

MINUTES
August 7, 2018
Committee of the Whole
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 Brown called the meeting to order at 7:00pm.

1. Roll Call

Members Present: Chair Brown; Ald. Russotto, Atac (entered at 7:04pm), Stark, Chanzit (entered at 7:36pm), Wolff, Callahan, Meitzler, Malay (entered at 7:44pm), Uher, and Cerone

Members Absent: Aldermen Salvati, O'Brien, and McFadden

Also Present: Laura Newman, City Administrator; Gary Holm, Director of Public Works; Peggy Colby, Director of Finance; Wendy Bednarek, Director of Human Resources; Howard Chason, Director of Information Systems; Jeff Albertson, Building Commissioner; Anthony Isom, Administrative Assistant to the City Administrator; and Jennifer Austin-Smith, Recording Secretary

2. Items to be Removed/Added/Changed

Newman requested that an Executive Session for ongoing litigation be added to the agenda.

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

Joe Knopp, 511 Ozier, thanked the City Council for the work that they do. He stated that there are a lot of negative comments on Facebook as well as one thousand people who want to change the way things are done in the City but noted that no one else is in attendance tonight.

4. Discussion: Community Development Workload (Laura Newman) CD

Newman reported that the hiring of three budgeted staff positions was postponed due to the closure of Sam's Club and its unknown financial impact on the City. She stated that it would be a mistake to delay any further with hiring someone in Community Development. Newman continued that the City has numerous big projects going on right now and some that are anticipated. She explained that it is important to provide the level of service that developers expect us to provide. Some notable projects are as follows: Windmill Manor, Windmill Landings, Prairie Commons development, One Washington Place, and a proposed 200 single family home development behind the former Sam's Club property. Newman requested that the Committee of the Whole (COW) approve staff to move forward with filling the Community Development position. The Committee discussed the current workload of Community Development, salary of the position, how the City's numbers are looking good at the present moment to support this position, and how this position would be beneficial to the City as a whole. The COW was in support of staff moving forward with this position.

5. Presentation: Mid Year Reports – Finance, Information Services and Human Resources (Peggy Colby, Howard Chason, Wendy Bednarek) GS

Howard Chason presented on Information Services and the major areas that they service. Wendy Bednarek presented on the Human Resources 2018 Goals and projects. Peggy Colby presented on the City of Batavia budget including the breakdown of the tax dollar, City taxes, General Fund and debt.

Colby's presentation considered the possibility of the removal of the City's Home Rule authority and the effect of such loss on the City. The presentation overviewed the following:

- Home Rule Sales Tax - \$1.9M loss of last tax increase
- Potential loss of other \$1.9M passed by Referendum but converted to a HR Tax when we became HR – research needed if we are able to revert to tax approved by referendum. Case law may allow us to retain if tax was designated/pledged but bonds were refunded in 2012 as General Obligation (GO) to lower interest costs so precedent may not apply.
- Gasoline Tax - \$850,000
- Liquor Tax - \$380,000
- Natural Gas Use Tax would revert to Municipal Utility Tax - \$140,000
- Video Gaming per machine fees limited (minor impact)
- Loss of revenues would require major cuts in spending
 - Loss of 12-19% of GF revenues \$3.3M
- Would be able to put referendum for NHR Sales Tax on future ballot
 - If passed still on full year lost revenue 1.9M-3.8M (IDOR timing)
- Could impose a Places for Eating Tax, Vehicle Stickers
- Subject to Property Tax Cap
 - 9 Years of Levy as Home Rule - \$1.2M in increases
 - 9 Years of Levy under PTELL limited to about \$1.1M in increases
 - 9 Years of Levy prior to Home Rule - \$2.4M in increases

Colby explained to the COW how the City uses the Home Rule standing to save the City money. Meitzler asked for a ballpark figure of what the City has already saved through the Home Rule standing. Colby will get that information to the Committee. Malay commented that the fact of the matter is if we lose Home Rule our property taxes will be going up. Chanzit announced that he and Uher would be doing a Town Hall meeting at The Holmstad. Chanzit encouraged everyone to talk to the constituents about Home Rule and what it does for the City.

Newman stated that, due to the present consideration of Home Rule, staff would be redirecting their resources from creating the action plan of the Strategic Plan towards informational sessions regarding Home Rule. The consensus of the Committee was in support of staff focusing on Home Rule talking points for the constituents at the current time. Meitzler asked that staff keep track of the time and materials being spent on this Home Rule discussion to have the figure in the near future. The COW commended Colby on the greatly informational PowerPoint presentation.

6. Project Status

Newman reported on the following:

- Staff will be working on talking points for constituents to communicate the impact of the loss of Home Rule on the community.
- She will continue to provide support to the Community Development Department in speaking to developers of projects that have fallen behind.
- The Slow down Batavia initiative has already had 100 signs picked up from City Hall.

7. Other

Uher asked for the status of One Washington. Holm stated that staff is working with the environmental consultant regarding where the contaminated soils would go, updating the quantity of contaminated soil, and are working on an agreement regarding environmental matters.

Uher asked if South Batavia Avenue would be getting a final surface. Holm stated that South Batavia Avenue would be getting a final surface and the street is still being worked on.

8. Executive Session: For Ongoing Litigation

Motion: To enter into Executive Session for ongoing litigation
Maker: Stark
Second: Uher
Voice Vote: 11 Ayes, 0 Nays, 3 Absent
Motion carried.

The COW entered Executive Session at 9:19pm and exited at 9:30pm.

9. Adjournment

There being no other business to discuss, Chair Brown asked for a motion to adjourn the meeting at 9:30pm; Made by Chanzit; Seconded by Uher. Motion carried.