

## CITY OF GENEVA COUNCIL MEETING

February 7, 2022

All attendees are required to wear a face covering at all City facilities regardless of vaccination status. Meetings are livestreamed for those unable to attend in person the ability to contemporaneously hear all discussion, testimony and roll call votes of the open meeting in real time. Public comment may be provided at the appropriate time during the meeting by either attending the meeting in person or by registering at the meeting link below. For more information, please see the [Notice-Regarding-Meeting-And-Public-Comment \(geneva.il.us\)](https://www.geneva.il.us/Notice-Regarding-Meeting-And-Public-Comment)

### **CALL TO ORDER**

The Geneva City Council meeting was called to order by Mayor Kevin Burns at 7:00 p.m.

#### Elected Officials present:

Aldermen: Tara Burghart, Becky Hruby, Gabriel Kaven, Dean Kilburg, Brad Kosirog, Richard Marks, Amy Mayer, Robert Swanson.

Mayor Kevin Burns, City Clerk Roger Godskesen

Elected Officials attending by video or teleconference: Ald. Mike Bruno, Craig Maladra

Elected officials absent:

Others Present: City Administrator Stephanie Dawkins, Assistant City Administrator Ben McCready, Community Development Director David DeGroot, City Atty. Ron Sandack, Fire Chief Antenore, Finance Director Kruse, Public Works Director Babica, Development Director Tymoszenko, Police Chief Passarelli, Superintendent Van Gyseghem, Superintendent Holton

Others attending by video or teleconference:

Pledge of allegiance led by Craig Maladra

Mayor Burns recognized the birth of a baby girl, making Ald. Maladra a grandfather for the first time.

Burns asked for a moment of silence recognizing two members of the community who recently passed.

Dennis Kabela had served the city for many years as an alderman, city clerk and volunteer fire-fighter in Geneva.

Dr. Peter Lee left behind a family, and his mother, the long-time owner of the Gen Hoe restaurant in the city.

### **3. PUBLIC HEARINGS, SPECIAL ITEMS AND PRESENTATIONS**

#### **a. Public Hearing on the FY 2023 City of Geneva and Tri-Com Central Dispatch Budgets**

Moved by Ald. Marks seconded by Ald. Mayer to open the public hearing.

MOTION CARRIED by unanimous voice vote 10/0.

There being no public comment on line or in chambers:

Moved by Ald. Kosirog seconded by Ald. Mayer to close the public hearing.

MOTION CARRIED by unanimous voice vote 10/0.

#### **b. Proclaim February as Black History Month**

Moved by Ald. Swanson seconded by Ald. Bruno to so proclaim.

Mayor Burns noted the importance of Black History Month, and that it represented the history of all of us. A short video was presented regarding the struggle to provide equitable healthcare to Black Americans, and how the Federal Government helped to achieve that through passage of the civil rights act in 1964 and the Medicare system.

#### **4. AMENDMENTS TO AGENDA**

None

#### **5. OMNIBUS AGENDA**

All Items listed on the Omnibus Agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a council member so requests in which event the item will be removed from the Omnibus (Consent) Agenda and considered in its normal sequence on the agenda.

Moved by Ald. Marks, seconded by Ald. Mayer to approve the agenda as presented.

Roll Call:

AYES: 10 (Ald. Bruno, Burghart, Hrubby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 0

NAYS: 0 MOTION CARRIED

#### **\*6. Approve Regular City Council Minutes from January 18, 2022. (Clerk Recommends Approval)**

Moved by Ald. Marks, seconded by Ald. Mayer to approve the measure as presented. Approved by unanimous roll call vote 10/0. (Omnibus Agenda). MOTION CARRIED

#### **\*7. APPROVE REPORTS**

a. FY2021-22 Third Quarter Goals Status Report

Moved by Ald. Marks, seconded by Ald. Mayer to approve the measure as presented. Approved by unanimous roll call vote 10/0. (Omnibus Agenda). MOTION CARRIED

#### **8. COUNCIL COMMITTEES**

None

#### **9. OTHER ITEMS AND CORRESPONDENCE**

None

#### **10. MUNICIPAL BILLS FOR PAYMENT**

City of Geneva Expenditures - 2/2/2022 \$ 1,106,466.56

Manual Check(s) –

Utility Billing Refund(s) 1,112.22

Misc. Refund(s) –

Sales Tax Abatement –

City of Geneva Payroll 730,898.91

Tri-Com Expenditures - 2/2/2022 161,235.71

Tri-Com Payroll 107,745.37

Total Expenditures \$ 2,107,458.77

Moved by Ald. Bruno, seconded by Ald. Burghart to approve the bills as presented.

