

MINUTES
March 23, 2021
Committee of the Whole – Hybrid Meeting
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 (online), Baerren, O'Brien, Callahan (online), Malay (online), Meitzler (online), Uher, Cerone (online) and McFadden (online – joined at 7:12pm)

Members Absent: Ald. Knopp, Chanzit

Also Present: Mayor Schielke; Laura Newman, City Administrator; Gary Holm, Director of Public Works; Scott Buening, Director of Community Development (online); Jeff Albertson, Building Commissioner (online); Anthony Isom, Assistant to the City Administrator (online); and Jennifer Austin-Smith, Recording Secretary (online)

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

3. Items to be Removed/Added/Changed

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

4. Matters From the Public (For Items NOT on the Agenda)

There were no matters from the public at this time.

5. Consent Agenda

a. Approval: COW Executive Session Minutes February 2, 2021

Motion: To approve the Consent Agenda as presented

Maker: O'Brien

Second: Uher

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

Nay:

11-0 Vote, 3 Absent. Motion carried.

6. Resolution 21-028-R: Approve Execution of Contract with Hoerr Construction Inc. for Sanitary & Storm Sewer Pipe Lining (JPB 3/17/2021)

Holm overviewed the memo.

Motion: To recommend approval of Resolution 21-028-R: Approve Execution of Contract with Hoerr Construction Inc. for Sanitary & Storm Sewer Pipe Lining
Maker: O'Brien
Second: Russotto
Roll Call Vote: **Aye:** O'Brien, Callahan, Meitzler, Malay, Uher, Cerone, Miller, Russotto, Beck, Baerren, Wolff
Nay:
11-0 Vote, 3 Absent. Motion carried.
CONSENT AGENDA

7. Discussion: Amendments to Peddler, Solicitor and Food Vendor Ordinances (SCB 3/10/21)

**Alderman McFadden joined the meeting online at 7:12pm*

Buening overviewed the three-part ordinance with the Committee. The Committee discussed background checks, signage, setbacks, consistency with other ordinances, avoiding competition with brick and mortar stores for non-events, no liquor license for mobile businesses at this time, and special events. Uher asked if having a 'caution children crossing' sign is necessary for food trucks and Buening answered that it is for ice cream trucks but he will look into it and see if the ordinance needs to be amended.

Chair Wolff asked if any attendees had any comments or questions. Newman noted that the meeting has seven virtual attendees. There were no comments from attendees.

Chair Wolff asked for the responsibilities of the Police Department, Community Development etc. be specified in the ordinance. Chair Wolff asked for a line added to the Food Vender section noting that alcohol sales are not possible through a food truck. Staff will return to the Committee with a breakdown of all amendments.

8. Discussion: CEJA Legislation Update (GH)

Holm reported that he created and sent to the Committee talking points, bullet points and highlights of the Clean Energy Jobs Act (CEJA) legislation. The Committee would need to decide what are the City's positions and thoughts on this. Newman stated that the legislation in its current form contains provisions that would have some serious impacts on the City. The impacts are so great that the Council may want to consider having a resolution with adopted positions on CEJA Legislation.

Bill Scown virtually addressed the Committee. He shared that he works with the CEJA Committee and with the people who drafted the RMI report. They would love to meet with the Committee at a future Committee. He shared his contact information with the City Administrator.

The Committee discussed the need for concise and clear factual information to educate the public on this matter. The consensus of the Committee was to invite all stakeholders, including state legislature, to a future Committee of the Whole meeting to discuss this matter.

9. Project Status

Newman reported on the following:

- 2020 revenue
 - Sales tax revenue were down compared to 2019
 - Gas tax revenue were down compared to 2019
 - No loss in Liquor tax revenue
- Economic Development Manager position has been advertised and applications are due April 2nd.
- Historic Preservation Commission (HPC) reviewed a Certificate of Appropriateness (COA) for the demolition of a house at 14 North Washington Avenue adjacent to the Barko Products building. Buening noted that this is a two meeting process. The first HPC meeting was to gather information and then the meeting in April would have the vote on whether or not to approve the COA for demolition. The COA would then go to City Council.
- Full Menards Building Permit is anticipated next week.
- Prescribed burn for Braeburn Marsh postponed due to the mass COVID vaccinations at the former Sam's Club. The contractor will do the prescribed burn when the mass vaccination site is closed.

10. Other

Callahan asked if there were anything that we could put out to the public about the safety of our water and the measures the City put in place for lead in the water. Holm stated that staff has been actively soliciting property owners to survey their water service lines to see if there is lead. We are hopeful to get the grant from the State, which would allow us to replace lead services at no cost. There is an upcoming Water Confidence report. Holm announced that there is zero lead in our public water supply. Lead gets absorbed in the water through individual plumbing. Callahan would like to be proactive and share with the residents that there is no lead in our water. Chair Wolff asked that Griffin Price be charged with this communication.

O'Brien stated that the past two weeks we have seen extraordinary violence perpetrated against innocent people again. He hopes our government legislates reasonable gun control. We need to start putting more money back into mental health facilities and issues to try to get a handle on what is going on out there.

Chair Wolff announced that this Friday, after a year and a half, BATV is broadcasting another football game.

11. Adjournment

There being no other business to discuss, Chair Wolff asked for a motion to adjourn the meeting at 8:41pm; Made by O'Brien; Seconded by Russotto. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith, Recording Secretary, on April 12, 2021.