

**Committee of the Whole Meeting**  
**Minutes**  
**Tuesday, July 11th 2023**  
**7:00 PM - City Council Chamber - 1st Floor**

**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 Chanzit called the meeting to order at 7:00pm.**

**1. Roll Call**

**Present:** Miller, Lanci, Beck, Pieper, Chanzit, Solfa, Wolff, Baerren, Leman, Ajazi, Malay, Uher, Cerone, Vogelsinger.

**Absent:**

**Also Present:** Mayor Schielke; Chief Craig Hanson, Batavia Fire Department; Laura Newman, City Administrator; Gary Holm, Director of Public Works; Drew Rackow, Planning and Zoning Officer; Jeff Albertson, Building Commissioner; Wendy Bednarek, Director of Human Resources; Rahat Bari, City Engineer; Scott Buenig, Director of Community & Economic Development; and Ellyn Theis, Recording Secretary.

**2. Reminder: Please speak directly into the mic**

**3. Approve minutes for May 23, 2023**

**Motion:** To approve minutes

**Maker:** Chanzit

**Second:** Solfa

**Roll Call Vote:**

**Aye:** Miller, Lanci, Beck, Pieper, Chanzit, Solfa, Wolff, Baerren, Leman, Ajazi, Malay, Uher, Cerone, Vogelsinger.

**Nay:**

**14-0, motion carried.**

**4. Items Removed/Added/Changed**

None

**5. Matters from the public (not on the agenda)**

Susan Russo, resident of Batavia, is present to make the City Council aware of an opportunity to respond to new information regarding the carbon capture system and sequestration system at Prairie State.

**6. Ordinance 23-30: Amendment To The Comprehensive Plan Land Use Map (DR 7/7/23) CD**

Drew Rakow introduced four action items for the Leo Brown Group's medical resort at the northeast corner of Main and Deerpath.

Austin Dempsey of Batavia Enterprises and the design team presented a state of the art medical resort for skilled rehabilitation. They have 19 facilities across 6 states and care of 1,700 patients. Ald. Solfa asked what the facility would be comparable to. Jarred Car, VP of Operations answered that the facility is similar in aspects to Marianjoy but they believe what they do is very different. They are licensed as a nursing home. There will be physicians partnered with at hospitals so they will not be on staff but they will come to the facility as many times as needed.

Ald. Vogelsinger asked about the average length of stay. Most visits will be intensive short-term care, between 14-21 days. 90-95% of people who will visit this facility will come from the hospital. They are partnering with Northwestern Hospital on this project, so there will be direct transfers from Delnor Hospital. Ald. Baerren asked about the hiring practices of employees in the hospitals. Employees will be hired inside the company so as to not rely on contracting companies. They will all be interviewed and trained within the company.

There is far more greenspace than what is required of a space that size. Currently the site is maintaining a 45% greenspace ratio and a lot of that is centered around preserving some of the growth around the site and natural features, as opposed to the 16% greenspace ratio that is required. This plan is requesting 106 parking spots.

**Motion:** To approve ordinance 23-30

**Maker:** Uher

**Second:** Malay

**Roll Call Vote:**

**Aye:** Miller, Lanci, Beck, Pieper, Chanzit, Solfa, Wolff, Baerren, Leman, Ajazi, Malay, Uher, Cerone, Vogelsinger.

**Nay:**

**14-0, motion carried.**

**7. Ordinance 23-31: Amendment To The Official Zoning Map To Rezone Property To The R4 – Multiple Family Residential, Medium Density District And To Add A Planned Development Overlay District (DR 7/7/23) CD**

**Motion:** Move Ordinance 23-31 to Council

**Maker:** Uher

**Second:** Malay

**Roll Call Vote:**

**Aye:** Miller, Lanci, Beck, Pieper, Chanzit, Solfa, Wolff, Baerren, Leman, Ajazi, Malay, Uher, Cerone, Vogelsinger.

**Nay:**

**14-0, motion carried.**

**8. Ordinance 23-32: Conditional Use Permit For A Nursing Home In A R4 Multiple Family Residential, Medium Density District (DR 7/7/23) CD**

**Motion:** Move Ordinance 23-31 to Council

**Maker:** Uher

**Second:** Malay

**Roll Call Vote:**

**Aye:** Miller, Lanci, Beck, Pieper, Chanzit, Solfa, Wolff, Baerren, Leman, Ajazi, Malay, Uher, Cerone, Vogelsinger.

**Nay:**

**14-0, motion carried.**

**9. Resolution 23-088-R: Approving The Preliminary/Final Plat Of Deerpath And Main Consolidation Subdivision (Preliminary & Final) (2349 Main Street And 2399 Main Street - City Of Batavia) 2349 (Formerly 38W284) Main Street - Kimley Horn & Associates, Applicant (DR 7/7/23) CD**

**Motion:** To approve resolution

**Maker:** Uher

**Second:** Malay

**Roll Call Vote:**

**Aye:** Miller, Lanci, Beck, Pieper, Chanzit, Solfa, Wolff, Baerren, Leman, Ajazi, Malay, Uher, Cerone, Vogelsinger.

**Nay:**

**14-0, motion carried.**

**10. Resolution 23-091-R: Approval Of Permit Processing Analysis Study And Permit Fee Analysis Study (SCB 7/3/23) CD**

\$45,000 total cost for analysis study. The anticipation is that the study will conclude that the city does not have enough staff to cover the volume of permits received. Electronic permits are helping, and that does take care of a portion of the issue, but not all permits are able to be done online and should not be considered a long-term solution. Chair Chanzit pointed out that the committee may have inadvertently created an adversarial environment for the city to request hiring additional staff. City Administrator Laura Newman pointed out that Max Weiss and Lori Botterman of the City would have the skills necessary to create a streamlined and clear permitting system that could help avoid confusion. The issues regarding the permitting process are about the length or complexity of the process, not any city employees or personnel.

**Motion:** To move Resolution 23-091-R for approval to council.

**Maker:** Uher

**Second:** Malay

**Roll Call Vote:**

**Aye:** Miller, Lanci, Beck, Pieper, Wolff, Leman, Uher, Cerone, Vogelsinger

**Nay:** Solfa, Chanzit, Baerren, Ajazi, Malay,

**9-5, motion carried.**

**11. Ordinance 23-25: Amending Title 3 Chapter 4 Of The Municipal Code Relating To Amusements In The City Of Batavia (MW/LN 6/13/23 COW 6/27/23 13/0 6/13/23) GS**

Item has been brought back to council due to a business owner in town requesting additional changes. The business has a bowling league that begins at 7:30am so they are requesting that they can begin operation at 7:00am. The owner of this business is also required to look for truant students but that is difficult to discern as there are many students who are homeschooled in town.

**Motion:** To approve ordinance amendment

**Maker:** Chanzit

**Second:** Pieper

**Roll Call Vote:**

**Aye:** Miller, Lanci, Beck, Pieper, Chanzit, Solfa, Wolff, Baerren, Leman, Ajazi, Malay, Uher, Cerone, Vogelsinger.

**Nay:**

**14-0, motion carried.**

**12. Resolution 23-089-R: Authorizing Execution Of A Contract With Era Valdivia Contractors, Inc. For The 2023 Donovan/Wilson St Bridge – Cleaning And Painting Steel Railing Project For An Amount Not To Exceed \$101,000 (AP 6/23/23) CS**

Maintaining the bridge is very important as it is not very old. This is significantly under budget, which was estimated around \$200,000. Rahat Bahari reported that there was only one bidder for the project, all contractors were reached out but lately the city has found that going in the middle of the year isn't the best idea as there is a lot of work and companies are busy. Same contractor as last time the bridge was maintained, they provided great work in the past and the cost is efficient.

**Motion:** Move to council with a positive recommendation

**Maker:** Malay

**Second:** Solfa

**Aye:** Miller, Lanci, Beck, Pieper, Chanzit, Solfa, Wolff, Baerren, Leman, Ajazi, Malay, Uher, Cerone, Vogelsinger.

**Nay:**

**14-0, motion carried.**

**13. Discussion: Safe Routes To School Layout Discussion For Blaine Street, Webster Street And Republic Road (RB 6/30/23) CS**

Gary Holm stated the city is receiving federal funding, but one of the caveats is that it's an all-or-nothing proposition. We need to do the scope of work that is presented, we cannot peel off parts or pieces of it. Gary acknowledges that there is community opposition to the sidewalk, but encourages them to consider the larger picture of the Safe Route to School proposition. Laura Newman notes that the particular stretch of road on Republic is included as a priority area in the bike-ped plan.

Rahat Barat marked driveways to indicate where sidewalks will go. Most sidewalks will be 5' behind the line. The plan is to not damage any trees with the construction. It has been considered to add the sidewalk to the east side, but the east side of the street is too full. Ald. Malay noted that there were 3 families with strollers along that section of the street, illustrating the need for a sidewalk in that area.

