

CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL
October 7, 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 the Mayor Pro Tempore Alan Wolff at 7:32 p.m.

2. INVOCATION followed by PLEDGE OF ALLEGIANCE

Mayor Pro Tem Wolff offered a brief invocation. Ald. Meitzler led the Pledge of Allegiance.

3. ROLL CALL

13 of 14 aldermen were present.

Aldermen (by ward): Michael O'Brien (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. Scott Salvati (1) 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
Community Development Director	Scott Buening
Human Resources Director	Wendy Bednarek
Finance Director	Peggy Colby
Public Works Director	Gary Holm

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

Mayor Pro Tem Wolff reminded all in attendance to use the microphones.

5. ITEMS REMOVED/ADDED/CHANGED

None.

6. CONSENT AGENDA

Ald. Chanzit read the Consent Agenda as follows:

Accept and Place on File:

- A. Plan Commission Minutes for July 17, 2019
- B. Committee of the Whole Minutes for August 20, 2019 and August 27, 2019
- C. Building Reports August 2019

Approvals:

- D. September 20, 2019 Payroll \$856,581.56 and October 4, 2019 Payroll \$924,883.30
- E. Accounts Payable Check Register \$6,265,262.03
- F. City Council Minutes for September 16, 2019
- G. **APPROVAL:** 2020 Calendar
- H. **APPROVAL:** Committee of the Whole Executive Session Minutes for August 6, 2019
- I. **ORDINANCE 19-65:** Amending 2020 Wages and Salaries of Non Collective Bargaining Employees (WB 10/01/19 COW 10/01/19 13/0) GS
- J. **RESOLUTION 19-107-R:** Authorizing Rays Electric Service to install underground conduit through directional boring from new northeast distribution substation to existing electrical infrastructures on Hubbard Avenue for an amount not to exceed \$30,888 which includes 10% contingency amount (RB 9/20/19 COW 9/24/19 14/0) PU
- K. **RESOLUTION 19-108-R:** Award contract for the First St. Diversion Structure Rehabilitation and Main St. Force-main Bypass Connection to Performance Construction and Engineering LLC in the amount of \$153,615.00 (JB 9/26/19 COW 10/01/19 13/0) PU
- L. **ORDINANCE 19-60:** Declaring Surplus Property (GPH 9/6/19 COW 9/24/19 14/0) PU
- M. **RESOLUTION 19-101-R:** Approving Task Order #12 for Power System Engineering (PSE) an amount not to exceed \$30,000 to design a Fiber/Communications building at the Paramount Substation (RB 9/6/2019 COW 9/24/19 14/0) PU

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

7. PUBLIC HEARING: 7:35 p.m. Amended and Restated Annexation Agreement For Property Located at 2500 and 37W330 McKee Street, Winding Creek Subdivision

The public hearing convened at 7:35 p.m. Director Buening noted that the agreement was still being worked out and an extension was requested until October 21.

Motion by Ald. Callahan, seconded by Ald. Chanzit, to continue the Public Hearing to October 21. Motion carried 13 yea/ 0 nay/ 1 absent.

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

None

9. CHAMBER OF COMMERCE

Chamber President and CEO Margaret Perreault reported on last week's Harvest Celebration that honored previous president Holly Deitchman and included a moving introduction from Mayor Schielke.

Upcoming events:

- October 8: Women in Business luncheon at the Paramount Theatre
- October 9: Breakfast Club networking at Comfort Inn & Suites in Geneva at 7:30 am
- October 10: Fall Into Business, 12-chamber event at Villa Olivia
- October 15: Ribbon-cutting for Ron Pryor, Edward Jones; Networking-It at Bar Evolution to raise funds for Anderson Animal Shelter
- October 17: Ribbon-cutting at Water Street Studios for Activate the Alley, 4:30 pm
- October 23: Educational seminar with Valley Industrial Assn., "Measuring Your Success in Marketing"
- November 7: Mayor's Breakfast at the Lincoln Inn, 7:30 am

Kasey Hogue from Six+Cypress discussed the store's move to 103 E. Wilson Street from 239 W. Wilson Street. They will be subleasing the West Wilson location, while the upstairs of East Wilson location is also available. The company opened June 2017 and has grown tremendously since then. Website is sixpluscypress.com, and the store is now open 7 days a week: Monday-Wednesday, 10-6; Thursday-Saturday, 10-7; and Sunday, 11-3.

