

CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL
March 21, 2011 at 7:30 p.m. - City Council Chambers
100 N. Island Ave. Batavia, Illinois

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 7:32 p.m.

2. INVOCATION followed by PLEDGE OF ALLEGIANCE led by Ald. Liva

3. ROLL CALL: 13 of 14 aldermen were present.

Aldermen (by ward): Garran Sparks (1), Michael O' Brien (1), Victor Dietz (2), Alan Wolff (2), Janet Jungels (3), Dan Chanzit (3), James Volk (4), Thomas Schmitz (4) , Eldon Frydendall (5), Lucy Thelin Atac (5), Robert Liva (6), Lisa Clark (6), and David Brown (7) were present. Ald. Dawn Tenuta (7) was absent.

Also present were BATV and members of the press, public and the following:

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|--------------------|----------------|
| City Administrator | Bill McGrath |
| City Attorney | Roman Seckel |
| City Clerk | Heidi Wetzell |
| Fire Chief | Randall Deicke |
| Finance Director | Peggy Colby |
| Police Chief | Gary Schira |

4. ITEMS REMOVED/ADDED/CHANGED- None

5. CONSENT AGENDA

Accept and Place on File:

- A. City Services Minutes for February 3, 2011
- B. Government Services Minutes for January 10, January 24, and February 22, 2011
- C. Community Development Minutes for November 9, and Nov. 23, 2010 and January 11, and Jan. 25, 2011
- D. Plan Commission Minutes for February 23, 2011
- E. February, 2011 Building Report

Approvals:

- A. March 18, 2011 Payroll
- C. March 7, 2011 City Council Minutes

- D. RESOLUTION 11-15-R: Expanding Authority for the Fire & Police Commission (PD Chief Schira 02/25/11 FD Chief Deicke 3/2/11 City Services 3/8/11 Vote 4/0)**
- E. APPROVAL: Vehicle Maintenance and Repair Request for Proposal (FD Chief Deicke 3/2/11 City Services 3/8/11 Vote 4/0)**
- F. RESOLUTION 11-22-R: Resolution to Seek a Permit From IDOT to Close State Route 25 for Certain Hours on May 1, 2011 for the Loyalty Day Parade (D/C Eul 03/09/11 Government Services 3/14/11 Vote 6/0)**
- G. RESOLUTION 11-28-R: A Resolution Authorizing Executions of Bank Resolution with Harris N.A. (Peggy Colby Government Services 2/22/11 Vote 6/0)**

Motion by Ald. Schmitz, seconded by Ald. Dietz, to approve the Consent Agenda as presented. Motion carried 13 aye/0 nay/1 absent

6. PRESENTATION: MainStreet Minute

The MainStreet Minute was given by Austin Dempsey of Batavia Enterprises. Dempsey introduced Brian Hunter owner of Greenstar Inc, a remodeling company located at 2 ½ W. Wilson St Suite A-1. Greenstar is an environmentally friendly remodeling company that recycles all construction debris that comes off the building as well as using as much recycled product as possible in remodeling. They have 7 employees and are involved in the community through the Fox Trot as well sponsoring local sports teams.

7. PRESENTATION: Local Relief Project for the Children of Haiti- Gary Van Kempema

Gary Van Kempema of the Congregational Church of Batavia informed the council of a project called Sewing Day. Van Kempema turned the discussion over to Doris Frame 1148 North Ave of Batavia who is the mother of an earthquake survivor and has made three trips to Haiti in the past year to help in the relief efforts. She talked about the sewing project that turns t shirts into shorts and pillowcases into dresses for the boys and girls of Haiti. The children of Haiti often only have second hand clothing and they love the new homemade items that come from the United States. There will be a sewing workshop at the Congregational Church from May 21st from 1-5 p.m. All are invited and sewing experience is not necessary. Frame will be taking the clothing as well as collected diapers to Haiti in July.

8. PROCLAMATION: Recognizing John Noble (JDS)

Ald. Schmitz read the Proclamation honoring the highly regarded and respected City Attorney John Noble who served the city as City Attorney from December 1999 to February 2011. Noble was often cited for his sense of fairness, his depth of research, and his intellectual approach in dealing with the complex legal questions that have involved the city government during his years of service.

John Noble always sought to understand and work towards the goal of putting the best interests of the citizens of Batavia at the forefront of all legal issues that he was asked to facilitate. He was a true professional and skilled attorney at law in every situation that he was called to deal with

and the community of Batavia was well served and the public good was enhanced by his dedicated efforts.

The Batavia City Council votes this proclamation as a public statement of thanks and gratitude to John Noble.

Motion by Ald. Schmitz, seconded by Ald. Dietz, to approve the Proclamation honoring John Noble. Motion carried 13 aye/0 nay/1 absent

9. APPOINTMENT: Reappoint Randy Deicke as a Trustee to the Batavia Fire Pension Board (George Stoffel 3/7/11)

Motion by Ald. Volk, seconded by Ald. Schmitz, to approve the Reappointment Randy Deicke as a Trustee to the Batavia Fire Pension Board. Motion carried 13 aye/0 nay/1 absent

10. APPOINTMENT: Appoint Alderman O'Brien –Streetscape Updates (JDS)

Motion by Ald. Brown seconded by Ald. Wolff, to approve the Appointment of Alderman O'Brien as Chairman of the Downtown Redevelopment Streetscape Committee. Motion carried 12 aye/0 nay/1 absent/1absetnetion (O'Brien).

11. RESOLUTION 11-16-R: Budget Amendment for the City of Batavia Police Depart Contractual Services Account (D/C Eul 03/01/11 City Services 3/8/11 Vote 4/0)

Ald. Volk explained Resolution 11-16-R is a budget amendment for the Police Department's Contractual Services Account #10-31-6355. For 2011 the City of Batavia budgeted the amount of \$368,139 for Tri Com the Police and Fire communications system used by Batavia, Geneva, Elburn and the surrounding Fire protection districts. This amount is based on the number of calls Tri Com receives from each community.

