

CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL
February 18, 2019, 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 7:30 p.m.

2. INVOCATION followed by PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

13 of 14 aldermen were present.

Aldermen (by ward): Scott Salvati (1), Alan Wolff (2), Elliot Meitzler (3), Dan Chanzit (3), Anthony Malay (4), Susan Stark (4), Mark Uher (5), Lucy Thelin Atac (5), Nicholas Cerone (6), Michael Russotto (6), Drew McFadden (7) and David Brown (7) were present. Martin Callahan (2) attended by phone. Michael O'Brien (1) was 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
Fire Chief	Randy Deicke
Deputy Police Chief	Shawn Mazza
Finance Director	Peggy Colby
Community Development Director	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

None.

6. CONSENT AGENDA

Ald. Atac read the Consent Agenda as follows:

Accept and Place on File:

- A. Committee of the Whole Minutes for January 15, 2019
- B. Building Reports January 2019

Approvals:

- C. February 8, 2019 Payroll \$906,390.12
- D. Accounts Payable Check Register \$3,176,376.85
- E. City Council Minutes for February 4, 2019
- F. **RESOLUTION 19-019-R:** Authorizing execution of a one-year renewable contract with W.A. Management for 2019 East Side Property Maintenance (SH 2/5/19 COW 2/12/19 12/0) CS
- G. **ORDINANCE 19-05:** Annexing and Zoning Parts of Main Street and Deerpath Road Right-of-Way (SCB 1/14/19 COW 2/12/19 12/0) CDC
- H. **RESOLUTION 19-012-R:** Authorizing Kane County 2019 Community Development Block Grant Application (SCB 2/5/19 COW 2/12/19 12/0) CDC

Motion by Ald. Atac, seconded by Ald. Stark, to approve the Consent Agenda as presented. Motion carried 13 yeas/ 0 nays/ 1 absent.

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

Mayor Schielke noted that Joe Essling, former ESDA head, was in the audience to remind the public that the annual Batavia Brotherhood Banquet would be held tomorrow night at Immanuel Lutheran at 6:30 pm. People who want to attend can buy tickets at the door for \$25.

8. MAINSTREET

Director Chris Faber gave a report on Batavia MainStreet. The organization met last week with the National Main Street Center and city staff to discuss the future direction of the organization. MainStreet surveyed Batavia residents and received 305 responses, which was a high response rate. Among the questions asked was to name three words that come to mind to describe Batavia. The most popular responses included “quaint,” “river,” “friendly,” “small,” “community,” “restaurant” and “potential.” Among the favorite downtown locations were McDonald’s, Walgreens, Panera, Batavia Creamery, The Tea Tree and El Saizon. Among the most desired additions to downtown were a brewery, pub/restaurant, and coffee shop/bakery. Thirteen percent of respondents live in downtown Batavia, and 28 percent said they would live downtown if they could. Activities that residents look to do downtown include dining/entertainment, retail, and outdoor recreation.

According to data collected by MainStreet, there is great demand for retail and room for growth within five miles of Batavia.

Next Monday is the group’s Celebrate Success event to honor businesses and volunteers.

Restaurant Madness will be March 17-March 24, and planning is underway.

The MainStreet board met with Laura Newman to discuss the pop-up chalet idea, modeled off of the development in Muskegon, Michigan. The group discussed a variety of ideas, and Mr. Faber is excited to start working on bringing this to a reality.

Mr. Faber has asked board members to begin joining him at upcoming City Council meetings. Tonight, Chris Sullivan was in attendance. Mr. Sullivan and his wife publish *Neighbors* magazine in Batavia and several cities. Mr. Sullivan offered his condolences to Aurora on the recent shooting there. He said he and his wife lived in Naperville for 21 years and moved to Batavia in June. He said this is his and wife's favorite place they've ever lived, and they are excited to get more involved in the community. He hopes his involvement in the community and on the MainStreet board will also help he and his wife produce a better magazine.

Mayor Schielke sat in on the meeting last week with the National MainStreet organization. He noted the good conversation and good give and take from the board. He had two meetings today with businesses looking to expand into Batavia, and said there is a lot of interest from businesses looking to move here. He said the next few weeks should bring some interesting announcements regarding upcoming developments.

9. APPROVAL: MOTION Acceptance of bid for the sale of City-owned property at 2150 Main Street (SB 2/14/19)

Director Buening introduced the item related to the sale of city-owned property. The property was advertised for sale and the city received one bid for \$275,000, which met the minimum bid requirement. The company plans to build a self-storage facility on the property.

Mayor Schielke noted that this property was gifted to the city by the previous owner after the Jewel grocery store was built. He added that the Speedway property was also gifted to the city and eventually sold for \$671,000. That means that two properties given to the city have brought in more than \$900,000.

Ald. Brown noted that accepting these properties did require some discussion, as taking ownership of them would remove them from the property tax rolls. In both cases, the situations turned out well.

Mayor Schielke said when Sam's Club left town, the city was left with a large hole in revenues. Between the taxes being generated by new businesses such as Speedway, Sierra Trading and Dollar Tree, the city has made up much of that revenue.

