

CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL
April 6, 2020, 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 electronic meeting was held on GoToWebinar due to the COVID-19 pandemic and was called to order by Mayor Schielke at 7:30 p.m. The meeting was configured to allow public participation if requested.

2. INVOCATION followed by PLEDGE OF ALLEGIANCE

Mayor Schielke offered a brief invocation and led the Pledge of Allegiance.

3. ROLL CALL

14 of 14 aldermen were present via phone and/or video.

Aldermen (by ward): Michael O'Brien (1), Jennifer Baerren (1), Martin Callahan (2), Alan Wolff (2), Elliot Meitzler (3), Dan Chanzit (3), Tony Malay (4), Joe Knopp (4), Mark Uher (5), Abby Beck (5), Nicholas Cerone (6), Michael Russotto (6), Drew McFadden (7), and Keenan Miller (7) were present.

Also present members of the public and the following:

City Attorney	Roman Seckel
City Clerk	Ellen Posledni
City Administrator	Laura Newman
Police Chief	Dan Eul
Director of Public Works	Gary Holm
Community Development Director	Scott Buening
Director of Human Resources	Wendy Bednarek
Director of Information Services	Howard Chason
Assistant City Administrator	Anthony Isom

4. REMINDER: Please speak into the microphone for BATV recording

Mayor Schielke explained the unique format for the meeting and noted the historic significance of the gathering. Howard Chason offer an explanation for how the public can participate in the meeting.

5. ITEMS REMOVED/ADDED/CHANGED

None.

6. CONSENT AGENDA

Ald. Chanzit read the Consent Agenda as follows.

Accept and Place on File:

A. Committee of the Whole Minutes February 25, 2020

Approvals:

B. March 20, 2020 Payroll \$866,113.57 and April 3rd Payroll for \$884,115.03

C. Accounts Payable Check Register \$4,765,257.95

D. City Council Minutes for March 2, 2020, March 16, 2020 and March 16, 2020 Emergency Meeting

E. **RESOLUTION 20-047-R:** Requesting a permit from IDOT for closure of various roadways for 2020 Farmer's Market special event (GH 3/9/20 COW 3/24/20 14/0) CS

F. **RESOLUTION 20-048-R:** Requesting a permit from IDOT for closure of Route 31 for 2020 July 4th Fireworks Display special event (GH 3/9/20 COW 3/24/20 14/0) CS

G. **RESOLUTION 20-049-R:** Requesting a permit from IDOT for closure of various roadways for 2020 Batavia Dinner Table special event (GH 3/9/20 COW 3/24/20 14/0) CS

H. **RESOLUTION 20-050-R:** Requesting a permit from IDOT for closure of various roadways for 2020 Downtown Batavia Block Party & Classic Car Show special event (GH 3/9/20 COW 3/24/20 14/0) CS

I. **RESOLUTION 20-051-R:** Requesting a permit from IDOT for closure of various roadways for 2020 BHS Homecoming Parade special event (GH 3/9/20 COW 3/24/20 14/0) CS

J. **RESOLUTION 20-052-R:** Requesting a permit from IDOT for closure of various roadways for Oktoberfest special event (GH 3/9/20 COW 3/24/20 14/0) CS

K. **RESOLUTION 20-053-R:** Authorization to Purchase Truck Equipment in the amount of \$115,040.00 from Henderson Products, Inc. (SH 3/19/20 COW 3/24/20 14/0) CS

L. **RESOLUTION 20-054-R:** Authorize the Draw on Letters of Credit for Property at 1780 Hubbard Avenue (SB 3/19/20 COW 3/24/20 14/0) CD

M. **ORDINANCE 20-24:** Amending the City of Batavia Zoning Code, Title 10 of the City Code Related to Sign Regulations (DMR 3/11/20 COW 3/24/20 14/0) CD

N. **ORDINANCE 20-28:** Amending 2020 Payment for ESDA Volunteer Members (WB 3/24/20 COW 3/24/20 14/0) CS

Motion by Ald. Chanzit, seconded by Ald. Knopp, to approve the Consent Agenda as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

7. MATTERS FROM THE PUBLIC: (For Items NOT On The Agenda)

Anthony Isom confirmed that no one from the public indicated a desire to speak.

