

## **GENEVA CITY COUNCIL MEETING MINUTES**

**Monday, October 2, 2023**

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

### **CALL TO ORDER**

The October 2, 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, Brad Kosirog, Richard Marks, Amy Mayer, Robert Swanson.

Mayor Kevin Burns, City Clerk Vicki Kellick.

**Elected Officials attending by video or teleconference:** Craig Maladra.

**Elected Officials absent:** Dean Kilburg, Martha Paschke.

**Others Present:** City Attorney Ron Sandack, Water Division Superintendent Bob VanGyseghem, Public Works Director Rich Babica, Community Development Director David DeGroot, Economic Development Director Cathleen Tymoszenko.

**Others attending by video or teleconference:** None.

### **PLEDGE OF ALLEGIANCE**

The pledge was led by GHS SADD Club members Timothy and Adriana.

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

Mayor Burns welcomed the GHS SADD Club to the meeting. Teachers and SADD Club sponsors Lisa Meister and Ashley Andreuccetti spoke about how SADD encourages a healthy lifestyle, encourages students to be drug- and alcohol-free, and volunteer in their communities. Red Ribbon Week is a national initiative that promotes drug education and prevention. Adriana is a junior and Timothy is a freshman at GHS. After Adriana passed out red ribbons to the City Council, they explained the importance of Red Ribbon Week and listed the six principles of a drug-free lifestyle for students: finding a natural high that is your passion; surrounding yourself with positive peer influences; finding a positive mentor for encouragement; having a firm belief in your talents and abilities; setting goals for your future, and building resilience to help get you through life's challenges.

Ald. Hruby thanked the students for speaking and sharing information with the Council. She stated that they are awesome role models.

**Proclaim October 23 – October 31 as “Red Ribbon Week”**

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

MOTION CARRIED by voice vote of those present 8-0.

### **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 CITY COUNCIL MINUTES FROM SEPTEMBER 18, 2023.

\*REPORTS

COMMITTEE OF THE WHOLE ITEMS OF BUSINESS

\*Approve Resolution No. 2023-103 Authorizing the Purchase of Underground Electric Cable and Material Through Sourcewell contract from WESCO/Anixter at an Estimated Cost of \$1,550,658.23.

\*Approve Ordinance No. 2023-18 Proposing the Continuation of Special Service Area No. 1 and Providing for Public Hearing and Other Procedures.

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

Roll call:

AYES: 8 (Bowring, Bruno, Hruby, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 2 (Kilburg, Paschke)

NAYS: 0

MOTION CARRIED

## **MUNICIPAL BILLS FOR PAYMENT: \$1,500,871.66**

Moved by Ald. Bruno, Seconded by Ald. Bowring.

Roll call:

AYES: 8 (Bowring, Bruno, Hruby, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 2 (Kilburg, Paschke)

NAYS: 0

MOTION CARRIED

## **PRESENTATION OF ORDINANCES AND RESOLUTIONS**

Approve Resolution No. 2023-104 Authorizing Purchase of New Identification Signs from Aurora Sign Company in the Amount of \$63,773.84.

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

On a question from Ald. Hruby, Dir. Tymoszenko explained that the plan was to keep the signs as originally designed because they specifically have identifications and recognition for the historic area. Due to deterioration and recent IDOT standards that require certain construction standards, the goal was to replace the signs with a similar look as was presented in the original packet. On a second question by Ald. Hruby, Ald. Bruno stated that he likes the signs and doesn't see a need to consider other alternatives. No other alderpersons stated that they would be interested in considering alternatives to the design.

Roll call:

AYES: 8 (Bowring, Bruno, Hruby, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 2 (Kilburg, Paschke)

NAYS: 0

MOTION CARRIED

Approve Resolution No. 2023-105 Authorizing Execution of Change Order No. 1 with Boller Construction Co., Inc. for Cleaning and Inspection of Wastewater Treatment Plant Digesters increasing Total Contract Amount to \$1,388,618.  
Moved by Ald. Mayer, Seconded by Ald. Bruno.

On a question from Ald. Kosirog, Supt. VanGyseghem explained that the contractor cleaned out more debris from the digester than expected. Repairs needed to be made as well, especially to the roof section trusses which prompted the change order.

Roll call:

AYES: 8 (Bowring, Bruno, Hruby, Kosirog, Maladra, Marks, Mayer, Swanson)  
ABSENT: 2 (Kilburg, Paschke)  
NAYS: 0  
MOTION CARRIED

Approve Ordinance No. 2023-19 Granting a Variation to Increase the Allowable Fence Height in a Corner Street Yard for the Property Located at 304 Deerfield Way.

