

CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL
November 20, 2017, 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 7:32 p.m.

2. INVOCATION followed by PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

12 of 14 aldermen were present.

Aldermen (by ward): Scott Salvati (1), Michael O'Brien (1), Martin Callahan (2), Dan Chanzit (3), Elliot Meitzler (3), Anthony Malay (4), Lucy Thelin Atac (5), Mark Uher (5), Michael Russotto (6), Nicholas Cerone (6) and David Brown (7) were present. Susan Stark (4) was present via telephone. Alan Wolff (2) and Drew McFadden (7) were absent for roll call and joined the meeting late.

Also present were BATV and members of the press, public and the following:

City Administrator	Laura Newman
City Clerk	Ellen Posledni
Fire Chief	Randy Deicke
Deputy Chief of Operations	Glenn Autenrieth
Administrative Assistant	Anthony Isom
City Attorneys	Roman Seckel
	Mark Schuster
Director of Community Development	Scott Buening
Building Commissioner	Jeff Albertson
City Engineer	Rahat Bari
Planner	Drew Rackow
Communications Coordinator	Chris Cudworth

Motion by Ald. Atac, seconded by Ald. Chanzit, to allow Ald. Stark to attend the meeting by telephone. Motion carried 12 yea / 0 nay / 2 absent.

4. ITEMS REMOVED/ADDED/CHANGED

None.

5. CONSENT AGENDA

Ald. Atac read the Consent Agenda as follows:

Accept and Place on File:

- A. Committee of the Whole Minutes for October 17, 2017
- B. October 2017 Building Report

Approvals:

- C. November 17, 2017 Payroll \$791,028.57
- D. Accounts Payable Check Register \$3,574,162.68
- E. City Council Minutes for November 6, 2017
- F. **RESOLUTION 17-111 -R:** Authorizing execution of Task Order #4 with Power Systems Engineering Group for Professional Engineering Services related to Highlands Electric Improvements for an amount not-to-exceed \$25,955.00 (Brian Bettin 10/23/17 COW 11/7/17 14/0) PU
- G. **RESOLUTION 17-123 -R:** Authorizing Task Order #5 with PSE for designing a new distribution substation at Northeast Substation for an amount not to exceed \$385,000 (Rahat Bari 11/2/17 COW 11/7/17 14/0) PU
- H. **RESOLUTION 17-122-R:** Authorization to Bind Insurance for Property, Liability and Workers Compensation (Peggy Colby 11/8/17 COW 11/14/17) GS
- I. **RESOLUTION 17-124-R:** Accepting a Plat Dedicating a Portion of Main Street (Evangelical Covenant Church 1314 Main Street)(Scott Buening 11/3/17 COW 11/14/17 14/0) CD
- J. **RESOLUTION 17-121-R:** Award of three-year contract for Water Distribution System Leak Detection to Consulting Engineering Inc. for an amount not to exceed \$71,250.00 over three years (\$23,750.00 annually) (Jeremy Barkei 11/08/17 14/0) PU

Ald. Wolff arrived at the meeting at 7:36 pm, prior to the vote on the Consent Agenda.

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

6. PRESENTATION: ACCESS Toy Drive—Rudy Dubis And Roy Bailey

Roy Bailey addressed the Council on behalf of the ACCESS Toy Drive. He thanked city staff and Council members for their donations, and said additional donations can be dropped off at several locations around town. Money or gift cards can be dropped off at the Batavia Police Station. He reiterated that the group's mission is not to help "poor" people, but people with needs. He said he recently found his mother Mildred's tablets on which she kept lists of families with needs that she was helping. Mildred and Ruth Johnson began working on the Toy Drive 55 years ago. He said when people ask how it's been sustained so long, he has three answers: 1. Did you know Mildred Bailey? 2. They always have strong support from the Mayor and the City Council. 3. Once a Batavian, always a Batavian.