The old Fox River and Countryside Fire and Rescue District (formerly known as the St. Charles Countryside Fire Protection District) will no longer be a part of Tri Com but will now use the Kane County Sheriff's Communication Center. This will result in a loss of some 1100 calls for service and a loss in income from Tri Com. Since Tri Com's expenses are fixed all of the participating communities will have to make up for the loss in income. This resolution adds \$43,000 to account 10-31-6355 for Batavia's share.

Motion by Ald. Volk, seconded by Ald. Liva, to approve Resolution 11-16 an amendment to account 10-31-6355 contractual services for the Police department in the amount of \$43,000Motion carried 13 aye/0 nay/1 absent

12. RESOLUTION 11-20-R: Inducement Resolution to Issue Revenue Bonds—TekPak, Inc. (Bill McGrath 3/11/11 Government Services 3/14/11 Vote 6/0)

Ald. Schmitz explained the inducement for the industrial revenue bonds is state program where the City does the paperwork to request the \$2.6 million in bonds but the company is responsible for repayment. This provided the company with the low cost low percentage rate bonds with absolutely no liability to the City regardless of the actions of the company including failure.

Motion by Ald. Schmitz, seconded by Ald. Dietz, to approve Resolution 11-20-R. Motion carried 13 aye/0 nay/1 absent

13. RESOLUTION 11-27-R: Resolution Stating City's Opposition to Certain Changes to the Illinois Tax Increment Allocation Redevelopment Act (Bill McGrath 3/18/11)

Ald. Schmitz asked City Administrator Bill McGrath to explain the issue to the council. McGrath noted that as the City is a member of the Metro West Council of Governments and since there are several bills pending in the state legislature that would change the TIF statute and seriously inhibit the financing of projects being undertaken by the City including the Streetscape project as well as the Façade Improvement and Downtown Development Grant, it is in the City's best interest to join other Metro West and IML member municipalities to pass resolutions opposing the changes to the TIF statute.

Ald. Wolff asked McGrath to prepare similar resolutions opposing changes in the state allocation for the municipal share of taxes. Ald. Dietz joined Ald. Wolff in that request.

Motion by Ald. Schmitz, seconded by Ald. Dietz, to approve Resolution 11-27-R. Motion carried 13 aye/0 nay/1 absent

14. ADMINISTRATOR'S REPORT- Bill McGrath

Staff has been very busy and is preparing more legislation for Council approval. Staff continues to meet with the Mooseheart team on the proposed annexation results of those meetings will be presented in committee.

15. COMMITTEE REPORTS

Community Development Committee- Ald. Brown

The Plan Commission will meet on March 23rd at 7:30 pm. The Historic Preservation Committee will meet on Monday March 28th at 5:50 pm. The Community Development Committee will meet on March 29th at 7:30 p.m.

Government Services Committee- Ald. Schmitz

The March 28 meeting of the Government Services Committee has been canceled. The next meeting will be on April 11

City Services Committee – Ald. Volk

The City Services Committee will meet Wednesday March 30th in the Council Chambers at 7:30 pm. Public comments on the proposed chicken ordinance were taken at the March 8th meeting and will provide a majority of the discussion at the meeting

Public Utilities – Ald. Frydendall

The Public Utilities Committee will meet on March 22nd.

16. OTHER BUSINESS

Ald. Wolff announced that due to construction the BATV office will be moving location within the High School. People who are visiting the office should call BATV to find out where in the building they are located.

Ald. Dietz informed the council that his son is on the USS Scout a ballistic missile destroyer stationed in the Mediterranean and this fact makes the events in Libya seem no further than his living room. He asks that all Batavians be aware and sensitive that we have sons and daughters serving in these areas and would like to hear from other Batavians with family serving in the area.

17. MAYOR'S REPORT

The ACCESS meeting will be on April 27th at 7:30 p.m. in the Council Chambers. The Mayor believes there might be some ways in which the ACCESS committee can find projects that will help the Streetscape committee once the report takes its final form. All in the community are invited to attend.

The Mayor reminded the assembled that the cities in Illinois receive 10% of the state income tax revenue through the Local Government Distribution Fund and there has been some talk in the state legislature about reducing that percentage. If this passes many cities including the City of Batavia will take a real hit. The Mayor feels the City needs to make our elected representative know that contrary to the beliefs of some legislators the cities cannot get by without this fund. The City of Batavia receives \$1.7 million from the fund.

The withdrawal of the St. Charles Fire Protection District from Tri Com and the Tri Cities Ambulance service means that Batavia will have to increase its portion of the yearly funding to offset the loss. There has been a suggestion that Tri Cities Ambulance lower the number of ambulances in the Tri- Cities. However the ambulance business in Batavia is up, in the last two weeks there were 95 ambulance calls with 9 double calls and today an accident that required 4 ambulances. The Mayor feels ambulance service is one of the most valuable services Batavia offers and is committed to finding a way to continue to fund the necessary ambulance services.

18. CLOSED SESSION: Land Acquisition; Collective Bargaining; Personnel

Motion by Ald. Frydendall, seconded by Ald. Dietz, to enter into Closed Session to discuss Land Acquisition; Collective Bargaining; and Personnel. Motion carried 12 ayes/1 nay (Volk) / 1 absent

Roll Call showed all those who entered the Closed Session returned to Regular Session

18. ADJOURNMENT 8:44 p.m.

Motion to adjourn by Ald. Frydendall, seconded by Ald. Volk, motion passed by voice vote.

Minutes prepared and submitted by,
Heidi Wetzel
City Clerk