

**CITY OF BATAVIA**  
**MINUTES OF THE BATAVIA CITY COUNCIL**  
**April 1, 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. Brown led the Pledge of Allegiance.

**3. ROLL CALL**

**13 of 14 aldermen were present.**

Aldermen (by ward): Michael O'Brien (1), Scott Salvati (1), Martin Callahan (2), Alan Wolff (2), Elliot Meitzler (3), Dan Chanzit (3), Anthony Malay (4), Susan Stark (4), Lucy Thelin Atac (5), Nicholas Cerone (6), Michael Russotto (6), Drew McFadden (7) and David Brown (7) were present. Mark Uher (5) 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
Police Chief	Dan Eul
Finance Director	Peggy Colby
Community Development Director	Scott Buening
Public Works Director	Gary Holm

**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 February 26, 2019, March 12, 2019 and March 5, 2019

### Approvals:

- B. March 22, 2019 Payroll \$919,283.67 and March 26th Payroll \$11,092.61
- C. Accounts Payable Check Register \$794,928.74.
- D. 2018 Budget Transfer List and Budget Reconciliation
- E. **RESOLUTION 19-035-R:** Authorization to Purchase Truck Equipment in the Amount of \$212,619.00 from Monroe Truck Equipment (SH 3/13/19 COW 3/19/19 12/0) CS
- F. **ORDINANCE 19-26:** Declaring Surplus Property – Electric Utility (BB 3/19/19 COW 3/26/19 12/0) PU
- G. **ORDINANCE 19-25:** Approve Fire Code Variance for 1335 S. River Street above ground fuel tank. (JK 3/19/19 COW 3/26/19 13/0) CS
- H. **RESOLUTION 19-022-R:** Authorizing Execution of Task Order #15 with Engineering Enterprises, Professional Engineering Services related to Completing a Full Water Works System Calibrated Hydraulic Model for an amount NTE \$49,820.00 (JPB 3/27/2019 COW 3/26/19 13/0) PU
- I. **RESOLUTION 19-038-R:** Authorizing Execution of a Contract for the Rehabilitation of Well No. 7 with Layne Christensen, Aurora, IL for an amount NTE \$62,355.70 (JPB 3/16/2019) PU

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

## 7. PUBLIC HEARING: 7:35 p.m. Establishment of SSA #65 for Barkei Farms Subdivision Phases I, II and III

The Public Hearing was convened at 7:35 p.m. Director Buening noted that the hearing was being held to establish a backup SSA for Barkei Farms that would not involve a levy unless the association failed to maintain the area around new signage they plan to install. No one came forward to speak.

**Motion by Ald. Brown, seconded by Ald. Stark, to adjourn the Public Hearing. Motion carried 13 yea/ 0 nay/ 1 absent.**

## 8. MATTERS FROM THE PUBLIC: (For items NOT on the Agenda)

None.

## 9. CHAMBER OF COMMERCE

President and CEO Holly Deitchman noted that all of the upcoming events are on the Chamber's website. She was excited to share information about a new partnership between the Chamber and Batavia School District to educate students about career options that do not require a college degree. Many Chamber members have noted a need to find more qualified employees, so Ms. Deitchman is working with Brad Newkirk at BPS to establish a pilot program at Rotolo Middle School that exposes students to a variety of career options. Various groups are coming in and presenting a number of jobs that are available right out of high school. One organization involved in the initiative is Batavia Container, which manufactures corrugated packaging. Human Resources Director for Batavia Container, Amy Coneys, shared information about the

company and noted that many great jobs are available at the company that don't require a college degree.

Mayor Schielke thanked Ms. Coneys for coming and said Batavia Container has always been well regarded in the community.

Ms. Deitchman said if anyone has questions or is interested in being part of the committee working on this initiative, they should contact her.

#### **10. PRESENTATION: Batavia High School Wrestlers**

Head Coach Scott Bayer introduced his coaching staff in attendance: Ryan Farwell, Edgar Alvarado and Rick Miller, and noted that several other coaches are involved with the team, including Tom and Logan Arlis. He thanked the Council for the opportunity to spotlight Batavia Wrestling and for their service to the community. He said he always reminds his wrestlers what a special place Batavia is to live. He shared that the team had a successful season, with the Varsity placing in the top 3 in most of their tournaments. He also shared that Batavia started a girls' wrestling team this year with 11 girls on the team.

Mayor Schielke shared that he did some research on the history of Batavia Wrestling and this is the 60<sup>th</sup> anniversary of the program. He discussed Coach Floyd Carlson, who was a beloved shop teacher at Batavia High School. Several members of his wrestling team went on to work for the city, including a building inspector and the head of the electric utility. When the Carlson Street was erected in honor of Coach Carlson after his passing, several utility workers were present, shed tears and applauded. Mayor Schielke said the wrestling team is highly regarded, and he is sure that Coach Carlson is smiling down on the program.

