

**MINUTES**  
**March 15, 2022**  
**Committee of the Whole – Hybrid Meeting**  
**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 Wolff called the meeting to order at 7:00pm.

**1. Roll Call**

**Members Present:** Chair Wolff; Ald. Miller, Beck (remote), Connelly, Solfa, Baerren, Leman, Ajazi (remote), Malay (remote), Uher, Cerone (entered at 7:05pm), and Vogelsinger (entered at 7:03pm)

**Members Absent:** Ald. Chanzit and Russotto

**Also Present:** Mayor Schielke; Chief Eul, Batavia Police Department; Laura Newman, City Administrator; Gary Holm, Director of Public Works; Scott Buening, Director of Community and Economic Development (remote); Rahat Bari, City Engineer (remote); Jeff Albertson, Building Commissioner (remote); Shannon Jarmusz, Economic Development Manager (remote); Anthony Isom, Assistant to the City Administrator; and Jennifer Austin-Smith, Recording Secretary (remote)

**2. Reminder: Please speak into the microphone for BATV recording**

**3. Items to be Removed/Added or Changed**

Newman asked to add personnel to Executive Session. There were no objections voiced by the Committee.

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

None.

**5. Public Hearing: Project Summary and Preliminary Environmental Impacts Determination in Support of Low Interest Loan Application to the Illinois Environmental Protection Agency Seeking Funds to Construct Wastewater Treatment Facility Improvements**

Chair Wolff opened the Public Hearing at 7:03pm. Holm read a letter from the Illinois Environmental Protection Agency (IEPA) to the Committee as required for the Public Hearing.

**Motion:** To Close the Public Hearing

**Maker:** Solfa

**Second:** Miller

**Roll Call Vote:**      **Aye:** Solfa, Wolff, Baerren, Leman, Ajazi, Malay, Uher Cerone, Vogelsinger, Miller, Beck, Connelly  
                          **Nay:**  
                          12-0 Vote, 2 Absent, Motion carried.

The Public Hearing was closed at 7:09pm.

## 6. Consent Agenda

**(The Consent Agenda is made up of items recommended by city staff that requires recommendation to the full City Council by the COW. This agenda is placed as a separate item on the COW agenda. The items on the Consent Agenda are usually minor items, already budgeted, standard non-policy activities or outgrowths of earlier meetings and are voted on as a “package” in the interest of saving time on non-controversial issues. However, any council member may, by simple request, have an item removed and placed on the “regular” agenda.)**

### **a. Resolution 22-034-R: Approval of the 2022 Zoning Map (SCB 2/23/22) CD**

**Motion:**            To approve the Consent Agenda as presented  
**Maker:**            Wolff  
**Second:**           Uher  
**Roll Call Vote:**    **Aye:** Wolff, Baerren, Leman, Ajazi, Malay, Uher, Cerone, Vogelsinger, Miller, Beck, Connelly, Solfa  
                          **Nay:**  
                          12-0 Vote, 2 Absent, Motion carried.

*Ald. Beck exited the meeting at 7:10pm.*

## 7. Approval: Class D-1 (Restaurant – All Liquor) Liquor License Application for Veba Inc. d/b/a El Taco Grande Restaurant at 6 N. River St., Batavia (DME 3/9/22)

Malay discussed the memo with the Committee of the Whole (COW).

**Motion:**            To recommend approval of a Class D-1 (Restaurant – All Liquor) Liquor License Application for Veba Inc. d/b/a El Taco Grande Restaurant at 6 N. River St., Batavia  
**Maker:**            Malay  
**Second:**            Cerone  
**Roll Call Vote:**    **Aye:** Malay, Uher Cerone, Vogelsinger, Miller, Connelly, Solfa, Wolff, Baerren, Leman, Ajazi  
                          **Nay:**  
                          11-0 Vote, 3 Absent, Motion carried.

