

CITY OF GENEVA COUNCIL MEETING

July 15, 2019

CALL TO ORDER

The July 15, 2019 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.

Aldermen present: Mike Bruno, Tara Burghart, Michael Clements, Becky Hruby, Gabriel Kaven, Dean Kilburg, Craig Maladra, Jeanne McGowan, Richard Mark, Robert Swanson.

Attending by teleconference:

Aldermen absent:

Also attending: City Atty. Ron Sandack, Assistant City Administrator Benjamin McCready, City Clerk Roger Godskesen, Director of Community Development David DeGroot, David DeGroot, Director of Economic Development Cathleen Tymoszenko, Public Works Director Rich Babica, Director of Fleets, Streets and Grounds Nate Landers

PLEDGE OF ALLEGIANCE

Led by Reese Sobol

PUBLIC HEARINGS, SPECIAL ITEMS AND PRESENTATIONS

None

AMENDMENTS TO AGENDA

None

OMNIBUS AGENDA

All Items listed on the Omnibus Agenda 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 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. Marks, seconded by Ald. McGowan to approve the Omnibus Agenda as presented.

Roll Call:

AYES: 10 (Ald. Bruno, Burghart, Clements, Hruby, Kaven, Kilburg, Maladra, Marks, McGowan, Swanson)

NAYS: 0

ABSENT: 0 MOTION CARRIED

Approve Minutes of the Regular Meeting on July 1, 2019. (Clerk recommends approval)

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

APPROVE REPORTS

Tax Reports

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

COUNCIL COMMITTEES

None

OTHER ITEMS AND CORRESPONDENCE

Consider Approval of Resolution No. 2019-72 Authorizing Purchase of an Accu-Brine Maker and Two, 6,100-Gallon Storage Tanks from Cargill Salt in the Amount of \$47,030.00.

Moved by Ald. Marks, seconded by Ald. Burghart that the resolution be approved.

Assistant City Administrator McCready gave an overview of the measure, including improved efficiency, cost savings and environmental advantages. There being no questions or comments, the matter was put to a vote.

Roll Call:

AYES: 10 (Ald. Bruno, Burghart, Clements, Hruby, Kaven, Kilburg, Maladra, Marks, McGowan, Swanson)

NAYS: 0

ABSENT: 0 MOTION CARRIED

MUNICIPAL BILLS FOR PAYMENT

BILLS PRESENTED FOR PAYMENT 7/15/2019

GENERAL FUND	\$ 321,098.35
CULTURAL ARTS FUND	662.38
SPAC FUND	648.00
TOURISM FUND	383.71
TRI-COM FUND	57,918.78
MENTAL HEALTH FUND	150.00
SSA # 1	824.03
GENERAL CAPITAL PROJECTS	1,299.75
INFRASTRUCTURE CAPITAL PROJ	2,431.25
TIF # 3	28,655.00
CAPITAL EQUIPMENT	6,890.00
PRAIRIE GREEN	19.32
TIF # 2	650.00
ELECTRIC	2,200,553.88
WATER/WASTEWATER	138,063.84
REFUSE	13,494.93
CEMETERY	1,150.00
COMMUTER PARKING	694.56
GROUP DENTAL	3,058.40
UTILITY REFUNDS	554.55
SALES TAX ABATEMENT	36,356.83
TOTAL FUNDS	<u>\$ 2,815,557.56</u>

Moved by Ald. Bruno, seconded by Ald. Hruby that the bills be approved, and vouchers prepared.

Roll Call:

AYES: 10 (Ald. Bruno, Burghart, Clements, Hruby, Kaven, Kilburg, Maladra, Marks, McGowan, Swanson)

NAYS: 0

ABSENT: 0 MOTION CARRIED

COMMITTEE OF THE WHOLE ITEMS OF BUSINESS

Approve Resolution No. 2019-66 Authorizing Execution of a Memorandum of Agreement Between Ashland Ventures, LLC and the City of Geneva.

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

Approve Resolution No. 2019-67 Authorizing Releasing an Ingress/Egress Easement Situated on Part of the Real Property Known as 25 N.3rd Street, Geneva, IL 60134.

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

Approve Resolution No. 2019-68 Authorizing Execution of a Wireline Agreement with Union Pacific Railroad for Relocation of an Existing Wireline Crossing at Old Kirk Road.

