

**CITY OF BATAVIA**  
**MINUTES OF THE BATAVIA CITY COUNCIL**  
**January 21, 2020, at 7:30 p.m. - City Council Chambers**  
**100 N. Island Ave., Batavia, Illinois**

PLEASE NOTE: These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. Minutes are intended to make an official record of the actions taken by the Committee/City Council, and to include some description of discussion points as understood by the minute-taker. Any references to discussion and /or statements are only to provide greater clarity to the public and they may not reference all, some, or any of an individual speaker's comments.

**1. MEETING CALLED TO ORDER**

The meeting was called to order by Mayor Schielke at 7:33 p.m.

**2. INVOCATION followed by PLEDGE OF ALLEGIANCE**

Mayor Schielke offered a brief invocation. Ald. Knopp led the Pledge of Allegiance.

**3. ROLL CALL**

**11 of 14 aldermen were present.**

Aldermen (by ward): Jennifer Baerren (1), Martin Callahan (2), Alan Wolff (2), Elliot Meitzler (3), Dan Chanzit (3), Tony Malay (4), Joe Knopp (4), Abby Beck (5), Nicholas Cerone (6), Drew McFadden (7), and Keenan Miller (7) were present. Michael O'Brien (1), Mark Uher (5) and Michael Russotto (6) were absent.

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

City Attorney	Roman Seckel
City Clerk	Ellen Posledni
City Administrator	Laura Newman
Police Chief	Dan Eul
Fire Chief	Randy Deicke
Human Resources Director	Wendy Bednarek
Director of Community Development	Scott Buening

**4. REMINDER: Please speak into the microphone for BATV recording**

Mayor Schielke reminded all in attendance to use the microphones.

**5. ITEMS REMOVED/ADDED/CHANGED**

Ald. Chanzit noted that Item 15 should be moved to U on the Consent Agenda.

**Motion by Ald. Chanzit, seconded by Ald. McFadden, to amend the agenda as requested.**  
**Motion carried 11 yea/ 0 nay/ 3 absent.**

**6. PUBLIC HEARING (7:30 P.M.): Proposed Boundary Agreement between the City of Batavia and the Village of North Aurora (SCB)**

**Motion by Ald. Callahan, seconded by Ald. Chanzit, to open the Public Hearing. Motion carried by voice vote.**

The Public Hearing opened at 7:40 p.m. Director Buening explained that both communities have agreed to the boundary agreement, which will be good for 20 years. It mostly follows the existing line, but Director Buening pointed out a couple of alterations to the existing line.

Mayor Schielke noted how important it is for Batavia to keep the 494-acre Mooseheart property annexation, which is zoned commercial and could be important for future development.

**Motion by Ald. Callahan, seconded by Ald. Chanzit, to close the Public Hearing. Motion carried by voice vote. The hearing closed at 7:41 p.m.**

**7. PUBLIC HEARING (7:35 P.M.): Establishing of Special Service Area 42 for the Nagel Industrial Park PUD/Farmstead III Development (SCB)**

**Motion by Ald. Callahan, seconded by Ald. Chanzit, to open the Public Hearing. Motion carried by voice vote.**

The Public Hearing opened at 7:42 p.m. Director Buening shared that SSA 42 was approved in 2000 but was never recorded. The developer initially agreed to the agreement recently but today submitted an objection through an attorney. Director Buening subsequently contacted the attorney to discuss the objection. He said there are several ways to address the issue, and he is hopeful they will be able to work through any differences. Director Buening asked that the Public Hearing be continued until February 11.

**Motion by Ald. Callahan, seconded by Ald. Baerren, to continue the Public Hearing on February 11. Motion carried by voice vote.**

## 8. CONSENT AGENDA

Ald. Chanzit read the Consent Agenda as follows.

### Accept and Place on File:

- A. Committee of the Whole Minutes August 13, 2019, December 3, 2019 and December 10, 2019
- B. Plan Commission Minutes November 20, 2019
- C. Historic Preservation Commission November 25, 2019 and December 9, 2019
- D. October 2019 City Council Financial Report
- E. November 2019 City Council Financial Report