*Ald. Beck returned remotely to the meeting at 7:13pm.*

**8. Ordinance 22-14 Terminating Special Service Area Number 61 for the One Washington Place Development (SCB 2/28/22)**

Buening reported that this is part of the unwinding of the One Washington Place project. This Special Service Area was dormant and only to be activated in the event of paying off bonds, insurance premiums, or the School District donations as required as part of the development. Staff recommends passing this ordinance, which would terminate Special Service Area Number 61 and once it is recorded it would be dissolved.

**Motion:** To recommend approval of Ordinance 22-14 Terminating Special Service Area Number 61 for the One Washington Place Development

**Maker:** Wolff

**Second:** Miller

**Roll Call Vote:** **Aye:** Wolff, Baerren, Leman, Ajazi, Malay, Uher, Cerone, Vogelsinger, Miller, Beck, Connelly, Solfa

**Nay:**

12-0 Vote, 2 Absent, Motion carried.

**9. Amendment to Resolution 21-086-R: Downtown Improvement Grant – Ware Equity Partners, 15 E. Wilson St. (SMJ 3/10/22)**

The COW reviewed the memo.

**Motion:** To recommend approval of Amendment to Resolution 21-086-R: Downtown Improvement Grant – Ware Equity Partners, 15 E. Wilson St.

**Maker:** Wolff

**Second:** Uher

**Roll Call Vote:** **Aye:** Wolff, Baerren, Leman, Ajazi, Malay, Uher, Cerone, Vogelsinger, Miller, Beck, Connelly, Solfa

**Nay:**

12-0 Vote, 2 Absent, Motion carried.

**10. Resolution 22-036-R – Approval for Design Engineering Services with RJN Group for Improvements to Randall Road Lift Station (ZB 2/25/22)**

Cerone summarized the memo.

**Motion:** To recommend approval of Resolution 22-036-R – Approval for Design Engineering Services with RJN Group for Improvements to Randall Road Lift Station

**Maker:** Cerone

**Second:** Connelly

**Roll Call Vote:** **Aye:** Cerone, Vogelsinger, Miller, Beck, Connelly, Solfa, Wolff, Baerren, Leman, Ajazi, Malay, Uher

**Nay:**

12-0 Vote, 2 Absent, Motion carried.

CONSENT AGENDA

### **11. Discussion: Request Permission from IDOT for Removal of Batavia Ave. Pedestrian Crossing at McKee St.**

Chair Wolff stated that this comes from the discussion from our last City Council meeting. We have to decide what we want to direct to the Illinois Department of Transportation (IDOT). Holm reminded the COW that it is under IDOT's jurisdiction. We are not allowed to go out and do any work out there without an approval and permit from IDOT. Holm discussed the City asking IDOT to reinstall the rapid flashing beacons and the Hawkes System. IDOT said no to both of those options. Staff brought it back to City Council (CC) and that is when CC elected to do the road diet. We are doing the road diet study and have received the feasibility study report. Staff will bring the report to the CC.

Beck stated that she would miss this crosswalk because she finds it to be a much more comfortable and safer place to cross than Houston Street. Houston Street has far more conflict points because it is a four-point intersection. Chair Wolff agreed that he struggles with taking this pedestrian access away from the downtown. Whatever we do with that intersection, we have to petition IDOT to reduce the speed limit and then get the drivers to actually obey the speed limit on that section of Route 31 and Batavia Avenue. Chair Wolff concluded the road diet is a huge step in the right direction.

Holm stated that if we were to remove the crosswalk then he would petition IDOT to also remove the sidewalks. The depressed curb could remain but we could grass over the parkways so there is no sidewalk leading out to the roadway. Holm stated that if we get the road diet, we would be restriping the entire roadway and as part of the Phase 2 design we could incorporate crosswalks wherever we want them. Removal of the crosswalk does not preclude reinstallation of the crosswalk at some point in the future.

Chair Wolff asked that a letter be drafted by the Mayor to be reviewed at the next COW meeting.

### **12. Discussion: N. River Street Closure/Outdoor Dining Status Update**

The COW discussed closing North River Street during the summer. The Committee discussed dining, supporting River Street businesses, parking, and signage. Chair Wolff opened the floor for public comment.