Roll Call:

AYES: 10 (Ald. Bruno, Burghart, Hrubby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 0

NAYS: 0 MOTION CARRIED

## **11. COMMITTEE OF THE WHOLE ITEMS OF BUSINESS**

### **\*a. Approve Resolution No. 2022-01 Authorizing a Declaration of Surplus Equipment and Office Furniture.**

Moved by Ald. Marks, seconded by Ald. Mayer to approve the measure as presented.  
Approved by unanimous roll call vote 10/0. (Omnibus Agenda). MOTION CARRIED

### **\*b. Approve Resolution No. 2022-02 Waiving Competitive Bidding and Awarding Labor Contract for Pre-Chamber Upgrade at Geneva Generation Facility to Altorfer Caterpillar in the Amount of \$59,680.95.**

Moved by Ald. Marks, seconded by Ald. Mayer to approve the measure as presented.  
Approved by unanimous roll call vote 10/0. (Omnibus Agenda). MOTION CARRIED

### **\*c. Approve Resolution No. 2022-03 Authorizing the Purchase of Hurst Rescue Tools from Air One Equipment Inc. in the Amount of \$37,284.00.**

Moved by Ald. Marks, seconded by Ald. Mayer to approve the measure as presented.  
Approved by unanimous roll call vote 10/0. (Omnibus Agenda). MOTION CARRIED

### **\*d. Approve Ordinance No. 2022-02 Abating the Tax Levied for the Payments Due Under the Terms of a Certain Ordinance Providing for the Issuance of \$10,885,000 General Obligation Refunding Bonds, (Waterworks and Sewerage Alternate Revenues), Series 2021, of the City of Geneva, Kane County, Illinois, and for the Levy of a Direct Annual Tax Sufficient to Pay the Principal of and Interest on Said Bonds.**

Moved by Ald. Marks, seconded by Ald. Mayer to approve the measure as presented.  
Approved by unanimous roll call vote 10/0. (Omnibus Agenda). MOTION CARRIED

### **\*e. Approve Ordinance No. 2022-03 Authorizing Northern Illinois Gas Company (d/b/a Nicor Gas Company) to Construct, Operate and Maintain a Gas Distributing System In and Through the City of Geneva.**

Moved by Ald. Marks, seconded by Ald. Mayer to approve the measure as presented.  
Approved by unanimous roll call vote 10/0. (Omnibus Agenda). MOTION CARRIED

### **\*f. Approve Ordinance No. 2022-04 Affirming Title 1 (Administration), Chapter 5 (City Council), Section 1-5-1 (Election, Term and General Duties) of the Geneva City Code.**

Moved by Ald. Marks, seconded by Ald. Mayer to approve the measure as presented.  
Approved by unanimous roll call vote 10/0. (Omnibus Agenda). MOTION CARRIED

## **12. PRESENTATION OF ORDINANCES, RESOLUTIONS, PETITIONS, BIDS**

### **12.a. Consider Ordinance No. 2022-05 Granting a Variation to Decrease the Required Street Yard Setback Along Jefferson Street from 20' to 0' for Property Located at 140 N. Harrison Street.**

Moved by Ald. Swanson, seconded by Ald. Marks to approve the motion as presented.

Ald. Bruno asked what the vote was at the PZC, DeGroot answered that it had been unanimous. Swanson and Kosirog spoke in favor and welcomed the applicant. There being no further questions:

Roll Call:

AYES: 10 (Ald. Bruno, Burghart, Hrubby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 0

NAYS: 0 MOTION CARRIED

**12.b. Consider Ordinance No. 2022-06 Amending the Boundaries of the Fisher Farms Planned Unit Development.**

Moved by Ald. Marks, seconded by Ald. Burghart to approve the motion as presented.

