

**MINUTES**  
**June 23, 2020**  
**Committee of the Whole**  
**City of Batavia**  
**REMOTE MEETING**

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 remote meeting to order at 7:00pm.

**1. Roll Call**

**Members Present:** Chair Wolff; Ald. Miller, Russotto, Beck, Knopp, Chanzit, Baerren, O'Brien, Callahan, Meitzler, Malay, Uher, Cerone and McFadden (entered the meeting at 7:04pm)

**Members Absent:** Aldermen Knopp and Malay

**Also Present:** Mayor Schielke; Laura Newman, City Administrator; Gary Holm, Director of Public Works; Howard Chason, Director of Information Systems; Scott Buening, Director of Community Development; Joel Strassman, Planning and Zoning Officer; and Jennifer Austin-Smith, Recording Secretary

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

**3. Approve Minutes for June 2, 2020 and June 9, 2020**

**Motion:** To approve the minutes for June 2, 2020 and June 9, 2020

**Maker:** Wolff

**Second:** Cerone

**Roll Call Vote:** **Aye:** Wolff, O'Brien, Callahan, Meitzler, Uher, Cerone, Miller, Russotto, Beck, Chanzit, Baerren

**Nay:** None

11-0 Vote, 3 Absent, Motion carried.

\*Alderman McFadden entered the meeting at 7:04pm

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

There were no items to be removed, added or changed.

**5. Matters From the Public (For Items NOT on the Agenda)**

There were no matters from the public for items not on the agenda.

**6. Ordinance 20-39: Amendment to the Official Zoning map to the GI General Industrial District 1501 North Kirk Road, City of Batavia, applicant (JLS 6/16/20) CD**

Callahan overviewed the memo. Strassman reported on the Plan Commission (PC) meeting. He stated that no members of the public spoke at the Public Hearing. The PC approved the findings. The property owner did request as part of getting his consent for the City to seek this rezoning was that if this particular manufacturer ends up not building on this property the property owner would like this property to go back to the General Commercial (GC) District that it is now. Staff included that in the provision in the ordinance itself, section 3 of the ordinance. Staff is giving this change approximately two years so if entitlements have not been secured with this particular manufacturer by July 6, 2022 the rezoning would automatically go away and revert back to the GC District. Callahan asked if there were any questions from members of the public and there were none.

**Motion:** To recommend approval of Ordinance 20-39: Amendment to the Official Zoning Map to the GI General Industrial District 1501 North Kirk Road, City of Batavia, applicant

**Maker:** Callahan

**Second:** Meitzler

**Roll Call Vote:** **Aye:** Callahan, Meitzler, Uher, Cerone, Miller, Russotto, Beck, Chanzit, Baerren, Wolff, O'Brien, McFadden

**Nay:** None

12-0 Vote, 2 Absent, Motion carried.

CONSENT AGENDA

**7. Ordinance 20-40: Rescinding Ordinance 19-06 to Authorize the Execution of an Annexation Agreement for Annexation and Development of the Winding Creek Subdivision Property, 2500 and 37W330 McKee Street, MI Homes of Chicago, L.L.C., applicant (JLS 6/16/20) CD**

Callahan overviewed the memo. Back in March of 2019, Council approved Ordinance 19-06 containing the annexation agreement. The owner of the parcel and MI Homes of Chicago, L.L.C. were not able to come to a sale and they have withdrawn from this development. Strassman explained that it is best practice to remove this positive action by the City Council to execute an annexation agreement. We would not want any previous approvals encumbering the property. We do intend on sharing with any future developer all of the work that we have gone through and encourage development that would be reflective of what this development was supposed to be. Strassman continued that the changes to the Comprehensive Plan is being left in place so that would be additional information to developers what we are looking for on this property. Callahan asked if there were any questions from members of the public. There were none.

