

CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL

Monday, August 7th, 2023
7:00 p.m. – Council Chambers 1st Floor
100 N. Island Avenue, Batavia, IL 60510
Hybrid Meeting

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. Minutes 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. Any references to discussion and/or statements are only to provide greater clarity to the public and they may not reference all, some, or any of an individual speaker's comments.

1. MEETING CALLED TO ORDER

The Mayor called the meeting to order at 7:00 pm.

2. INVOCATION followed by PLEDGE OF ALLEGIANCE

Ald. Lanci led the Pledge of Allegiance.

3. ROLL CALL

Aldermen in attendance at roll: Lanci (6), Beck (5), Pieper (4), Chanzit (3), Wolff (2), Solfa (1), Leman (2), Ajazi (3), Malay (4), Uher (5), Vogelsinger (7).

4. REMINDER: Please Speak Into The Microphone For BATV Recording

5. ITEMS REMOVED/ADDED/CHANGED

No changes.

6. CONSENT AGENDA

Accept and Place on File:

- A. Committee of the Whole Minutes May 23, 2023 and June 27, 2023
- B. Plan Commission Minutes June 21, 2023
- C. Historical Preservation Minutes July 6, 2023
- D. Building Reports June 2023

Approvals:

- E. July 21st, 2023 Payroll \$1,049,716.27 and August 4th, 2023 Payroll \$1,012,815.24
- F. Accounts Payable Check Register \$1,375,567.99
- G. City Council Minutes June 20, 2023 & July 17, 2023
- H. RESOLUTION 23-095-R: Authorizing Execution of a Contract with Western Specialty Contractors for the River Street Parking Structure 2023 Maintenance

Repairs for an Amount Not to Exceed \$117,600.00 which includes 10 percent contingency amount. (CB 7/18/23 COW 7/25/23 14/0) CS

- I. RESOLUTION 23-096-R: Approving a construction contract with Surface Construction to install decorative crosswalks on Island Ave and Wilson Street for an amount not to exceed 54,656 which includes 10 percent contingency amount (RB 7/19/2023 COW 7/25/23 14/0) CS
- J. RESOLUTION 23-097-R: Approving a License agreement with Batavia Park District for reconstruction of Main Street and ongoing maintenance, repair and replacement along Engstrom Park (RB 7/19/2023 COW 7/25/23 14/0) CS
- K. RESOLUTION 23-098-R: Approving a License agreement with Batavia Park District to improve the access Apron at the southeast corner of Main Street and Millview intersection (RB 7/19/2023 COW 7/25/23 14/0) CS
- L. RESOLUTION 23-94-R: Approving Contract for Northeast and Southeast Substation Maintenance (SA 7/19/23 COW 7/25/23 14/0) PU
- M. APPROVAL: Class F Liquor License – Batavia Main Street – Dinner Table Event Sunday, August 13, 2023 (SM COW 7/25/23 14/0)
- N. APPROVAL: Class G Special Use Liquor License Permits for the September 3, 2023 “Batavia Block Party” organized by Batavia Main Street (SM 8/03/23)
- O. RESOLUTION 23-086-R: Approving a Façade Improvement Grant to Grainology Brewstillery 131 Flinn St. (AI 7/25/23 COW 7/25/23 14/0) CD
- P. RESOLUTION 23-087-R: Approving a Downtown Improvement Grant to Grainology Brewstillery –131 Flinn St. (AI 7/25/23 COW 7/25/23 14/0) CD

Ald. Chanzit read aloud the Consent Agenda.

*Motion by Ald. Chanzit, seconded by Ald. Leman, to approve the consent agenda.
Motion carried 11 yea/ 0 nay/ 3 absent.*

7. MATTERS FROM THE PUBLIC: (For Items NOT On The Agenda)

none seen

8. CHAMBER OF COMMERCE

Ald. Miller arrived at 7:10 pm.

President Maragret Perrault delivered her report on the recent and upcoming activities of the Chamber of Commerce. Please view the recording for comments in full.

She introduced her guest, Mike Kandah, owner of Smarty Pants Cafe. Kandah spoke about his business, which is a neighborhood cafe that serves coffee and tea and hosts science-based events and talks.

9. RESOLUTION 23-100-R: Authorize Budget Amendment For The Community And Economic Development Department (SB 7/21/23 COW 7/25/23 14/0) CD

Motion by Ald. Uher, seconded by Ald. Beck, to approve the resolution. Motion carried 12 yea/ 0 nay/ 2 absent.

10. ORDINANCE 23-37: Establishing A Six Month Moratorium On The Acceptance And Processing Of Certain Building And Zoning Applications For The LI – Light Industrial And GI – General Industrial Properties In The SRS – South River Street Gateway Overlay District In Place Of The Truck Regulations (DR 7/21/23 COW 7/25/23 8/6) CD

Scott Buening presented the ordinance. Ald. Chanzit asked if the City had an opportunity to speak with landowners concerned. City staff responded that it had.

