

**MINUTES**  
**March 6, 2018**  
**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, Stark, Chanzit, Wolff, Salvati, O'Brien, Meitzler, Malay, Uher, Cerone, and McFadden

**Members Absent:** Aldermen Atac and Callahan

**Also Present:** Mayor Schielke (arrived at 7:50pm); Chief Deicke, Batavia Fire Department; Chief Eul, Batavia Police Department; Roman Seckel, Legal Counsel; Laura Newman, City Administrator; Scott Buening, Director of Community Development; Gary Holm, Director of Public Works; Chris Cudworth, Communications Coordinator; Howard Chason, Information Systems Director; Peggy Colby, Director of Finance; Wendy Bednarek, Director of Human Resources; Joel Strassman, Planning and Zoning Officer; Chris Aiston, Economic Development Consultant; and Jennifer Austin-Smith, Recording Secretary

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

Brown reported that agenda item number nine and discussion on strategic planning will not be discussed and put onto the March 13<sup>th</sup> agenda. There was no objection from the Committee.

**3. Matters from the Public (For Items NOT on Agenda)**

Carolyn Burnham, Chair of the Batavia Environmental Commission, invited the Committee to attend the upcoming events:

- Green Night Out at the Movies; This Saturday in City Hall
- Seed Swap with Batavia Depot Museum; March 17<sup>th</sup>
- Radon Education Event; March 19<sup>th</sup> at 6:30pm at the Batavia Public Library

**4. Ordinance 18-13: Vacation of a Public Alley behind 321-337 E. Wilson Street (Buening 12/29/17) (Continued from 2/13/18 Agenda) CD**

Buening reported that this was discussed at a previous Committee of the Whole (COW) meeting and staff has since had a discussion with one of the property owners regarding the amount of alley that is being proposed to vacate on the east side. We tabled this to allow for the Park District to give their thoughts on why they wanted that amount of right-of-way vacated.

Jim Eby, Batavia Park District, addressed the COW. He introduced Jim Friskie (spelling?), engineer at ERA who is one of the consultants working on the parking lot. Eby explained starting back in 1995 when the Park District purchased the property from Holy Cross Church the building was renovated and a variance was granted by the City due to a lack of parking. The Park District has not added any parking since and we are still not in compliance with the current zoning. Plans are being created right now to come before the COW that will be brought to the Committee sometime in the summer. Right now we are talking about our existing parking lot.

Eby presented the PowerPoint slide showing 'Parking Lot A & B Comparison, Eastside Community Center, Batavia Illinois' to the meeting attendees. He explained the existing parking that has a total of 90 spaces, 5 of which are handicapped. The new additional parking that is proposed would occupy the space where the 13 North and 27 North former residences were located. With the vacating of the alleyway we would be required to allow the existing residences and the office to have ingress and egress rights into their properties, which is not a problem. In the process of discussion it came to light that the existing garage on the adjacent property was constructed eight feet over the property line. It is existing non-compliance. In working with ERA and designing the new parking lot we find that the turning radius is really tight. He showed the meeting attendees the plans for Option A, which is the 8ft strip of property, and Option B would be the 13ft strip of property. He explained that there are a lot of things that happen on this property: Shannon Hall classes, special events and weddings. There is an issue with the ingress and egress being extremely tight. There are several times in which access is needed for mini-busses and coach busses for that parking lot. The New Horizons Preschool also makes for the lot to be very busy at certain times of the day. The alley would remain a two-way ingress and egress for the residents and buildings. Eby continued that there is a drainage problem with the parking lot. They have to maintain the drainage so that it doesn't pond on location. They are working on the elevations to create proper drainage at this time.

The Committee discussed the proposed parking lot plans, activity on the property, access to the existing garage, and reconfiguring the garage without fear of blocking access to the garage. Cerone encouraged the Park District to work on a win-win situation. Stark stated that as she understands this from previous discussions is that the City owns the alley, the Park District would like the alley for additional parking or egress and to have it dedicated directly to the Park District so the City would no longer own that alley. The crux of the matter here is who gets rights to that alleyway. Buening concurred. He continued that the Park District has been maintaining this alleyway for years since they purchased the adjacent property. Even though the City owns it the Park District has maintained it. He noted that the proposal, if they do get the thirteen feet, it shifts the access drive further north and they will lose at least three parking spaces and there will not be much ability to do a loading zone unless the garage is shifted. Cerone asked if the Park District plans on removing the apron of the garage. Eby stated that the intention would be that they would own that apron, it would come out and then become our asphalt parking lot. He explained that they plan to take the apron off at the property line. The COW reviewed the proposed plans and turning radius.

