

MINUTES
August 17, 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), Knopp (online), Solfa (online), Baerren, Leman (joined at 7:07pm), Ajazi (online), Malay (online), Uher and Vogelsinger (online)

Members Absent: Ald. Cerone and Chanzit

Also Present: Mayor Schielke; Laura Newman, City Administrator; Wendy Bednarek, Director of Human Resources (online); Peggy Colby, Director of Finance (online); Gary Holm, Director of Public Works; Scott Buening, Director of Community and Economic Development; 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. Approve Minutes for: July 13, 2021, June 15, 2021, June 29, 2021, June 15, 2021 Special Meeting, July 20, 2021 and July 27, 2021

Motion: To recommend approval of minutes for July 13, 2021, June 15, 2021, June 29, 2021, June 15, 2021 Special Meeting, July 20, 2021 and July 27, 2021

Maker: Wolff

Second: Solfa

Roll Call Vote: **Aye:** Wolff, Baerren, Ajazi, Malay, Uher, Vogelsinger, Miller, Russotto, Beck, Knopp, Solfa

Nay:

11-0 Vote, 3 Absent. Motion carried.

4. Items Removed/Added/Changed

There were no items removed, added or changed.

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

Chair Wolff stated that everyone should have received an email a citizen sent about the river. Newman stated that she forwarded the email to the Committee earlier today.

6. Discussion: Update on One Washington Place

Newman gave a brief history of the project and then introduced David Patzelt, Shodeen Group, to the Committee. Patzelt stated that they have been working with the Fifth Third Bank for a number of years on this project as well as other projects. They had expected a formal written commitment of a loan by this meeting and this week. Unfortunately, we do not have that written commitment from them. We have a verbal commitment of that loan and we passed the first loan committee for that loan. Due to the size of the loan (30 million dollars) and other business Shodeen has with Fifth Third that forces us to go to one more committee for confirmation of the loan commitment. They expect us to be approved by the loan committee by close of business on Friday. At the next meeting we come before you, assuming we get the formal commitment from Fifth Third, we would need to discuss contingency items that Fifth Third may need. One item is commonly referred to as a comfort letter stating that the City of Batavia indicating the developer, One Washington Place and Shodeen are not in default or in breach of any agreements with the City of Batavia. If that comfort letter did not come forward then the bank would have hesitation working further on the project. The access agreement has not yet been executed and the developer and staff would have to work through the schedule to decide when building permit plans would be prepared, submitted and reviewed. Patzelt suggested the Committee of the Whole direct staff to take the next steps with Shodeen, which is outlining the calendar of events as well as getting a copy of the commitment letter and bringing that back before the Council next week.

The Committee discussed establishing the dates and timeline, reasons for delays (e.g. COVID-19, construction pricing, environmental issues on the site) and the TIF expiring in 2044. Chair Wolff stated that if we don't have a hard answer on Friday by 5pm on Tuesday he would ask the Council to terminate the RDA. Patzelt stated that they would work on establishing dates and timeline this week.

7. Project Status

Newman reported on the following:

- The recent storms have caused some tree damage in our city. We will be resuming our regular collection in three weeks. To be more fiscally responsible the City has decided to wait the three weeks.
- The Executive Director of the Batavia Park District discussed with her when it would be appropriate to hold the virtual public open house to discuss the alternate concepts for dam removal. In light of the fact that Windmill City Fest is coming up with a holiday weekend thereafter we are going to aim for early September for that meeting. A mailing will be sent to people's homes on how to participate in the discussion. An in-person open house will be scheduled as well.
 - Chair Wolff requested a representative from the Forest Preserve to be a part of this discussion going forward.

8. Other

There were no others at this time.

9. Executive Session:

- a. Collective Bargaining**
- b. Setting Electric Rates**

c. Purchase of Real Estate

Motion: To enter into Executive Session for the purpose of collective bargaining, setting electric rates, and purchase of real estate.

Maker: Knopp

Second: Solfa

Roll Call Vote: **Aye:** Knopp, Solfa, Wolff, Baerren, Ajazi, Malay, Uher, Vogelsinger, Miller, Russotto, Beck

Nay:

11-0 Vote, 3 Absent. Motion carried.

The Committee entered Executive Session at 8:00pm and exited at 9:31pm.

10. Adjournment

There being no other business to discuss, Chair Wolff asked for a motion to adjourn the meeting at 9:31pm; Made by Knopp; Seconded by Uher. Motion carried.

Minutes respectfully submitted by Jennifer Austin-Smith, Recording Secretary.