Ald. Kilburg asked about concerns over traffic flow, and DeGroot responded that right-turn only measures would be allowed to ease flow, and that the hospital would permit connection to its roadways, as well. There being no further questions:

Roll Call:

AYES: 10 (Ald. Bruno, Burghart, Hrubby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 0

NAYS: 0 MOTION CARRIED

**12.c. Consider Ordinance No. 2022-07 Amending the Boundaries of the Delnor-Community Planned Unit Development and Granting Site Plan Approval for a 15,570 Square Foot Addition to the Delnor Cancer Center.**

Moved by Ald. Swanson, seconded by Ald. Burghart to approve the motion as presented.

Roll Call:

AYES: 10 (Ald. Bruno, Burghart, Hrubby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 0

NAYS: 0 MOTION CARRIED

**12.d. Consider Resolution No. 2022-04 Ratifying the Assignment and Assumption of the Master Purchase and Sale Agreement By and Between the City of Geneva and Metra.**

Moved by Ald. Mayer, seconded by Ald. Kaven to approve the motion as presented.

Ald. Bruno asked about actual boundaries of the property. Adm. Dawkins responded that the map presented was neither up-to-date nor accurate, and that the city needs to have a survey done. The final purchase price may be affected by the actual square footage the survey finds. There being no further questions:

Roll Call:

AYES: 10 (Ald. Bruno, Burghart, Hrubby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 0

NAYS: 0 MOTION CARRIED

**12.e. Consider Resolution No. 2022-05 Accepting Amendment No. 4 to the Operations and Maintenance Agreement with Caterpillar Power Generation Systems LLC in an Estimated Amount of \$41,742.00.**

Roll Call:

AYES: 10 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 0

NAYS: 0 MOTION CARRIED

**12.f. Consider Approval of Resolution No. 2022-06 Adopting the FY 2023 City of Geneva and Tri-Com Central Dispatch Budgets**

Moved by Ald. Bruno, seconded by Ald. Mayer to approve the motion.

Adm. Kosirog opened by reading his comments regarding the proposed funding in the budget for the Geneva History Museum. He felt while he supports the GHM, he would like to see some oversight on how the funds are used. He also proposed creation of a “Cultural Heritage Arts Fund”, in a quest toward diversity and equity. He then offered the topic for open discussion.

Adm. Dawkins noted that creation of a new fund would not be appropriate at this time, because this discussion was only on the motion to adopt the proposed budget. Support for line-item funds could be approved, which could then could looked at before the funds are actually dispersed.

Mayer asked whether the 20% allocation to the GHM was the issue.

Bruno was in favor of having a discussion on the matter.

Maladra agreed with Kosirog, that we should provide funding for the GHM, but that we don’t currently have any say over how the funds are used. He was hesitant to attempt to set policy under pressure, and favored approving the budget now and development an agreement before any funds are actually dispersed.

Dawkins answer Hruby’s question that there is an agreement on how funds are used with the Chamber of Commerce, and felt it could be a starting point for an agreement with the GHM. Hruby agreed with this approach.

Kilburg felt there should be some sort of criteria for use of the funds, and that an agreement should be developed. He added that he was in favor of supporting the GHM.

Burghart agreed with Hruby and Kilburg, there should be an agreement put in place with GHM similar to the Chamber, and that perhaps the GHM could make an annual presentation to the council on how funds were used.

Bruno asked for clarification that the line item could be approved, and then an agreement could be reached later. Burns noted also that the funds would not be disbursed until one year from the present.

Kaven felt that granting 20% of the available funds to single organization was too high as there would undoubtedly be others seeking funding, and asked if it was approved now, what the result would be.

Burns said if the budget was approved tonight as written, the city could amend it later to include other organizations if needed.

Maladra asked if a motion was needed to include this tonight. Burns and Dawkins weighed in, and Atty. Sandack stated that this would not be needed tonight, and further would not be a proper motion. Burns asked what a proper motion would be, but Maladra withdrew his option to make a motion.

