

MINUTES
March 12, 2013
Community Development Committee
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. 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.

Chairman Brown called the meeting to order at 7:30 p.m.

1. Roll Call

Members Present: Aldermen Brown, Clark, Stark, Thelin Atac, and Wolff
Members Absent: Aldermen Chanzit and Sparks
Also Present: Aldermen Frydendall, Jungels, O'Brien (7:39 p.m.), Tenuta (7:38 p.m.), and Volk; Noel Basquin (7:35 p.m.), City Engineer; Scott Buening, Community Development Director; Gary Holm (7:35 p.m.), Public Works Director; William McGrath (7:38 p.m.), City Administrator; Mayor Schielke, Bob Rodge (7:54 p.m.), Electric Superintendent; and Connie Rizo, Recording Secretary

2. Approve Minutes February 13 and March 4, 2013

Motion: To approve the 2/13/12 and 3/4/13 Community Development Committee meeting minutes as presented.
Maker: Clark
Second: Wolff
Voice vote: 5 Ayes, 0 Nay, Motion Carried.

3. Items Removed/Added/Changed

None.

4. Resolution 13-42-R Approving the 2013 Zoning Map (Scott Buening 3/6/2013)

Scott Buening indicated that every year the City is required by State Law to approve a zoning map including all the amendments within the prior year. Buening indicated it needed to be adopted by resolution to publish it and make it available for the public.

Ald. Clark asked Buening to highlight any significant changes. Buening indicated that Mooseheart was the most significant change. Buening stated also what was not

reflected in the maps was the recent annexation of City owned properties and those would be changed to the map before it would be brought before the City Council.

Motion: To recommend to the City Council approval of Resolution 13-42-R for the 2013 zoning map as it will be amended per Buening's comments at the 3/12/13 meeting.

Maker: Stark

Second: Wolff

Voice Vote: 5 Ayes, 0 Nays, Motion Carried.

CONSENT AGENDA

5. Streetscape

- **N. River Street**
- **Wilson Street**

Chairman Brown explained that just prior to this meeting the subcommittee was discussing what there is left to be done on **North River Street**. Chairman Brown indicated that the punch list and issues with the contractor are still being worked through. Chairman Brown commented that the self-made man statue needed to be discussed further this evening. Chairman Brown stated the original plan was for a concrete base and that is what was in the contract and the contractor was obligated to provide. Chairman Brown indicated after that was done the City was not satisfied with it and so it was removed. Chairman Brown mentioned that the contractor was willing to put the base back in to the satisfaction of the City.

Chairman Brown explained the cladding was taken off of the retaining wall and planters to save money and now that the project is done the City Council realized that was a mistake. Chairman Brown indicated now that the cladding was desired staff was directed to obtain prices, which they have obtained. Chairman Brown mentioned that staff was also directed to get a price for a cladded monument for the self-made man. Chairman Brown stated that Noel Basquin would give the Committee some numbers on the cladding of the retaining wall and the planters. Chairman Brown shared it was the subcommittee and staff's opinion that the first thing the City would like to see is for the contractor to provide what was in their contract for the concrete. Chairman Brown encouraged the Committee to make a recommendation to staff regarding the self-made man statue base.

Noel Basquin stated that a few months ago he raised with the Committee the cladding of the walls for Tusk and the El Taco Grande wall. Basquin explained just to clad the wall without the new caps on the walls would be \$39,500. Basquin mentioned to put new caps when the wall is widened out with new granite would increase the cap price to \$66,000. Basquin stated during the discussion that took place with the subcommittee it was felt that the \$66,000 price was too high. Basquin shared that there has been some contact with the contractor who has given some options of either staining the wall or sandblasting the wall. Basquin opined that sandblasting would give the wall a nice

texture. Basquin proposed having the contractor sandblast the walls rather than clad the walls. Basquin mentioned that the City would need to indicate how they would like the sandblasting to be done on the wall.