The "shopping" date for this year is December 10 at the former Walgreens store on Wilson Street, and Mr. Bailey thanked Batavia Enterprises for once again donating use of the space. Mr. Bailey expects close to 300 families to benefit from the drive this year, and he encouraged the

Council to stop by the store a day or two before December 10 to see the space set up. The Toy Drive serves children ages 0 – 16.

Ald. Chanzit asked if there were particular needs this year. Mr. Bailey responded that he always keeps his fingers crossed and somehow it always works out. He said it is always tough to provide for the teenagers. Gift cards or checks made out to Batavia ACCESS Toys can be dropped off at the Batavia Police Department to help fill that need.

Ald. Brown thanked everyone who donated this evening. He wondered if Mr. Bailey might be willing to donate Mildred's notebooks to the Batavia Historical Society, but Mr. Bailey declined the invitation, saying the notebooks would be going to his children, who can decide what to do with them.

Mayor Schielke thanked Mr. Bailey for his dedication. He explained how people are invited to the event and noted that Batavia Police Officers are on hand to verify invitees and welcome them inside the building.

7. MAINSTREET MINUTE

Batavia MainStreet Director Jamie Saam said winners have been chosen for the 2018-2019 banner contest. Many people cast votes via social media and a committee chose the winners from Batavia High School, who will be invited to attend the next City Council meeting.

Oktoberfest was a huge success despite the rainy weather. The crowd was 47 percent larger than last year. Next year, the event may add a Sunday Family Day.

BatFest was also a big success despite the first snow of the season, and the crowds were similar in size to last year's event even though 2016 brought 60-degree weather that day. More than 75 downtown businesses participated in trick-or-treating, with businesses reaching out two months in advance to ensure they would be on the map this year. The map included businesses as far east as 7-Eleven and Dimples Donuts.

Two weeks ago, was the Christmas Collective with 30 – 35 local artisans. About 1,000 shoppers attended over the three-day event from as far as Wheaton, Naperville and South Elgin. The event was held at the Congregational Church, and vendors reported sales the same as or better than last year.

The Shop Small, Shop Local event will be held Saturday. Blue posters in about 20 local businesses alert shoppers that they are participating in a special raffle for donated items on display in the Special Occasions window. If a shopper spends at least \$20 at a business, the business will give him/her a raffle ticket to put in a box downtown by Stonehenge.

Downtown Santa will be at Limestone Café on December 2, at Beardsgaard Barbers on December 9 and at Underground Allegro on December 16. Crafts will be from 10 – noon, and Santa will arrive at 11 am for photos. These are free events.

Sponsorships are available for 2018 Batavia MainStreet events and downtown banners. Businesses should contact Batavia MainStreet.

Ms. Saam also introduced the Batavia Interfaith Food Pantry Reverse Advent Calendar. For December, items are listed to collect in a bag at home, and on or around Christmas, you can deliver to the Food Pantry. Calendars will be distributed at the Celebration of Lights, which will be held Sunday, November 26, at Peg Bond Center, City Hall and the Depot Museum from 4 – 7 pm. The event is a partnership among several Batavia organizations and includes Christmas carols, Christmas Tree Lane, lighting of the Batavia Christmas tree, story time at the Depot and other fun family activities.

Batavia MainStreet is also looking for volunteers for the 2018 season. Call 630.761.3528, go to downtownbatavia.com, or find them on Facebook or Instagram.

The Indoor Market is running 9 – noon on Saturdays during the winter at Gaetano's. Vendors are still accepting SNAP, but SNAP participants need to swipe their cards at the MainStreet office during the week to receive tokens.

On Saturday, January 6, 2018, Batavia will be celebrating the 60-year anniversary of the *Saturday Evening Post* magazine cover that featured Batavia's Depot Pond. "Post to Present: Celebrating 60 Years of Batavia" will feature ice skate rentals from Funway, which is accepting ice skate donations. Funway will clean up and sharpen the skates for freewill donation rentals that day. The Batavia Community Band will perform, and cider and hot dogs from Bernie's Bully Dogs will be available.