Moved by Ald. Mayer, Seconded by Ald. Bowring.

Ald. Bruno stated that he was not a fan of the street yard fence height increase to 48” and is not a fan of increasing that further to 60”. He noted that he drove past the property and that an increase in the fence height would be quite intrusive.

On a question from Ald. Hruby, Dir. DeGroot explained that the proposed fence is in the rear yard and into the corner street yard so that it will not block visibility in the intersection.

Roll call:

AYES: 6 (Bowring, Hruby, Kosirog, Marks, Mayer, Swanson)  
ABSENT: 2 (Kilburg, Paschke)  
NAYS: 2 (Bruno, Maladra)  
MOTION CARRIED

Approve Ordinance No. 2023-20 Granting Comprehensive Plan Amendment, Zoning Map Amendment, Variations to Maximum Interior Side Yard Setback and a Maximum Street Yard Setback, and Site Plan Approval for a Proposed Mixed-Use Development (Emerald Holding, LLC – 122 & 130 E. State Street).

Moved by Ald. Bowring, Seconded by Ald. Swanson.

On a question from Ald. Bruno, Dir. DeGroot stated that the drawings are correctly rendered. He noted that the parking lot on the south side is more at grade with the building, while the north side has the slope of the street downhill toward the river. He noted also that the building is set back from the street so that there is room for landscaping. On another question from Ald. Bruno, attorney for the petitioners Vince Rosanova stated that there is a change of topography that is visible from State Street that is not visible from the south elevation. The parkway trees and foundation plantings will soften the appearance along State Street, and the architectural elements will improve the overall aesthetic.

On a question from Ald. Marks, Dir. DeGroot stated that access to the building’s parking lot entrance and exit will be from Crissey Ave.

On a question from Ald. Hruby, Mr. Rosanova provided a presentation on the development for the Council. He noted that the design center is a business that will only see approximately 12 people per day during business hours which will reduce excessive traffic to the site.

On a question from Ald. Mayer, Attny. Rosanova stated that the building does have an elevator. The architect for the building stated that the building will have required ADA-adaptable units. On another question from Ald. Hruby, Mr. Rosanova stated that it is the developer's preference to have all the parking spaces provided initially instead of having to go back and add extra spaces. He noted that the City Code requires 30 spaces and that they asked for 42 but compromised at 38 with the right to add extra spaces later but that this would add an extra expense. On another question from Ald. Mayer, Mr. Rosanova stated that at the southern portion of the property there would be vaulted detention and that upon development, modern stormwater practices will be utilized. On another question from Ald. Mayer, Mr. Rosanova noted that the neighboring lot is an odd-shaped parcel and that a fence will be extended to leave room for snow storage and landscaping for the development as well as improve the neighboring property.

On a final question from Ald. Mayer, Mr. Rosanova stated that unless there is a governmental subsidy for low-income housing, it is not economically feasible. The property would have to rent for less than \$47,000/year according to IDHA but in this case, the cost of \$1,600/month averages a household income of approximately \$60,000/year. He noted that while this does not qualify as affordable under IDHA, it does serve a niche in the community, and they believe that those two units will be the first to be rented. Mayor Burns noted that Geneva did not adopt an inclusionary housing ordinance but does have a housing incentive program. He also noted that the website would be corrected to reflect this.

On a question from Ald. Swanson, Mr. Rosanova stated that the Naperville project has a similar retail space plus eight rental units. Josh Voit stated that that property has 36 parking spaces plus two handicapped spots for a total of 38 spots. Mr. Rosanova stated that the parking lot works well there and is either completely full or 70-80% full. Dir. DeGroot stated that there is a parking moratorium for the downtown area. On another question from Ald. Swanson, Mr. Rosanova stated that the design center requires 2 spaces per 1,000 which leaves remaining parking spaces for residents. Mr. Voit noted that the Naperville project has no dedicated guest parking but that there will be so at the development in Geneva. Ald. Swanson stated that he doesn't want there to be a parking lot for the sake of making a parking lot and would like the extra space for landscaping and that the parking is well-thought out.

Ald. Bowring commented that this is a difficult area for guests to find peripheral parking. She stated that she has sympathy for guests needing parking and understands that there is extra cost for the developer.

On a question from Ald. Mayer, Dir. DeGroot stated that the setback is a building setback and is not for accessory uses.

On a question from Ald. Hruby, Mr. Rosanova stated that they want to provide apartments at different price points for different needs.

