

CITY OF GENEVA COUNCIL MEETING

May 2, 2022

CALL TO ORDER

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

Officials present:

Aldermen: Mike Bruno, Tara Burghart, Becky Hruby, Gabriel Kaven, Dean Kilburg, Brad Kosirog, Craig Maladra, Richard Marks, Amy Mayer, Robert Swanson

Mayor Kevin Burns, City Clerk Vicki Kellick, Deputy City Clerk Jeanne Fornari

Elected Officials attending by video or teleconference: none

Elected officials absent: none

Others Present: City Administrator Stephanie Dawkins, Assistant City Administrator Ben McCready, City Atty. Ron Sandack, Development Director David DeGroot, Street Division Superintendent Nate Landers, Public Works Director Rich Babica, Economic Development Director, City Engineer Brian Davids, Preservation Planner Michael Lambert

Others attending by video or teleconference: none

PLEDGE OF ALLEGIANCE

The pledge was led by Vicki Kellick

PUBLIC HEARINGS, SPECIAL ITEMS AND PRESENTATIONS

Consider Mayor's Appointment of Vicki Kellick to the Office of City Clerk

Moved by Ald. Burghart, seconded by Ald. Swanson.

Mayor Burns introduced Ms. Kellick, noting her many years of service as a community volunteer. Kellick thanked the Mayor and council and stated that she was honored and looked forward to serving the community in this new role.

MOTION CARRIED by unanimous voice vote.

Public Hearing on Ordinance No. 2022-22 Vacating and Selling Colony Drive

Moved by Ald. Bruno, seconded by Ald. Mayer.

The hearing was opened at 7:27pm. Resident Bruce Gleanza offered his support for the sale of the parcel to his neighbor Ann Marren, who has cared for the parcel for many years. Attorney John Philipchuck, representing Marren, stated that since this item was last up for consideration, Ms. Maren had increased her offer and secured the necessary easements. Philipchuck also noted that prior conveyances to private citizens garnered no fees or sale price. Ms. Marren stated that she was available for questions and was hopeful the sale would be approved.

On a motion by Ald. Kilburg, seconded by Ald. Kosirog, the hearing was closed by unanimous voice vote at 7:33pm.

Recognize Geneva Middle Schools' Leo Club Ukraine Fundraiser

Burns welcomed students, teachers, and their families in attendance and recognized them for their recent fundraiser to support Ukrainian refugees. Lions Club members were also in attendance and praised the students for their compassion as well as their fundraising efforts. The students raised \$5,188.26.

Proclaim May as Mental Health Awareness Month

Moved by Ald. Kosirog, seconded by Ald. Swanson

Burns invited Geneva 708 Board chair Suzy Shogren and Geneva High School psychologist Michelle Vargas Herbst to speak about the activities at the high school in support of Mental Health Month. Vargas Herbst also spoke of the special stressors on our society since the Covid-19 pandemic and how individuals could seek help.

Reappointment of City Officials

Moved by Ald. Swanson, seconded by Ald. Marks

MOTION CARRIED by unanimous voice vote.

Consider Approval of Resolution No. 2022-42 Appointing Craig Maladra as Mayor Pro Tem

Moved by Ald. Bruno, seconded by Ald. Kosirog

MOTION CARRIED by unanimous voice vote.

Approve Geneva Chamber of Commerce Special Event Application for Swedish Days Festival June 22-26, 2022

Moved by Ald. Kaven, seconded by Ald. Swanson

On a question from Ald. Kosirog, Chamber President Paula Schmidt provided details on some minor changes and updates to the various events for this year's festival.

MOTION CARRIED by unanimous voice vote.

Approve Resolution No. 2022-35 Requesting Approval from IDOT for Street Closures During the Swedish Days Parade June 26, 2022

Moved by Ald. Bruno, seconded by Ald. Kosirog

MOTION CARRIED by unanimous voice vote.

AMENDMENTS TO AGENDA

None

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

Roll Call:

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

NAYS: 0 MOTION CARRIED

APPROVE MINUTES FROM THE LAST REGULAR MEETING HELD APRIL 18, 2022

Moved by Ald. Swanson, seconded by Ald. Mayer to approve the measure as presented.

Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

APPROVE REPORTS

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

COUNCIL COMMITTEES

None

OTHER ITEMS AND CORRESPONDENCE

None

MUNICIPAL BILLS FOR PAYMENT

City of Geneva Expenditures	\$ 655,366.04
Manual Check(s)	—
Utility Billing Refund(s)	1,578.22
Misc. Refund(s)	—
Sales Tax Abatement	31,143.32
City of Geneva Payroll	739,766.60
Tri-Com Expenditure 1	36,102.78
Tri-Com Payroll	105,893.72
Total Expenditures	<u>\$1,426,088.75</u>

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

Roll Call:

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

NAYS: 0 MOTION CARRIED

COMMITTEE OF THE WHOLE ITEMS OF BUSINESS

*a. Approve Resolution No. 2022-36 Authorizing the Purchase of an Altec AT41M Telescopic Aerial Device from Altec Industries through Sourcewell Contract 012418- ALT at an Estimated Cost of \$253,750

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

*b. Approve Resolution No. 2022-37 Waiving Competitive Bidding and Authorizing Execution of an Agreement with Dahme Mechanical for Wastewater Treatment Plant Digester Repairs in an Amount Not-to-Exceed \$43,422.50

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

*c. Approve Resolution No. 2022-38 Waiving Competitive Bidding and Authorizing an Agreement with Layne, Aurora, IL for Well No. 13 Component Repairs at a Cost Not-to- Exceed \$28,500.00

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

PRESENTATION OF ORDINANCES, RESOLUTIONS, PETITIONS, BIDS

a. Consider Approval of Resolution No. 2022-39 Authorizing the Execution of a Second Amendment to a Parking Lot Lease with St. Mark’s Church (two-year extension)

Moved by Ald. Kilburg, seconded by Ald. Mayer

Roll Call:

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

NAYS: 0 MOTION CARRIED

b. Consider Approval of Resolution No. 2022-40 Authorizing the Purchase of a John Deere Sidewalk Machine from AHW LLC through Sourcewell in an Amount Not to Exceed \$54,625.62

Moved by Ald. Burghart, seconded by Ald. Marks

On a question from Ald. Kilburg, Supt. Landers stated that the old machine will be declared surplus as it had no resale or trade-in value.

Roll Call:

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

NAYS: 0 MOTION CARRIED

c. Consider Approval of Resolution No. 2022-41 Authorizing a Waiver of the Bidding Process and Execution of an Agreement with First Inspection Services, Inc. for Plumbing Plan Review and Inspection Services as Presented

Moved by Ald. Marks, seconded by Ald. Burghart

Ald. Burghart recalled that the City once considered this as a full time staff position. Dir. DeGroot agreed that it had once been considered but the job market at the time was not favorable and contracting had proven to be a good alternative.

Roll Call:

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

NAYS: 0 MOTION CARRIED

d. Consider Approval of Ordinance No. 2022-21 Granting Variations to Increase the Allowable Lot Coverage from 45% to 47.15% and to Decrease the Required Side Yard and Rear Yard Setbacks from 5’ to 1.5’ for a detached garage at the Northeast Corner of Fulton Street and 5th Street

Mayor Burns announced that due to illness, the petitioner was not present and wished to have the item continued to the May 16, 2022 City Council meeting. Without objection, the item was stricken from this agenda.

e. Consider Approval of Ordinance No. 2022-22 Vacating and Selling Colony Drive, a Public Right-of-Way Located in the Westhaven of Geneva Subdivision

Moved by Ald. Mayer, seconded by Ald. Bruno

Admin. Dawkins, with the consultation of Atty. Sandack, verified that the evening's vote would require a super-majority of the *council* only.

Ald. Mayer urged the council to vote in the affirmative to put the matter to bed, noting that Ms. Marren has been a good steward of the property for over two decades and that the land had no value to the City. Ald. Kilburg noted his desire to have the City secure appraisals on the parcel and did not feel the current offer was indicative of Geneva real estate values.

Discussion then centered on state statute and the laws governing the process to vacate and sell certain land with the distinctions of real property and non-buildable property. Dawkins reviewed past history related to vacating and conveying land whereby the City received no compensation. Ald. Swanson stated that many other similar parcels in the City were worth more than what was being offered on the Colony Drive parcel. Mayor Burns disputed those findings noting that the parcels Ald. Swanson suggested were all buildable and residential-owned; whereas the Colony Dr. parcel was not. Burns further noted that the Geneva assessor had stated that there was no value in the Colony Drive parcel.

Ald. Kosirog, Kaven and Maladra did not support tabling the item and were prepared to vote in favor of the vacation and sale as presented based on the parcel having no value to the City.

Motion to Amend to Table the Item to a Date Uncertain After Two Appraisals by the City Have Been Completed and Reviewed

Moved by Ald. Kilburg, seconded by Ald. Burghart

Discussion centered on the pros and cons of the City obtaining appraisals for this parcel. Ald. Swanson offered to amend 12.e.1 to require only one appraisal.

