

**CITY OF BATAVIA**  
**MINUTES- COMMITTEE OF THE WHOLE**  
**March 5, 2019 at 7:00 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.

**MEETING CALLED TO ORDER** by Chair Brown at 7:00 p.m.

**ROLL CALL:** In attendance: Cerone, Uher, Callahan, Malay, Meitzler, Callahan, O'Brien, Russotto, Atac, Stark, Wolff and Brown. McFadden entered at 7:05 p.m.

Absent: Chanzit and Salvati

Also present:

Mayor, Jeff Schielke  
City Administrator, Laura Newman  
Director of Human Resources, Wendy Bednarek  
Director of Public Works, Gary Holm  
Community Development Director, Schott Buening  
Planning & Zoning Officer, Joel Strassman  
Recording Secretary, Deanna Kellum

**ITEMS REMOVED/ADDED/CHANGED-** Newman requested to have executive session removed from tonight's meeting and rescheduled for next week.

**MATTERS FROM THE PUBLIC (For items NOT on the agenda):** None.

**ORDINANCE 19-13: Amending the Zoning Code Table 2.403: Land Use Regulations Downtown Mixed Use District, Darren Enger, Applicant (JLS 2/26/19)- Fuzzy Dice Motorz-** Stark read the summary, Plan Commission's review and action, pro and cons, timeline and recommendation. The floor was opened for questions. Wolff, Cerone, Meitzler expressed their support of the business and for the owner's willingness to follow proper order. O'Brien asked business owner Darren Enger his proposed volume in sales and where he would be keeping the cars. Enger stated he anticipated the volume to be low at the start and that he has an offsite location to store a couple of cars at a time if needed. **Motion was made by Cerone, seconded by Uher to forward Ordinance 19-13 for approval on the consent agenda at the next City Council meeting. A voice vote was taken. 12 Ayes, 0 Nays, 2 Absent. Motion carried.**

**ORDINANCE 19-14: Approving Conditional Use Permit for a Motor Vehicle Sales and Leasing, New & Used- Internet Based Establishment in the DMU Downtown Mixed use District At 321 East Wilson Street, Darren Enger, Applicant (JLS 2/26/19)- Motion was made by Malay, seconded by Cerone to forward Ordinance 19-14 for approval on New Business at the next City Council meeting. A voice vote was taken. 12 Ayes, 0 Nays, 2 Absent. Motion carried.**

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**RAISING CANE’S, 1998 McKee Street, Batavia McKee, LLC, Applicant (JLS 2/28/19) CDC- Ordinance 19-15: Amending the Zoning Map- Planned Development Overlay, Ordinance 19-16: Conditional Use Permit for a Drive-Through Restaurant, Resolution 19-027-R Preliminary/Final Plat of Raising Cane’s Subdivision.** Stark read over the summary, Plan Commission’s review and action, pros and cons, timeline and recommendation, and of the public hearing that was held on February 20. The floor was opened for representatives of Raising Cane’s to speak and answer any questions. Representatives from the company showed a presentation on what the restaurant and plat will look like as well as an overview of the demolition plan for the old Avenue Chevrolet building. The projected opening will be sometime during the fourth quarter 2019. Discussion ensued regarding retention, who will maintain the grass in empty area, how will deliveries work and if the landscaping will be tall enough for proper screening. Strassman explained how the retention will work with the existing detention there. Mr. Clark the former land owner will be maintaining the grass. The height of the shrubs will be tall enough. Deliveries will be made early in the morning and should not be an issue. The Mayor expressed his enthusiasm with Batavia getting a Raising Cane’s. These ordinances will go before City Council at their next meeting to discuss further.

**ANNUAL UPDATE REPORTS: PUBLIC WORKS-** Newman gave an overview of the complexity of the public works department and highlighted some of their achievements. Director of Public Works, Gary Holms gave a presentation reviewing 2018-19 showing the projects worked on by Public Works last year as well as upcoming plans. Holms fielded questions from the Committee.

**PROJECT STATUS:** O’Brien opened the floor for any status updates. Newman announced the upcoming Kane County Strom Water Ordinance public hearing that will be held on March 26 and reviewed the timeline for the project. She then reviewed the progress of the three new restaurants set to open this year. 2150 Main Street has been purchased and will become a storage facility. She stated there will be a lot of road construction for next couple of years and will require the residents’ patience. O’Brien stated his concern with the maintenance of the grass along the west side of Kirk Road. Newman will reach out to the county.

**OTHER:** Cerone asked for the City to look into a better way to streamline the process for business to get through the permitting process quicker. Discussion ensued and the Committee agreed the process should be looked at. This topic will be brought up at an upcoming City Council meeting to discuss further.

**ADJOURN:** With no further business to discuss, Chair Brown asked for a motion to adjust the meeting at 8:32 p.m. **Motion was made by O’Brien, seconded by Wolff. A voice vote was taken. 12 Ayes, 0 Nays, 2 Absent. Motion carried.**

Minutes prepared by and submitted on 3/19/19:  
Deanna Kellum  
Recording Secretary