Allison Niemela, Executive Director of the Park District, addressed the Committee. She reported that the Park District has had meetings with the adjacent property owner and offered to do a

parking agreement with him and they could agree on where those spots would be and designate the parking.

Darren Enger, property owner, stated that he understand the issue with unloading and loading at Shannon Hall. He stated that the garage has been blocked and more time or not it is during the week when the trades are there making improvements. When buses come in it has blocked some people in where we currently park. Stark asked him what his dream solution would be. Darren answered the additional five feet and the buildings would go and be equal in length with each other and probably go out another two to three feet where they are within that five feet leaving about two feet for the fence. So it won't be to remove the fence that is there today and create 36ft of depth so that we could have four tandem parking spaces. He would remove the fence that is there today, relocate that to the front/side yard and create a patio space there for ourselves and then taking four cars out of the street off of Wilson Street of the fourteen available spaces.

Wolff asked if you were to redo the garages to have the doors open to face each other so then deliveries out there would not make a difference because it would be a sidewall to the garage and not the access of the garage. Until the doors change orientation, Wolff suggested that the Park District work with the property owner regarding delivery times. Once the garage door changes position it leaves room for a delivery zone alongside of the garage because you are never blocking the garage, it would be a win-win for both. Meitzler stated that the radius is already poor and if we do nothing it is still subpar. By giving Darren the five-feet, he is able to improve his property and that improves the ability of the loading zone to not be obstructive and that is what he is going with. Stark agreed. She added that she does not want to lose control over the alleyway and she would like to make sure that we do what is right for all parties.

Stark asked what is the timing for the parking lot. Eby answered that the vacating of the alley is the kick off for this whole project so they could begin the final planning for the new parking area. The houses will be coming down in May and mid-June. If one is to be moved it needs to be done before the end of June. We are planning on having the parking lot completed by end of October or into November. That would be for both plans. Eby stated that the extra five feet to the property owner will not change what we have currently, once we construct and restripe we would be mindful of those five feet. He thinks until new construction happens on the adjacent property owner's site there will not be much change at all. Stark asked Darren when he proposes to work on his site. He answered, reasonably speaking, around this time next year. He will start planning it now. Niemela clarified that the Park Board wanted the Park District to maximize the most parking spaces with the amount of space that we have available and we were trying to maximize as well as be efficient and at the same time be good neighbors.

Buening stated staff needs direction from the COW on which direction to go. He added that if we are looking to change the plat that has been drafted there is a \$600 fee to redraft that plat. His suggestion is to have the cost due to those who are asking for the new plat. Otherwise we are not charging anyone for the land. Stark asked if Darren would be willing to pay for the plat to be redrawn. Darren answered yes. Buening stated that this could go directly to City Council if the direction is to approve it with the 13ft.

**Motion:** To recommend to City Council approval of Ordinance 18-13: Vacation of a Public Alley behind 321-337 E. Wilson Street with the change of 13ft

**Maker:** Stark

**Second:** Cerone

**Roll Call Vote:** **Aye:** Stark, Chanzit, Wolff, Salvati, Brown, O'Brien, Meitzler, Malay, Uher, Cerone, McFadden, Russotto

**Nay:** None

12-0 Vote, 2 Absent, Motion carried.

**5. Ordinance 18-17 Amending The Official Zoning Map Of The City, 106 And 126 South Mallory Avenue. City Of Batavia, Applicant (Strassman 2/27/18) CD**

Stark overviewed the memo. Mayor Schielke commented that the damage to the building due to the fire is significant. However, he is thankful that there is someone that wants to do something with this building. That is a very nice neighborhood that has two of the biggest eyesores in the City. He continued that we need to do something in both cases and as long as there is interest in redevelopment we should take the chance and explore with them what it is they really want to do.

**Motion:** To recommend approval of Ordinance 18-17 Amending The Official Zoning Map Of The City, 106 And 126 South Mallory Avenue. City Of Batavia, Applicant

**Maker:** Wolff

**Second:** Cerone

**Voice Vote:** 12 Ayes, 0 Nays, 2 Absent  
Motion carried.

**6. Ordinance 18-18: Amending The Land Use Map Of The Comprehensive Plan Of The City Of Batavia, Daniel Kramer On Behalf Of Daniel Nagel, Applicant. Southeast Corner Of Fabyan Parkway And Nagel Boulevard (Rackow 2/27/18) CD**

Stark summarized the memo.