8. PRESENTATION: Batavia Kiwanis

Ms. Saam remained at the podium as the representative of Batavia Kiwanis. The group has been in Batavia since 1978, and Ms. Saam has been a member for 1-1/2 years. This year, with about 20 members, Batavia Kiwanis donated \$3,450 to local organizations supporting families and children in the tri-cities. The Batavia High School Key Club is the high school student arm of Kiwanis with about 150 students involved. Three Batavia grade schools also have a Kiwanis organization called K Kids, and Rotolo Middle School has the Kiwanis Builders' Club. The Batavia High School Key Club hosts the Mr. BHS pageant that raised about \$7,000 last year. The goal for this year is \$10,000 to help fund the Kiwanis Neuroscience Research Fund.

A new Kiwanis program is the Cash Prize Calendar, designed by Lighthouse Marketing. Each month features a photo from a local photographer, and the 2018 calendar features local events from the City of Batavia, Batavia MainStreet, the Batavia Chamber of Commerce, the Batavia School District and the Batavia Park District. Calendars are being sold for a \$50 tax-deductible donation, and winners are drawn each week with the chance to win \$25. Three draws are for \$100 and one draw is for \$150. Names stay in the drawing all year. Funds go back to school service clubs and scholarship funds for Key Club students. More than \$3,000 in scholarships are awarded annually to Batavia Key Club members. To purchase a calendar, you can contact Ms. Saam at Batavia MainStreet.

For those interested in joining, Kiwanis meets twice a month — at noon on the second Tuesdays at Andre’s and the third Wednesday at Pal Joey’s. Attendance isn’t required at all meetings. Meetings are an opportunity to receive updates about club events and activities. Annual membership is \$130, some of which is tax-deductible. Follow Kiwanis Club of Batavia on Facebook for more information.

Ald. McFadden joined the meeting at 8:08 pm.

Mayor Schielke explained to meeting attendees that the City Council likes to hear about active organizations and events in Batavia, and he predicted that the next City Council meeting will feature the Batavia High School football team to help celebrate their advancement to the state playoffs.

9. ORDINANCE 17-62: Amending The Text Of The Zoning Code For The GC General Commercial District, Gustavo A. Zuleta, Applicant (Joel Strassman 11/7/17 COW 11/14/17 14/0) CD

Ald. Brown introduced the ordinance that would allow Mr. Zuleta to open a tutorial service on Randall Road. At the Committee of the Whole meeting, there was discussion about the amount of non-retail space the City would be willing to allow on Randall Road considering it is where most of the city sales tax comes from. The current ordinance allows 25 percent maximum non-retail space. With the opening of this facility, there would still be only 8 percent non-retail space on Randall Road. The Council has asked staff to bring recommendations to the Council after the first of the year about lowering the allowable percentage of non-retail space. However, the Committee of the Whole was satisfied with this current request. The Plan Commission did hold a public hearing on the ordinance as well.

Motion by Ald. Brown, seconded by Ald. Chanzit, to approve the ordinance as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

10. ORDINANCE 17-63: Amending The Text Of The Zoning Code, 1485 Louis Bork Drive, Unit 116, Greg Coulouris On Behalf Of A&C Auto Sales And Service LLC, (Drew Rackow 11/8/17 COW 11/14/17 14/0) CD

Ald. Brown explained that Ordinance 17-63 and Ordinance 17-64 related to the same property and a request to operate a motor vehicle sales and leasing business. The ordinance would reduce the parking requirement that would normally be required for this type of business because the sales model is internet-based. A similar ordinance was recently passed for another business, and seven Batavia businesses have benefited from similar amendments to the zoning code with no complications. The business will benefit the city by providing sales tax from a property in an industrial area.

