

**10. Resolution 16-78-R: Authorize Execution of a Construction Contract with Pirtano Construction Company, Inc (RR 9/9/16) PU**

O'Brien stated that this is from the 2014 agreement that was never executed to bring infrastructure to Fermi Lab so that we could expand the infrastructure and have people tie on to it. Pirtano has agreed to accept the 2014 price. Rodge stated that staff is requesting waiving formal bidding for this project.

**Motion:** To waive formal bidding and approve Resolution 16-78-R Authorizing Execution of a Construction Contract with Pirtano Construction Company, Inc for \$311,459.75

**Maker:** Brown

**Second:** Atac  
**Voice Vote:** 10 Ayes, 0 Nays, 4 Absent  
Motion carried.

**Motion:** To recommend to City Council approval of Resolution 16-78-R: Authorize Execution of a Construction Contract with Pirtano Construction Company, Inc for \$311,459.75

**Maker:** Brown  
**Second:** Mueller  
**Voice Vote:** 10 Ayes, 0 Nays, 4 Absent  
Motion carried.

**11. Resolution 16-79-R: Authorize Execution of a Pole Attachment Agreement with Sigecom, LLC d/b/a WOW! (RR 9/9/16) PU**

Rodge stated that this project is for throughout the City. Rodge discussed the cost estimate, which is four thousand dollars a year for fiber optic.

**Motion:** To recommend to City Council approval of Resolution 16-79-R: Authorize Execution of a Pole Attachment Agreement with Sigecom, LLC d/b/a WOW!

**Maker:** Wolff  
**Second:** Cerone  
**Voice Vote:** 10 Ayes, 0 Nays, 4 Absent  
Motion carried.  
CONSENT AGENDA

**12. Ordinance 16-46: An Ordinance Establishing Regulations for Illicit Discharges into the Storm Water Drainage System (AMP 8/17/16) GS**

Podraza explained that this ordinance is to protect what is going into the Fox River. O'Brien asked about construction site run off. Podraza answered that Kane DuPage Storm and Water Conservation would monitor the construction site and the City's erosion control measures must be followed and if not they would be fined for improper disposal.

**Motion:** To recommend to City Council approval of Ordinance 16-46: An Ordinance Establishing Regulations for Illicit Discharges into the Storm Water Drainage System

**Maker:** Stark  
**Second:** O'Brien  
**Voice Vote:** 10 Ayes, 0 Nays, 4 Absent  
Motion carried.

**13. Ordinance 16-58: Revising Title 3 Chapter 3 of the Batavia Municipal Code Amending the Class F Special Event (Nonprofits) License Terms (Chief Schira 9/1/16) GS**

Newman reported that Water Street Studios is doing a phenomenal job of outreach to the community and hosting events and has seen a large amount of growth over the last several years. They have outgrown the licensing ordinance that only allows for fourteen events a year. They have an event on the second Friday of every month that counts as twelve events. The State of

Illinois interprets the same ordinance as a type of event, so the second Friday events would be one type of event with the various event dates listed. Staff would like to make that more explicit in the statute so that it is not a mere matter of interpretation but it is specifically stated. That is why we are amending title 3, chapter 3.

**Motion:** To recommend to City Council approval of Ordinance 16-58: Revising Title 3 Chapter 3 of the Batavia Municipal Code Amending the Class F Special Event (Nonprofits) License Terms

**Maker:** Wolff

**Second:** Cerone

**Voice Vote:** 10 Ayes, 0 Nays, 4 Absent  
Motion carried.  
CONSENT AGENDA

#### **14. Discussion: Revisit Crosswalk Safety Concerns Following Fatal Accident in Mount Prospect GS**

Wolff stated that pedestrians and motorists should be educated on how to use these crosswalks. He suggested having an education program in the schools. Botterman asked for specific reports from the police department regarding these crosswalks. Newman asked Autenrieth to supply any reports the police department may have on these crosswalks. Autenrieth commented the Federal Government is researching if there is a conflict with the flashing yellow lights. He continued that flashing yellow lights have always signified caution and slow down and does not mean to stop. Everyone knows red means stop and danger.

This discussion was postponed to the next agenda.

#### **15. Project Status**

The Strategic Planning Workshop and Goal Setting Meeting is proposed to be on November 5, 2016.

This Friday there will be a meeting with the River Street businesses to address their concerns. Batavia Chamber of Commerce, Batavia MainStreet, and Dave Patzelt from Shodeen would be at that meeting as well.

Staff had a meeting regarding temporary parking before the public parking that currently exists is removed.

There will be a meeting tomorrow to discuss the City Hall projects.

Thursday Advanced Disposal will be meeting with staff about the community garbage issues during the construction phase of One Washington Place.

Budget meetings with Department Heads begin this Friday and continue throughout the next week.

Today staff had a meeting with Metronet.

Newman has an October 3<sup>rd</sup> meeting with State Representative Mike Fortner to discuss economic issues and to seek his assistance.

O'Brien asked about Blue Goose. Newman reported there should be a report back from them early next week. There will be a meeting with Batavia Enterprises and the owner of Blue Goose with staff to move this project forward.

**16. Other**

There were no others at this time.

**17. Executive Session:**

- a) **Personnel**
- b) **Acquisition of Real Property**

The Committee entered Executive Session at 10:10pm and exited at 10:37pm.

**Motion:** To enter into Executive Session for the purpose of personnel and acquisition of real property  
**Maker:** O'Brien  
**Second:** Stark  
**Voice Vote:** 10 Ayes, 0 Nays, 4 Absent  
Motion carried.

**18. Acquisition of Real Property**

This agenda item was removed from the agenda.

**19. Adjournment**

There being no other business to discuss, Brown asked for a motion to adjourn the meeting at 10:37pm; Made by O'Brien; Seconded by Chanzit. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith