

**MINUTES**  
**March 27, 2013**  
**CITY SERVICES COMMITTEE**  
**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 Volk called the meeting to order at 7:30pm.

**1. Roll Call**

**Members Present:** Chair Volk; Vice-Chair Liva; Ald. O'Brien (arrived at 7:31pm), Tenuta, Frydendall (arrived at 7:31pm) and Jungels

**Members Absent:** Ald. Dietz

**Also Present:** Mayor Schielke; Chief Deicke, Batavia Fire Department; Bill McGrath, City Administrator; Andrea Podraza, Civil Engineer; Mark Davis, ESDA; and Jennifer Austin-Smith, Recording Secretary

**2. Approve Minutes for CDC/CS January 29, and February 5, 2013**

**Motion:** Approve minutes for CDC/CS January 29 and February 5, 2013  
**Maker:** Jungels  
**Second:** Liva  
**Voice Vote:** 4 Ayes, 0 Nays, 3 Absent  
Motion carried.

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

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

\*O'Brien and Frydendall entered the meeting.

**4. Resolution 13-45-R: Approving the Contract Agreement with ENCAP, Inc. for Braeburn Marsh 5 Year Management and Maintenance (Andrea Podraza 3/12/13)**

Podraza reported that staff put out a five-year contract for Braeburn Marsh. Staff had an Army Corp permit issued and part of that requirement is to get the marsh in a stabilized state. Typically this takes three to five years. Staff decided to put out a contract for the entire length of time versus doing it year by year. Staff received three bids. The lowest bid was received from ENCAP, Inc. Staff is working with Wills Burke Kelsey Associates (WBK) that was also included within this bid package that stated the specific tasks year by year and month by month. Staff would like to award the bid to ENCAP for the next five years. Podraza noted that there is a clause in the bid that if at any year the City is not pleased with their work the City can terminate the contract.

Liva questioned if staff was concerned that ENCAP possibly perceived this job differently than the other bidders. He explained that his concern is due to the fact that their bid is significantly lower than the other bidders. Podraza stated that ENCAP had already worked on the marsh before and are very familiar with the area. ENCAP is a qualified firm and they are the consultant and restoration expert that is working on Windmill Lakes on Main Street as well. Podraza stated that a representative from ENCAP is at tonight's meeting to field any questions the Committee may have.

Brett Suhayda, ENCAP, addressed the Committee. He stated that ENCAP looked at the site and the erosion potential. They felt that the top soil that was needed for the first year would be all that they would need. Therefore, pricing for additional top soil was not included for the following years. ENCAP is familiar with the site and they specialize in erosion control. He stated that ENCAP felt that the replaced top soil and vegetation would be sufficient to eliminate the need for any additional top soil.

Podraza noted that ENCAP is guaranteeing that the work that they will do will last through the remainder of the project. O'Brien asked if on the fourth year there is a need for top soil will ENCAP put it down at their cost. Suhayda agreed that ENCAP would put new top soil down at their own expense. Volk noted that the City would not be amendable to change orders after the fact. Suhayda stated that ENCAP is aware of that.

**Motion:** Recommend to City Council approval of Resolution 13-45-R: Approving the Contract Agreement with ENCAP, Inc. for Braeburn Marsh 5 Year Management and Maintenance  
**Maker:** O'Brien  
**Second:** Jungels

Frydendall questioned if this would be a one-year contract with five renewals. Podraza responded that staff will have to come back yearly to reestablish the contract. Volk asked Podraza to check with legal counsel to make sure this should be a one-year or a five-year contract. O'Brien asked that if this is a one-year contract would the prices be locked in. Volk stated that they would.

**Voice Vote:** 6 Ayes, 0 Nays, 1 Absent  
Motion carried.  
CONSENT AGENDA

##### **5. Ordinance 13-02: ESDA Discussion (JDS 3/22/13)**

Mayor referred to his memo sent to the City Services Committee (CSC) members. He explained that under the Illinois State Statutes we need to designate who the ESDA Coordinator is. The ESDA Coordinator will be the Fire Chief. There is an ESDA Manager who would report directly to the Fire Chief. This position would require a lot of time and would be too much to have this be an unpaid position. Our Fire Chief has a lot of responsibilities and the Mayor feels that the ESDA Manager position should be a funded position and reviewed for a possible increase in the future. Since there was no money allocated for this position in this year's budget we will need to have a budget amendment to facilitate the pay for the ESDA Manager position.

Mayor Schielke explained that in the last five years, the state of Illinois has pre-planned who could respond to emergencies under the new Mutual Aid Box Alarm System (MABAS). For our ESDA to be able to participate, they need to be incorporated under our fire department. Our fire department has done numerous things to incorporate ESDA such as ESDA being located within the fire station facilities and including ESDA in some of their activities. Mayor Schielke noted that Mr. Davis has been very good as working as the Command Aid for the Fire Chief. Chief Deicke may have some additional people that would want to serve on ESDA. Mayor Schielke shared that the surrounding communities have already incorporated ESDA within their fire department. This change has never been intended to remove anyone's position but rather to keep ESDA alive and well and a useful organization within the City of Batavia.

Chair Volk stated that he would like to add ESDA and the fire department on the April 1<sup>st</sup> City Council agenda. Volk asked if any aldermen would request staff to bring forward a budget amendment. Frydendall, Jungels and O'Brien requested that staff bring a budget amendment to the Committee.

Jungels questioned if adding the ESDA responsibilities to the fire chief would put that position at another level of pay. She queried if this would pose a problem financially for that salary. Chief Deicke stated that at this time he will not be requesting an increase in pay. Volk stated that we should investigate if we are comparable in salary and responsibilities with the other cities at every budget cycle.

After discussion, the consensus of the Committee was in favor of ESDA under the jurisdiction of the fire department.

## **6. Others**

Chair Volk reported that he received an email from Chief Schira, Batavia Police Department, regarding IDOT's speed reports. The speed reports on Route 25 and Route 31 should be completed by the end of April. IDOT is backlogged. IDOT will be making the entire stretch of Route 25 a no passing zone and applying the appropriate pavement striping when the weather is well-suited.

## **7. Matters from the Public**

There were no matters from the public at this time.

## **8. Adjournment**

There being no other business to discuss, a motion was requested by Chair Volk to adjourn the meeting at 7:56 pm; Made by O'Brien and seconded by Jungels. Motion carried.