**Motion:** To recommend approval of Ordinance 18-18: Amending The Land Use Map Of The Comprehensive Plan Of The City Of Batavia, Daniel Kramer On Behalf Of Daniel Nagel, applicant. Southeast Corner Of Fabyan Parkway And Nagel Boulevard

**Maker:** Malay

**Second:** Uher

**Voice Vote:** 12 Ayes, 0 Nays, 2 Absent  
Motion carried.

**7. Ordinance 18-19 Amending The Official Zoning Map Of The City Of Batavia Southeast Corner Of Fabyan Parkway And Nagel Boulevard. Daniel Kramer, Attorney On Behalf Of Daniel Nagel, Property Owner, Applicant (Rackow 2/27/18) CD**

Stark summarized the memo. The Committee discussed the proposed amendments and the properties.

**Motion:** To recommend approval of Ordinance 18-19 Amending The Official Zoning Map Of The City Of Batavia Southeast Corner Of Fabyan Parkway And Nagel Boulevard. Daniel Kramer, Attorney On Behalf Of Daniel Nagel, Property Owner, Applicant  
**Maker:** Uher  
**Second:** Malay  
**Voice Vote:** 12 Ayes, 0 Nays, 2 Absent  
Motion carried.

**8. Ordinance 18-16: Amending The Land Use Map Of The Comprehensive Plan Of The City Of Batavia, City Of Batavia Applicant. 1025-1119 N Washington (Rackow 2/27/18) CD**

Stark summarized the memo.

**Motion:** To recommend approval of Ordinance 18-16: Amending The Land Use Map Of The Comprehensive Plan Of The City Of Batavia, City Of Batavia Applicant. 1025-1119 N Washington  
**Maker:** Uher  
**Second:** Malay  
**Voice Vote:** 12 Ayes, 0 Nays, 2 Absent  
Motion carried.  
CONSENT AGENDA

**9. Presentation: Branding Project By Sparc, Inc GS**

This agenda item was tabled until the March 13, 2018 meeting.

**10. Discussion – McKee Street Pedestrian Crossing (Gary Holm 3/2/18) CS**

Holm stated that a vehicle hit one of the flashing light beacons and it is destroyed. He reported that staff reached out to our attorney and the attorney's opinion on installing the spare as a replacement for the one that was damaged was because the device was destroyed it was at the end of its useful life and not be advisable to reinstall it again according to the FHWA guidelines. Staff is recommending on McKee Street, removal of the other flashing beacon and installing standard crosswalk signs at this time until Council gets further direction. Wolff asked if we would have to go to IDOT to ask them if we could reinstall the back up one that we have. Holm stated that you can but IDOT has given written direction to the agencies on what you can and cannot do but we can go back and ask. Wolff stated that we spent the money and we wanted this to work and we shouldn't give up on it that quickly. Holm noted that there are other options, such as pursuing a HAWK system through the state or doing a traffic study for a true traffic signal. Wolff stated that he would like to see a crosswalk on Houston Street because that is where it aligns with the bike path access. Newman stated that we are waiting on IDOT's response to that proposal.

John Gamble, Bike Commission, addressed the Committee. He stated that he approves of the crosswalk at Houston but is not in favor of removing the crosswalk from McKee until you get a

crosswalk on Houston. He suggested having a crosswalk at both at Houston and McKee as another solution.

Meitzler stated that this intersection has a safety need. We need to get the process started and hopefully we could get something approved early next year. O'Brien suggested lowering the speed limit on Batavia Avenue since it is the center of our downtown but we do not treat it as such with cars speeding by. We have to end the fact that it is deemed unsafe to cross Batavia Avenue. Brown suggested making Batavia Avenue a streetscape project.

Holm noted that exploration of a HAWK system or exploration of a traffic signal would require the use of an outside consultant and we do not have budgeted funds for that but we could get proposals to bring to Council. Holm stated that in regards to speed, that takes a letter from the Mayor to IDOT requesting that IDOT perform a speed study to evaluate speed limits in that area. That was last done only three or four years ago but we could certainly have the Mayor write to IDOT again. O'Brien stated that we want to be pedestrian friendly so we should pursue lowering the speed limit once again. It is the center of our downtown. Brown stated that he would not support spending any amount of money on a consultant that does not go anywhere. Newman stated her concern with the Sam's Club closing we are operating at a potential deficit this year and stated that she would like to take that into account.

