# GENEVA CITY COUNCIL MEETING SEPTEMBER 3, 2013

#### **CALL TO ORDER**

The Sept. 3, 2013 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. <u>Aldermen present:</u> Chuck Brown, Mike Bruno, Don Cummings, Dorothy Flanagan, Dean Kilburg, Craig Maladra, Richard Marks, Tom Simonian, Ron Singer, Dawn Vogelsberg. <u>Aldermen absent:</u> None. <u>Also attending</u>: City Atty. Charles Radovich, City Administrator Mary McKittrick, Asst. City Administrator/Dir. of Administrative Services Stephanie Dawkins, City Planner David DeGroot.

#### **PLEDGE OF ALLEGIANCE**

#### OMNIBUS AGENDA

All items listed on the Omnibus Agenda are considered to be routine by the Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member or citizen 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. Bruno, seconded by Ald. Vogelsberg to approve the Omnibus Agenda as presented. Roll call:

AYES: 10 (Ald. Brown, Bruno, Cummings, Flanagan, Kilburg, Maladra, Marks, Simonian, Singer, Vogelsberg)

NAYS: 0 MOTION CARRIED

# <u>APPROVE MINUTES OF THE LAST REGULAR MEETING HELD AUGUST 19, 2013</u>

Moved by Ald. Bruno, seconded by Ald. Vogelsberg to approve motion as presented. Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

### **APPROVE REPORTS**

Moved by Ald. Bruno, seconded by Ald. Vogelsberg to approve motion as presented. Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

# COUNCIL COMMITTEES

Committee of the Whole September 9, 2013 at 7:00 p.m.

#### MUNICIPAL BILLS FOR PAYMENT

The following bills were presented for payment:

General Fund	\$30,926.47
Cultural Arts Fund	292.19
Tourism Fund	1,882.39
Tri-Com Fund	25,063.33
SSA #1	269.95
SSA #16	26,030.00
Debt Service Fund	98,253.13
General Capital Projects	1,176.85
Infrastructure Capital Projects	499,913.05
TIF #2	31,260.92
Electric	213,610.98
Water/Wastewater	133,673.83
Refuse	29,919.33
Commuter Parking	412.73
Group Dental	3,754.40
-	

Workers Compensation

282.91

Total Funds

\$1,096,722.46

Moved by Ald. Brown, seconded by Ald. Flanagan that the bills be approved and vouchers prepared. Roll call:

AYES: 10 (Ald. Brown, Bruno, Cummings, Flanagan, Kilburg, Maladra, Marks,

Simonian, Singer, Vogelsberg)

NAYS: 0 MOTION CARRIED

#### COMMITTEE OF THE WHOLE ITEMS OF BUSINESS

<u>Approve Ordinance 2013-30 Amending Geneva City Code Related to Special Event Approval and Policy Process</u>

Moved by Ald. Vogelsberg, seconded by Ald. Cummings to approve Ord. 2013-30 amending the Geneva City Code related to special event approval and policy process.

Referring to comments made by Ald. Brown at the Aug. 26 COW meeting, Ald. Simonian suggested approving the motion, but amending it to allow for announcements of the events at City Council meetings so as to provide publicity for those events.

Admin. McKittrick said that newly-hired Communication Coordinator Kevin Stahr has been increasing the publicity given local events on the City's social media sites. She felt that publicity given events would not be diminished if sponsors of those events did not come before the Council, and that event publicity should not be part of the ordinance being considered.

Ald. Brown felt that consideration of an event by the Council is not time-consuming and encourages event sponsors to appear and possibly speak to their event publicly. Admin. McKittrick explained that the ordinance in question is intended to expedite the approval process, but does not exclude event sponsors from attending the Council meeting and publicizing their event. In fact, she added, event sponsors are encouraged to do so.

After brief discussion, it was decided to include on the event application form the option of appearing before the Council to provide information on the event. Roll call:

AYES: 10 (Ald. Brown, Bruno, Cummings, Flanagan, Kilburg, Maladra, Marks, Simonian, Singer, Vogelsberg)

NAYS: 0 MOTION CARRIED

Approve Authorization of Plan Commission Public Hearing on City Code Amendments for Consolidation of Zoning Board of Appeals and Plan Commission to Establish "Planning and Zoning Commission"

Moved by Ald. Singer, seconded by Ald. Vogelsberg to approve authorization of a Plan Commission Public Hearing on City Code amendments for consolidation of the Zoning Board of Appeals and the Plan Commission to establish the Planning and Zoning Commission.

Ald. Singer had several questions addressing the reason for the consolidation and when the Public Hearing will held. Planner DeGroot answered that the main reason is to approve the efficiency of the development review process. He also noted that the Zoning Board of Appeals has not met in the past two-and-a-half years. Oct. 10 has been set as the hearing date.

Ald. Brown took exception to the wording of the motion, saying that it sounds as if the City Council will be approving the consolidation of the two boards and directing the Plan Commission to conduct a Public Hearing on the City Code amendments that would accomplish that consolidation. He said he was not prepared to approve the consolidation at this time. He spoke favorably of retaining the two boards, noting that it provides greater opportunity for citizens to serve their city.