Director Buening noted that the city still owns a lot on Water Street and a lot on Brandywine that the city wants to sell. Ald. Wolff mentioned the water utility owns a large piece of property on Main Street. Mayor Schielke said that Public Works thinks the city should hold on to that property, but that this is a subject that should be discussed at an upcoming Committee of the Whole meeting.

Motion by Ald. Brown, seconded by Ald. Wolff, to accept the bid as presented. Motion carried 13 yea/ 0 nay/ 1 absent.

10. RESOLUTION 19-014-R: 2018 Tax Abatements (LP 2/4/19 COW 2/12/19 12/0) GS

Ald. Atac introduced the four resolutions to abate the levy for bonds for taxes that the county automatically collects every year. The total abatement for 2018 is \$3,756,103.76, which is money that will not be taken from property taxes.

The first resolution is to pay general obligation bonds for the building of a fire station, and money used will be sales tax.

Ald. Wolff noted that in abating this, it is not being added to property taxes. If these bonds were left on there, they would not be subject to the cap, nor would they be added to the adjustment to allow the city to raise taxes. These bonds have been aligned with separate sources of revenue to pay them off. This was originally approved by the voters as an increased sales tax, which was changed into the Home Rule sales tax so the city could refinance and save money. These actions were all taken in order to keep property taxes as low as possible.

Mayor Schielke noted that these bonds enabled the city to build two new fire stations, and that property tax was never used to pay for them. Batavia Fire Department has now achieved Class 1 ISO rating, which should result in lowered homeowners' insurance for Batavia residents. This issue came up during the last referendum regarding Home Rule, and Mayor Schielke was asked his position on the ½-cent tax. When the building of the fire stations went to referendum (before Home rule) and voters were asked if sales taxes should be used to fund the stations, nearly 70 percent of residents voted yes. Mayor Schielke said this shows the city's friendly attitude toward first responders. He added that one reason the city is able to keep property taxes lower is because this \$3 million is being used instead. He said not many cities could pull this off, and he credited Peggy Colby and the Finance Department for their excellent work in this area.

**Motion by Ald. Atac, seconded by Ald. McFadden, to approve the resolution as presented.
Motion carried 13 yea/ 0 nay/ 1 absent.**

11. RESOLUTION 19-015-R: 2018 Tax Abatements (LP 2/4/19 COW 2/12/19 12/0) GS

This item relates to the approval of IEPA refunding using water and sewer revenue.

**Motion by Ald. Atac, seconded by Ald. Meitzler, to approve the resolution as presented.
Motion carried 13 yea/ 0 nay/ 1 absent.**

12. RESOLUTION 19-016-R: 2018 Tax Abatements (LP 2/4/19 COW 2/12/19 12/0) GS

This item relates to the approval of electric refunding using electric revenue.

**Motion by Ald. Atac, seconded by Ald. McFadden, to approve the resolution as presented.
Motion carried 13 yea/ 0 nay/ 1 absent.**

13. RESOLUTION 19-017-R: 2018 Tax Abatements (LP 2/4/19 COW 2/12/19 12/0) GS

This item relates to the approval of bond payments for drainage/CH Capital using the general fund.

**Motion by Ald. Atac, seconded by Ald. McFadden, to approve the resolution as presented.
Motion carried 13 yea/ 0 nay/ 1 absent.**

14. APPROVAL: to waive formal bidding for contract with CDW to purchase Cisco Networking Equipment to Upgrade City's Supervisory Control and Data Acquisition

Ald. Chanzit introduced the resolution to waive formal bidding for the purchase of equipment to upgrade the city's utilities control system. The company has offered a price below the price negotiated by the State of Illinois.

**Motion by Ald. Chanzit, seconded by Ald. Russotto, to waive formal bidding as presented.
Motion carried 13 yea/ 0 nay/ 1 absent.**

15. RESOLUTION 19-021-R: Authorizing for an amount not to exceed \$98,680.57 to purchase Cisco Networking equipment's for upgrading City's Supervisory Control and Data Acquisition (SCADA) system for electric, water and wastewater utilities (RB 2/8/2019 COW 2/12/19 12/0) PU

Ald. Chanzit noted that this contract was \$58,000 less than the cost would have been through the State of Illinois.

**Motion by Ald. Chanzit, seconded by Ald. Meitzler, to approve the resolution as presented.
Motion carried 13 yea/ 0 nay/ 1 absent.**

16. ADMINISTRATOR'S REPORT

Administrator Newman said the next COW meeting will be tomorrow night at 7 p.m. One Washington Place will be coming back to the COW on February 26 with three items for the Council's consideration:

- Should the city move forward with the environmental remediation?
- Should the city authorize signing the Environmental Indemnification Agreement?
- Should the city agree to the Second Amended and Restated Redevelopment Agreement that provides for the developer being responsible for the environmental remediation at the city's expense?

The city appreciates the ongoing association with Batavia MainStreet, with whom they met on four occasions last week: to discuss public safety during events held on River Street, to meet with the national organization, to discuss the pop-up business chalets and to discuss the possibility of restarting the city's business incubator program.