8. CHAMBER OF COMMERCE

Margaret Perreault, executive director, explained that Chamber staff is still working, but working remotely due to the pandemic. They are working with area Chambers and legislators to advocate for local businesses and keeping members updated on government guidelines and assistance. They also hosted a virtual program to explain what relief plans are available for businesses due to COVID-19.

Upcoming events:

April 7, 2-3 pm: Webinar on COVID and small business relief

April 7, 9, 14, 16, 3-4:15 pm: Virtual meetings, Leading Through Crisis

April 8, 8-9 am: Breakfast club/virtual networking

April 8, 10-10:45 am: Daily Herald marketing webinar

April 8, 1:30-3 pm: Department of Commerce and Illinois Chamber of Commerce webinar on small business assistance programs

April 15, 11 am: Managing a Remote Workforce

April 15, 1-2 pm: Navigating Small Business Ownership Through COVID-19

May 6: Not-for-Profit organization gathering at City Hall

August 28: Golf outing

More information on events can be found at bataviachamber.org or on the Chamber Facebook page. You can also call 630.879.7134 or email margaret@bataviachamber.org.

Chambers across the state are promoting local shopping April 11-15: People are being encouraged to buy gift cards, write positive reviews online and find other virtual ways to support local businesses. People ordering out food are encouraged to tip generously to help support restaurant employees.

The Chamber scholarships deadline has been extended. Scholarships are \$750 and available to Batavia High School seniors.

Administrator Newman thanked Ms. Perreault and noted that the Chamber has been an excellent partner helping support the city and local businesses in response to the pandemic.

9. ORDINANCE 20-29: Declaring A State Of Disaster That Extends The Length Of The Illinois Gubernatorial Declared State Of Emergency And Extending The Mayor's Emergency Powers For The Same Period (LN 4/03/20)

Administrator Newman introduced the item related to the state's disaster declaration and the extension of the Mayor's emergency powers granted at the previous City Council meeting. This item ties the emergency powers to the end of the State of Emergency, currently April 30, but would be extended if the State of Emergency is extended.

Ald. Uher asked if the Mayor's actions taken under emergency powers must be approved at the next City Council meeting or if they automatically become permanent. Administrator Newman noted that so far, the actions taken will all expire with the State of Emergency expires. Mayor Schielke added that he doesn't expect any of the actions to extend.

Atty. Seckel explained that any actions taken under this Ordinance can be considered or reversed at the next City Council meeting if desired.

Ald. Chanzit said he appreciates the actions the Mayor has taken to date. He said he trusts the Mayor and appreciates the state's orders encouraging people to stay home.

Mayor Schielke said the only action he took was to not allow the Batavia Fire Department to approve any more controlled burns until the stay-at-home order is lifted, out of consideration for people with respiratory issues who may be stuck at home and negatively affected by smoke in the area.

Ald. Callahan asked if the Mayor's emergency powers actions aren't voted on at the next City Council meeting, does that imply consent, or do the actions need to be affirmed in order to remain in place. Atty. Seckel said if the City Council takes no action, consent is implied. Ald. Uher suggested that such consent should be added as a line item to upcoming agendas to prompt discussion and voting at each meeting. The aldermen decided to vote on the Executive Orders signed by the Mayor under his emergency powers.

EXECUTIVE ORDER 20-02 Banning Controlled Burns

Motion by Ald. Chanzit, seconded by Ald. Callahan, to approve the Executive Order as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

EXECUTIVE ORDER 20-01 Permitting Alcohol Delivery

Ald. Wolff reminded residents that transporting open containers of alcohol is still illegal. Ald. Callahan noted this order was well received by the public and business owners.

Motion by Ald. Callahan, seconded by Ald. McFadden, to approve the Executive Order as presented. Motion carried 13 yea/ 0 nay/ 0 absent. Ald. Beck did not vote.