Ald. Clark inquired if sandblasting the walls was included the concrete price. Basquin stated the sandblasting was provided as an option by the contractor at no additional cost because of the way the concrete was finished. Ald. Wolff stated he knew sandblasting could be done with different techniques to make the surface look like marble or granite. Basquin indicated further discussion can take place on how the sandblasting is done. Ald. Clark inquired if the sandblasting was just for the walls or also for the self-made man project.

Ald. Stark favored pursuing the sandblasting of the wall. Ald. Wolff stated the sandblasting would be a maintenance free issue. Ald. Clark inquired if there was an issue with capping the same exact size as the drip. Ald. Clark inquired further if the sandblasting would address the issue or would the issue still exist. Basquin replied the issue would still exist. Basquin stated the work was originally done per plan and did not show a drip cap.

Ald. Volk inquired how sandblasting would clean up if a vehicle scraped the wall or if someone were to spray paint the wall. Basquin stated removing spray paint would be challenge and if scuffed it would need to be addressed when it occurs by re-sandblasting the area. Chairman Brown indicated it is harder to clean up graffiti on granite than a sandblasted surface. Basquin stated options on sealing the wall could be discussed further. Ald. Stark inquired if the planters were sealed and commented there are scuff marks on them already from people hitting them. Basquin stated the planters are not sealed.

Ald. Frydendall stated he liked the sandblasting idea. Ald. Frydendall mentioned he has seen sandblasted walls that had a marbleized stain applied to them to give the appearance of limestone and would provide a good sealer for the area. Chairman Brown stated this evening the Committee should decide on whether to incur the extra expense and choose the granite or pursue the contractor further to provide what was contracted. Chairman Brown indicated staining could take place later on as well as any accenting.

Ald. O'Brien mentioned when concrete is treated with stain or marbleizing it then becomes a maintenance issue. Ald. Frydendall shared that he was encouraging staining of the wall as a preservative rather than for the look to prohibit the salt from eating into the area. Ald. O'Brien expressed that granite is not affected by salt. Chairman Brown indicated staff should then pursue the contractor further to provide what was purchased for the wall.

Basquin stated originally in the contract the foundation for the self-made man had granite cladding on it, which was removed as part of the contract with Leopardo. Basquin stated once the original foundation was done by Eagle, per the contract, it did not look nice so it was removed. Basquin shared there was then discussion about

trying to clad it again. Basquin relayed prices were obtained to clad it and the two prices received were for the same type of granite the City has for the planters. Basquin explained that one price is \$18,000 and the other is \$22,000. Basquin stated the contract to build a concrete foundation was \$4,000, so it is a significant increase to do the granite cladding. Basquin added the concrete could be done with a granite cap on top.

Chairman Brown stated there is \$4,000 left on the contract to pay for the base. Chairman Brown inquired if there would be a \$4,000 deduction from the \$18,000. Basquin replied the City already paid for the foundation in the ground so there would be no \$4,000 deduction.

Ald. Stark inquired if it was true that the new tenant wants the self-made man statue moved. Basquin stated the benches are close to the statue base and so the solution would likely be to move the benches. Basquin shared that where the self-made man sits is a prominent location and is close to the center of State Street.

Basquin conveyed that a request could also be made to put the same type of sandblasted finish on the foundation of the self-made man as the wall to match the rest of the project. Ald. Stark inquired if there was something structural about doing the top in granite of the self-made man to hold the statue better than if it was just a concrete base. Basquin stated the statue would always have a granite top, either concrete with granite cladding or concrete with the granite top. Ald. Clark opined it would be easier to judge if she knew what the self-made man project would look like. Ald. Clark spoke in favor of keeping costs down and having the sandblasted concrete. Ald. Volk commented the statue always was on a concrete base before StreetScape. Ald. O'Brien stated there was no reason to do the sandblasted concrete because there is no base yet. Ald. O'Brien explained whatever is done it would need to be finished correctly this time. Ald. Clark stated the finishing could be done to match the area as Basquin suggested. Ald. O'Brien stated that would likely be an added cost because there would be a charge to sandblast. Ald. Stark stated the cost would be less than granite.