10. ORDINANCE 19-62: Authorizing Execution of an Annexation Agreement for Property at 1S631 Deerpath Road (SCB 9/17/19 COW 9/24/19 14/0) CD

Ald. Callahan introduced the item related to annexation of property on the west side. He noted that this particular property, being a large rural plot, had some unique features that required that required some special agreements with the city. Director Buening noted that part of the land is in the flood plain and it includes a single family residence. The ability to burn on the property was one issue, and the city agreed to allow the burning to continue. Ald. Callahan asked if the neighbors were OK with this arrangement, and Director Buening said they are. Ald. O'Brien pointed out this includes a 20-year agreement for burning and a 20-year agreement for the tax base (zoned agricultural). He asked if the homeowners were pleased with the agreement, and Director Buening said they are. He noted that there were extensive back-and-forth discussions to make sure both sides were comfortable with the agreement. Ald. Meitzler asked if the access issues had been worked out, and Director Buening said they had.

Motion by Ald. Callahan, seconded by Ald. Meitzler, to approve the ordinance as presented. Motion carried 13 yea/ 0 nay/ 1 absent.

11. ORDINANCE 19-63: Annexing Property at 1S631 Deerpath Road (SCB 9/17/19 COW 9/24/19 14/0) CD

Ald. Callahan explained that this item is the physical annexation of the property.

Motion by Ald. Callahan, seconded by Ald. O'Brien, to approve the ordinance as presented. Motion carried 13 yea/ 0 nay/ 1 absent.

12. RESOLUTION 19-109-R: Authorizing reimbursement to Marconi Properties for an amount not-to-exceed \$24,658.00 for repairs and resurfacing of a municipal parking lot located behind the building at 18 E. Wilson Street (GH 9/27/19 COW 10/01/19 13/0) CS

Ald. Russotto introduced the item related to property behind 18 E. Wilson Street. The city owns part of the parking lot, and this money will cover the city's part of the cost to repair the lot. Ald. O'Brien said this is a good example of a public/private partnership and he hopes more businesses will be willing to work with the city of projects like this. Ald. Callahan noted the project will be covered by TIF funds. Ald. Uher asked if any adjacent property owners agreed to join in on the project. They have not.

**Motion by Ald. Chanzit, seconded by Ald. Uher, to approve the resolution as presented.
Motion carried 13 yea/ 0 nay/ 1 absent.**

13. RESOLUTION 19-105-R: Approval of the 2019 Wage Reopener for the Agreement Between the City of Batavia and the Teamsters Local #673 for January 1, 2018 - December 31, 2020 (WB)

Director Bednarek introduced the item related to a contract with the teamsters. The current contract had a wage reopener for 2019. This agreement includes a COLA increase of 2.75% retroactive to January 2019.

**Motion by Ald. Chanzit, seconded by Ald. O'Brien, to approve the resolution as presented.
Motion carried 13 yea/ 0 nay/ 1 absent.**

14. RESOLUTION 19-106-R: Approval of the 2019-2021 Agreement Between the City of Batavia and the IBEW Local #196 Streets (WB)

Director Bednarek introduced the item related to an agreement with the IBEW Local 196 Streets division. The previous contract expired December 31, 2018. This is a three-year contract with small updates to health insurance, hours and overtime list. Wage increases are 2.75% retroactive to January 2019, 2.5% for 2020, and 2.5% for 2021.

Ald. O'Brien thanked Director Bednarek for doing such a fine job with all of these contract negotiations. He added that it is positive for all involved that the unions and the city work so well together. Ald. Malay agreed, adding that negotiations are exhausting, and this is a job well done.