**Open to public comment:**

Meredith Stoffel at Republic Road. In 26 years there has never been a report of an incident in this stretch of road. It is a wonderful place to live. Upset that a sidewalk will be placed 10' into her yard. Does not want sidewalks. It would be a disaster to implement sidewalks.

A resident of Republic Ave noted that it was probably a very heavy traffic moment when Ald. Malay happened to see 3 strollers. Is more concerned with the funding aspect of it because he doesn't plan on being here for longer than a year.

A Resident noted that the council has to balance a plan for sidewalks in the village with opposition from residents involved. That will be a political decision, recognize that those kinds of decisions will most likely be reflected at the polls in the future. Part of the vehemence in the communication is how we're being communicated with, due to the lack of notice. Asks how the residents were notified. A FOIA request was filed with the City of Batavia Police for accident reports in the project area; there are 0 accident reports in the project area. Asks that the project is tabled for 45 days and a better system to notify residents of such projects.

A resident did a math exercise when people were bringing the idea of a nursing home up and wanted extra parking spaces. 96 beds would be 48 parking spots, they were requesting 59 extra spots, which can be an extra 20,000 extra feet of pavement. There is about 17,000 feet of greenspace that would be taken away with the addition of a sidewalk. If she was at the school and wanted to get to the park, she would walk up Illinois to the park, she would not walk on Republic. Concerned that this will be considerably over the initial budget that has been proposed. Has had to dodge strollers on the way to work because they prefer to use the street. Was looking at the other sections on Blaine, it's a section of walk that won't serve many people but it's taking kids into a pretty desolate area. Although she has never walked it herself, if she had a child that was middle school or younger, she wouldn't feel comfortable for them to go into that area. There are a lot of people on walking paths who have been abducted and killed.

Roger Stone of Republic noted that to his knowledge there aren't any families living in the 300 block of Republic with a stroller.

Larry Winters of 318 Republic road realizes that there is federal funding involved, but no one in attendance is in favor of a sidewalk on Republic road.

To provide staff with direction, Ald. Malay recommends to staff that they move forward with the project. Ald. Solfa notes that there isn't any discussion needed, and it can be moved to the resolution stage and it can be addressed at that point if necessary. The city will mark both the east and west side of the street and send a letter out to residents via USPS.

#### **14. Discussion: Recommendations For Safety Improvements To Rte. 31 (LN)**

Ald. Beck presented a presentation on the HAWK system. Ald. Voglesinger is in support of replacing current signals with the HAWK system. Ald. Wolff wants to know if we were

to go to the HAWK system, can we use the same pad and same location as the RRFB is located? Gary Holm said probably not because it would need an electric foundation. Ald. Uher is in favor of the HAWK system and painting the intersections. Ald. Pieper and Ald. Lanci are in support of painting the intersections as immediate action. Ald. Baerren is in support of the trees to promote calming and is a proponent of painting of the intersections. Ald. Cerone is in support of all points except for the trees, not due to the existence of trees, but due to the cost. By show of hands, 6 out of 14 aldermen are in favor of removing the RRFB at this time.

**15. Discussion: Concepts For Dam Removal/Depot Pond Preservation (LN)**

Tabled for discussion until next week, July 25th 2023.

**16. Discussion: Potential Uses Of Single Use Bag Fee Revenues (LN)**

Tabled for discussion until next week, July 25th 2023.

**17. Project Status**

Laura Newman notes that the city has received samples for the columbarium sculptures and a notice will be sent to the community to provide comments and vote on their preference. In the month of August, City Council meetings will take place on the 7th and the 21st, and Committee of the Whole meetings will be on the 8th and 22nd. The Batavia Police Department has deployed the drone on multiple occasions to include critical incidents, traffic reconstruction, and oversight of special events for the purpose of public safety and we have been notified by Kane County Task Force that we've been selected to receive grant money to cover the cost of the drone in the amount of roughly \$7,300. The Batavia Fire Department is providing first aid and CPR to all public works personnel to ensure staff is prepared in the event of an emergency.

Ald. Malay asks that further discussion be held on ambulance services.

**18. Other**

**19. Executive Session: Land Acquisition (SB)**

Council entered Executive Session at 10:35 and exited at 10:58.

**20. Adjournment**

With no further matters to discuss, Alderman Chanzit called for adjournment at 10:59.