

CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL
October 17, 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. CC MEETING CALLED TO ORDER by Mayor at 7:31 p.m.

2. INVOCATION FOLLOWED BY PLEDGE OF ALLEGIANCE led by Ald. McFadden

3. ROLL CALL: 12 of 13 aldermen were present.

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

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

City Administrator	Laura Newman
City Attorney	Roman Seckel
Deputy City Clerk	Christine Simkins
Fire Chief	Randy Deicke
Police Chief	Gary Schira
Finance Director	Peggy Colby
Community Dev. Director	Scott Buening

4. ITEMS REMOVED/ADDED/CHANGED

None

5. CONSENT AGENDA

ACCEPT AND PLACE ON FILE:

- A. Committee of the Whole Minutes for August 30, September 13, 20 and 27, 2016
- B. Plan Commission Minutes for August 17, 2016
- C. Historic Preservation Minutes for September 12, and 26, 2016

APPROVALS:

- D. October 7, 2016 Payroll \$764,034.20
- E. Accounts Payable Check Register: \$5,262,240.22
- F. City Council Minutes for July 18 and October 3, 2016

Motion by Ald. Atac, seconded by Ald. Stark, to approve the Consent Agenda as presented.

Motion Carried 12 yea/ 0 nay/ 1 absent

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

None

7. MAINSTREET MINUTE:

Jamie Saam spoke about the first Batavia Oktoberfest sponsored by Samuel Adams. Main St. had 250 people volunteer with over 600 hours of volunteer time. Main St. received all positive feedback for the two day event. Approximately 6-8,000 people attended, including many from out of town. Local businesses saw an increase in sales of approx. 15-20% during the fest. Main St. was able to put \$25,000 back into Batavia businesses from the proceeds of this event.

On October 18th there will be a review of proposals for the Branding Project with Kurt Hageman, Holly Deitchman, Jamie Saam, Drew Rackow, along with other City staff.

October 22nd is Batfest from 10-2pm on the Batavia Riverwalk. 74 businesses have chosen to hand out candy for this event to trick-or-treaters. There will be a costume parade and contest, along with a pet costume contest as well.

October 29th is the Farmers Market from 9-12pm at Gaetano's featuring 8-10 local vendors.

Nov 10th – 12th will be the Holiday Market at the Congregational Church featuring over 40 vendors.

A Sneak Peak of the Holiday Market will be held on Nov 10th from 6-9 pm– with tickets available for \$10 which includes dessert.

Danny Hollis, the Executive Director of Water Street Studios, spoke on coming events. Danny stated Water St. is doing better than ever right now.

Oct 22nd 3 pm is Artist Talk Photography and Water Color by David Wensel & Dean Willis. Artists talk about process and story behind their art.

Oct 24th Event with Rivers Edge – Artoberfest. 6-9pm cash bar and drinks served of which \$1 of purchase going to Water St. Studio. Design a coaster for \$1 or 6 for \$5. Art projects for kids.

Nov 11th is a Special Gallery Opening 6-9pm. Live music, food and cash bar. Purchase art from the artists themselves.

Naming Ceremony at 5pm for the Dempsey Family gift. Small plates & appetizers provided by Gaetano's. All ages for this event.

Dec 9-11th is Winterfest Art Market. Purchase local art on Fri. 1-9pm, Sat. 12-4pm and Sun 12-4pm.

Dani Hollis then thanked everyone for their time.

The Mayor then stated he wanted to thank Main St. for all they do and for the success of Oktoberfest. He said he remembers all the doubts back when they were talking of building River St. The Mayor stated Main St. has proved doubters wrong. River St. has been bringing a new

spin & new energy to our community and turning it into something special. Hat's off to Main St. for a great job, the Mayor stated.

Ald. Callahan stated he heard it was not typical for Sam Adams, one of the main sponsors for Oktoberfest, to sponsor in a small town.

Jamie Saam said Batavia and Chicago were the only cities in Illinois according to the Sam Adams website. We are listed with other states and only their big cities. Sam Adams threw in big dollars to support our community for this event. Jamie said there is a meeting with Sam Adams in the next couple weeks to sponsor & support us again next year. Jamie said we had good feedback from them.

Jamie said thank you to all for participating.

8. PROCLAMATION: Fox Valley Special Recreation/Mike Selep
40 th Anniversary Celebration.

Ald. Atac read the Proclamation.

Motion by Ald. Atac, seconded by Ald. Stark, to approve the Proclamation for Fox Valley Special Recreation as presented. Motion Carried 13 yea/ 0 nay/ 0 absent

The Mayor congratulated and introduced Mike Selep of the Fox Valley Park District:

Mike Selep spoke and stated it is an honor and wanted to thank all on behalf of the staff. Mike stated it has been an honor to serve and thank you all so much. He stated we partner with Batavia Park District, so thank you for supporting the Park District and for supporting us. We are looking forward to the next 40 years.