Chief Eul reminded the Committee that until a pedestrian enters the crosswalk those vehicles could proceed. The pedestrian has to be in the intersection or attempt to enter the intersection for the vehicles to be required to stop. Brown asked Chief Eul what he thinks the City should do. Chief Eul stated that the major concern for them is the four lane roads and the inside and outside lane conflicts. The vehicles on the inside lanes on approach and the outside lane has lack of visibility. The car that initially sees the pedestrian blocks the view of the vehicle to the inside or the outside as the pedestrian proceeds through the four lanes. That is the biggest issue with these types of systems. That is why we have tried to determine some solution to what we have on-hand, such as the overhead mast arms. It would increase visibility by lighting the intersection in the evenings and the additional rapid flashing beacons overhead so the inside lane could see that the beacon had been activated. The two lane road crossings have been great and have greatly increased visibility awareness of pedestrians and safety for pedestrians. Chief Eul stated that his recollection of the Houston Street intersection was they were talking about doing a rapid flash beacon at that intersection and IDOT told us no. The next evolution of that was to put a crosswalk at Houston Street and put a pedestrian island at the northern edge of the intersection due to the bike path. It was determined to place the island further south and that did not make sense. He would have liked to see a pedestrian raised median at the northern edge of that intersection but IDOT said it was not feasible. Chief Eul stated that he has concerns about the McKee intersection with rapid flashing beacon or not and would much rather see a marked unlighted crossing at Houston Street.

The Committee directed staff to put up the crosswalk standard signage. Staff was directed to create an RFP for a consultant for a HAWK signal to research how much a consultant would cost. Staff was also directed to ask the Mayor to write a letter to IDOT regarding the speed limit on Batavia Avenue. Holm was directed to not take any actions on any of the existing crossings.

### **11. Discussion – Wastewater Treatment Facility Improvements – Temporary Odor Control (Gary Holm 3/2/18) PU**

O'Brien reported that there have been complaints of smell and staff is looking for authorization to proceed with temporary odor control with a cost to the City in between \$30-\$40K. Holm stated that though this is minor it still is \$40k. It will not eliminate every odor. We are trying to mitigate the most obvious and pungent source. Newman explained that there is the potential of loss of revenue and customers due to smell. The potential loss of revenue to the City would be more than \$40,000 if we do nothing.

The Committee discussed the temporary odor control. Salvati shared that he works north of the facility and some days the odor can be terrible but he is struggling with the cost when the City is trying to cut costs. O'Brien stated that this could be seen as an unforeseen condition as part of the construction cost. Brown stated that he would not support it because we do not have money to hire a police officer position that is well needed. Chanzit asked why didn't this project come with this option. Chanzit stated that he would have voted for a project that included this so he would be in support of it. Holm stated that he cannot answer on behalf of Trotter and Associates but we are quite a ways into the project and we are at less than one percent for change orders.

The COW tally voted in favor of staff moving forward with the temporary odor control. The tally vote was in 9-3 with Stark, Brown and Meitzler as the nay votes.

### **12. Discussion: Strategic Plan Review: Mission, Vision, Values, SWOT Analysis And Major Topics (GS)**

This agenda item was tabled until the March 13, 2018 meeting.

### **13. Presentation: Department Head Annual Report (Laura Newman 3/1/18)**

The City of Batavia Department Head's presented their annual reports to the COW. The presenters are listed in the order of presenting: Howard Chason, Chris Aiston, Wendy Bednarek, Chief Eul, Chief Deicke, Scott Buening, Peggy Colby, Gary Holm, and Chris Cudworth.

### **14. Project Status**

There was no project status to report at this time.

### **15. Other**

Salvati asked for clarification on the upcoming Plan Commission public hearing meeting items, specifically Chapter 2.2: Multi-Family Residential Districts in respect to tot lots and Chapter 4.7: Wireless Communication Facilities. Buening stated that those items were brought up during the Campana project and staff started to think of other situations where it would make sense such as the One Washington Project. Wireless companies are getting smaller and they are putting antennas in more places and staff wanted to explore if there would be other opportunities to put them on other buildings but they would be behind stealth enclosures. In regards to the tot lot, that came out of Campana also and whether they should have certain amenities or not. Staff has thought that one hundred units or less is quite small and his experience is most developments really don't have amenities put in until they are at two hundred units or more.

**16. Adjournment**

There being no other business to discuss, Chair Brown asked for a motion to adjourn the meeting at 10:40pm; Made by O'Brien; Seconded by Salvati. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith