

CITY OF BATAVIA
100 N. Island Avenue, Batavia, IL 60510
(630) 454-2000 <http://cityofbatavia.net>

Committee of the Whole Agenda
Tuesday, February 16, 2021
7:00 PM Council Chambers 1st Floor

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If you attend in person please be advised there is a 25 person limit in the Council Chambers.

1. Roll Call
2. Reminder: Please Speak Directly Into Microphone For BATV Recording
3. Approve Minutes For February 2, 2021

Documents:

[COW 21-02-02M.PDF](#)

4. Items Removed/Added/Changed
5. Matters From The Public (For Items NOT On Agenda)
6. Resolution 20-013-R: IDOT Resolution For Construction On State Highway (GH 2/8/2021)
CS

Documents:

[RES 21-013-R IDOT RESOLUTION FOR CONSTRUCTION ON STATE](#)

[HIGHWAY.PDF](#)

7. Discussion: Shumway Water Booster Station And Electrical Substation

Documents:

[DISCUSSION SOUTH SHUMWAY AVE. CITY UTILITIES.PDF](#)

8. Project Status

9. Other

10. Executive Session: Purchase And Sale Of Real Estate

11. Adjournment

MINUTES
February 2, 2021
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 Wolff called the meeting to order at 7:00pm.

1. Roll Call

Members Present: Chair Wolff; Ald. Miller, Russotto, Beck, Knopp, Chanzit, Baerren, O'Brien, Callahan, Meitzler, Uher, Cerone and McFadden

Members Absent: Alderman Malay

Also Present: Mayor Schielke; Laura Newman; Gary Holm, Director of Public Works; Scott Buening, Director of Community Development; Anthony Isom, Assistant to the City Administrator; Peggy Colby, Director of Finance; and Jennifer Austin-Smith, Recording Secretary

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

3. Approve Minutes for January 12, 2021

Motion: To approve minutes for January 12, 2021

Maker: Russotto

Second: Callahan

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

Nay:

13-0 Vote, 1 Absent. Motion carried.

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 at this time.

6. Resolution 21-006-R: Purchase Leaf Machine from Bonnell Industries for an Amount of \$109,781.00 (SH 1/25/21) CS

Chair Wolff overviewed the memo.

Motion: To recommend approval of Resolution 21-006-R: Purchase Leaf Machine from Bonnell Industries for an Amount of \$109,781.00

Maker: Wolff

Second: Uher

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

Nay:

13-0 Vote, 1 Absent. Motion carried.

7. Discussion: Considering the Purchase of a Building for Public Works and Community Organizations

Chair Wolff reported that the Committee of the Whole (COW) discussed last week in Executive Session the purchase and the price and decided to bring this back into open session to discuss this with the public. This is strictly a discussion on the space needs, building and necessity.

Newman reported this was not something in which the City was searching for space for Public Works but when a building became available adjacent to our Public Works building we wanted to consider it. The current Public Works facility was built before a period of explosive growth in the City of Batavia. In the 1990 census, the City of Batavia had only 17,000 residents. Since then, we have grown to 26,000 residents. With that growth and the movement of the Engineering Department from the Community Development Department at City Hall over to the Public Works building on Raddant and the addition of services such as Forestry and downtown maintenance required by the increase in population we have found ourselves in a tight constrained space at the current Public Works facility. We did not anticipate building a new Public Works facility. However, when this facility became available across the street, too large for just the needs for Public Works, it offered another opportunity to solve another issue that we have been trying to help out with.

Newman continued that not only would this adjacent building to Public Works solve a space issue for the Public Works Department, it would also solve a space issue for the Interfaith Food Pantry and Clothes Closet and Toy Drive storage. The Interfaith Food Pantry and Clothes Closet is provided rent free and utility free space from the City. For the last four years, Newman shared that she has been working with the Executive Directors to try to find new space for their facility that is located adjacent to the Waste Water Treatment Plant.

Newman explained the building under contemplation is devised into three spaces. The largest space would offer us the opportunity to move functional operations (people and equipment) out of the current Public Works facility and into that space. The center space has sufficient room to accommodate the Interfaith Food Pantry and perhaps some other social service and community organizations that might create a synergy when serving a group of clients. One of those organizations is the Toy Drive. For the last several years the Toy Drive has not had a home. We were fortunate enough that BEI was willing to share vacant space that they owned but it was pulled off at the last minute and a miracle to utilize the locations we have for the past few years. This year, Sam's Club has offered to host the Toy Drive. Purchasing this building and having a community center in the heart of it offers us the opportunity to no longer put at risk the incredible Toy Drive that serves hundreds of families in our community. The third space would be able to be leased out to either a private or public entity. If we leased it to a public entity, the property would remain exempt from property taxes. If it were leased to a private entity we would have to pay taxes on it. However, we could bill those taxes into the rent that we build into the

lease. The revenue that is generated from the lease could be used for maintenance or larger ticket items.

Part of the discussion last week was to offer the Interfaith Food Pantry the opportunity to share with the COW what their needs are at this time and how they evaluate this potential space as a possible solution to their space needs. Newman introduced Eileen Pasero, Executive Director of the Batavia Interfaith Food Pantry and Clothes Closet, to the COW. Pasero noted that two board members are also in attendance at tonight's meeting: Jim Perreault, Chairman, and Carol Ahmad Board Member and volunteer for twenty years.

Eileen Pasero presented a PowerPoint presentation utilizing the shared screen option on GotoWebinar. Her presentation included the following information:

- Who We Are
 - 501c3 Not-for-Profit
 - Served over 700 families last year
- Clothes Closet
- Whom we Serve
- How we Serve
- Where we Started
- Where we are
- Why this Building?
 - More space
 - Ample parking
 - Drive-in and Loading Docks
 - Office Space
 - More Bathrooms
 - Separate Delivery and Donation Distribution Areas
 - Served by Pace On Demand
 - Safe, well-lit area
 - Close to Clients
- Why Now?
 - Ten year old issue
 - Inadequate Shopping Areas
 - Not Enough Room for Cold Storage
 - Off-Site Clothes Closet Storage
 - Only One Bathroom and Sink
 - Need Office/Volunteer Space
 - Inability to Accept All Donations
 - Danger of Crumbling Retaining Wall
 - Increased Demand for Services
- Pictures of Current Space

The Committee considered the proposed purchase of a building to house Public Works storage and staff, The Interfaith Food Pantry and Clothes Closet, Toy Drive storage, and a leasable space. The COW discussed the following: is there a way to get what the City wants but at a

lesser price tag at these trying times, support of the Interfaith Food Pantry and Clothes Closet, making sure the decisions made by Council do not increase the need for assistance as it relates to the affordability in our community, make sure we consider all the options that are out there and make the best solutions, consider more options for Public Works storage, location benefits keeping Public Works as close as it could be without building a new building, this is something the City has not prepared for in the budget, the fact that taxes will have to be raised in the immediate future to maintain the level of service we have right now, apprehension to not pile taxes upon other taxes, benefits of planning, demolishing the existing food pantry location to make corrections to the bike path to make it safer for pedestrians and cyclists, leasing an existing building, in ten years searching for a new space for the food pantry the fact that this is the most ideal space they found and similarly for Public Works having the space next to their facility, in a longer term view the need for a new facility is coming down the road and will cost significantly more if the City needs to buy property or modify a building, food insecurity and justice, importance of a centralized area in the downtown for the food pantry, and the food pantry being tight on space.

Chair Wolff opened the floor for public comment.

Steve Raikers addressed the Committee. He stated that he is confused about this project because he thought it was about Public Works but it quickly shifted to the food pantry. He loves what the Interfaith Food Pantry and Clothes Closet does and he feels bad saying anything about it but he has some questions. He stated that it is the 'Interfaith' food pantry and asked what contributions are the local churches making to help the food pantry find the right place.

Pasero answered that the food pantry is supported by all our local churches. Each of our churches, prior to COVID 19, had regular shifts where they would supply volunteers. Every one of our churches does a food drive. A lot of our financial donations come in from all of the churches.

Raikers stated that it is a burden to put onto the taxpayers and he knows it was stated to be only two dollars a month. Be thankful to not be one of the retirement families where two dollars a month matters. Those are the ones he would speak up for. It doesn't affect his life but he knows people it does. He would ask to go back to the churches and ask them to step up more. We are a very generous community, maybe create a fundraising committee to help contribute in a voluntary manner to help financially. It stinks to have this put onto your taxes because you are forced to have to pay it then. People don't like to be forced to do anything. He thinks that if you confide in the community that you need help, people would step up and want to help financially and find a location. He would certainly help but he has not heard of this need until yesterday. He asked how the City would deal with other organizations that would want a building.

Newman noted that the organizations the City is already providing space for are the food pantry, RSVP and the Toy Drive. The food pantry has been in that location for thirty years. Newman stated that they would consider another organization that synergists with the food pantry or the Clothes Closet. If it is completely divergent and there isn't the room that might be a reason why we deny that request. Raikers commented that he never knew the City was contributing to the Interfaith Food Pantry and Clothes Closet. He always thought it was through the churches.

Raikers asked if it is only a \$7,000 loss to the City but \$80,000 in tax revenue do the other taxing bodies have to go along with that loss in revenue. Newman answered yes, the \$80,000 is distributed among all of the various taxing bodies associated with that parcel. Chair Wolff stated that this would be like any tax-exempt entity buying a piece of property that was formally on the tax roles.

Newman read written questions that were emailed to the City. Kathleen McGrath asks how many of the food pantry clients walk with their one month supply of food? Isn't there the PACE transportation for the clients? Pasero answered fewer than 2% of our clients walk to the food pantry and Clothes Closet and the reason is when they leave they have too much to carry home. They get a cart full of groceries or two or three large bags of clothes to carry home and that is difficult to walk home. Approximately five percent of our clients utilize the PACE On Demand Service. Part of the reason we liked this location is because it already is in part of their service area. Some of the other properties we looked at were outside the PACE On Demand service area. We would have to re-contract with them or see if they would be willing to extend their service area to serve that location. Cynthia Kukuipper writes I have known a family who drove past the food pantry four times before they took the courage to go in. She understands Eileen's comment about confidentiality. As a villager that was well aware of the need for Public Works expansion I am happy to support this now for all purposes. Could we not keep our eyes open to moving the pantry back downtown if it makes sense because this seems like too good of an opportunity to pass up. I don't want to pay more taxes later on for Public Works expansion.

Sylvia Keppel addressed the Committee. Keppel stated that what is being talked about here is storage of equipment to get out of the rain and moving some offices there too. She asked why the City could not use a simple post frame building for storage and use the existing space, shuffle things around, for office space. Newman stated back in 1990 that was contemplated because what was going to be stored inside became cost prohibitive because a concrete pad would have to be laid down. Since that time the salt storage has been installed as well the CCDD storage for construction materials and there is not footprint left for expansion. Keppel stated she would think any post frame building would be good enough. A lot of offices have gone to post frame structures for their spaces and could be very nice at a much reduced cost. She would like to suggest the City price some of that off to see what that might cost. Keppel asked if she has talked to the School District about their larger former maintenance building on Wilson Street (10,000 square feet) for either the City or the food pantry. Keppel shared the history of that building. The School District bought a building on Main Street to move their maintenance facilities to and they had the plans for the building on Wilson Street to be torn down to make room for parking. The referendum that the School District wanted for some of their projects did not go through so there have been no plans to tear that building down. Keppel asked before any decisions are made on another building to at least talk to the School District and find out what kind of deal could be worked out for that building. Chair Wolff stated that the building was once used for a bus barn and now it is being used for maintenance equipment for the high school. Keppel stated that the building on Main Street was supposed to take care of all of their maintenance needs. Maybe the food pantry could use it. Pasero commented that 10,000 square feet only holds what they currently have. They could fill that right now and still look for more space, which is why they have been seeking a 15-20,000 square foot space for the Food Pantry and Clothes Closet. Keppel

asked if any grants could be attained to pay for the food pantry's share of this facility to take some of the pressure off of property tax payers. Pasero answered primarily the grants would be used to assist us on our build out, not necessarily on the building itself. Keppel asked for clarification on the square footage of the building. Holm stated according to the brokerage listing, the total square footage of the building is 58,300 square feet. The Public Works/Toy Drive space is 24,200 square feet. Keppel stated that you are giving the City just barely more than the food pantry and less than the food pantry and lease space combined. From a taxpayer's perspective, that does not seem quite right. Newman noted that the tenant section would be generating revenue with a lease that would help offset maintenance costs for the building. Keppel asked what if another charity wanted to move into that space. Newman answered that is not what it is contemplated to be used for. We would recommend seeking a rent-paying tenant. Keppel queried how could the City decide which charity gets what. She asked why the Council wasn't talking about this with the public before staff went to the charities. Newman responded that we saw the property was on the market. One of the matters that is discussed in Executive Sessions is the purchase of real estate. When that matter was brought to Executive Session the decision was made to have an open section meeting about that and hear from the public on concerns and opinions on whether this was an economical purchase for the City.

Keppel asked if the City has an appraisal of the property. Newman answered not at this time. They have compared the property to similar properties that are available in the industrial area. Keppel asked if there is a study on how much outside storage is costing the City in terms of equipment degradation. Newman answered no. Keppel stated that what she is looking for is a cost benefit analysis for the building. How can a council make a decision of this magnitude without crucial information like what all the costs are. Holm noted that it would cost money to come up with an analysis of that time and effort. If Council does not want us to even explore the question than it is not worth the money, time or effort. The next step logically would be to sign a due diligence contract that would enable the City to work on the time to work on those types of questions you are asking.

Keppel asked if the food pantry moved into this space would it ever be considered to move back into the downtown. Pasero answered that this space would be a long-term solution. She could not say what they would do in 20-30 years. She does feel that this would be a long-term solution for the pantry based on the money and cost making this into what we need for our services to our clients. Keppel noted that any aldermen thinking that this is temporary, it is not just temporary. Keppel asked if the City is going to be in the business of supporting charities with tax dollars. It bothers her that the City is picking winners and losers among charities. She wondered where will the City draw the line and decide which charities you help and which ones you don't. Cerone commented that the City is not in the position to help every charity. Both of these cases are confined to the City, been around for a long time, and that is where we have drawn the line. It has been pretty clear in the eight years he has been on Council that the line has already been drawn.

Jamie Saam addressed the Committee. She appreciates the discussion on the Public Works needs, speed of this being brought, and not missing a good opportunity when you know things will be more expensive down the road. She is connected to the Interfaith Food Pantry and Clothes Closet, RSVP, and Batavia Access Toy Drive because these are our neighbors who

utilize these services we provide and she is grateful to live in a community that has these resources. She supports these services with her time as a volunteer and her dollars that come out of her taxes. She asked would the purchase of this building relieve the need to utilize the River Street building as a Public Works building and what would happen to that space after this. Holm stated that the long-term plan is to tear down the three bay garage building as part of the redevelopment site. This has never been considered a permanent maintenance building on North River Street. Saam said it is excellent to make another location in our downtown where we want to see redevelopment available. Holm stated that their hope is the One Washington Place goes forward because we have in the preliminary contract plans a storage area within the parking level that would take the storage out of the three bay garage and move into the public parking garage making the three bay garage vacant and we will still have a downtown place for maintenance and storage.

Saam expressed her support of the proposed building for Public Works and the Interfaith Food Pantry and Clothes Closet. Saam shared that she volunteered today in the Clothes Closet from 1-3pm and shopped with eighteen community members who came into the Clothes Closet and each of them left with no less than two garbage bags of clothes, blankets, gloves, hats and all of the things that they need for themselves and their family. Saam noted that in her time volunteering in the food pantry she has not seen anyone walk or bike to the location. When it is all of their basic needs and they are coming to get them at one time, based on accessibility of volunteers and staff, she cannot see someone walking with groceries and two large bags of clothes. It is a matter of convenience of transportation. One of the clients today was able to come when they had a ride to and from the facility. This location is not too far from the downtown location currently. It is actually closer to Batavia Apartments. The Resident Services Coordinator at Batavia Apartments commented to her that this would be a convenient move for their residents. The majority of clients served today had Batavia Apartments addresses and that is just one day for a few hours time slot. Saam stated that there is talk of adding sidewalks to make the proposed building more accessible to those who need to walk there. Saam stated that it may be news to people on here but it is not news to her. As she has served on the food pantry and Clothes Closet there has always been the discussion and need for a larger space. This building really does check all of the boxes. If our City could provide a better more beautiful space she would be in full support of that. RSVP and Batavia Access Toy Drive would also be included in this building. It is difficult looking for a location every year to store the toys. Having this in one location is a gift we could give back to our community. She appreciates the Committee thinking so hard about our tax dollars and our community members. You are talking about taking care of the basic needs of people and whether or not the government should do that and she thinks we should for our neighbors. The hours saved to have the Public Works facility right across the street is valuable.

Mayor Schielke shared his position and stated that this is one of the 'seize the moment times.' We could move into this building and solve a Public Works issue and have the opportunity to help the other worthy organizations. Those groups define what we are all about. The conditions they have at the Interfaith Food Pantry and Clothes Closet is out of sync with what they need.

8. Project Status

Newman reported on the following:

- Clear the fire hydrants from the two large snowfalls that we have had and the other five inches being called for on Friday.
- Today there was a meeting with Hitchcock Design Group, the firm that was hired by both the Park District and the City, to do a master plan for our riverfront. Representatives from both the Park District and City were in attendance at that meeting. The process, goals and our path forward were discussed. There will be plenty of opportunities for various stakeholder groups to have a part in this process.

9. Other

Baerren shared a couple weeks ago there were a couple of organizations present to us and one was the Encore Batavia Group. They recently came out with their Engage Page, which provides different groups for volunteers. She stated that it would be a great thing to add to our Batavia newsletter or the e-news that is sent out every Friday. Newman stated that it an excellent idea and she would include it in Friday's e-news.

Beck stated that it was talked about having our Commissions (Bike and Environmental) give us updates and it would be great to get that scheduled early in the year. Newman stated that she would reach out to them.

Callahan stated that future discussions on parking minimums and what that would look like in the downtown would be coming on a Community Development portion of the COW in the near future. There are good economic benefits to it and he asked those who are interested in learning more to do research or to ask Ald. Beck.

10. Executive Session: Purchase of Real Estate

The Committee entered into Executive Session at 9:33pm and exited Executive Session at 10:57pm.

11. Adjournment

Chair Wolff asked for a motion to adjourn the meeting at 9:33pm to enter into Executive Session; Made by Uher; Seconded by Baerren. Motion carried.

TO: Committee of the Whole - CS

FROM: Gary Holm

DATE: February 8, 2021

RE: Resolution 21-013-R
IDOT Resolution for Construction on State Highway

On January 21st the City received correspondence from IDOT informing us of a requirement to execute a formal Resolution to perform work within State highways. This IDOT correspondence indicates that the Resolution is required in lieu of the City providing a formal performance bond.

City Staff cannot recall executing any similar resolutions in the past. Research from past Council meetings suggests that a Resolution similar to this has not been approved by the City in at least the past decade. That said, we have no objection to the Resolution format provided by IDOT and therefore **recommend approval of Resolution 21-013-R IDOT Resolution for Construction on State Highway**

**CITY OF BATAVIA, ILLINOIS
RESOLUTION 21-013-R**

IDOT RESOLUTION FOR CONSTRUCTION ON STATE HIGHWAY

WHEREAS, the City of Batavia, hereinafter referred to as MUNICIPALITY, located in the Counties of Kane and DuPage, State of Illinois, desires to undertake, in the years of 2021 and 2022, the location, construction, operation and maintenance of driveways and street returns, watermains, sanitary and storms sewers, streetlights, traffic signals, sidewalk, landscaping etc., on State highways, within said MUNICIPALITY, which by law and/or agreement come under the jurisdiction and control of the Department of Transportation of the State of Illinois hereinafter referred to as DEPARTMENT; and

WHEREAS, An individual working permit must be obtained from the DEPARTMENT prior to any of the aforesaid installations being constructed either by the MUNICIPALITY or by a private person or firm under contract and supervision of the MUNICIPALITY; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Batavia as follows:

SECTION 1. That MUNICIPALITY hereby pledges its good faith and guarantees that all work shall be performed in accordance with conditions of the permit to be granted by the DEPARTMENT, and to hold the State of Illinois harmless during the prosecution of such work, and assume all liability for damages to person or property due to accident or otherwise by reason of the work which it to be performed under the provision of said permit.

SECTION 2. That all authorized officials of the MUNICIPALITY are hereby instructed and authorized to sign said working permit on behalf of the MUNICIPALITY.

CITY OF BATAVIA, ILLINOIS RESOLUTION 21-013-R

PRESENTED to the City Council of the City of Batavia, Illinois, this 1st day of March, 2021.

PASSED by the City Council of the City of Batavia, Illinois, this 1st day of March, 2021.

APPROVED by me as Mayor of said City of Batavia, Illinois, this 1st day of March, 2021.

Jeffery D. Schielke, Mayor

Ward	Aldersperson	Ayes	Nays	Absent	Abstain	Aldersperson	Ayes	Nays	Absent	Abstain
1	O'Brien					Baerren				
2	Callahan					Wolff				
3	Meitzler					Chanzit				
4	Malay					Knopp				
5	Uher					Beck				
6	Cerone					Russotto				
7	McFadden					Miller				
Mayor Schielke										
VOTE:		Ayes	Nays	Absent		Abstentions				
Total holding office: Mayor and 14 aldermen										

ATTEST:

Ellen Posledni, City Clerk

TO: Committee of the Whole - PU

FROM: Gary Holm

DATE: February 9, 2021

RE: Discussion
South Shumway Avenue
City Electric and Water Utilities

Staff has received inquiries over the past few weeks from Aldermen concerning the City's electric and water utilities on South Shumway Ave. I was asked to put together a brief summary of the City's utilities and their importance to our community.

Electric

The City's electric system has a total of four (4) distribution substations. The distribution substations transform power from 34,000 volts down to 12,000 volts. The substations are all connected with at least two separate 34,000 volt feeder lines. The substation on South Shumway Ave, which is known as the City's "main" substation, is unique in that all of the City's feeder lines pass through it. As part of a large project in 2006/07 feeder lines were extended into the main substation from both the west and east sides of town.

Approximately a decade ago there were conceptual discussions ongoing about the possibility of downtown redevelopment. As part of those discussions the idea of relocating main substation was explored. The cost estimate to relocate the substation at that time was in the \$5M-\$7M range. The relocation project never moved forward. The cost to relocate the substation in 2021 dollars is likely closer to the \$7M figure.

Water

In 2006/07 the City's water treatment plant on W. Fabyan Parkway was upgraded to address radium removal requirements. As part of that project several of the City's older shallow water wells were decommissioned. The decommissioned wells were located in the center and east portions of town. In order to provide adequate water service to all citizens a new crosstown watermain was constructed. The crosstown watermain runs into the Booster Station located on South Shumway Ave. The ground elevation at the Booster Station is approximately 55' lower than it is at the water treatment plant. Water is pumped from the Booster Station back uphill to the far east side of town which is approximately 115' higher. The Booster Station is a critical component of the City's water system and is vital to ensuring adequate water pressures throughout the system.

Relocation of the Booster Station is not possible without also reconstructing a portion of the crosstown watermain. Relocation in close proximity to the existing facility is likely to cost \$2M or more.