Motion by Ald. Brown, seconded by Ald. Chanzit, to approve the ordinance as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

11. ORDINANCE 17-64: Approving Conditional Use For A Motor Vehicle Sales And Leasing, New And Used- Internet Based Establishment, 1485 Louis Bork Drive, Unit 116, Greg Coulouris On Behalf Of A&C Auto Sales And Service LLC, (Drew Rackow 11/8/17 COW 11/14/17 14/0) CD

Greg Coulouris, who will own and operate A&C Auto Sales and Service LLC, addressed the Council. He offered personal background to demonstrate his belief in honesty and fairness, which he wants to bring to the internet car sales industry. Opening in Batavia will allow him to realize his dream. The business will be almost strictly internet-based sales, with a small showroom completely inside the building. He will see customers by appointment and offer reliable cars at the best possible prices. The company doesn't have a website yet, but they will soon be on social media and customers can also connect with him on LinkedIn. Marketing efforts will get off the ground in early 2018.

Motion by Ald. Brown, seconded by Ald. Chanzit, to approve the ordinance as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

Gustavo Zuleta, the beneficiary of Ordinance 17-62, was invited to speak. His company will be located in Windmill Place on Randall Road and provide tutoring support for children from kindergarten through high school, including general instructional services as well as ACT/SAT preparation.

12. RESOLUTION 17-128-R: Acknowledgement That City Will Fund/Sponsor Fox River Bike Path Construction If ITEP Funding Is Awarded (Rahat Bari 11/16/17)

Ald. Wolff introduced the item relating to the conceptual bike path realignment along the water treatment plant. The resolution states that the City will help fund the realignment if ITEP funding is granted. Mayor Schielke noted that the funding may not be provided, but if it is, the City would agree to cover at least 20 percent of the cost of the project. There is a lot of competition for this grant money, which is only offered every two years. If the project does not proceed now, the plans will still be ready when the funding is available. Batavia is one of the few towns with a bike path along both sides of the Fox River, and the City has become a popular destination for bicyclists. The project would re-run the bike path around the water treatment plant. This is a long-term goal of the community.

Mayor Schielke shared a story about Phil Elfstrom approaching the City to asked if it would be interested in buying the railroad running through Batavia to turn it into a bike trail, noting the city could use it for a utility right-of-way if needed. The City partnered with Kane County to purchase the land from Fabyan Parkway to Mooseheart Road. Many people were opposed to the plan, but it turned out to be a great decision for the City.

Ald. Callahan asked how much money was requested for the ITEP grant. Mayor Schielke said \$5 million. Ald. Wolff noted that there is a bank stabilization component to the project as well because of the rerouting of the path over the river.

Motion by Ald. Wolff, seconded by Ald. Salvati, to approve the resolution as presented. Motion carried 14 yea/ 0 nay/ 0 absent.

13. ORDINANCE 17-59: Amendment To The Zoning Map For A Planned Development Overlay District (Joel Strassman 11/16/17 COW 10/10/17 9/5) CD

Ald. Brown read a memo from staff to the members of City Council reviewing the events of the City Council meeting on November 6. The memo indicated that the protest filed prior to the November 6 meeting was deemed to be valid, thus a 2/3 majority of the City Council — 10 affirmative votes of the elected aldermen — would be required to pass Ordinance 17-59, while passage of Resolution 17-103-R only required a simple majority vote of the quorum. Staff recommended not passing Resolution 17-103-R if Ordinance 17-59 was not approved. Staff recommended passing Ordinance 17-59 and Resolution 17-103-R as presented, and further recommended that Ordinance 17-59 be voted upon first. In the event that the ordinance is not passed, staff recommended tabling consideration of Resolution 17-103-R. Ald. Brown added that this Ordinance did come out of the Committee of the Whole with a positive recommendation.

Mayor Schielke read a statement from Administrator Newman explaining that if the developer asked for the vote to be tabled, the application is still viable. Robert's Rules would require the Council to identify the next date and place for the application to be considered. The developer may keep the application in its current state, revise it or withdraw it from consideration. A revised application would need to be reviewed to see if it would require more modifications of the zoning code than those covered in the current ordinance. Even if the new plan does not require additional changes to the code, it would still need to go through the design review process with the Batavia Plan Commission and get a certification of approval from the Batavia Historical Preservation Commission. If there is no delay of the vote and the motion fails, the developer could still resubmit a plan with a new application.