The Police and Fire Departments met with the Bicycle Commission regarding safe biking on Prairie Street. They hope to produce a series of videos highlighting safe travel for pedestrians, bicyclists and motorists so that they can all interact safely with each other on the roads.

Economic Development has added video case studies on the city's website highlighting three Batavia businesses: one on River Street, one that restored a historic Batavia building and one that opted to expand its business in town. Just today, the city received a call from a company interested in building a 150,000-square-foot building in Batavia.

In other news:

- Target has submitted plans for interior renovation.
- The Landmeier/Winding Creek annexation agreement public hearing is scheduled for the February 26 Committee of the Whole meeting.
- Work continues on the Windmill Landings site with inspections scheduled this week.
- Permits for Nagel Industrial Park will be issued once fees are submitted.
- More MetroNet permits are being reviewed.
- The Raising Cain's development will have a public hearing with the Plan Commission February 20.
- Plans have been received for the 4-unit Habitat for Humanity development at Wilson and Spuhler. Staff is reviewing.
- A boundary agreement renewal with North Aurora is being reviewed.
- Restaurants at 107 and 109 E. Wilson are under plan review.
- Construction continues at Riverside Pizza.

17. COMMITTEE REPORTS

Ald. Brown noted the next COW will be tomorrow at 7 pm. Plan Commission meets Wednesday at 7 pm, Historic Preservation on Monday at 5:30 pm, and One Washington Place will be discussed at the February 26 COW at 7 pm.

Ald. Atac said at tomorrow night's COW, Council members will review RES 19-20-R to award a Façade Improvement Grant for 112 W. Wilson and a Business Retention and Expansion Incentive for 1225 Douglas Road.

Ald. Wolff reminded residents to clear drains in the streets and dig out fire hydrants that may be obscured by snow.

Ald. Chanzit noted that an annual tree-trimming contract will be on the agenda for tomorrow night's COW.

18. OTHER BUSINESS

Ald. Callahan shared that the Flag Day Monument fundraiser is having a flash sale -- \$100 tickets are available for only \$75 until 3 pm tomorrow. The event will be March 1 at 6 pm at Abbey Farms. Mayor Schielke encouraged everyone to attend the event to support a great cause. The group plans to finish the monument by Flag Day 2020.

19. MAYOR'S REPORT

Mayor Schielke shared that there seems to be a trend developing of people wanting to move to Batavia, and said it was fortunate that we will be adding about 500 new lots. However, there is a lot of interest in the older neighborhoods in the near East and West sides, with people fixing up

older homes to live in or to flip. The three most common groups of people who seem to be moving into town are policemen, firefighters and teachers, and several firemen are renovating these older homes. Most of these public servants don't work in Batavia, but Mayor Schielke said we must be doing something right to attract them.

Fermilab will break ground on its new accelerator project on March 15 at 10 am. The project is likely to generate about 1,800 construction jobs and 2,000 permanent jobs once it's built. Foreign investment is supporting the project, and lot of investors may be looking to buy condos for long-term stays for their employees. This project is good news for the developments along Kirk Road, as construction will be on the west side of Fermilab. The new ethnic restaurants opening in Batavia may also be attractive to foreign employees and visitors.

Two former members of the Batavia City Council recently passed away. Trudy Kramer was the wife of the former police chief. She filled a vacancy but did not run for re-election. She had eight children, with grandchildren on the way. However, she was on the Council when Randall Road was zoned for commercial use, which many people opposed at the time. They predicted it would kill Batavia's downtown and ruin the town. When the Mayor last spoke to her, she commented on the \$6 million in sales taxes being brought in from Randall Road compared to the \$500,000 coming in when she was in office. She felt vindicated.

Ed LaMorte, who lived on Elizabeth Street and was a former librarian, also passed away. He was on the Council when the library was trying to expand, and he was part of many heated discussions about the project. Mr. LaMorte was passionate about libraries and had a grand vision for the Batavia Public Library. He served for eight years, and among his parting words were to keep working on that library. Today, the Batavia Public Library averages about 1,000 visitors a day, and its central location brings together both sides of town.

Visiting mayors often comment on Batavia's Farmer's Market, Riverwalk, and Houston Street, which has become a street for the people. Ald. Brown's father deserves great credit for buying the property where City Hall sits in the face of strong opposition. Other cities have had to rebuilt their City Hall or Police Station, projects that could cost \$20 million. Mayor Schielke noted that the city is likely going to have to do something about the current Police Station eventually, but right now all of the city services are in the heart of downtown where they belong.

He said one legacy of the current City Council is that their actions cemented the vitality and longevity of downtown Batavia. When former residents return to the city, they are so impressed with the downtown. He said when we leave office, we can hold our heads high for what we accomplished downtown. There is a sense of community in Batavia, and that is a big reason why people want to live here. The Mayor thanked the Council members for their efforts.

20. ADJOURNMENT

Motion by Ald. Brown, seconded by Ald. Salvati to adjourn the meeting. Motion carried by voice vote.

The City Council meeting adjourned at 8:35 pm.

Minutes prepared and submitted by Ellen Posledni, City Clerk, February 26, 2019.