At the request of Ald. Brown, Atty. Radovich delineated between a public meeting and a public hearing, saying a public meeting does not necessarily require acceptance of testimony from the public, whereas a public hearing is an invitation for advocates on either side to speak to the issue. In this case, he said, the Plan Commission would serve as a recommending body.

Discussion then ensued as to the appropriateness of allowing public discussion during the process leading up to the Public Hearing, with Mayor Burns pointing out that State law gives anyone attending a public meeting the right to speak; however, the chair can rule those comments germane or out of order.

Both Ald. Maladra and Ald. Vogelsberg emphasized that by authorizing the Plan Commission to conduct a Public Hearing simply begins the process, which will culminate in a final vote by the Council regarding the consolidation issue.

Following further brief discussion regarding the wording and interpretation of the motion, roll call:

AYES: 8 (Ald.Bruno, Cummings, Kilburg, Maladra, Marks, Simonian, Singer, Vogelsberg)

NAYS: 2 (Ald. Brown, Flanagan) MOTION CARRIED

<u>Approve Resolution 2013-84 Authorizing Purchase of One (1) Police Squad Car from Morrow Brothers Ford in the Amount of \$32,300.00</u>

Moved by Ald. Bruno, seconded by Ald. Vogelsberg to approve motion as presented. Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

Approve Resolution 2013-85 Authorizing Purchase of One (1) Public Works Utility Truck from Bob Ridings Fleet Sales in the Amount of \$92,944.00

Moved by Ald. Bruno, seconded by Ald. Vogelsberg to approve motion as presented. Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

<u>Approve Resolution 2013-86 Declaring Surplus Property of 1999 Public Works Utility</u> Truck and Offer for Public Auction

Moved by Ald. Bruno, seconded by Ald. Vogelsberg to approve motion as presented. Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

Approve Ordinance 2013-29 Amending Title 9, Chapter 2 (Water & Sewer Rates) of the Geneva City Code Setting Customer Charge for Temporary Water Connection and Consumption)

Moved by Ald. Bruno, seconded by Ald. Vogelsberg to approve motion as presented. Approved by unanimous roll call vote. (Omnibus Agenda). MOTION CARRIED

#### **NEW BUSINESS**

#### Praise for Festival, Announce Increase in Ride-in-Kane Fare

Ald. Singer congratulated the Fox Valley Folklore Society, the Geneva Park Dist., and the City of Geneva for the 37<sup>th</sup> Annual Fox Valley Music & Storytelling Festival that was held this past weekend at Island Park. He also wished a speedy recovery to festival founder Juel Ulven, who is hospitalized.

Ald. Singer also announced an increase of \$1.00 per ride for those utilizing the Ride-in-Kane program, beginning next year. He attributed the increase to rising program costs. He noted the popularity of the program with seniors. Ald. Singer serves on the Ride-in-Kane committee, representing the City of Geneva.

#### Death of Geneva businessman Lennart Jönsson

Mayor Burns noted the passing of well-known Geneva businessman Lennart Jönsson, who passed away Aug. 25. Mr. Jönsson was the long-time owner of The Gift Box and Cole Travel Service. He also served as this year's Swedish Days parade marshal. City flags are being flown at half-staff in his honor.

# CLOSED SESSION ON THE SEMI-ANNUAL REVIEW OF CLOSED SESSION MINUTES; COLLECTIVE NEGOTIATING MATTERS BETWEEN THE PUBLIC BODY AND ITS EMPLOYEES OR REPRESENATATIVES

Moved by Ald. Singer, seconded by Ald. Flanagan that the Council adjourn to Closed Session. Roll call:

AYES: 10 (Ald. Brown, Bruno, Cummings, Flanagan, Kilburg, Maladra, Marks, Simonian, Singer, Vogelsberg)

NAYS: 0 MOTION CARRIED

The Council adjourned to Closed Session at 7:45 p.m.

Moved by Ald. Flanagan, seconded by Ald. Marks that the Council return to Open Session. Roll call:

AYES: 10 (Ald. Brown, Bruno, Cummings, Flanagan, Kilburg, Maladra, Marks, Simonian, Singer, Vogelsberg)

NAYS: 0 MOTION CARRIED

The Council returned to Open Session at 8:00 p.m.

## Open Session on Approval of Certain Closed Session Minutes

Moved by Ald. Singer, seconded by Ald. Brown to approve release to the public of Closed Session minutes from Feb. 21, 2012 review of closed session minutes (partial); Dec, 17, 2012 purchase of property (partial); Jan. 22, 2013 purchase of property (partial); Jan. 28, 2012 purchase of property (partial); Feb. 11, 2013 purchase of property (partial); Feb. 19, 2013 review of closed session minutes (full); March 4, 2013 purchase of property (partial); and March 11, 2013 purchase of property (full). Roll call:

AYES: 8 (Ald. Brown, Bruno, Cummings, Flanagan, Kilburg, Maladra, Marks, Simonian, Singer, Vogelsberg)

NAYS: 0

ABSTAIN: 2 (Ald. Bruno, Simonian) MOTION CARRIED

# **ADJOURNMENT**

There being no further business, moved by Ald. Bruno, seconded by Ald. Singer to adjourn the Geneva City Council meeting. Carried by voice vote.

The meeting adjourned at 8:02 p.m.

Lynn P. Landberg, City Clerk