Motion to Amend to Table the Item to a Date Uncertain After One Appraisal by the City Has Been Completed and Reviewed

Moved by Ald. Swanson, seconded by Ald. Kilburg

Ald. Mayer was disappointed to hear the new requirements discussed and found it to be unfair to the applicant who was present in good faith to complete the matter after several months of delays. Ald. Kaven and Bruno stated that there is only value to something if more than one entity is interested and in this case there is only one entity. Mayor Burns restated his desire to put the item to a vote as presented on the agenda. Ald. Kilburg stated that property never decreases in value over time and he is confident an appraisal is fair and appropriate to determine the sale price of the parcel.

Motion to Call the Question

Moved by Ald. Kaven, seconded by Ald. Kosirog

Roll Call:

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

NAYS: 0 MOTION CARRIED

Roll Call on the Amendment to Table After One Appraisal is Secured by the City:

AYES: 6 (Ald. Bruno, Burghart, Hrubby, Kilburg, Marks, Swanson)

NAYS: 4 (Kaven, Kosirog, Maladra, Mayer)

MOTION CARRIED

Motion to Reconsider

Moved by Ald. Bruno, seconded by Ald. Kosirog

Ald. Bruno wished to reconsider his vote on the amendment.

Roll Call:

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

NAYS: 0 MOTION CARRIED

(RECONSIDERED) Motion to Amend to Table the Item to a Date Uncertain After One Appraisal by the City Has Been Completed and Reviewed

Moved by Ald. Swanson, seconded by Ald. Kilburg

Roll Call:

AYES: 5 (Ald. Burghart, Hrubby, Kilburg, Kosirog, Maladra, Mayer)

NAYS: 6 (Ald. Bruno, Kaven, Kosirog, Maladra, Mayer, Mayor Burns)

MOTION FAILED

Upon the failure of the amendment, Ald. Kilburg withdrew his motion to amend and table until two appraisals by the City are obtained and reviewed.

The item as originally presented on the agenda was now now back on the floor for discussion. Additional discussion on voting requirements on a vacation were heard with Attorney Sandack citing the statute language.

Ald. Mayer offered a motion to table the matter to June 6 so the applicant has time to reconsider. Ms. Marren then stated her frustration in the deliberations and pleaded her case, at which point Ald. Mayer requested a motion for a ten minute recess.

Motion for a 10-Minute Recess

Moved by Ald. Mayer, seconded by Ald. Kosirog

Motion approved by unanimous voice vote. The meeting was in recess at 8:56pm.

At 9:04pm, Mayor Burns called the meeting back to order at which time Ald. Mayer withdrew her previous motion to table to June 6. (no second)

Ald. Mayer then called for a motion to amend Item 12.e. to Increase the Sale Price to \$6,000.

Motion to Amend Ordinance 2022-22 Increasing the Proposed Sale Price from \$4,000 to \$6,000.

Moved by Ald. Mayer, seconded by Ald. Kaven

Burns stated that a simple majority was required to amend the motion.

Roll Call:

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

NAYS: 0 MOTION CARRIED

Motion to Call the Question

Moved by Ald. Kosirog, seconded by Ald. Mayer

Roll Call:

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

NAYS: 0 MOTION CARRIED

Roll Call on the Amended Motion to Increase Proposed Sale Price to \$6,000.00.

Roll Call:

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

NAYS: 0 MOTION CARRIED

f. Consider Approval of Ordinance No. 2022-23 Rescinding Historic Landmark Designation for a Portion of the Property at 4 East State Street, Pursuant to Sections 10-6- 6(14) and 10-6-6(15) of the Geneva City Code

Moved by Ald. Bruno, seconded by Ald. Kosirog

Dave Patzelt, with Shodeen Inc. was present to request that the setback requirements defined in Ordinance 2022-23 be amended to lesson the historic boundaries set by staff. Preservation Planner Lambert summarized his findings and recommendations set within the ordinance based on the Historic Preservation Commission findings and historic features of the property outside of the existing structures, and the historical features of the land. Certain council members argued that the boundaries may not inhibit development while others questioned what other aspects of the land garnered historic value.

Roll Call:

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

NAYS: 0 MOTION CARRIED.

NEW BUSINESS AND PUBLIC COMMENT

No comments or questions were raised in the chamber or online.

ADJOURNMENT

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

MOTION CARRIED by unanimous voice vote.

The meeting adjourned at 9:52 PM.

Jeanne Fornari
Deputy City Clerk