

GENEVA CITY COUNCIL MEETING MINUTES

Monday, October 3, 2022

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

CALL TO ORDER

The October 3, 2022 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: 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.

Elected Officials attending by video or teleconference: None.

Elected Officials absent: Mike Bruno.

Others Present: Assistant City Administrator Ben McCready, City Attorney Ron Sandack, Public Works Director Rich Babica, Community Development Director David DeGroot.

Others attending by video or teleconference: None.

PLEDGE OF ALLEGIANCE

The pledge was led by Geneva High School student Adrianna Curshellas.

PUBLIC HEARINGS, SPECIAL ITEMS AND PRESENTATIONS

Proclaim October 23-31 as “Red Ribbon Week”.

Moved by Ald. Marks, Seconded by Ald. Swanson to proclaim October 23-31, 2022 as Red Ribbon Week.

Mayor Burns welcomed Lisa Meister and Ashley Andreuccetti, the co-sponsors of Students Against Destructive Decisions (SADD) at Geneva High School. Student Adrianna Curshellas, a member of SADD, then spoke about Red Ribbon Week and how the nation celebrates this week each year to send a message about the importance of taking responsibility for one’s health and making responsible decisions regarding substance abuse. Ms. Curshellas noted that teens who are more involved in their community and have a sense of belonging and stability are less likely to be involved in risky behaviors. She stated that there are six SADD principles that facilitate a drug-free lifestyle:

1. Finding a natural high that is your passion;
2. Surrounding yourself with positive peer influences;
3. Finding a positive mentor to encourage you;
4. Having a firm belief in your talents and abilities;
5. Setting goals for your future, and
6. Building resistance to help you get through the challenges in life.

Ms. Curshellas stated that this year’s theme is, “Celebrate Life, Live Drug Free.” To her, this means encouraging family and friends to make smart and healthy

choices. SADD will be encouraging students to give back to their community and to stand up to peer pressure. They are also providing a notice to parents regarding how to tell if a child is using drugs and how to intercede at different levels of use.

Ald. Kilburg commended Ms. Curshellas and SADD for their involvement in Red Ribbon Week. He noted that Geneva has a 25-30 year history of celebrating Red Ribbon week, and mentioned that the O'Halloran family as well as Becky Furnish and more recently, the Becky Furnish Foundation, have played a large part in Red Ribbon Week.

On a question from Ald. Burghart, Ms. Curshellas noted that the isolation and being physically away from school made substance abuse easier for some students. She explained that since COVID restrictions have eased, people have been able to notice the signs of addiction and seek treatment.

MOTION CARRIED by unanimous voice vote 9/0 with Ald. Bruno absent.

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 Meeting Minutes from September 6, 2022 and Special City Council Meeting Minutes from September 12, 2022.

*REPORTS: August 2022 Financial Report

*COUNCIL COMMITTEES

COMMITTEE OF THE WHOLE ITEMS OF BUSINESS

*Approve Resolution No. 2022-89 Authorizing the Execution of a Professional Services Agreement with Stantec in the Amount of \$37,679.00 for a Water and Sewer Rate Study Update.

*Approve Resolution No. 2022-90 Authorizing the Execution of a Professional Services Agreement with Stanley Consultants for Design Services for Geneva Business Park III Substation and Old Kirk Road Feeder in an Amount Not-to-Exceed \$362,250.00.

Moved by Ald. Swanson, Seconded by Ald. Kosirog.

Roll call:

AYES: 9 (Burghart, Hruby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 1 (Bruno)

NAYS: 0

MOTION CARRIED

OTHER ITEMS AND CORRESPONDENCE

None.

MUNICIPAL BILLS FOR PAYMENT: \$2,357,094.90

Moved by Ald. Burghart, Seconded by Ald. Mayer.

Roll call:

AYES: 9 (Burghart, Hruby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 1 (Bruno)

NAYS: 0

MOTION CARRIED

COMMITTEE OF THE WHOLE ITEMS OF BUSINESS

Approve Resolution No. 2022-88 Authorizing the Execution of a Supplemental Agreement from Stanley Consultants in an Amount of \$39,122.00 to the Professional Services Agreement for Design Services for the Southeast Development Project for a Revised Project Cost Total Not-to-Exceed \$621,532.00.

Moved by Ald. Mayer, Seconded by Ald. Kaven.

Ald. Swanson thanked Dir. Babica for adding the detailed information regarding hours and rates and thereby explaining the need for extra funding.

Roll call:

AYES: 9 (Burghart, Hruby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 1 (Bruno)

NAYS: 0

MOTION CARRIED

PRESENTATION OF ORDINANCES, RESOLUTIONS, PETITIONS, BIDS

Consider Approval of Ordinance No. 2022-40 Proposing the Establishment of Special Service Area No 34, Emma's Landing Subdivision, Kane County, Illinois.

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

Roll call:

AYES: 9 (Burghart, Hruby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 1 (Bruno)

NAYS: 0

ABSTAINING: 1 (Burns)

MOTION CARRIED

Consider Approval of Resolution No. 2022-91 Rejecting All Bids Received for the 2022 Sidewalk and Curb Maintenance.

Moved by Ald. Kilburg, Seconded by Ald. Mayer.

On a question from Ald. Kilburg, Dir. Babica stated that this project impacts the independent sidewalk and ADA program. The City will submit this bid in April of 2023 which will fall under the current fiscal year. On another question from Ald. Kilburg, Dir. Babica answered that the bids received were off by a wider margin than anticipated due to unit prices which were higher because of a workers' strike.

Roll call:

AYES: 9 (Burghart, Hruby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 1 (Bruno)

NAYS: 0

MOTION CARRIED

Consider Approval of Ordinance No. 2022-41 Amending Title 11 (Zoning), Section 11- 14-5A(C) (Types of Variations Authorized) to Allow Sign Variations Considering Two (2) Additional Signs Beyond the Maximum Allowed Amount of Signs Upon a Zoning Lot.

Moved by Ald. Kosirog, Seconded by Ald. Marks.

On a question from Ald. Swanson, Dir. DeGroot answered that the Planning and Zoning Commission asked City staff to do some research to determine if there were or had been other situations like this one in which a larger lot might require more than one sign. Dir. DeGroot noted that in cases where there were multiple signs on a large lot, the lots were established as PUDs so that they had their own sign regulations. He also stated that if this property were to be developed today, it would likely be as a PUD. On a second question from Ald. Swanson, Dir. DeGroot acknowledged that a variation could be requested for a second sign, but not for a third sign. Ald. Swanson stated that this situation keeps repeating and that the sign ordinance is not a one-size-fits-all regulation and asked that consideration be given to making the sign ordinance more amenable to owners of larger properties.

Roll call:

AYES: 9 (Burghart, Hruby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 1 (Bruno)

NAYS: 0

MOTION CARRIED

Consider Approval of Ordinance No. 2022-42 Granting a Sign Variation to Allow Three (3) Freestanding Signs Located at 1950-2000 Batavia Avenue.

Moved by Ald. Kilburg, Seconded by Ald. Swanson.

Roll call:

AYES: 9 (Burghart, Hruby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 1 (Bruno)

NAYS: 0

MOTION CARRIED

Consider Approval of Resolution No. 2022-92 Restating and Extending the Site Plan Granted for the Construction of a Mixed-Use Building Consisting of 60 Residential Apartment Units, 6,014 Square Feet of Commercial Space, and 63 Off-Street Parking Spaces at 609 S. Third Street.

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

On a question from Ald. Swanson, Dir. DeGroot answered that the applicant is exploring the possibility of completing the project as well as of selling the project. Ald. Swanson noted that the developer had come before the City Council before and explained the targeted tenants, as well as to whom the developer would rent the retail space. He asked if the City would forfeit that right if a new developer took over the project. Dir. DeGroot stated that the City approves projects, not developers and acknowledged that the property had been under contract twice before and both times, the developers reached out to City staff to better understand the project. Ald. Swanson noted that this plan was extended once already and that the developer could still move forward if the City Council did not extend the site plan. He noted that by not extending this project, it would be telling the developer that “enough is enough.”

Ald. Maladra stated that he does not see how not extending the plan would be helpful. He noted that the City Council’s purview is not to approve of the developer but to approve or disapprove of the proposed use for the property. He noted that he is comfortable with the development as approved and is comfortable with extending this plan.

On a question from Ald. Kilburg, Dir. DeGroot noted that none of the developers have mentioned a concern with the third rail project or the construction to the north of this project.

Ald. Burghart stated that she would be voting against the extension because the owners stated in a letter that they were planning to sell the project to a local developer. She noted that if the plans are extended, this issue may arise again in a year.

Ald. Kaven stated that he would like to see something done in that location and doesn’t want the plan to continue to be extended. He noted, however, that the past two years have been unique, and that extending the plan does not eliminate the possibility of new ownership. He acknowledged that if the plan is extended, perhaps construction might actually begin.

Ald. Kosirog stated that he sees the extension as a selling point for anyone looking to purchase the property.

On a question from Ald. Hruby, Dir. DeGroot noted that the developer has one year to move forward.

Ald. Mayer stated that she understands that many projects have been stalled over the past two years. She noted that if the project is to start, the City Council should approve this plan.

Roll call:

AYES: 7 (Hruby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer)

ABSENT: 1 (Bruno)

NAYS: 2 (Burghart, Swanson)

MOTION CARRIED

PUBLIC COMMENT / NEW BUSINESS

None.

**CLOSED SESSION ON THE PURCHASE OR LEASE OF REAL
PROPERTY FOR THE USE OF THE PUBLIC BODY (5 ILCS 120/2 (C) (5).**

Moved by Ald. Marks, Seconded by Ald. Kosirog.

Roll call:

AYES: 9 (Burghart, Hruby, Kaven, Kilburg, Kosirog, Maladra, Marks, Mayer, Swanson)

ABSENT: 1 (Bruno)

NAYS: 0

MOTION CARRIED to adjourn to closed session at 7:49 PM.

On a motion by Ald. Mayer and Seconded by Ald. Kaven, the City Council meeting returned to open session at 8:09 PM.

MOTION CARRIED by unanimous voice vote of those present.

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 8:09 PM.

Vicki Kellick
Geneva City Clerk