Ald. Tenuta inquired how much was left in the contingency to spend on items such as these. Basquin indicated there was \$72,000 in contingency and \$128,000 in the buyout. Basquin pointed out the contractor would get 30% of the contingency. Ald. Tenuta stated the contingency funds were available to spend for the items being discussed, but shared a concern with taking the granite out of the project because of maintenance issues and slight cost savings for the whole project. Ald. Tenuta expressed that the right project should be selected keeping in mind it needs to likely last for 50 years. Ald. Tenuta favored granite for the self-made man because it was a lit monument. Ald. Tenuta explained to stay consistent with the project she would like granite at the base of the self-made man monument.

Ald. Tenuta stated she had reservations about making decisions about maintenance (caulk joint vs. exposed concrete). Ald. Tenuta opined it would be beneficial to look further down on the life for River Street when considering these issues and remember the contingency funds. Basquin pointed out the contractor would get 30% of the

\$72,000. Ald. Wolff inquired if the City were to go forward with choosing granite would the contractor still get 30% of the \$72,000 or whatever was remaining. Basquin stated the contingency goes up to the GMP amount, so the funds are used for things in the contract that are missed. Basquin stated if the funds are spent it is returned to the City. Ald. O'Brien stated the contractor would get 30% of whatever remains. Ald. O'Brien and Ald. Wolff stated they favored spending the funds on the project rather than giving it to the contractor.

Ald. Stark stated although what Ald. O'Brien and Ald. Wolff were suggesting made sense, the City still did not have a finite amount of money the City would need to spend on the arch. Ald. Wolff reiterated he would favor spending the funds on the project rather than giving it to the contractor.

Chairman Brown pointed out how River Street was to be unique and different from any other StreetScape and the arch is supposed to be a part of that as well as the self-made man statue. Chairman Brown indicated concrete takes maintenance and did not want to see the self-made man statue deteriorated with salt spray 10 to 15 years from now. Chairman Brown was in favor of Ald. Tenuta stance on these matters since the self-made man is highly visible.

Ald. Stark stated she was concerned about the caulk joints where the granite cladding would come together on all four corners of the monument. Ald. Stark pointed out the other projects have solid granite, so there is no seaming. Ald. Stark opined that the self-made man statue was unique with the man appearing rugged, so a concrete base would look fine with this project.

Ald. O'Brien agreed with Ald. Tenuta and Chairman Brown. Ald. O'Brien stated the StreetScape is a 50-year project and he would like to see the elements last that long. Ald. O'Brien stated granite would be there in 50 years and would be money well spent for this project. Ald. O'Brien stated the City should not be giving money back to the contractor and should spend the money budgeted for this project. Ald. O'Brien opined that River Street would be a popular place and has become successful with business wanting to be on River Street.

Ald. Jungels inquired where the City is financially with the arch and inquired if there might be a possibly of going over budget. Basquin stated the cost estimate should be received later this week and indicated the original cost estimate was \$95,000 without lights. Ald. O'Brien stated it should have lights. Ald. Stark stated McGrath indicated there was an engineering issue, so it could potentially not be lit. Ald. O'Brien stated he believed the engineering issue was worked through, so there would be lighting.

Ald. Stark stated the City should go ahead with the cladding on the base of the self-made man statue. Ald. Wolff inquired if that cladding could be done and then wait and see on the arch project. Chairman Brown indicated there would be no cost benefit to waiting. Ald. Stark commented there was no cost benefit to doing it all at one time either. Chairman Brown stated the contract with the contractor needs to be fulfilled and the City should not hold them up. Chairman Brown stated what he understood this

evening was that it was the Committee's recommendation to direct staff to go ahead with the cladding of the self-made man statue.

McGrath stated he felt the Committee should motion for a vote because the issue needed to go to the City Council.

Motion: To recommend to the City Council approval for additional granite cladding to the base of the self-made man monument for \$22,000.
Maker: Wolff
Second: Stark
Voice Vote: 5 Ayes, 0 Nays, Motion Carried.