**Motion:** To recommend approval of Ordinance 20-40: Rescinding Ordinance 19-06 to Authorize the Execution of an Annexation Agreement for Annexation and Development of the Winding Creek Subdivision Property, 2500 and 37W330 McKee Street, MI Homes of Chicago, L.L.C., applicant

**Maker:** Callahan

**Second:** Uher

**Roll Call Vote:** **Aye:** Callahan, Meitzler, Uher, Cerone, Miller, Russotto, Beck, Chanzit, Baerren, Wolff, O'Brien, McFadden

**Nay:** None

12-0 Vote, 2 Absent, Motion carried.  
CONSENT AGENDA

**8. Discussion: Location of Northern Border of N. River St. Road Closure (LN) CS**

Newman gave the history of closing the road for outdoor dining due to COVID-19 safety requirements. Newman stated that the intersection of Wilson Street and River Street is considered a part of Illinois State Route 25 and it required the City of Batavia to get a permit from IDOT in order to be able to fully close that intersection. Our permit runs immediately and through the end of November so we are able to close that intersection. It is at the discretion of the City of Batavia what the northern boundary of that closure would be. Initially we have recommended the south end of the intersection of State Street and North River Street that would allow passage of vehicles but at the COW meeting on May 26<sup>th</sup> it was decided to close all of the brick area and we could back that away if need be. The following City Council meeting of June 1<sup>st</sup> there was a local business owner who requested that until we obtain the IDOT permit that we would maintain the closure at the south end of the State Street intersection with North River Street and Council granted that request. IDOT approved our permit application much quicker than expected so we were then able to fulfill closing that intersection this morning at 8am. Newman apologized that this came as a shock to people in the area. She anticipated that the City would provide more advanced notice and the lack of communication was a shortfall in this process.

The Committee discussed ensuring access for business needs, outdoor dining, parking garage utilization, how the barricade could be moved for deliveries, and adding more picnic tables to that area.

Chair Wolff welcomed comments from the public.

Craig Foltos, 7 East Wilson Street, stated that he has been at his location for forty-four years and his father owned it before him. Foltos stated that he is not in favor of closing the lower level of the parking deck to just private parking. It sends a real bad message. A lot of his clients are in their seventies and eighties and they prefer convenient parking. He asked that the City keep the lower level of the parking garage open for anyone who wants to park there. Everyone needs to pitch in and work together to make this better. He is all about doing what we can to make this a better town and support the local restaurants. Monday through Wednesday it is pretty empty in the area. Foltos stated that he would like to know that the City Council would address this in October or November so that this just does not go by the wayside and is a done deal. He thanked the Committee and City staff for all of the hard work they are doing during this time.

Newman stated that there are five business buildings who have been granted parking spaces to replace parking spaces that existed in the lower parking lot associated with the Harris buildings.

Sherry Wilcox, Batavia MainStreet, stated that there are restaurants (River's Edge and Oak and Swine) that have been utilizing the outdoor dining tables with either an online order or call in order. River's Edge you call and tell them what table you are at and they bring the order out to you. Some of the businesses have started using creative means to utilize those tables as more than your standard carryout. Several have mentioned but we need to be agile with this when it

comes to some of the individualized needs of our local businesses. One business is not more important than the other. Wilcox stated that she supports outdoor dining on River Street. The more people that we bring to the area all the businesses will benefit from. She suggested that we could work with businesses to make allowances so that people can be dropped off or ensure accommodations for their particular business is made. Our goal at MainStreet, and the City's as well, is to keep as many of these businesses still in their spots come fall and come next year. Dining has taken a huge hit and MainStreet supports anything we can to put people on the streets, on River Street, dining at our restaurants and frequenting our businesses.

The Committee discussed communication with the local businesses, such as sending out an email to all local businesses to notify them of any changes. Newman stated that this is a good justification for business registration because no list exists here in the City with business owners and their email addresses. That is another reason why we are looking forward to getting that type of system to make communication abundantly easier. Sherry Wilcox offered to distribute any informational brochure the City Council and City staff would like to share with local business owners.

The consensus of the Committee was to move the closure of River Street south to allow State Street to be open onto River Street. Access could be worked out with individual business owners. River Street will remain closed during the week to monitor how much it is utilized for outdoor dining.

