

COMMITTEE OF THE WHOLE MINUTES
August 3, 2020
Immediately following the City Council at 7 PM

Visitors are welcome to all City meetings; however, pursuant to Governor Pritzker’s Executive Order 2020-43 limiting gatherings of no more than 50 persons (or 50% of room occupancy) and a requirement to wear a face covering in public places, physical attendance at public meetings may be limited or restricted. Meetings will be livestreamed for the public to provide the ability to contemporaneously hear all discussion, testimony and roll call votes of the open meeting in real time. Please visit the City website for details on how to watch the meeting live.

For more information please see the [“Notice Regarding Meeting and Public Comment Rule Due to COVID-19”](#)

ELECTED OFFICIALS PRESENT	ELECTED OFFICIALS ATTENDING BY TELECONFERENCE	ELECTED OFFICIALS ABSENT	STAFF PRESENT
Burghart Hruby Kaven Kilburg Maladra Swanson Burns (Chair)	Bruno Marks McGowan Godskesen (Clerk)	(Ward 2 - one vacancy)	Dawkins Sandack Babica Wright DeGroot Schiber Tymoszenko VanGyseghem

1. CALL TO ORDER

Mayor Burns called the meeting to order at 7:22 PM noting that all aldermen were present or attending by teleconference. One seat in Ward 2 was vacant.

2. NEW BUSINESS / PUBLIC COMMENT

Mayor Burns said he would bring the issue of Resolution No. 2020-44 Approving Development Economic Incentive Agreement by and Between the City of Geneva and Industry House LLC, which was defeated in the City Council meeting immediately before this meeting, back up for reconsideration at the August 17 City Council meeting. Burns said he wants to have a more robust discussion and to correct some apparent misunderstandings about how the potential sales tax rebate would work. He added that he feels it is in the best interest of the City to promote this incentive and that other restaurant owners he spoke to did not have issues with the incentive for a new restaurant.

Ald. Burghart asked about the protocol for re-opening discussion on a matter which had been voted upon by the council, and Ald. Hruby asked what would happen to incentive funds in the event the property changed hands later. Burns and Atty. Sandack explained the protocol for re-opening a discussion and what happens to incentive funds in case of a change of ownership.

3. APPROVE COMMITTEE OF THE WHOLE MINUTES FROM JULY 20, 2020.

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

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks McGowan, Swanson)

NAYS: 0

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION CARRIED

4. ITEMS OF BUSINESS

a. Consider Draft Resolution Approving Development Economic Incentive Agreement by and Between the City of Geneva and Industry House LLC.

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

Roll Call:

AYES: 4 (Ald. Bruno, Maladra, Marks, McGowan)

NAYS: 5 (Ald. Burghart, Hruby, Kaven, Kilburg, Swanson)

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION FAILED

b. Consider Draft Ordinance Amending Title 9 (Municipal Utilities), Chapter 3 (Water and Sewers), Section 1 (Definitions) and Section 5 (Maintenance Repair and Replacement of Service Lines) of the Geneva City Code.

Moved by Ald. Kilburg, seconded by Ald. Burghart to approve the measure as presented.

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks McGowan, Swanson)

NAYS: 0

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION CARRIED

c. Consider Draft Resolution Authorizing Execution of a Contract with M.E. Simpson Co. Inc. in the Amount Not-to-Exceed \$92,093.37 for a Three-Year Water System Leak Detection Program.

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

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks McGowan, Swanson)

NAYS: 0

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION CARRIED

d. Consider Draft Resolution Authorizing Execution of a Professional Services Agreement with Deuchler Engineering Corp. in an Amount Not-to-Exceed \$22,400.00 for Sanitary Sewer Smoke Testing.

Moved by Ald. Kilburg, seconded by Ald. Burghart to approve the measure as presented.

Superintendent VanGyseghem answered questions from Ald. Kilburg about the time frame for the project, and from Ald. Bruno regarding what other areas of the city would be tested.

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks McGowan, Swanson)

NAYS: 0

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION CARRIED

e. Consider Draft Resolution Authorizing Execution of Change Order No. 1 with WBK Engineering LLC in the Amount of \$9,040.00 Increasing the Overall Contract Amount to the Not-to-Exceed Amount of \$287,967.34 for 2020 Citywide Watershed Study.

Moved by Ald. Burghart, seconded by Ald. Kaven to approve the measure as presented.

Greg Chismark, of WBK engineering, responded to questions from Ald. Burghart as to why additional funding was needed to build a website, why it was not included in the original estimate and questioned the \$140 per hour cost for an urban planner to enter the data.

Ald. Swanson asked what the benefit of the \$9,000 cost was, and how it would be different than people using the existing method of reporting problems to the City. Swanson also asked if this was the first time Chismark used this type of website.

There being no further questions:

Roll Call:

AYES: 6 (Ald. Bruno, Kaven, Kilburg, Maladra, Marks, McGowan)

NAYS: 3 (Ald. Burghart, Hruby, Swanson)

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION PASSED

f. Consider Draft Resolution Authorizing Execution of a Contract with DPS Equipment Services, Inc. in an Amount Not-to-Exceed \$191,950.00 for Wastewater Treatment Plant Primary Clarifier Flight Replacement.

Moved by Ald. Hruby, seconded by Ald. Kaven to approve the measure as presented.

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks McGowan, Swanson)

NAYS: 0

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION CARRIED

g. Consider Draft Resolution Authorizing Execution of Change Order No. 1 with Bollinger, Lach & Associates, Inc. in the Amount of \$438,348.00 Increasing the Overall Contract Amount to the Not-to-Exceed Amount of \$1,348,300.52 for East State Street Phase II Engineering.