### Approvals:

- F. January 10, 2020 Payroll \$979,961.30
- G. Accounts Payable Check Register \$3,197,406.30
- H. City Council Minutes for December 16, 2019 and January 6, 2019
- I. **APPROVAL:** Class K (Park District) Liquor License Application for the Batavia Park District. (DME 12/12/19 COW 1/14/20 14/0) GS
- J. **APPROVAL:** Class D-1 Liquor License Application for Brinker Restaurant Corporation d/b/a Chili's Grill and Bar. (DME 12/19/19 COW 1/14/20 14/0) GS
- K. **ORDINANCE 20-01:** Grant of Variance for a Monument Sign. 1850 East Fabyan Parkway, KRC Holdings, LLC, Applicant (DMR 01/09/20 COW 1/14/20 14/0) CD
- L. **ORDINANCE 20-02:** Annexing 2S103 and 2S105 Hart Road and 614 and 624 Cottage Road (Rear) (SCB 12/27/19 COW 1/14/20 14/0) CD
- M. **RESOLUTION 20-005-R:** Authorizing the Sale of Municipally Owned Real Estate at 919 Smith Court (SCB 1/2/20 COW 1/14/20 14/0) CD
- N. **RESOLUTION 20-001-R:** Authorize Acceptance of a Plat of Easement for 1998 McKee Raising Cane (CB 12/11/19 COW 1/07/20 13/0) CS
- O. **RESOLUTION 20-004-R:** Authorizing the City Administrator to apply for Kane County Development Funds and execution of all necessary documents (RB 1/10/20 COW 1/14/20 14/0) CS
- P. **RESOLUTION 20-011-R:** Authorizing staff to submit Grade Crossing Protection Fund with Illinois Commerce Commission Crossing Safety Improvement Program for Prairie Street Railroad crossing installation (RB 1/10/20 COW 1/14/20 14/0) CS
- Q. **RESOLUTION 20-006-R:** Authorization to Purchase Two 2020 Ford F150 Trucks for \$53,255.00 from Morrow Brothers Ford, Inc. (SH 1/7/20 COW 1/14/20 14/0) CS
- R. **ORDINANCE 20-06:** Regulate 2020 Wages of Paid-on-Call Firefighters (WB 1/21/20 COW 1/07/20 13/0)) GS
- S. **ORDINANCE 20-07:** Regulate 2020 Payment of ESDA Volunteers (WB 1/21/20 COW 1/07/20 13/0) GS
- T. **RESOLUTION 20-012-R:** Authorizing Western Utility Contractors of University Park, IL to perform fiber relocation along Mitchell Road for an amount not to exceed \$40,575.65 plus 10% contingency amount (RB 1/10/20 COW 1/14/20 14/0) PU
- U. **ORDINANCE 20-05:** Amend Wages and Salaries for Non-Collectively Bargained Employees (WB 1/21/20 COW 1/07/20 13/0) GS

**Motion by Ald. Chanzit, seconded by Ald. Meitzler, to approve the Consent Agenda as presented. Motion carried 11 yea/ 0 nay/ 3 absent.**

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

None.

**10. OATH OF OFFICE: Officer Gary LaBarbera – Promotion to Police Sergeant**  
Chief Eul introduced Sgt. LaBarbera. Mayor Schielke thanked him for his years of excellent service to the city, and then administered the oath of office.

**11. MAINSTREET**

Interim Executive Director Jamie Saam introduced the newly hired Executive Director of Batavia MainStreet, Sherri Dauskurdas. Sherri introduced herself to the City Council, noting that she has 30 years of experience in local media.

Mayor Schielke welcomed Ms. Dauskurdas to the role, adding that Batavia MainStreet has accomplished a lot over the years, especially with Ms. Saam at the helm.

**12. ORDINANCE 20-03: Approving a Boundary Agreement with the Village of North Aurora (SCB 12/30/19 COW 1/14/20 14/0) CD**

Ald. Callahan introduced the item related to the boundary agreement. He noted this topic has been discussed for several months and was addressed during tonight's Public Hearing.

**Motion by Ald. Callahan, seconded by Ald. Meitzler, to approve the ordinance as presented. Motion carried 11 yea/ 0 nay/ 3 absent.**

**13. ORDINANCE 20-04: Establishing Special Service Area 42 for the Nagel Industrial Park PUD/Farmstead III Development (SCB 12/31/19 COW 1/14/20 14/0) CD**

In light of the continuation of tonight's Public Hearing, Director Buening asked that this vote be tabled until February 11.

**Motion by Ald. Callahan, seconded by Ald. Chanzit, to table the vote until February 11. Motion carried 11 yea/ 0 nay/ 3 absent.**

**14. APPROVAL: MOTION Approve Sale of Georgetown Pond off Western Avenue to Georgetown of Batavia Homeowners Association (SBC 12/27/19) GS**

Director Buening revealed that a previous request for bids brought in a sole bid from the HOA for \$10. After the sale, the city would maintain utility easements.

Ald. Callahan noted that the HOA reported that the process with the city was very smooth and well handled. Mayor Schielke noted that the HOA has done an excellent job maintaining the pond to date.