Mayor Schielke added that because of the 2/3 vote requirement, the vote could not end in a tie and therefore he would not have a tiebreaking vote in the event of a tie. Attorney Schuster confirmed that.

David Block, Director of Development for Evergreen Real Estate Group, thanked the Council for the time, patience and thoughtfulness brought to this issue. The company recognizes the validity of the protest. Mr. Block recognized that 10 yes votes were required and that 10 aldermen were not likely to vote in favor this evening, so he asked for feedback about potential changes to the current plan. He noted that one of the biggest issues of concern they have heard against the proposal is about the units with only windows below the sill level and 10 feet of glass block above, and he shared slides showing a redesign that would reduce the number of units with this configuration.

Mr. Block explained that the reason this plan was not brought forward sooner is that the company believes in its original concept, and that because the project is subject to approval by four or five layers of government, including the Batavia City Council, Plan Commission, Historic Preservation Commission, Kane County, and state and federal governments, each change means going back through each of those agencies, a time- and labor-intensive process.

The new proposal reduces the number of units on the east face of the building. A change in windows would be made in the north and south wings, which are newer and less historic. The

west wing would add units to the first and second floors of the volleyball training facility without displacing the volleyball facility. The new plan reduces units with sub-sill or skylight-only windows from 23 to eight and includes the plan to request from the Park Service permission to convert sub-sill windows to operable windows at eye level.

Motion by Ald. Brown, seconded by Ald. Atac, to table the vote on Ordinance 17-59 until the February 6 Committee of the Whole meeting.

Administrator Newman asked if the vote could be tabled to Committee of the Whole, or if it needed to return to City Council. Attorney Schuster said it should come back to City Council.

Ald. Brown amended his original motion, seconded by Ald. Atac, to table the vote on Ordinance 17-59 until the February 5 City Council meeting.

Ald. Chanzit asked if there could be time for discussion before the vote. Attorney Schuster said it is not a debatable motion, and if the motion is on the floor, a vote is required.

Ald. Brown withdrew his motion in order to allow discussion.

Ald. Chanzit acknowledged that there would not be 10 yes votes this evening. He said he has been a consistent yes vote on the project, but the plan shared this evening is even better, and now he does not want to vote yes on the old plan because the new one is better. He wondered if, by tabling, the group is just postponing the inevitable defeat of the ordinance.

Ald. Wolff noted that five people are already against the ordinance and asked if any of those five people have changed their minds.

Ald. O'Brien indicated his desire to hold the vote now.

Ald. Uher said his main objections were traffic and parking, and he felt the new proposal would make those issues worse.

Ald. Callahan reminded Council members that the vote is on the modifications to the zoning code. Most of the modifications were acceptable, but a few of them are causing him to vote no. He is not voting for or against the project, but he disagrees with items 7 and 10 in the ordinance regarding the cell towers and the parking. He noted that the property is bound by state and county roads that would not allow for any overflow parking. He feels this is a safety issue. He said if the modifications weren't needed, this proposal is an allowable use of the facility. The developer doesn't have to ask for these modifications and therefore would not require a vote from the Council.

Ald. Meitzler noted that after 6.5 months and 200 hours of meetings, he is frustrated that a new plan is just now being revealed. He called for a vote tonight.

Ald. O'Brien said he is a no vote and always will be. He does not have an issue with Evergreen, but he does not believe this is the right place for this project. He doesn't believe that this type of

housing belongs on the outskirts of the community. He is an advocate for subsidized housing, but he wants residents to be integrated into the community, in neighborhoods and not in a building that looks like a jail with no access to the adjoining community.

Ald. Salvati said he is pro-development and does not want to put up barriers to invest in Batavia. This is one of the most controversial decisions he has been faced with since he has been on the Council. They have had extensive amounts of public input, statistics, and money invested. His concern is that only when Evergreen was faced with losing the vote did they bring a better proposal to the Council. He recognizes the need for affordable housing, but he does not believe this is the right thing in the right place. He has concerns about the intersection and the tax credits. He recognized that the building's uniqueness makes it difficult to accomplish development there, and he appreciates the creativity of the developer to try to make it work.