Don Plath, Fourth Ward Resident, stated that he spends a lot of time at the Woonerf and it is a wonderful place and a great idea from the start. He worries about the road being closed some days and open others. That could be confusing. The way it has been done the last two years worked out really well. Plath addressed making the road one-way. He explained that he makes a lot of right turns down there and it is not a safe right hand. You have all that land open by Route 25 at the top of the hill by the light. He asked if there could be an extra right turn there. As far as access to the road he has seen fire trucks get in past the orange barriers on the north end without a problem. He concluded that having River Street closed during the summer has worked out really well.

After discussion, Chair Wolff stated that the consensus is to close North River Street for the summer season (Mid-April until the week after Thanksgiving) as a closure and work along with MainStreet and local businesses.

### **13. Discussion: N. River Street TIF Funding and Catenary Lighting**

Holm stated that we do have TIF funds and part of North River Street is in a TIF that is set to expire so now would be the time to move forward. The general consensus was in favor of using TIF funding for the Catenary Lighting.

### **14. Project Status**

Newman reported on the following:

- Next week is Batavia Restaurant Madness
- We have received a \$12,000 reimbursement from FEMA for personal protective equipment that the City purchased early on in the pandemic
- The Plan Commission is meeting this Wednesday and are considering a petition for a text amendment to allow electronic message centers in the light industrial and general industrial zoning districts and text amendments to the Zoning Code
- Roof repairs have been completed at the Public Works facilities
- Wastewater personnel toured other facilities as we move into our Phase 1, 2A of our Wastewater Treatment Plant rehabilitation
- The next Mahoney Creek Watershed Stakeholders meeting is scheduled for Wednesday, March 23<sup>rd</sup> at 5:30pm in Council Chambers

### **15. Other**

Cerone asked about the archway over Paperboy Alley. Newman answered that it is not in the budget but we could utilize TIF funding to design and install something there.

Baerren stated that she is in support of going back to the previous vendor for utility billing.

Miller asked about the meeting with the Park District. Newman answered that it was the intent at the end of last year that the CC and Park District come together to see if consensus could be found around one of those concepts. Unfortunately, there was still a split but CC wanted to go forward with a joint meeting with the Park District. The Park District is in favor of having some type of impoundment where the dam previously existed. However, there isn't a consensus on which one of the alternatives that include an impoundment. Therefore, the Park Board was interested in asking Hitchcock Design Group to look at the impoundment concepts and identify recreational opportunities that would be possible under each one of those three different scenarios to see if they could get further consensus on their side before coming back to meet with CC. Hitchcock Design Group is going to put together a Scope of Work and a cost of that. The proposal will be brought back to the COW. We could consider sharing in the cost of that.

Newman discussed how the Illinois Department of Natural Resources (IDNR) considers Batavia to be their next project following North Aurora if we continue to make progress on this. Their expectation is at some point this summer we would have an agreement on a concept. At that point IDNR would require that the City of Batavia enter into a Memorandum of Understanding (MOU) with them.

Baerren announced that there is going to be an upcoming screening of 'The S Word' movie to support the work of Suicide Prevention in America. You could sign up on the Facebook page and it will be held at the Park District at 327 West Wilson Street. Newman noted that this would be presented at the next CC meeting as well to tell everyone more about the project.

#### **16. Executive Session: Collective Bargaining and Personnel**

**Motion:** To enter into Executive Session for the purpose of Collective Bargaining and Personnel

**Maker:** Solfa

**Second:** Connelly

**Roll Call Vote:** **Aye:** Uher, Cerone, Vogelsinger, Miller, Beck, Connelly, Solfa, Wolff, Baerren, Leman, Ajazi, Malay

**Nay:**

12-0 Vote, 2 Absent, Motion carried.

The Committee of the Whole entered Executive Session at 8:50pm and exited at 9:33pm.

#### **17. Adjournment**

There being no other business to discuss, Chair Wolff asked for a motion to adjourn the meeting at 12:12am; Made by Cerone; Seconded by Baerren. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith, Recording Secretary