Roll call:

AYES: 8 (Bowring, Bruno, Hruby, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 2 (Kilburg, Paschke)

NAYS: 0

MOTION CARRIED

Approve Resolution 2023-106 Restating and Extending the Site Plan Approval Granted for 609 S. Third St.

Moved by Ald. Bruno, Seconded by Ald. Swanson.

On a question from Ald. Swanson, broker Brian Zass stated that there is no contract to sell the property but there is an option whereby a potential buyer has paid the owner to get financing. He stated that there is a set price on the property. On another question from Ald. Swanson, Mr. Zass stated that they hoped for a groundbreaking in 2024 and that if someone spends substantial amount of money on something, it won't be for nothing. He does not believe that the person involved will want to walk away. On another question from Ald. Swanson, Mr. Zass stated that the option-holder is now going through with their due diligence.

On a question from Ald. Bowring, Dir. DeGroot stated that the project was permit-ready and extending the approval does not preclude another proposal from coming in from another development. She noted that she does not see the extension as a detriment.

Ald. Maladra stated that he agrees with Ald. Bowring and does not see the site plan as an impediment to another type of buyer or to the owner trying to complete the transaction.

Roll call:

AYES: 8 (Bowring, Bruno, Hruby, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 2 (Kilburg, Paschke)

NAYS: 0

MOTION CARRIED

Approve Resolution 2023-107 Authorizing A Professional Services Agreement with JLD Consulting Group, LLC.

Moved by Ald. Kosirog, Seconded by Ald. Bowring.

On a question from Ald. Marks, Mayor Burns stated that verbal reports are provided by the consultant to the City Administrator regularly.

Ald. Swanson stated that he has opposed the agreement multiple times. He noted that he has never seen a written report from the group and that the City conducts lobbying through other groups. He stated that that this is overkill, and that the money is better spent elsewhere.

Ald. Bowring stated that she understands the concern about not seeing particular materials produced but given the type of work involved, if the City Administrator sees a benefit, she supports it. She stated that a consultant is the right type of person for this because a permanent hire for this work may not be needed indefinitely.

Roll call:

AYES: 5 (Bowring, Bruno, Kosirog, Maladra, Mayer)

ABSENT: 2 (Kilburg, Paschke)

NAYS: 3 (Hruby, Marks, Swanson)

MOTION CARRIED

### **PUBLIC COMMENT**

Resident Tom Bergen spoke about the deteriorating ADA-accessible curb ramps in some areas. He noted that they are becoming a tripping hazard. He contacted the company and noted that they have a seven-year warranty and are not inexpensive. He noted that the person with whom he spoke stated that cast iron ramps rust, while the embossed ramps do not meet ADA standards. He would like the City to police those.

He also stated that when he worked on his home 5 years ago, he had to display his permit prominently in his window but that there is no permit displayed at the site of the former Cetron building. He also noted that the area behind Art History Brewing which is next to the site has become a dumping area where trucks come in from elsewhere to dump debris. Mayor Burns noted that the Public Works director would contact him about the ADA-compliant ramps, and that he would get an answer regarding the permit.

Resident Jay Rule recapped his phone conversation from two weeks prior with Admin. McCready and Gil Eastman from Sedgwick. He noted that Mr. Eastman stated that Mr. Rule should have said something if there was a problem with the tree. Mr. Rule remembered later that he did say something as a matter of the City records and that Mr. Eastman knew this. Mr. Eastman stated that he will contact Mr. Rule tomorrow. Mr. Rule stated that if he does not receive a positive response from Mr. Eastman, he will file suit in small claims court against the City and Sedgwick. He stated that he does not wish to do this but that he has done everything that he should do. He noted that he pointed out dead trees to the City Council and that they are still standing.

### **NEW BUSINESS**

Ald. Bowring stated that she is glad that time was spent tonight talking about substance abuse and mental health. She added that for anyone looking for substance abuse help there are many resources in the area such as the Association for Individual Development (AID) at [www.aidcares.org](http://www.aidcares.org), or the free and confidential Illinois Helpline at [www.helplineil.org](http://www.helplineil.org) or (833) 234-6343 or text “help” to 833234. Instructions for administering Naloxone can be found online at [www.kanehealth.com](http://www.kanehealth.com). Community members can pick up Narcan on October 7 at the Regional Fire Museum in Aurora at 10:00 AM.

### **ADJOURNMENT**

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

MOTION CARRIED by unanimous voice vote of those present.  
The meeting adjourned at 8:29 PM.

---

Vicki Kellick  
Geneva City Clerk