Ald. Atac believes that the intersection is finally on the state's radar as a dangerous intersection in need of attention. She pointed out that a thriving residential community is just across the street from this proposed development, so she doesn't understand why the intersection is a concern for this building. She said she is not sure if the new proposal is better or worse. She pointed out that Batavia sidewalks have been there, and the developer will put in additional sidewalks. She is not following the reasoning of some of the aldermen. She sees this development as a benefit to the town. Often people object to projects that turn out to be a good thing. She wondered if a six-month delay would help.

Ald. O'Brien asked what good a delay would do. Ald. Atac said it would give the aldermen more time to think about the project. She mentioned another new development to the north that had no sidewalks. Ald. Salvati explained that the neighborhood to the north has an egress into the neighborhood behind it.

Ald. Wolff said it is further from the new subdivision to the nearest sidewalk on Fargo than it is from the end of the Campana property to the sidewalk on Allen Drive. Ald. Salvati noted that there is private property between Allendale and this proposed development. Ald. Wolff said there is private property between both of them with no sidewalks. Ald. Salvati said that on Fabyan Parkway, there is private property where there would be no sidewalk. Ald. Wolff said the county has the right of way and could install a sidewalk. Ald. Salvati said they could, but they have not committed to that, so for now the developer would built a sidewalk to private property, and children would then have to walk onto Fabyan Parkway or through the culvert to get to Allen Drive. He doesn't believe it's fair to compare the traffic on Fabyan Parkway to the traffic on Sunset, where the other development is located.

Ald. Wolff said this is why he believes every alderman needs to speak their truths about why they are voting how they are voting. He did not intend to ask his colleagues to defend their votes, merely to offer feedback to the developer.

Ald. Callahan said for the past six months, he has consistently stated what he thought about the project. He asked Ald. Atac if more time to think would result in her changing her mind, or is a tabling just to see if the five no votes would change their minds. He has thought about it for six

months, and they may just have to agree to disagree. He has never tried to change any of the yes votes to a no.

Ald. Atac noted that Ald. Callahan brought up two objections tonight and wondered if the developer would benefit from time to think about that feedback. Ald. Callahan said he has stated those concerns from the initial review. He recognized that there are some benefits to the project, but there are also negatives. His two objections are to things that the developer could change.

Ald. Brown said there are still questions and confusion among the Council regarding the project. He said there is value in having these conversations, as they can eventually lead to better projects. He supports continuing the conversation to see if they can come up with an improvement on the initial plan. He noted that for those with traffic concerns, the developer has offered to donate some property as a right-of-way to the county that may be needed to improve the intersection.

Motion by Ald. Brown, seconded by Ald. Atac, to table the vote on Ordinance 17-59 until the February 5 City Council meeting. Motion carried 8 yea/ 6 nay/ 0 absent.

14. RESOLUTION 17-103-R: Preliminary/Final Plat Of Subdivision, Campana Property, 901 North Batavia Avenue, Evergreen Real Estate Group, Applicant (Joel Strassman 11/16/17 COW 10/10/17 9/5) CD

Motion by Ald. Brown, seconded by Ald. McFadden, to table the vote on the resolution until the February 5 City Council meeting.

Ald. Callahan asked how the public will be able to comment on this item if it remains on the agenda. Attorney Schuster said the Council is not legally required to allow comment for items on the agenda, they just have to allow public comment on whatever they want to comment on. Attorney Schuster confirmed that opinion with Attorney Seckel.

Motion carried 8 yea/ 6 nay/ 0 absent.

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

Samantha Maleski, Geneva, asked what will be happening regarding the Campana project between now and February 5. Attorney Schuster explained that the matter is tabled until then. What happens before then depends on what actions, if any, the City decides to take. Ms. Maleski asked if there are deadlines to be aware of, and Attorney Schuster said no.

