

GENEVA CITY COUNCIL MEETING MINUTES

Tuesday, September 5, 2023

City Hall Council Chambers
109 James St., Geneva, IL 60134

CALL TO ORDER

The September 5, 2023 meeting of the Geneva City Council was called to order at 7:00 p.m. in the Council Chambers of City Hall by Mayor Kevin Burns.

Elected Officials present:

Alders: Anaïs Bowring, Mike Bruno, Becky Hruby, Dean Kilburg, Brad Kosirog, Craig Maladra, Richard Marks, Amy Mayer, Martha Paschke.

Mayor Kevin Burns, City Clerk Vicki Kellick.

Elected Officials attending by video or teleconference: None.

Elected Officials absent: Robert Swanson.

Others Present: City Administrator Stephanie Dawkins, Assistant City Administrator Ben McCready, City Attorney Ron Sandack, Electric Division Superintendent Aaron Holton, Public Works Director Rich Babica.

Others attending by video or teleconference: None.

PLEDGE OF ALLEGIANCE

The pledge was led by Clay Curce and Emilio Diaz.

PUBLIC HEARINGS, SPECIAL ITEMS AND PRESENTATIONS

Introduce Electric Division Linemen Clay Curce & Emilio Diaz.

Emilio Diaz began his career with the City of Geneva on June 7. He moved from Texas earlier this year and served with the U.S. Marine Corps from 2011-2015. He worked in communications and was a 0612 lineman while there. He helped with power line restoration in Puerto Rico in the aftermath of Hurricane Maria in 2018. He has three children and calls Naperville home.

Clay Curce lives in Pingree Grove and grew up in Elgin. He served as a line clearance tree trimmer for 15 years before beginning an apprenticeship as a lineman beginning in 2007.

Consider Resolution No. 2023-85 Requesting Closure of Traffic Lanes on State of Illinois Route 38 for the Geneva High School Homecoming Parade September 15, 2023.

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

MOTION CARRIED by voice vote of those present 9-0.

Presentation on Fire and Police Pensions' Actuarial Reports.

Jason Franken with Foster & Foster spoke about the May 1, 2023 actuarial evaluation for the police and fire pension funds. Mr. Franken noted that there have been changes to the police and fire pension funds. The first change is that both the police fund and the fire fund have each been consolidated with investments now controlled by the nine-member boards for each fund. Second, they've reduced the

payroll growth assumption from 3.5 to 3 in order to reduce some of the backloading so that over the long term, the City saves money. Additionally, investment returns through April 30 earned less than 1% each which is under the 7% they were assuming. The losses and gains are smoothed out over five years so that any one year will not significantly increase or decrease contributions.

Mr. Franken stated that both plans had decreases to the funded ratio. Police had a decrease from 67.1% to 60.9%, while fire decreased from 68.3% to 67.5%. Contribution requirements for the police plan increased \$220,000 and fire contribution requirements increased \$102,000. He noted that the differences between the funds is explained by the fire fund being 68% funded vs. 61% of the police fund, plus the fact that the police fund is a larger plan than the fire fund.

On a question from Mayor Burns, Mr. Franken stated that as of May 1, 2023, there are 36 active police officers and 22 active firefighters covered by the fund.

AMENDMENTS TO AGENDA

None.

OMNIBUS AGENDA

All Items listed with an asterisk () 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. All items on the Omnibus Agenda require a simple majority vote unless otherwise indicated.*

*APPROVE REGULAR CITY COUNCIL MINUTES FROM AUGUST 21 2023.

*REPORTS

*July Financial Report

*COUNCIL COMMITTEES

COMMITTEE OF THE WHOLE ITEMS OF BUSINESS

*Approve Resolution No. 2023-86 Authorizing Acceptance of the 2023-2024 Employee Benefit Program Plan Renewal.

*Approve Resolution No. 2023-87 Authorizing A Contract with DPS Equipment Services, Inc. in a Total Amount Not to Exceed \$164,450 Inclusive of Potential Change Orders for Wastewater Treatment Plant Primary Clarifier Skimmers.

*Approve Resolution No. 2023-88 Authorizing Execution of a Contract with Martam Construction for a Total Not to Exceed \$1,490,482.65 Inclusive of Potential Change Orders for IL Route 25 and North Bennett Avenue Water Main Replacement.

*Approve Resolution No. 2023-89 Authorizing Execution of a Contract with CDM Smith in an Amount Not to Exceed \$1,899,719.00 for Phase II Improvements at the Wastewater Treatment Plant.

*Approve Resolution No. 2023-90 Authorizing Execution of a Renewal of the Transportation and Balancing Agreement with NICOR for the Geneva Generation Facility.

*Approve Resolution No. 2023-91 Authorizing Execution of a Customer Work Agreement with ComEd in the Amount of \$323,829.47 for the Construction of Metering and Take-Off Structures for the Kautz Road Substation.

*Approve Resolution No. 2023-92 Authorizing Execution of Alternate Services for Solid Waste and Recycling Contract with LRS Services.

*Approve Resolution No. 2023-93 Adopting Rules for Electronic Attendance at Public Meetings.

*Approve Ordinance No. 2023-16 Amending Title 1 (Administrative), Chapter 5 (City Council), Section 3 (Committees) and Section 5 (Meeting Rules and Procedures) of the Geneva City Code.