EXECUTIVE ORDER 20-03 Public Opening of Bids May Be Suspended and Opened Electronically

Motion by Ald. Uher, seconded by Ald. Callahan, to approve the Executive Order as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

Motion by Ald. Knopp, seconded by Ald. Callahan, to approve Ordinance 20-29 as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

10. RESOLUTION 20-055-R: Initiating The Submission Of A Public Referenda Question On Whether The City Of Batavia Should Allow The Sale Of Recreational Adult Use Cannabis Within Its Jurisdiction (LN 4/03/20)

Administrator Newman noted this item was discussed at the Committee of the Whole and it was decided to put language on the November ballot for a referendum on the sale of cannabis. The language was developed with the city attorney based on research of what was used in other municipalities. According to the city attorney, the item is not able to be binding per state law, so, it will only be advisory. Staff recommends approval.

Ald. Chanzit experienced audio problems and was not able to vote for the rest of the meeting.

Motion by Ald. Wolff, seconded by Ald. McFadden, to approve the Resolution as presented. Motion carried 13 yea/ 0 nay/ 0 absent.

11. RESOLUTION 20-057-R: Approve Task Order #7 For Siemens Northeast Distribution

Ald. Meitzler introduced the item related to a substation. This is a budgeted item, and work is expected to wrap up in April.

Ald. Cerone's audio did not allow him to register a vote.

Motion by Ald. Meitzler, seconded by Ald. McFadden, to approve the Resolution as presented. Motion carried 12 yea/ 0 nay/ 0 absent.

12. ADMINISTRATOR'S REPORT

Administrator Newman noted the city has responded in a big way to COVID-19. City workforce has been addressed to ensure the city can continue to function if staff begins to get sick. Permit applications are being accepted but permits are not being issued for projects that can't be inspected while respecting social distancing (indoor projects). Staff is trying to maintain the level of service to residents.

It's impossible to predict the pandemic's financial impact on the city. A delay in tax revenue from the state will affect city cash flow. Department heads are reviewing 2020 expenditures to see what can be cancelled or delayed until next year.

The Community Care program is up and running. The program will help seniors and others in need with errands and shopping as needed. For larger needs, residents can call 211. To line up Community Care services, call 630.454.CARE or email communitycare@cityofbatavia.net. You can also call or email to volunteer. United Way and RSVP are supplying volunteers.

Additional news:

- A prospective purchaser of 1260 Kingsland has emerged. It is a manufacturing facility looking to relocate and expand.
- The former Sam's Club has been sold. The new owner is unknown.
- Main Street work continues.

- In Engineering, the use of electronic bid platforms is being researched.
- Jeremy Barkei in the Water Department has prepared a public service message to remind people not to flush anything but toilet paper

Ald. Callahan commended employees who came up with the Community Cares program. City employees Rhonda Klesz and John Dillon, and recent retiree Greg Hodge have all be instrumental in getting the program started.

13. COMMITTEE REPORTS

Ald. Wolff reminded residents to properly dispose of gloves and masks in the garbage and not in streets or parking lots.

14. OTHER BUSINESS

Ald. Callahan said, in line with the ban on controlled burns, residents should be aware of their neighbors with respiratory concerns when using fire pits or BBQs in their yard. COVID-19 has people very nervous and everyone wants to avoid a possible trip to the hospital.

15. MAYOR'S REPORT

Mayor Schielke noted that 211 is available for residents, including anyone who has questions about COVID-19. This is a valuable service to the community.

Taking Care of our Caretakers is an initiative to buy food from local restaurants and deliver it to front-line workers during the pandemic. This is Batavia helping Batavia, and the Mayor said he's very proud of the effort from private citizens.

The pandemic is causing a major backup of life, with schools and parks closed. It has had a great impact on the business community, and some businesses may not be able to reopen.

This year is the 70th anniversary of the Batavia July 4 Fireworks. The committee is working on fundraising, but their efforts have hit a wall due to the pandemic. No tax dollars have ever been used to fund the event.

The Flag Day Committee continues to work on the June 14 program. The Mayor shared that he hopes to see traditions like this continue when COVID is behind us.

16. ADJOURNMENT

Motion by Ald. Russotto, seconded by Ald. Malay, to adjourn. Motion carried by voice vote. The meeting adjourned at 8:40 p.m.

Minutes prepared and submitted by Ellen Posledni, City Clerk, April 16, 2020.