Mayor Schielke and Ald. Wolff presented certificates to several wrestlers who had outstanding seasons this year:

- Mike Caliendo, 4<sup>th</sup> place, IHSA State
- Justin Major, IHSA State qualifier
- Riley Woods, 3<sup>rd</sup> place, IWCOA Frosh-Soph State
- Taylin Long, 1<sup>st</sup> place, Illinois Girls' State
- Illinois Girls' State qualifiers: Julia Pelech, Brenda Madrigal Blanco, Alexa Garcia, Karinna Morfin and Erna Haskovic

#### **11. ORDINANCE 19-02: Establishing Special Service Area Number 65 for Barkei Farms P.D. Subdivision Phases I, II, & III (JLS 3/14/11 COW 3/19/19 12/2) CD**

Ald. Brown indicated that this item was the subject of tonight's Public Hearing involving the addition of a monument sign for Barkei Farms and the establishment of a backup SSA.

**Motion by Ald. Brown, seconded by Ald. Stark, to approve the ordinance as presented.**

**Motion passed 13 yea / 0 nay / 1 absent.**

**12. ORDINANCE 19-22: Annexing 320 Ellen Lane (SCB 3/12/19 COW 3/19/19 12/0) CD**  
Ald. Brown noted that this is part of city staff's continuing effort to annex "islands" within city limits. All property owners have been contacted. This owner was receptive to annexation and is not yet on city utilities.

**Motion by Ald. Brown, seconded by Ald. Stark, to approve the ordinance as presented.  
Motion passed 13 yea / 0 nay / 1 absent.**

**13. ORDINANCE 19-23: Annexing 3S102 Wagner Road (SCB 3/12/19 COW 3/19/19 12/0) CD**

Ald. Brown noted that this property is not serviced by city sewer or water. When the property was purchased, part of the agreement was to annex to the city. Matt Johnston, owner, was present and spoke to the Council to ask for more time before annexing. He noted that when he purchased the property, multiple families were living there, and the condition of the property was not good. Mr. Johnston has been cleaning up the property and building relationships with his neighbors. He added that he just replaced his septic tank a few months ago and spent \$3,700 on the work. He said the city could be focusing on other properties, and would only get \$145/year in additional taxes from him by annexing. He said he does eventually want to annex, but would like to have a few more years in order to have more flexibility in making property improvements.

Ald. Brown asked Director Buening if he had communicated with Mr. Johnston. Director Buening said he had. Ald. Brown asked Mr. Johnston why he thought it was easier to make improvements before annexing. Mr. Johnston said he had several vehicles on the property, he burns scrap wood, and he can do more work without permitting if he is in the township.

Ald. Brown said he thought if a septic tank failed, residents were not allowed to replace it. Director Buening said if the sewer is available, the homeowner is not allowed to replace the septic tank. Mr. Johnston said he applied for a permit from Kane County, which was granted. He said the city would have had to pay for the work otherwise. Ald. Brown said the city would not pay for that work, and Mr. Johnston said it would have cost thousands of dollars to trench from the sewer to the house. Ald. Brown noted that the city would not pay for that work, and Mr. Johnston said it would have bankrupted him.

Mayor Schielke asked how much property was being discussed. Mr. Johnston said the property is two acres at the corner of Wind Energy and Wagner Road. He said he has trailers and vehicles on his property that he needs for his job.

Ald. Brown explained that that is one reason to annex, because he is surrounded by residents of Batavia who must follow the rules established by the city, and they deserve to have neighbors who abide by those rules as well. Ald. O'Brien asked if he got two more years, what would Mr. Johnston do with those vehicles then. Mr. Johnston said he would have to change his business or move.

Ald. Chanzit asked if Mr. Johnston was planning to move in two or three years. Mr. Johnston said he plans to continue improving the property, and if he can't keep his vehicles in there, he will have to relocate. Ald. Chanzit said if he sold the property, would he note to the buyers that it

must be annexed. He said he would, and added that he did not know when he purchased it that it was a requirement, and he would not have purchased it had he known.

Ald. Wolff asked if the township has restrictions on vehicles. Director Buening said you can't park in the grass. He added that as long as his business is legal in the county, he would be grandfathered in when he annexes, and that would remain in effect until he moves.

Mr. Johnston asked for three years before annexing, and noted that his relationship with his neighbors is much improved over the previous owner.

Ald. Atac asked what would the cost be to hook up to sewer and water. Director Buening said it depends on a variety of factors, but would range from \$7,000 to \$11,000 to connect both with no extension requirements. Ald. Atac asked if the homeowner would incur those costs. Mr. Johnston shared that the length would be 260 to 290 feet.

Ald. Chanzit suggested the item be sent back to committee for further discussion. He moved to table the vote.

**Motion by Ald. Chanzit, seconded by Ald. Wolff, to table the vote on the ordinance. Motion passed 13 yea / 0 nay / 1 absent.**

Ald. Brown noted that this was a good example of the City Council being willing to listen to citizens and come up with solutions.