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

Approve Resolution No. 2019-69 Authorizing Purchase of a 2019 Ford Transit T-350 in the Amount of \$35,941.00 and Declare 2002 Chevrolet 3500 Box Van as Surplus.

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

Approve Resolution No. 2019-70 Authorizing Waiving of Bidding Process and Purchase of Two Siemens Variable Frequency Drives from Steiner Electric at a Cost Not-to-Exceed \$65,496.00 for Water Treatment Plant.

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

PRESENTATION OF ORDINANCES, PETITIONS, RESOLUTIONS, AND BID AWARDS

Consider Approval of Resolution No. 2019-73 Establishing Basic Development Parameters to be Used in Preparing a Redevelopment Plan for the Mill Race Site (4 E. State and 12 E. State Street) and Authorizing Hitchcock Design Group to Begin the Entitlement Process as Outlined in the Professional Services Agreement Entered Into on April 18, 2019.

Moved by Ald. Kilburg, seconded by Ald. Marks that the resolution be approved.

Assistant City Administrator McCready gave an overview of the measure. Mayor Burns invited members of the audience to comment and ask questions.

Lee Eysturlid opposed, presented a list of questions regarding the charrette and plans for the property.

David and Amanda Balsan opposed to the measure, compared it to development in Naperville. Questions about parking, feels Geneva doesn't need a project like this.

Eileen Stocking opposed. Issues with size, parking, congestion. Questions about disclosure of survey results, public access. Asked for building comparable in size/design to the Herrington.

Denise Ward concerned about size, but supports concept of townhouse and apartments for the site. Favors mirroring Herrington.

Jim McNish opposed to the numbers of people and cars into the size of the location.

Winnie Frankel asked about what is allowed on the site according to statute, and what likelihood that Shodeen will develop commercial use property on the presentation.

Caroline Zinke concerned about future of landmarked stone building on the site and wants to remind of the value of the building. Asked the Council to require that the plan would keep the original building intact.

Maureen Dixon noted successful and attractive projects on small locations that had been developed by Shodeen, and asked for consideration of the small size of this site and to reduce the size of the proposed development.

Dan Horne noted the survey showed a 32% desire for a restaurant, and felt some kind of restaurant should be included in the plan. Opposed to the scale of the planned building.

Patti Poirier concerned about the proposed structure, view of Kane County building would be obscured, not in keeping with what people stated as the character of Geneva.

Christine Kautz concern about public use, possible development of public land. Asked Council to tread lightly on natural environment and beauty when developing the site.

Bruce Heidlauf concern about the scale of the planned building.

Mark Rodriguez concerned about impact to view of the river, that driving on State Street going west people will no longer be able to see the city.

Tom Lichtenfelt opposed. Attended three nights of the charrette and felt the plan did not reflect the voice of the participants of the process.

Colin Campbell contrasted this plan to the process for the library. Felt the Charrette started a process, but then changed. No vote from the people attending to choose the final plan, and feels the plan was already chosen in advance by the owners. Requests another survey to gather more info about the people's wishes based on the other three plans that were not chosen.

David Patzelt, president of the Shodeen Group, commented that the charrette planning process was a 50-50 partnership with the city.

Erin Eysturlid concerns about where funding would come from, impact on view, asked if such an increase in population is really needed.

At this point, there being no further comment or questions from the audience, Mayor Burns read off the list of questions gathered from the public comments and answered them, with input from DeGroot and Hitchcock. DeGroot answered a definition of "right zoning" posed by Ald. Hruby.

Rich Hitchcock responded to a question and gave opinion as to why a restaurant on the site would not be successful, and answered a question about how access from Oak Street would be open to the river via a sidewalk. In response to questions why the survey results were not made available to the public online, Hitchcock spoke about the second survey, which he admitted was poorly executed and was therefore disregarded.

Mayor Burns then invited the Council to comment.

Ald. Maladra spoke of the challenge of meeting objectives on this location, while respecting the past and meeting future as well. Noted there were not enough specifics as this point, addressed how this plan fits and does not fit the goals of the charrette. Hopeful that continued exercise of the process will produce a result that will solidify the plan.

Ald. Hruby asked for definition of "transient retail" proposed in the plan, which Hitchcock defined as seasonal, food, holiday, flower sales, etc.

Ald. Clements expressed frustration with the charrette process, asking where we go from here, adding that if we don't go forward, don't know when an opportunity for development on the property will happen again. Hoped continuing the exercise will produce a final compromise.