Pamela Stewart, 724 S. Batavia Avenue, Batavia, said she has lived in Batavia for 13 years and Geneva for 25 years before that. She travels through that intersection frequently and sees accidents regularly, some of them very serious. She asked the Council to consider the children who would be living in this development.

Bob McQuillan, Batavia, explained that he asked Administrator Newman a week ago several questions that he felt she did not answer. He wanted to know what happens with Mr. Block and what the process will be. Mr. McQuillan asked Mayor Schielke to re-read the statement from

Administrator Newman. The Mayor responded by saying that he expects Mr. Block will return on February 5 and will notify the Council what he plans to do. Mr. McQuillan wanted to confirm that if Mr. Block returned with a new proposal on February 5, the Council would not vote on that new proposal on February 5, as the developer would have to return to the Plan Commission and Historic Preservation Commission and would have to submit a new application.

Attorney Schuster corrected Mr. McQuillan. He reiterated that what happens on February 5 depends on what is submitted. Because nothing new has been submitted, there is no answer to the question.

Mr. McQuillan said he would revise his question. Alderman Malay made a Point of Order, indicating that this agenda item is for public comment, not public questions, and he asked that responses not be given to the speaker unless it's a question. Mr. McQuillan said he would ask questions anyway, whether they would be answered or not, and asked that he not be interrupted. Mr. McQuillan asked if Mr. Block returns on February 5, can the Council vote to approve any changes made to the original proposal. Ald. Salvati said because there were not 10 yes votes tonight, the developer may withdraw the application.

Ald. Malay again made a Point of Order, noting that Mr. McQuillan violated Robert's Rules at the last meeting and he is again being allowed to do so. Mayor Schielke clarified that Mr. McQuillan was allowed to make his comments, but there would not be debate. He once again read the statement submitted to him by Administrator Newman that had been read previously during the meeting. Mr. McQuillan asked if any revision to the original plan would have to start back with the Plan Commission. Ald. Wolff answered that it would be up to staff to make that determination depending on requirements. Mr. McQuillan said according to the zoning code, the Community Development Manager can make minor changes to a proposal, but not major changes. Ald. Wolff said the question has been asked and answered — if there is a major change, the plan would have to go back through the approval process. Mr. McQuillan asked if the plans presented tonight were shared on February 5, could the City Council vote on that proposal. Ald. Wolff said no.

Scott Timm, Considine Road, has lived in Geneva 33 years. He noted how difficult it is to turn onto Allen Drive from Fabyan Parkway, and his son was broadsided 15 years ago while waiting to make the turn. He said he worked in a factory for 37 years, and no one should live in a factory because you can't see outside. He said the Holmstad is a beautiful facility with lots of windows and grounds to walk on. It is not the same as Campana, which was designed to be a factory.

Josh Bailey-Green, Batavia, commented that a vote against this project is a vote against the Campana building itself.

Emily Erickson, Allendale resident, noted that KDOT and IDOT have submitted reviews for this project and she asked when residents would be able to see them. She believes they suggested moving the entrance on Rt. 31. She also asked if there would potentially be a vote yes or no on February 5. Ald. Wolff said if Mr. Block brings back the original plan on February 5, they could vote on it.

16. ADMINISTRATOR'S REPORT

Administrator Newman said the city offices will be closed on November 23 and 24 for the Thanksgiving holiday.

The Area 3 stormwater outfall project has been completed. The next phase of the project will be bid this winter for the spring of 2018.

The last official leaf collection is being completed on the east side this week, but weather-permitting, there will be one more citywide pickup the week of November 27. In December, leaves can be put in bags with no stickers. Administrator Newman was not sure if leaves could be put in cans or if they had to be in bags, but she said she would get an answer on that. Mayor Schielke asked that the information be shared on the website and via social media.

MetroNet locates are continuing, and the company has offered to reimburse the City for the overtime pay required for its locators to stay ahead of the project.

The City has experienced two weather-related water main breaks in the last week.

Installation of the electrical vehicle chargers at City Hall is expected to begin the week of November 27.

Regarding the requested hotel market and feasibility study, staff has evaluated and researched references and similar studies to select a consultant to complete the study. The contract will likely be executed the week of November 20. The study is expected to be completed within six weeks of that date.

Regarding the One Washington Project, over the last two weeks, staff has further evaluated the proposed contract changes to include the project's pro forma and rates of return on investment for the developer, the impact of the changes in parking demand and supply and the required updates to the original traffic study. Staff has also reviewed the experience of other Chicago suburbs, including Barrington, Lisle, Oak Park and Western Springs for the proposal, approval and build-out of similar downtown high-density residential projects to see what effects they experienced. Staff will present its findings in these matters and the developer will be scheduled to attend the November 28 Committee of the Whole meeting.

Civics Plus has been updating the login authentication process for the city website. To comply with HIPAA and PCI requirements, beginning December 2, anyone with a login to the website, such as those who pay utility bills online, will be asked to change their password to conform with increased security guidelines.

The antiquated PA system in City Hall will be upgraded in December with additional speakers for better functionality and safety throughout the building.

An interactive map will be available on the City website so interested parties can see what projects are happening around town and what the status is of each project.

Regarding the branding project, Administrator Newman and Communications Coordinator Chris Cudworth had a conference call with Sparc Inc. last week. Their research is complete, and they will present their findings to the City Council at an upcoming meeting. Administrator Newman asked if the Committee of the Whole meeting on December 19 would work for all Council members, but because not every member would be able to attend and a key member of the Sparc team is not available in January, she recommended postponing the meeting until February. Ald. Brown asked if Sparc could prepare a document to be submitted to the Council in December, and Administrator Newman indicated she would make that request.

Ald. O'Brien raised concerns about the water main breaks, noting that the weather was not unreasonably cold and perhaps this is an indication of aging infrastructure. City Engineer Bari confirmed the frozen pipes and noted that staff does track the number of breaks along a water main to help determine which pipes may require replacement.

Ald. Brown complimented MetroNet's professional work around the city, noting their careful attention to quickly replacing landscaping that is disturbed during construction. Administration Newman explained that the company's policy is to restore the same week of construction, and late in the season when restoration may be difficult, homeowners can call or make a claim online, and the company will respond within 24 hours to complete an additional restoration attempt.

Ald. Meitzler asked if there was an update on the Siemens property. Due to drainage issues, the company was unable to finish the restoration of the grass, and it's now too late in the season to complete that restoration. The company's policy is to remove the fencing once they have 75 percent of the vegetation restored, so the fencing will not come down until 2018.

Administrator Newman thanked the members of the Batavia Police Department for their continued presence at the recent meetings at City Hall that have drawn large crowds.

17. COMMITTEE REPORTS

Ald. Brown reported that Historic Preservation would meet on November 27 at 5:30 pm and the Committee of the Whole will meet November 28 to discuss One North Washington.

Ald. Atac and Ald. Wolff had no report.

Ald. O'Brien said at the November 28 meeting of the Committee of the Whole, he would discuss a change order for the wastewater treatment plant rehabilitation project.

18. OTHER BUSINESS

Ald. Wolff said the state football game will be held at 4:00 pm on Saturday in DeKalb at Huskie Stadium.

19. MAYOR'S REPORT

Mayor Schielke also discussed the Batavia High School football team's successful season culminating in the state championship game this weekend. He noted that the Batavia Police

Department and Batavia Fire Department have escorted the team back into town after winning the last two games. He expects a great crowd to support the team in DeKalb.

Sunday is the Celebration of Lights from 4 – 7 pm, featuring Santa Claus, the Batavia Community Band and perhaps the Batavia High School football team.

20. ADJOURNMENT

Motion to adjourn by Ald. Chanzit, seconded by Ald. O'Brien. Motion carried by voice vote.

The City Council meeting adjourned at 9:49 p.m.

Minutes prepared and submitted by Ellen Posledni, City Clerk, November 30, 2017.