Mayor Schielke invited members of the audience to offer comment. Kate McCracken rose to address the City Council. McCracken requested that the city ordinance exempt a singular parcel of property from this ordinance owned by her client.

Ald. Chanzit stated that the city council has been telegraphing intent to improve this gateway property for a long time. Ald. Uher suggested that he would be more willing to consider exemptions on any other parcel.

Motion by Ald. Uher, seconded by Ald. Malay, to approve the ordinance. Motion carried 11 yea/ 1 nay/ 2 absent.

11. RESOLUTION 23-099-R: A Resolution Supporting A Design Concept For Configuration Of The River And Depot Pond In The Event Of Removal Of The Batavia Dam (LN 7/20/23 COW 7/25/23 8/6) GS

City Administrator Newman presented the resolution.

Ald. Solfa inquired about the timeline for funding availability. Administrator Newman answered that the Illinois Department of Natural Resources may at any time decide to terminate the funding program. She also mentioned that there may be additional funds available in the future in light of new study results from the U. S. Army Corp of Engineers. Discussion ensued.

Ald. Miller said that he did not believe that the engineering study would provide valuable new information that would prefer Option B to Option A.

Ald. Lanci asked what would happen in the event of a disagreement with the Park District. Administrator Newman suggested that there would be no movement on this issue.

Ald. Pieper asked additional questions about an engineering study.

Ald. Beck asked what an engineering study would cost. Administrator Newman answered that she would not be able to provide a ballpark figure for that

Ald. Chanzit suggested that to not take any action would necessitate a crisis response, rather than a managed one. He said he would prefer to make a mistake than to refuse to take action.

Ald. Solfa suggested that not approving Option B would not necessarily prevent choosing Option A. Discussion ensued.

Ald. Beck asked at what point the project would be submitted for approvals to IDNR or the Army Corp of Engineers. Administrator Newman responded that all these governing agencies would approve would be the dam removal and bank stabilization. She anticipated that the next stage of engineering would not begin until 2024, even if the resolution were to be approved in this voting session.

Mayor Schielke encouraged the Council to approve the resolution.

Motion by Ald. Uher, seconded by Ald. Malay, to approve the resolution. Motion carried 8yea/ 4 nay/2 absent.

12. RESOLUTION 23-101-R: Authorizing Execution Of A Notice Of Award To IHC Construction Companies LLC For Phase IIA Rehabilitation Improvements To The Wastewater Treatment Facility (GPH 7/24/23)

Gary Holm presented the resolution, and at the same time presented RES 23-102-R, and RES 23-103-R.

Motion by Ald. Malay, seconded by Ald. Uher, to approve the resolution. Motion carried 12 yea/ 0 nay/ 2 absent.

13. RESOLUTION 23-102-R: Authorizing Execution Of An Agreement With IHC Construction Companies LLC For Phase IIA Rehabilitation Improvements To The Wastewater Treatment Facility (GPH 7/25/23)

Motion by Ald. Malay, seconded by Ald. Uher, to approve the resolution. Motion carried 12 yea/ 0 nay/ 2 absent.

14. RESOLUTION 23-103-R: Authorizing Execution Of A Notice To Proceed To IHC Construction Companies LLC For Phase IIA Rehabilitation Improvements To The Wastewater Treatment Facility (GPH 7/24/23)

Motion by Ald. Malay, seconded by Ald. Uher, to approve the resolution. Motion carried 12 yea/ 0 nay/ 2 absent.

15. ADMINISTRATOR'S REPORT

Administrator Newman delivered her report. She delivered a statement of thanks from Mark Davis, the Chairman of the Batavia ACCESS Fireworks Committee. Please review recordings for comments in full.

16. OTHER BUSINESS

Ald. Wolff reminded everyone that a week from Friday will be the kickoff corn boil at the high school.

17. MAYOR'S REPORT

Mayor Schielke delivered his report. He spoke about the upcoming dedication of the Flag Day Monument. He noted a new possibility for nuclear power generation in Illinois and interest from other mayors. He presented a copy of the yard signs printed to encourage residents to drive cautiously. He encouraged residents to display these signs proudly. He noted that Illinois is on track to break the state's previous records for the highest number of traffic fatalities. View recording for comments in full.

18. EXECUTIVE SESSION:

a. Land Acquisition (SB)

b. Sale or Lease of Real Estate

c. Purchase of Real Estate

Motion by Ald. Solfa, seconded by Ald. Malay, to enter executive session. Motion carried 12 yea/ 0 nay/ 2 absent. Executive session began at 8:24 pm.

Mayor Schielke concluded the executive session at 9:10 pm.

19. ADJOURNMENT

Motion by Ald. Solfa, seconded by Ald. Leman, to adjourn. Motion carried by voice vote. The meeting adjourned at 9:10 pm.

Minutes prepared and submitted by Kate Garrett, City Clerk, July 7th, 2023.