Ald. Swanson restated the initial charrette purpose which was to create community consensus on a design, asked how Hitchcock can call it successful given the lack of consensus, and how we can get there. Questioned how much the design can change through the end of the entitlement process.

Hitchcock answered that the charrette was only part of the process, which also includes the entitlement phase. He felt the charrette was successful because the team harvested a lot of information about the property and what could be possible on it, but that there is a lot of work still to be done. He asked the council to provide a precise definition of what it wanted regarding what is attractive and the Geneva brand.

Mayor Burns cautioned Hitchcock that tonight's agenda was only whether to advance the plan, and that the planning commission would address specifics.

Swanson added that he was not certain that everyone who contributed felt heard and that a scaled-back or different scenario might be more acceptable.

Ald. Bruno asked Hitchcock why plan 4, which was the largest, was chosen over plan 3, which was smaller but was shown as being economically feasible. Hitchcock responded that it was discovered plan 3 contained financial errors meaning it wasn't as viable, and that the group ran out of time which, led to the selection of the largest plan which had the greatest yield.

Bruno asked what went could have been done differently with the charrette. Hitchcock mentioned the second survey and said it was a disaster and poorly done, and that a council-only workshop after the 4-day charrette would have been desirable to define council wishes more clearly. Bruno felt there was enough latitude with the Planning Commission and HPC process to come up with a more acceptable plan and added that an Aye vote tonight does not authorize demolition of the landmarked building. Would like to see a wider view of the riverfront.

Ald. Burghart asked for clarification that if the council approves the measure, how much the Planning Commission can modify the plan within the given parameters as defined in the resolution. Atty. Sandack described the parameters as being maximums, and options the developer might have if not approved by the City. DeGroot described the development of Dodson Place as an example of a similar process, and the Planning Commission process, which would start with the resolution and then changes would be negotiated. Burghart added her disappointment with the plan chosen, which did not include goals of the downtown master plan.

David Patzelt of Shodeen commented that a hotel, banquet facility or restaurant would not be feasible for the site.

Ald. Kaven asked what recourse the Council has if there were changes requested that the owner would not agree to, and added his concerns over the size of the planned building and the lack of what people asked for as defined in the resolution. Kaven added he was not sure it was worth it to the City to continue spending money on this because of the risk involved in not getting a plan that includes what people wanted.

Ald. McGowan asked what recourse the Council has going forward and how the process compared to the former Marquette development. McGowan asked if Shodeen had considered a building matching the Herrington in scale. David Patzelt said they had not, adding that a park, hotel or restaurant on the site would not likely be proposed by Shodeen, and added comments about the issues involved in design while including goals to be iconic, revenue-generating and catalytic for the area. McGowan added her concerns over voting for the resolution.

Mayor Burns noted the time was past 10 PM, and observed that there were no objections from Council to continuing the meeting.

Ald. Kilburg noted this was the beginning of the process, with much to be worked out. Noted the goal of increasing residents in the downtown area to support Geneva business, and that if we are not willing to work with Shodeen, we could be looking at the vacant property for a long time. Kilburg added his support for the resolution to move forward with the process.

Ald. Marks noted the charrette showed that apparently only residential works on the site. Asked what the City gains by continuing to pay for the process. DeGroot felt that the City gets to continue working with a partner to develop a plan and that it would speed up the process of reaching a consensus.

Ald. Bruno asked Atty Sandack for clarification about what can be negotiated without violating the resolution.

Ald. Maladra noted Dodson Place and Herrington were developed in partnership between the City and Shodeen and were controversial in their day, but are now considered iconic. Felt that speeding up the process and being interactive are desirable.

Ald. Swanson confirmed that Council would have another chance to consider the proposal. Would like the scale decreased somewhat, uncomfortable approving parameters that are way above what would be desired, but supports moving forward with the process because Council will still have a final chance at approval.

Ald. McGowan felt that since the charrette fell short on some objectives asked if Hitchcock will give the City a discount. Asked for clarification in the wording on preservation of the landmarked building.

There being no further questions or comments, the matter was put to a vote.

Roll Call:

AYES: 6 (Ald. Bruno, Clements, Kilburg, Maladra, McGowan, Swanson)

NAYS: 4 (Burghart, Hruby, Kaven, Marks)

ABSENT: 0 MOTION CARRIED

NEW BUSINESS /PUBLIC COMMENT

None

ADJOURNMENT

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

The meeting adjourned at 10:31 PM.

Roger Godskesen, City Clerk