Newman recommended monitoring how many additional tables are needed based on how many are used during high volume times over the next two weeks. It is possible that the South Water Street area may have tables that could be moved over to North River Street. Callahan suggested providing shade for the tables that are out there too because it will be July soon. Newman stated that umbrellas could be a safety concern due to weather conditions. We need to make sure there is a safe umbrella that would not take flight.

## **9. Project Status**

Newman reported on the following:

- The Batavia Chamber of Commerce is hosting a virtual Town Hall Meeting on Friday June 26<sup>th</sup> at 9am. They have invited the City to be the presenter to the audience of local businesses. What will be discussed are things pertinent to Batavia businesses as we move forward into Phase 4 but also will be a great opportunity to share information about outdoor dining.
- We are having an Annual Tax Increment Financing (TIF) Joint Review Board Meeting on Wednesday, June 24 at 10am. We have this meeting every year to share with the other taxing bodies what the performance has been with all of our different TIF districts. We do not anticipate there will be any discussion on the proposed TIF 6 at this meeting. This is just an annual meeting to talk about the existing TIFs.
- The Historic Preservation Committee reviewed the One Washington Place revised building elevations at their meeting yesterday evening and they approved that unanimously.

- We have granted eleven small businesses the COVID-19 small business grants that provide them with the opportunity to order items such as hand sanitizer, safety supplies, and outdoor seating areas. The City is accepting another round of applications. We are accepting applications now and we will accept them through close of business on July 1<sup>st</sup>. Information on this grant is located on the websites of City of Batavia, Batavia MainStreet, Chamber of Commerce and social media.
- In Public Works we have a virtual public education presentation for Mahoney Creek that will be broadcast on Tuesday, July 14<sup>th</sup> at 5:30pm. The public will be able to ask questions. The broadcast will be recorded for playback on YouTube via a link on the City's webpage. We are anticipating the final study report for Mahoney Creek will be presented to the City Council in August.
- Carriage Crest is experiencing significant flooding issues. We have the final study report for that area that will be presented to the COW at our July 14<sup>th</sup> meeting.
- The Main Street project is slightly behind schedule but Prairie Street in Ward 1 and Area 3 projects are all currently on schedule.

## **10. Other**

Meitzler stated there are a number of residents that want to make sure that issues are brought up and addressed as part of the Carriage Crest study. The residents are looking for any short-term relief that they might be able to get. Chanzit stated that there are quite a few families who are interested in seeing a report. He asked that an approved copy of the report be distributed at some point in the future.

Mayor Schielke reported the City just purchased 916 Park Street immediately south of the East Side Cemetery. Several members of the Council have indicated that they would like to take a look at that property, which is about to be demolished. He and staff will come up with some dates for a walk through. Mayor Schielke stated all those interested in taking a tour to contact him or the City Administrator. This is a piece of property that the City has been dealing with for a number of years. Buening stated he would caution the number of people that are in the building at one time. It is a confined space, in poor condition, and those with a weak stomach should not go on the tour. He explained that with the warmer weather it has become much more pungent.

Chair Wolff announced he would not be in attendance next Tuesday night on June 30<sup>th</sup>. Mike O'Brien will head the meeting.

Chanzit stated that the Council got an email today from a Batavia resident who requested that the City fly an inclusive Pride flag during the month of June to mark the event. The consensus of the Committee was in support of this. Chair Wolff suggested that staff contact the local business Flag Source to either donate a flag to the City or for purchase.

Callahan shared there was a webinar on Strong Towns regarding other communities and the programs they have going on. Most notably the program from Fort Smith, Arkansas (64.6) has a lot of great ideas. There will be a follow up this Thursday on the Strong Towns webinar information.

### **11. Adjournment**

There being no other business to discuss, Chair Wolff asked for a motion to adjourn the meeting at 8:15pm; Made by O'Brien; Seconded by Beck. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith, Recording Secretary, on June 26, 2020.