Mayer asked for clarification where things stood, and Dawkins felt the general consensus was that no funds would be disbursed to the GHM until an agreement was put in place.

Ald. Kaven made a motion to amend the figure granted to GHM to \$10,000, seconded by Kosirog.

**12.f.1 Motion to amend 12.f Consider Approval of Resolution No. 2022-06 Adopting the FY 2023 City of Geneva and Tri-Com Central Dispatch Budgets to limit funding for the Geneva History Museum to \$10,000.**

Moved by Ald. Kaven, seconded by Ald. Kosirog to approve the motion.

Ald. Kosirog made a motion to amend Kaven's motion to add creation of a cultural fund for the city,

**12.f.2 Motion to amend motion 12.f.1 to create a cultural fund for the city. (WITHDRAWN)**

Ald. Kosirog made the motion, and asked for clarification about what Ald. Kaven's motion included. Dawkins clarified how the funding would be done and based on that, Ald. Kosirog withdrew his motion.

Ald. Kilburg felt details about the GHM should be discussed under new business, and that the discussion tonight should focus on approval of the overall budget.

Ald. Hruby felt further discussion about the GHM was over-complicating the budget discussion, and made a call to question on motion 12.f.1. to limit funding for the Geneva History Museum to \$10,000.

Voting on:

**12.f.1 Motion to amend 12.f Consider Approval of Resolution No. 2022-06 Adopting the FY 2023 City of Geneva and Tri-Com Central Dispatch Budgets to limit funding for the Geneva History Museum to \$10,000.**

Roll Call:

AYES: 2 (Ald. Kaven, Kosirog)

NAYES: 8 (Ald. Bruno, Burghart, Hruby, Kilburg, Maladra, Marks, Mayer, Swanson)

ABSENT: 0 MOTION FAILED

Returning to discussion of the original motion **12.f. Consider Approval of Resolution No. 2022-06 Adopting the FY 2023 City of Geneva and Tri-Com Central Dispatch Budgets**

Mayor Burns recapped, saying there was important work to do with GHM, and that we supported the GHM, but believed that we will see other organizations seeking funding. He added that one year from today would be when funds were disbursed, so there was time to explore options.

Burghart asked that, given the current times of uncertainty, how confident Adm. Dawkins and staff were in the overall budget planning.

Dawkins responded that she felt a lot of consideration had gone into the budget, and that it was solid because of the good planning and conservative approach this council and leadership had followed over the past 10 years since the recession.

There being no further comment or questions: voting on the original motion to approve the budget:

Roll Call:

AYES: 10 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 0

NAYS: 0 MOTION CARRIED

### **13. NEW BUSINESS AND PUBLIC COMMENT**

Ald. Kilburg asked whether city staff were in accord with the funding for the Geneva History Museum, and hoped that work would be done toward an agreement.

Burns noted that an area resident was competing in the Olympics. Kilburg also noted that a member of his family, Mia Manganello Kilburg, was currently competing in the Beijing Olympics as a speed-skater.

Ald. Burghart brought up a concern that the Call-to-Question motion by Ald. Hruby during the discussion about the budget had not actually been voted on. After a review of procedure, Atty. Sandack agreed that a vote should have been taken, and that he took responsibility for the oversight. He and Mayor Burns added that any such concerns should ideally be raised in real-time so they can be addressed. Burghart said she had not realized until after the final vote was completed that this omission had occurred, or she would have spoken up at that time as she felt it was important to follow procedures, as this error had also happened in the past. Burns asked if anyone wished to re-open the discussion on the matter and vote again, but no one spoke up.

Ald. Mayer asked about how to terminate an agreement such as that with the Chamber. Dawkins said either party could seek a termination, but that it would be up to the city council to make the final decision.

No further comments or questions were raised in chambers or online.

### **14. ADJOURNMENT**

There being no further business, moved by Ald. Marks to adjourn the Geneva City Council meeting.

MOTION CARRIED by unanimous voice vote 10/0.

The meeting adjourned at 8:17 PM.

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City Clerk  
Roger Godskesen