Ald. O'Brien inquired what Basquin thought would come from WW Timbers relative to price. Basquin stated he would know information on 3/12/13. Chairman Brown stated staff has had a hard time communicating with WW Timbers, which has caused concern for them actually completing the job. Chairman Brown stated there has been discussion about going with a different company, but it was felt it was best to continue pursuing WW Timbers.

Ald. Stark inquired about the light poles and the orange peel finish. Basquin stated it was discussed at the last meeting and he had two paint chips with him to review. Basquin stated the company offered a credit of \$7,000 if the poles are not redone. Basquin indicated the orange peel could be a warranty issue, so the City would likely request that they extend their warranty. Ald. Stark inquired if the City were to refinish the light poles would that be done on site or would they remove the poles to do the work elsewhere. Basquin replied they would take the poles back to their factory and it would be company's expense to rewire the poles.

Ald. Stark inquired when signage would be put into place on River Street because patrons are confused on where to park. McGrath stated the City is aware of the issue and are concerned about safety. McGrath mentioned the City has met with the business owners and would bring the parking plan to Committee for review.

Basquin stated regarding **Wilson Street** the City was in contact with Landmark and still do not know if they were going to accept the bid. Basquin relayed that they have talked to IDOT about the DBE bid bond. Basquin stated when IDOT gets a bid they review the bid and they asked for 20% for a DBE and it could be adjusted. Basquin indicated IDOT felt Copenhaver didn't show a good enough faith effort to get the 20%, so they chose not to accept their bid.

Ald. O'Brien stated in Chicago when there are requirements for MBE and the contractors do not comply they get penalized. Basquin stated Copenhaver did it, but not well enough and IDOT holds the contract with Copenhaver. Basquin indicated Landmark did not meet the DBE either, but were accepted because of their good faith effort with IDOT.

Chairman Brown stated in another month there would be new members on the City Council. Chairman Brown stated since there is a subcommittee for River Street there should be a discussion on whether there should also be a subcommittee for Wilson Street after the election.

6. Project Status Update

- **Walgreens (WRM 3/8/13)**

Bill McGrath stated that he was previously asked to furnish a timeline relating to the **Walgreen's** development. McGrath explained he distributed a timeline that begins in July of 2011 through the present time. McGrath indicated the next action is slated for the Plan Commission meeting on 3/20/13. McGrath shared that staff has been talking with Batavia Enterprises and are not sure at this point whether they would choose to go ahead with design review or wait until later. McGrath believed soil borings were taken this week and were awaiting results. Ald. Stark indicated she witnessed the soil boring samples being taken. Ald. O'Brien inquired if the Committee would receive a copy of the results from the soil boring samples. McGrath stated the City was entitled to the soil boring results under the agreement.

7. Other

- Ald. Clark inquired about the delay with Rubicon and wanted to know when the current approved development plan expires before they begin building again. Buening stated he would need to research this further. Buening stated he thought the approval was for the plat of subdivision, so there may not have been an actual building plan approved. Ald. Clark stated design review was done on this. Buening stated he would check into the matter.
- Buening stated Wal-Mart is still under construction and they are finishing up some of the north end building improvements and should be soon occupied.
- Pep Boys resubmitted plans that did include the recent adjacent building.
- Limestone Coffee and Tea would likely have a soft opening later this week and have a Grand Opening later on.
- Buening stated there has been a permit submittal for a Mexican Restaurant in the former Pizza Hut spot on Island Avenue. Buening indicated initial plans have been reviewed and revisions are necessary.
- Buening stated the City has been receiving applications for the vacant inspector position and the deadline for applying is 3/15/13. Buening stated they would be reviewing the applications the week of 3/18/13 and then arranging for interviews in the attempt to fill the position. Buening opined there was a good pool of candidates thus far.

8. Matters From The Public

None.

9. Adjournment

A motion was made by Ald. Wolff and seconded by Ald. Stark to adjourn the meeting at 8:19 p.m. All were in favor and the motion was carried.

Minutes prepared by
Connie Rizo