9. PROCLAMATION: FlagSource/Janice Christiansen

Ald. Atac read the Proclamation.

The Mayor said this is a very special company. Other cities and Mayors have asked what we did to get them in Batavia. The Mayor stated part of the reason is we are the home of Dr. Bernard Cigrand, founder of Flag Day. The company produces over 1,000,000 flags of all types sold throughout the world. We are very proud to have them here in Batavia.

Janice Christiansen then spoke. FlagSource has been in Batavia 11 years. The first flag made, Janice stated, was presented to the Mayor. Janice stated they are proud to be in Batavia and stated it is a great honor to have this award. Janice said thank you all.

Motion by Ald. Atac , seconded by Ald. Cerone, to approve the Proclamation for FlagSource as presented. Motion Carried 13 yea/ 0 nay/ 0 absent

10. PROCLAMATION: Waubonsee Community Colleges 50th Anniversary

Ald. Atac read the Proclamation.

Motion by Ald. Atac , seconded by Ald. Wolff, to approve the Proclamation as presented.
Motion Carried 13 yea/ 0 nay/ 0 absent

The Mayor stated Waubonsee has been a backbone and serious partner in progress for this region. They have provided numerous opportunities and progress for our local community from services offered by them. Over a thousand Batavia residents are alumni of this outstanding institution. Thank you Waubonsee for all you've done to make this a greater and grander productive region.

Lulu Blacksmith spoke and said she is very proud to accept this on behalf of the Waubonsee facility and staff. Lulu said the Mayor has a long history with Waubonsee, and is also an alumni which they are very proud of. Lulu said thank you all for your support of higher education.

11. OATH - Swearing in of Police Officer Austin Robinson

Chief Schira spoke about Austin, who is a graduate of Marmion Academy. He also has a Bachelors Degree from Western Illinois University. Austin graduated September 30th from the Police Academy.

The Mayor then swore in Austin Robinson.

Austin spoke and said thank you to his family for supporting him on this long road. Austin said he also wanted to thank all for allowing him to pursue a career in Batavia, he said he is honored to work for us.

12. OATH – Swearing in of Lieutenant Gregory Stoffel

Chief Deicke spoke of Greg, stated he was hired at Batavia in 1997. Greg has been a big proponent of fire safety. He goes to local grade school to teach fire safety to kids. He has worked over ten years as an acting officer. In 2007 Greg was Fire Fighter of the year.

The Mayor spoke stating Greg's brother-in-law, Bill Frederick who is the retired Fire Chief from Downer Grove also in attendance, has a long history interacting with Batavia over the last 40 years. The Mayor said he is honored to swear in Greg.

The Mayor swore in Greg Stoffel.

Gregs' wife then pinned on the Fire Department Pin.

13. ORDINANCE16-60: Amendment to the Zoning Map for a Planned Development Overlay (Joel Strassman 9/28/16 COW 10/4/16 10/0)CD

Ald. Brown stated he is very happy to present this Ordinance for the community of 55 yr. and older. Ald. Brown said he feels this will be a very nice amenity to our community.

The Mayor mentioned he was in Wal-Mart and the Asst. Manager came up to him to say they are very excited about this new project. They hope to be great partners to each other.

The Mayor said he had one local resident want to turn in an application to move in already. The Mayor said we are not at that point, but we already have people interested in moving in.

Ald. Brown stated he has also had a resident contact him to get information about moving into the facility. Ald. Brown stated this will be nice for all of these residents because it is within walking distance of Wal-Mart. Wal-Mart has had the landscaping replaced and the marsh views will be beautiful.

The Mayor stated Batavia Wal-Mart is highly pleased this will be right next door to them.

Motion by Ald. Brown, seconded by Ald. McFadden, to approve the Ordinance 16-60 as presented. Motion Carried 13 yea/ 0 nay/ 0 absent

14. RESOLUTION 16-81-R: Final Plat of Subdivision – Windmill Manor Apartments, 2400 Hawks Dr.(Joel Strassman 9/28/16 COW 10/4/16 10/0)CD

Motion by Ald. Brown, seconded by Ald. McFadden, to approve the Resolution 16-81-R as presented. Motion Carried 13 yea/ 0 nay/ 0 absent

15. ORDINANCE 16-62: Creating Class J Liquor License for Sale and Consumption of Liquor in Movie Theaters (Chf. Schira 10/4/16 COW 10/11/16 10/2) GS

Ald. Atac stated there are many restrictions and laws involved with this Ordinance to make sure it is handled very carefully.

Heath Thomas and Jeremy Curtis, representatives of Goodrich Theaters, were in attendance at Council to speak and answer any concerns or questions.

Heath stated Goodrich has been a family friendly business for 22 years. They have a great reputation and want to be competitive with the surrounding community.

The Mayor stated staff met a year ago with Goodrich representatives and mentioned possibly offering more food items.

Jeremy stated yes, they will be adding more menu items.

The Mayor asked if they will be changing the style of seats. Jeremy answered not at this time.

Ald. Chanzit stated the theater is in his ward and is glad they are there to answer questions. Ald. Chanzit said concerns have been raised regarding this strong Ordinance. He asked what

protections are in place and will their staff carry this responsibility? Ald. Chanzit stated if they do in fact break this ordinance they will be basically be financing a Prom party as the Mayor sends that fine money to the schools. Ald. Chanzit said when he has used their parking lot, he has noticed customers who can't follow exit signs, so he is concerned how can they will handle this larger responsibility?

Jeremy stated they will be training their staff very well.

Heath stated all staff who serves alcohol will be Bassett trained. Arm bands will be provided. The serving area is a small area stand on the South wall. They have typically never seen a problem in the other theaters they have that serve alcohol. Heath said as an example, in Indiana they have very strict laws regarding alcohol and have never violated or failed undercover stings. They plan to ID everyone. Only 1 drink at a time will be served with no exceptions. He stated they also will have the required signage at the exit doors to help with concerns about taking drinks outside. Heath stated he wanted to make clear this will not be a full bar. It will be similar to an airport bar. They will not serve shots, only wine and beer. If in the future they add mixed drinks, they will have a mixer machine to be able to be precise and mix exact amounts of alcohol so no one over pours alcohol.

Ald. Stark stated she did not support this ordinance at first. She then looked around at other establishments such as Chuck E. Cheese & Funway and now understands the value of doing this. Ald. Stark said she now supports this and thanked the theater representatives for coming in putting fears to rest.

Heath stated our individual names will be on the license, so we will have a personal stake in any problem. Their name will be on the line.

The Mayor stated he has spoken to a number of people in other towns and Goodrich has a good reputation and is a theater that is run well. The Mayor said he asks they take this very serious and there is a good chance our police will be doing a sting- hopefully you will pass that test. The Mayor said there are significant fines if not.

Heath stated he appreciates the opportunity to address concerns.

David Peebles stated he is a lifelong resident of Batavia. He stated he hears if this ordinance does pass there will be trouble. Mr. Peebles stated he disagrees with this passing. He asks how many liquor licenses Batavia needs, as of right now there are over 50. Mr. Peebles stated he fought this issue many years ago and at that time there were only 17. He states he proved to them then it was not a good idea. Mr. Peebles stated our City gained national recognition as a good place to live and if this passes that will change. Churches are leaving our town because our priorities are wrong. Mr. Peebles said he wonders what good this is doing and he said he thinks the Council would say for revenue. He said he also wanted it noted the theater cannot sell alcohol within 100 ft. of a church or school. Mr. Peebles then said he wanted to encourage Council members to look into if you can sell liquor adjacent to a Federal Building before voting. He asked to please consider everything there are lots of in and outs and asked if this is going to help the City? Mr. Peebles then thanked all for their time.

Motion by Ald. Atac, seconded by Ald. Russato, to approve the Ordinance 16-62 as presented.
Motion Carried 13 yea/ 0 nay/ 0 absent

16. ADMINISTRATOR'S REPORT: City Administrator Laura Newman

Laura stated a Lifesaving Award was given to a Batavia officer Matthew White. On October 9th at 3:30am we received a call to assist with a medically unresponsive female with prior history of heroin use. Upon arrival they were not able to revive the female and proceeded to give two doses of Narcan. This still did not revive the female, but Officer White remained calm. The paramedics then arrived and advised Officer White to give two more doses and the female regained consciousness. Laura stated she wanted to take time to recognize this life and death situations our first responders deal with.

Laura stated Progress in Leadership is scheduled for November 5th at the Lincoln Inn. The purpose is to take assessments of our City leaders and how we work together. City Staff will be joining in the am and will focusing on working relations. The Afternoon we will be looking at how we conduct meetings, including the City Council Meetings. We will be setting up strategic plans, goals and objectives. Laura said she thinks this will be productive for all.

Laura said they have hired Huff and Huff Environmental to conduct the soil test of on the Larson Becker properties. They were on site last week and have marked the soil to test.

Laura said for some happy news, Access Toy Drive needed a place to host the toy drive and the Dempsey family has offered the old Walgreens location.

The Village of North Aurora has contacted Batavia to partner in the training quiet zones for the trains blowing whistles. A couple years ago it was not cost effective, but now North Aurora states the situation has changed.

Laura stated the Leaf pickup is October 17th East side & October 24th for the West side. Laura said she wanted to remind residents to not blow leafs into the street it may block the storm drains.

Ald. Brown asked the Council if they think the new parking signs are awful, like he does. He stated he understands the idea but thinks they are ugly and too big.

Ald. Atac asked why the signs are not two- faced.

Laura stated the signs are supposed to be two-faced. She also stated the parking was invisible and they went overboard on size as a way to bring people's attention to the parking areas.

Ald. Brown stated he does not like how the size of the signs does not conform to our own ordinance. He states it is wrong that we are exempt from our own rules and does not like that.

Ald. Chanzit stated the signs are to get attention. He states now that we got attention we should take them down within the next few weeks.

Laura stated the signs were to create awareness and they have done this.

Ald. O'Brien said he agrees with Ald. Brown that we need to keep the same standards as all others. He then said he disagrees in taking them down as we need to fill these lots even if it means better signs.

Laura mentioned during the Farmers Market the lot was half filled.

Ald. Wolff stated employees need to start using due to the 3 hrs parking restrictions on the street.

Laura stated they will talk to businesses so they talk to their employees about this.

Ald. Brown asked then that they leave the signs a few more weeks, and then take them down.

The Mayor said he came in with same attitude as Ald. Brown. He said Laura came in to talk to him right away and tell him people not pleased about the signs. The Mayor said we should discuss this in the next few committee meetings as there are competing items on the agenda. The Mayor said he'd like to get the budget meetings wrapped up. The Mayor said he wanted to point out many council members have prior commitments and many things going on over the Holidays. He stated he's like to minimize conversations at Council Meetings in December to be fair to all.

Ald. Brown said winter is fast approaching and is worried the ground will freeze then we will not be able to take out the signs. Ald. Brown said he suggests we leave them in until November 15th.

Ald. Stark said for the 4-5 people on Facebook that are not happy about the signs everyone else is ok with them. She said we need to keep the signs up. Ald. Stark said it has only been one week people will get used to them. Ald. Stark said there has been too much focus on this and we need people to park in those lots. She said she does not think the green signs are objectionable at all.

Ald. Brown said the signs would not be allowed for other businesses in town.

Ald. Stark said these do not violate any codes and it comes down to a matter of opinion.

Ald. Wolff stated these were intended for temporary use. The cost was \$150,000 and we need to use and possibly re-use them if taken down.

Ald. Cerone stated it would be good to vote on this and we also need to look into the employee parking issue for the businesses and the 3 hrs time limit.

Ald. Callahan stated not about the signs he does not want to do as they say not as they do.

Roman stated there cannot be a vote tonight as it is not on the Agenda.

The Mayor mentioned removing the November 8th committee meeting due to the election.

Ald. O'Brien agreed and asked to cancel that meeting.

The Mayor then said he has had a few calls from some elderly residents that were mad because they have Comcast and they cannot find the channel to watch the Cubs in the World Series. The Mayor said he has good relations with Comcast and has contacted their Gov. Affairs Rep Chris Nelson to help get the correct channel so we can get the word out.

The Mayor mentioned the Access Toy Drive will be held in the old Walgreens location. The Mayor said there was a problem with mold in the old church the current location, so no one could move the toys & some are ruined. The Mayor stated over 600 children we need to help supply toys for this season. The Mayor said our Fire Department helps with this along with a uniformed Police Officer to help keep things calm. The Mayor said he would like to thank Laura Newman for helping negotiate this new location for the Toy Drive.

The Mayor said he would like to commend Rhonda Klecz and Scott Kurth who have worked to remove two abandoned cars in town that have been left for about six months. These cars have now been towed. The Mayor said he also wanted to say thank you to Public Works for getting on the brick repairs right away. They are repairing all of these locations now.

17. COMMITTEE REPORTS:

Community Development Committee- Ald. Brown

Next COW meeting 7:30

Plan Committee Oct. 19th at 7pm

Government Services Committee- Ald. Atac

Nothing on the agenda

City Services Committee – Ald. Wolff

Nothing on the agenda

Public Utilities – Ald. O'Brien

Tomorrow night will be discussing Net Metering Infrastructure and Nicor gas metering in our city

18. OTHER BUSINESS:

None

19. MAYOR'S REPORT:

The Mayor stated at the Mayor's Caucus they spoke about all public utilities. Nicor is making inquiries in many cities to add bigger pipes. There is a big project planned on Main St. that Nicor would like to be incorporated in order to change these pipes.

Also, the Mayor noted ComEd and Exelon transmission and distribution charges are expected to be going up considerably.

Ald. Brown asked about the interviews of candidates for the 1st Ward Alderman position.

The Mayor said there were three applicants and they plan on swearing in the voted choice at the November 7th City Council Meeting. The Mayor said we should note that this position will be temporary and the person who is chosen will have to run again in April.

Ald. O'Brien, wanted to mention some 1st ward residents who have contacted the City and himself regarding the parking of recreational vehicles. He stated he would like to have staff look into the Ordinance or lack thereof for this.

20. ADJOURNMENT: 9:20 pm

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