Moved by Ald. Marks, Seconded by Ald. Bowring.

Roll call:

AYES: 9 (Bowring, Bruno, Hruby, Kilburg, Kosirog, Maladra, Marks, Mayer, Paschke)

ABSENT: 1 (Swanson)

NAYS: 0

MOTION CARRIED

OTHER ITEMS AND CORRESPONDENCE

None.

MUNICIPAL BILLS FOR PAYMENT: \$1,823,296.94

Moved by Ald. Bruno, Seconded by Ald. Kosirog.

Roll call:

AYES: 9 (Bowring, Bruno, Hruby, Kilburg, Kosirog, Maladra, Marks, Mayer, Paschke)

ABSENT: 1 (Swanson)

NAYS: 0

MOTION CARRIED

PRESENTATION OF ORDINANCES AND RESOLUTIONS

Consider Resolution No. 2023-94 Declaring Surplus Property.

Moved by Ald. Bowring, seconded by Ald. Paschke.

MOTION CARRIED by voice vote of those present 9-0.

Consider Resolution No. 2023-95 Rejecting All Bids Opened on August 7, 2023 for the Sale of Surplus Property at 617 E. State Street.

Moved by Ald. Mayer, Seconded by Ald. Kosirog.

Roll call:

AYES: 9 (Bowring, Bruno, Hruby, Kilburg, Kosirog, Maladra, Marks, Mayer, Paschke)

ABSENT: 1 (Swanson)

NAYS: 0

MOTION CARRIED

Consider Resolution No. 2023-96 Authorizing Acceptance of a Plat of Dedication to Add a Right-of-Way to the North Side of Geneva Drive Immediately West of Kautz Road.

Moved by Ald. Bowring, Seconded by Ald. Paschke.

Roll call:

AYES: 9 (Bowring, Bruno, Hruby, Kilburg, Kosirog, Maladra, Marks, Mayer, Paschke)

ABSENT: 1 (Swanson)

NAYS: 0

MOTION CARRIED

PUBLIC COMMENT

Geneva resident Jay Rule presented a list of items on his property to be repaired and provided cost estimates which totaled \$8,874.64. He noted that there is a locust tree on City property near City Hall that looks to be in the same condition as the one that fell on his property, and he asked if the City was covered if it fell and caused damage. He then stated that he had asked for a face-to-face meeting with a Sedgwick representative but was offered either a video or phone conference. He stated that that was unacceptable as he has evidence to present which must be done in person.

Geneva Township resident Brian Maher spoke that his and his wife's intent has been to bring awareness of the issue of the oak trees that are endangered by the building of Warehouse 5. He noted that there have been 2,200 signatures on a change.org petition regarding this issue. He commented that he met with City staff in 2018 and was told that the trees would not be touched but that trees were removed today. He noted that the wetlands on the property are protected but that the trees are not and that they are a habitat for bats. He stated that awareness of the trees has been raised and that the cutting of the trees is a failure.

Mr. Maher's wife June Maher spoke and displayed a poster-sized logo of the City with a tree stump in the middle. She stated that the City Council will have this as its legacy and that elections have consequences. She commented that the City Council and administration could have prevented this.

Linda Carl of Geneva commented that she moved from Batavia in 2021. She is a garden designer and certified horticulturalist and stated that she is appalled that Geneva has allowed the trees to be cut. She founded the Braeburn Marsh Defenders 23 years ago. She commented that the marsh was in unincorporated Batavia and that she and the group were in full communication with that developer. She noted that the Kane County Board Executive Committee committed \$1 million to the Defenders' work. She stated that the City should take back its statement that they are a "tree city".

Rick Kozlowski of Warrenville grew up in the area and is familiar with the property and the Bork family who previously owned the farm. He noted that he has an extensive background in environmental and habitat work. He stated that several surveys of the property were not done well and that the evaluation of the wooded area on the property was undervalued. He noted that the pre-contact trees are a seed bank which is all that is left of old-growth trees. He also noted that he is an advocational archaeologist and conducts Paleo-Indian research working with the State of Illinois. He stated that there is evidence of an 11,000-year-old Native American campsite as well as a trading post where Warehouse 5 will go but he and others have been unable to contact the developers and gain access to the site.

Geneva resident Rachael Kay Albers said that she knows for a fact that MIF could move the warehouse location but will not do so due to the cost. She urged the City Council and Mayor Burns to communicate with MIF about the trees. She noted that she is aware that the City can't officially do something but that she does not believe that it can't do at least something. Later, her daughter Alice came up to the podium and noted that she and her mother were there for the trees and heard that some of them were cut down. She wanted to come to the meeting to say that the trees were important for the air that we breathe.

Geneva resident Jeanne McGowan commented that it was her opinion that when she was on City Council, she was not made aware of the presence of the oak trees. She noted that they are part of the community even if they are not part of the City. She stated that she doesn't believe that there's nothing the City Council, Mayor Burns, or City committees can do to stop the destruction of the trees. She stated that the warehouse can be re-positioned to save the trees.

NEW BUSINESS

None.

ADJOURNMENT

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

MOTION CARRIED by unanimous voice vote of those present.

The meeting adjourned at 8:13 PM.

Vicki Kellick
Geneva City Clerk