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

Ald. Kilburg asked about the timeframe for the project. Ald. Burghart and Bruno asked about the process to work with owners to acquire the necessary rights of way. Director Babica and Dan Bollinger described the process needed to acquire each parcel of land, which is normally a two-year process, and how the state will invoke the right of eminent domain if needed to keep a project moving.

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks McGowan, Swanson)

NAYS: 0

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION CARRIED

h. Consider Draft Resolution Authorizing Execution of a Contract with Superior Road Striping, Inc. in the Amount Not-to-Exceed \$45,000.00 for 2020 Pavement Marking Maintenance Project.

Moved by Ald. Burghart, seconded by Ald. Hruby to approve the measure as presented.

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks McGowan, Swanson)

NAYS: 0

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION CARRIED

i. Consider Draft Supplemental IDOT Resolution Form BLR 14220 for FY2017-2018 Road Maintenance.

Moved by Ald. Burghart, seconded by Ald. Hruby to approve the measure as presented.

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks McGowan, Swanson)

NAYS: 0

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION CARRIED

j. Consider Draft Resolution Authorizing a Pole Attachment Agreement with Comcast of Illinois.

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

Ald. Hruby asked if there is a need to limit the number of attachments on a pole, and what happens if that is exceeded. Superintendent Wright explained that if the number a pole can support is exceeded, the contract allows the City to charge the utility to install larger poles. Ald. Kilburg asked Wright how many utility poles are in the City.

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks McGowan, Swanson)

NAYS: 0

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION CARRIED

k. Consider Draft Resolution Authorizing Execution of a Public Utility Easement Agreement Made by James E. Kautz, Mary A. Murray & Susan J. Peterson for the Benefit of the City of Geneva.

Moved by Ald. Kilburg, seconded by Ald. Hruby to approve the measure as presented.

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks McGowan, Swanson)

NAYS: 0

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION CARRIED

I. Consider Draft Resolution Related to Commuter Parking Fees and Permits.

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

Ald. Burghart noted that it should be stated what the City is doing to provide free parking.

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks McGowan, Swanson)

NAYS: 0

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION CARRIED

m. Consider Draft Resolution Authorizing a Temporary Suspension of Payments In Lieu of Parking Spaces Previously Authorized by Resolutions 2017-11, 2018-37, and 2020-41.

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

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks McGowan, Swanson)

NAYS: 0

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION CARRIED

Upon a request from Ald. Kilburg, Mayor Burns invited members of the public to comment on the flooding issues on the East Side before the anticipated discussion over the final agenda item for the evening.

John Shogren asked about the process for overhead sewer grant applications to make sure no households are left out, and questions about the pumping lift station. Mayor Burns stated that "our pledge to residents is to make it right".

Tim Naylor asked if homeowners should begin doing repairs to their homes now, or if they needed to wait. Burns responded that yes, they could go ahead with repairs.

Naylor also asked if people who had been affected in the past would also be eligible for grant programs. Burns and Atty. Sandack noted that each case would have to be looked at, but that homeowners could apply.

Naylor's final question was what the City was doing to prevent flooding problems in the future. Administrator Dawkins recapped the actions approved by the Council tonight as well as ongoing efforts to redress problems. Burns added that he would get answers to remaining questions. Ald. Kilburg noted that the City will meet with homeowners in the next 60 days as the studies are completed.

Ald. Hruby thanked the citizens for their efforts to document and bring the issues to the Council and urged all citizens in the affected areas to complete and return the surveys that the City had mailed out.

n. Consider Approval of Draft Resolution Adopting the 2020 Affordable Housing Plan as Presented.

Moved by Ald. Hruby, seconded by Ald. Burghart to approve the measure as presented.

Development Director DeGroot gave a slide presentation documenting the plan for affordable housing locations in the City. The presentation included an updated map of available potential locations as requested by the Council at the last meeting. DeGroot noted that some of the 21 properties identified included existing businesses, and that some of those businesses occupied only small areas of the total acreage.

Ald. Swanson, did not think that properties which include existing businesses should be included on the map. Swanson and Ald. Maladra noted locations they saw as inconsistencies and felt the map should be changed to address these.

Ald. Kaven proposed to only include properties which are currently completely vacant. Ald. Bruno asked whether only vacant properties would meet the IDA standards for reporting. Ald. Burghart added her support for only listing vacant properties, and Ald. Hruby questioned why occupied properties were being included on the map.

Moved by Ald. Kilburg, seconded by Ald. Hruby to amend the map to include only the properties identified as "vacant". This motion was not acted on, however further discussion of the matter continued and the decision was made for DeGroot to go through each of the 21

properties individually and ask if there were any objections noted property by property.

Ald. Swanson proposed removing Lou's Sales and Service Jeep dealership as well as any other properties which were occupied. Ald. Burghart agreed that any occupied land be removed from the list for now. Ald. Bruno favored including all of the 21 properties on the map. Ald. Hruby wanted to make sure that the City communicate with the owners of the properties.

Dawkins and DeGroot noted some of the difficulties in informing the actual owners-of-record VS the occupants of the properties.

Mayor Burns recapped by stating he felt a consensus had been reached to amend the list to remove the six occupied properties from the overall list of 21, and asked DeGroot to redo the map for review at the August 17 meeting of the Council.

5. ADJOURNMENT

There being no further business, moved by Ald. Kaven to adjourn the meeting.

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks McGowan, Swanson)

NAYS: 0

VACANT: 1 (Ward 2)

ABSENT: 0 MOTION CARRIED

The meeting adjourned at 9:43 PM.

- *Submitted by City Clerk Godskesen*