**Motion by Ald. Chanzit, seconded by Ald. Callahan, to approve the sale as presented. Motion carried 11 yea/ 0 nay/ 3 absent.**

**16. RESOLUTION 20-008-R: Authorizing Execution of a Grant Agreement with Batavia Mainstreet for Development of the Boardwalk Shops (LN 1/10/20 COW 1/14/20 14/0) GS**

Ald. Chanzit introduced the item relating to \$100,000 grant funding for Batavia MainStreet to support the Boardwalk Shops. The grant will be funded with state funds provided for downtown improvements. The city will also assist with utilities for the first year.

Ald. Callahan commended staff, community members and the school district for their response to this idea, support and teamwork to bring this to life.

Mayor Schielke noted he supports the concept although he has concerns about the location due to the loss of parking downtown. He cautioned everyone to keep an eye on parking challenges, especially over the next 18 months.

Ald. Wolff said he liked the idea from the beginning and he hopes this concept will prove that location needs a permanent building for retail.

Ald. Beck reported that she has spoken with vendors from the Farmers Market who are enthusiastic about additional attractions to downtown Batavia.

Ald. Malay said he is excited about the involvement of so many community groups. Applications should be posted at the end of this week.

**Motion by Ald. Callahan, seconded by Ald. Malay, to approve the resolution as presented. Motion carried 11 yea/ 0 nay/ 3 absent.**

**17. EXECUTIVE SESSION:**

**A. Review Executive Session for Approval:**

- 1. COW July 20, 2019, September 10, 2019, October 29, 2019, December 3, 2019 and December 10, 2019**
- 2. City Council July 15, 2019**

**B. Review Past Executive Sessions for Release**

The Executive Session was moved after the Mayor's Report.

## **18. ADMINISTRATOR'S REPORT**

Administrator Newman shared the following updates:

- Raising Cane's grand opening is Thursday at 8:30 a.m.
- The Batavia Industrial Park has new tenants at 1850 Fabyan Parkway and 1100 N. Raddant.
- Assistant City Administrator Anthony Isom has completed Economic Development Institute Business Retention and Expansion coursework.
- Public Works has continued to replace electric meters throughout the winter months. More water meters were replaced than electric meters because of turnover of personnel. The goal is replace all manual-read routes with remote-read technology.
- The Streets and PPS divisions did a great job clearing snow over the weekend under challenging conditions.
- Josh Anderson has been named a new Streets crew leader, and Curt Hall has been named electric crew leader.
- Ald. Beck and Anthony Isom attended a regional environmental council meeting today. It was a great opportunity for collaboration and sharing ideas.

## **19. COMMITTEE REPORTS**

Ald. Callahan said they would be discussing city code relating to signs and awnings at next week's COW.

The Mayor noted that a new vice chair of Public Utilities is needed with the exit of Ald. Salvati.

**Motion by Ald. Chanzit, seconded by Ald. Wolff, to name Ald. Meitzler as the new vice chair of Public Utilities. Motion carried 10 yea/ 0 nay/ 3 absent. Ald. Meitzler voted present.**

Ald. Wolff reminded residents to keep street drains clear of snow and ice.

Ald. Chanzit added that an item on video gaming will also be on the COW agenda next week.

## **20. OTHER BUSINESS**

None.

## **21. MAYOR'S REPORT**

Mayor Schielke said the opening of Raising Cane's has stirred a lot of interest. The company has a two-page agenda for its ribbon-cutting celebration, and city staff may need to be prepared to provide traffic control for the opening. It is the company's fifth location in Illinois.

The restaurant phenomenon in Batavia is not over. Several inquiries have been recently made regarding potential new restaurants.

March 6 is the Flags and Flannel event at Marmion Abbey to raise funds for the Flag Day Monument.

Batavia is mourning the recent loss of two longtime citizens:

- Ray Morrison was an owner of the Elms Restaurant, which has been in Batavia since the 1960s. It started at Fabyan and Rt. 25 as a Dogs 'n' Suds. The current location was originally a gas station. The restaurant's vegetable beef soup is legendary and attracted visitors from miles around.
- Glen Miner was an original member of the Batavia Lion's Club and continued to be active with the club throughout his life. He was a historian for the Batavia Historical Society, helping with genealogy and researching Batavia history. He was a kind individual and a family man.

Mayor Schielke noted that both men left a positive mark on Batavia, whose secret ingredient is the spirit of the people who live here.

**Motion by Ald. Callahan, seconded by Ald. Knopp, to enter into Executive Session. Motion carried 11 yea/ 0 nay/ 3 absent.**

The Council entered Executive Session at 8:26 p.m.

## **22. ADJOURNMENT**

**The Council returned to Regular Session at 8:30 p.m. Motion by Ald. Knopp, seconded by Ald. Meitzler, to adjourn. Motion carried by voice vote. The meeting adjourned at 8:30 p.m.**

*Minutes prepared and submitted by Ellen Posledni, City Clerk, January 29, 2020.*