**14. ORDINANCE 19-24: Annexing 2S396 and 2S420 S Raddant Road (SCB 3/12/19 COW 3/19/19 12/0) CD**

Ald. Brown said this property is already serviced by Batavia utilities.

**Motion by Ald. Brown, seconded by Ald. Chanzit, to approve the ordinance as presented. Motion passed 13 yea / 0 nay / 1 absent.**

Michael Vaughan of 320 Ellen Lane, whose property was annexed in item 12, noted his biggest concern is the cost to run sewer and water lines. He had a bid for \$20,000 to do the work, and asked what the required timeframe is. Director Buening noted that homeowners are not required to connect as long as their systems are functioning well.

Ald. Brown said he thought if a utility fails, the county was not supposed to let them fix it. Director Buening said that is correct, and staff met with county officials a year ago over this issue. He suggested another conversation may need to be had. Ald. Wolff asked if homeowners have some kind of payment options if they must have work done. Director Buening said there have not been recent situations that required that. Director Colby noted that in the past, they have set up an SSA and private loans, but generally that is when a large group of people are connecting at one time. Ald. Wolff said it would be good if options were available for individuals, and Director Colby said if the homeowner isn't able to secure a bank loan, it's possible the city could work out a solution.

## **15. ADMINISTRATOR'S REPORT**

Administrator Newman reminded everyone that tomorrow is Election Day, so there would be no COW meeting tomorrow night.

Conversations continue around the pop-up chalets both internally and with Batavia MainStreet. Officials in Muskegon, where the idea came from, have welcomed the opportunity to host a delegation from Batavia to visit their chalets and learn more about the program.

On Friday, representatives from a variety of groups will meet to discuss walking, bike riding and wayfinding around Batavia. No matter the mode of transport, the city is seeking safe passage through town. The group will explore safety as well as ideas to encourage people to enjoy all that downtown Batavia has to offer.

Eight candidates will be interviewed for the Communications Coordinator position.

Staff is developing documents for the Gateway Improvement Program for grants for exterior façade improvements.

Staff is developing site-specific spreadsheets for the Intersect site selection program. The city is able to enter vacant property into the Intersect program, including all characteristics of the site, in order to be “found” by businesses searching for vacant property that meets certain criteria. This program will make it easier for potential suitors to find property in Batavia that meets their needs.

Ald. Wolff asked if the bike path next to the wastewater treatment plant is open. Director Holm said it is possible that the path is open one day and closed the next, as work continues on the site. Signage is being finalized.

## **16. COMMITTEE REPORTS**

Ald. Brown announced the Plan Commission on Wednesday would include a Public Hearing on the amended plans for 1600 West Wilson Street, the Habitat for Humanity development. He noted that he and Ald. McFadden have heard from many residents over the years unhappy about plans for that parcel, but this plan, making the property four lots instead of six, seems to be acceptable. The Plan Commission will also consider the Prairie Commons subdivision final plat.

Ald. Wolff said that the Kirk Road multiuse path is being reconstructed from Pine Street to Mason Lane. Also, brush pickup does not begin until May. Yard waste bags are being collected now, but no longer for free.

Ald. Brown said people should know that Kirk Road is going to be messy this year with several projects underway.

## **17. OTHER BUSINESS**

Ald. Malay noted that the Chamber discussed technical and vocational careers tonight, and shared that there is a scholarship in the name of wrestling coach and shop teacher Floyd Carlson's name given to a student going into a technical or vocational career.

Mayor Schielke said he never had Coach Carlson as a teacher, but he retired in 1981 the year the mayor ran for his first election. Mayor Schielke attended Coach Carlson's retirement party, and when he walked in, Coach Carlson announced the retirement party was now going to be a political event.

## **18. MAYOR'S REPORT**

Mayor Schielke said John Clark had given him some photos his father had taken in 1965 when Avenue Chevrolet was on Batavia Avenue. Mayor Schielke then went out last weekend and took photos of the same locations today, and developed a slide show of Batavia Then and Now. In 1965, Art Swanson was mayor and Ald. Brown's father was on the City Council. Sharing the photos, the Mayor noted how far the city has come and how much Batavia has to be proud of the work done. Ald. Wolff said the city has come a long way just since 1985.

The Mayor also expressed that last weekend, he witnessed a bike rider nearly get hit by a car, and shared that he is not impressed with the plan for the bike lanes on South Prairie Street. He thinks they will get someone killed, and he will be sending other ideas to city staff to make the street bike-friendly without designated bike lanes on both sides of the street.

Ald. Atac wondered if bike traffic could be redirected to Raddant, where there is already a bike lane. She also asked if parking could be added on Prairie. Mayor Schielke noted that many people at the end of Prairie Street are upset about losing their on-street parking, especially when the bike lanes won't even be used for several months a year during winter weather.

## **19. ADJOURNMENT**

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

The City Council meeting adjourned at 8:39 pm.

*Minutes prepared and submitted by Ellen Posledni, City Clerk, April 9, 2019.*