**Motion by Ald. Chanzit, seconded by Ald. Malay, to approve the resolution as presented.
Motion carried 13 yea/ 0 nay/ 1 absent.**

15. ORDINANCE 19-64: AN ORDINANCE providing for the issuance of not to exceed \$4,100,000 General Obligation Refunding Bonds, Series 2019, of the City of Batavia, Kane and DuPage Counties, Illinois, for the purpose of refunding certain outstanding bonds of said City, providing for the levy and collection of a direct annual tax sufficient to pay the principal and interest on said bonds, authorizing and directing the execution of an escrow agreement in connection with the issue of said bonds, and authorizing the sale of said bonds to the purchaser thereof. (PLC 9/26/19 COW 10/01/19 13/0) GS

Ald. Chanzit noted that Director Colby has been working on refunding of Fire Station bonds since refinancing, which will likely save the city \$100,000. Mayor Pro Tem Wolff thanked Director Colby for her excellent work over the years that has saved the city a lot of money.

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

16. ORDINANCE 19-66: AN ORDINANCE authorizing and providing for the issue of not to exceed \$2,350,000 Sewerage Revenue Bonds (IEPA) of the City of Batavia, Kane and DuPage Counties, Illinois, for the purposes of paying the costs of the necessary improvements to the Sewerage System of said City, prescribing all the details of said bonds and providing for the collection, segregation and distribution of the revenues of said System for the payment of said bonds. (PLC 10/1/2019) GS

Ald. Chanzit noted the bonds will be issued for the sewer separation project in Area 3 for 2019-2020.

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

17. ADMINISTRATOR'S REPORT

Administrator Newman offered an update on One Washington Place. She said city staff met with Dave Patzelt from Shodeen last week, and the project remains on target. The city is awaiting approval from IEPA for the soil remediation plans and awaiting construction plans. The project is on track to break ground next spring.

Ald. Cerone asked if the financing is on track, and Administrator Newman shared that Shodeen has provided all information to the lender, and the lender is satisfied.

Ald. O'Brien asked if IEPA has given any indication that they will approve the city's plan. Administrator Newman said they have offered informal approval.

On October 11, the Active Transportation Alliance will visit Batavia and meet with several groups to walk the city. They will meet at 10 am at City Hall. The visit offers a good opportunity to share ideas.

On Wednesday, staff will meet with MainStreet staff regarding the River Street closures this fall on four Fridays. The first one is this Friday.

Last Friday, staff met with MainStreet regarding the pop-up shops downtown. They are collaborating with the BHS Trades program to build the units. The shops will be sited in the Art Stop parking lot at Wilson and Rt. 25, offering high visibility, accessible electricity and parking.

Oak + Swine is nearly ready to open. It's the third new restaurant downtown this year. Raising Cane's is planning an early December opening on Randall Road.

Leaf pickup begins October 21 on the east side and October 28 on the west side. From December 2-31, leaves can be placed in lawn bags and will be collected on garbage days without a sticker. The best alternative for leaf disposal is mulching.

Brush collection is the week of October 14 on the east side and October 21 on the west side.

On October 21, two new Batavia Police Officers will be sworn in.

There are no new updates to share on Legionnaire's disease outbreak. Tests take 11-14 days for results. There was one new case last week.

The Community Band has been practicing on Thursday nights. Administrator Newman asked if the Council wanted to change Council meetings to start at 7 pm. Several aldermen noted they would be late and did not support making that change.

Ald. Callahan shared his appreciation to Ald. Malay and Bob Hansen for getting the Building Trades program involved in the pop-up shops. He said excitement continues to build and appreciates how this program is becoming a uniquely Batavia community effort. Administrator Newman added that this is an exciting new business incubator for the city as well.

18. COMMITTEE REPORTS

None given.

19. OTHER BUSINESS

Ald. Meitzler extended well wishes to the Carlson family in St. Charles after their son's injury in a sophomore football game last weekend.

20. MAYOR'S REPORT

Mayor Pro Tem Wolff noted that last Friday was the third year in a row that Batavia High School football game has shut out Geneva. Losing this year's wager, Geneva's Mayor Burns has agreed to sing the BHS Fight Song.

21. ADJOURNMENT

Motion by Ald. O'Brien, seconded by Ald. Chanzit, to adjourn. Motion carried by voice vote. The meeting adjourned at 8:20 p.m.

Minutes prepared and submitted by Ellen Posledni, City Clerk, October 15, 2019.