

COMMITTEE OF THE WHOLE MINUTES

September 8, 2020 immediately following City Council Mtg. at 7pm

Visitors are welcome to all City meetings; however, pursuant to Governor Pritzker’s Executive Order 2020-43 limiting gatherings of no more than 50 persons (or 50% of room occupancy) and a requirement to wear a face covering in public places, physical attendance at public meetings may be limited or restricted. Meetings will be livestreamed for the public to provide the ability to contemporaneously hear all discussion, testimony and roll call votes of the open meeting in real time. Please visit the City website for details on how to watch the meeting live.

For more information please see the [“Notice Regarding Meeting and Public Comment Rule Due to COVID-19”](#)

ELECTED OFFICIALS PRESENT	ELECTED OFFICIALS ATTENDING BY TELECONFERENCE	ELECTED OFFICIALS ABSENT	STAFF PRESENT
Bruno Burghart Kaven Kilburg Kosirog Maladra Marks McGowan Swanson Burns (Chair)	Hruby Godskesen (Clerk)		Dawkins Sandack DeGroot McCready Tymoszenko Kruse Babica Landers Van Gyseghem

1. CALL TO ORDER

Mayor Burns called the meeting to order at 7:26 PM noting that all aldermen were present or attending by teleconference.

2. NEW BUSINESS / PUBLIC COMMENT

None

3. APPROVE SPECIAL AND REGULAR COMMITTEE OF THE WHOLE MINUTES FROM AUGUST 17, 2020 **(AS AMENDED)**

Moved by Ald. McGowan, seconded by Ald. Hruby to approve the minutes as presented.

Ald. Burghart noted that Ald. Kilburgs' motion to adjourn was not included in the minutes. Kilburg added that his motion was not recognized, and asked for clarification on the process. Mayor Burns asked Atty. Sandack to respond. Sandack opined that the motion by Kilburg was not recognized and therefore was not entered in the minutes. Kilburg countered that he was recognized and had the floor, but was ruled out of order by the Mayor. Kilburg went on to ask what an alderman needs to do get recognized in such a case, and noted that he would like to overrule the Mayors' decision. Sandack responded that an overrule could only be done during the occurrence, not after the meeting concluded. A further discussion between Sandack and Kilburg centered on whether the motion was recognized or not. The discussion continued with input from Burns, Sandack, Ald. Burghart, McGowan and Hruby regarding the motion to adjourn and also regarding the process for amending minutes. Hruby commented that more detail should have been included in the minutes, and Mayor Burns noted that the written minutes are only intended as highlights of a meeting, and that the official record is the video recording. Burns also added that any council member can make a motion to amend minutes. There being no further discussion on this matter:

Moved by Ald. Burghart, seconded by Ald. Swanson to amend the minutes to include Ald. Kilburgs' motion to adjourn.

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks, McGowan, Swanson)

ABSTAIN: 1 (Kosirog)

NAYS: 0 MOTION CARRIED

There being no further discussion, the vote was held on the original motion to approve the minutes **as amended**:

Roll Call:

AYES: 9 (Ald. Bruno, Burghart, Hruby, Kaven, Kilburg, Maladra, Marks, McGowan, Swanson)

ABSTAIN: 1 (Kosirog)

NAYS: 0 MOTION CARRIED

4. ITEMS OF BUSINESS

a. Consider Draft Resolution Authorizing Acceptance of the 2020 Employee Benefit Plan Renewal Effective November 1, 2020

Moved by Ald. Marks, seconded by Ald. McGowan to approve the measure as presented.

Ald. Burghart asked how costs were split between the city and employees. Dawkins and McCready explained the breakdown, and noted that this has not changed in the 12 years Dawkins had been with the city.

Burghart also asked whether the pandemic could have given an opportunity to look employees put in a greater contribution toward health care costs.

Ald. Swanson requested that discussions toward reducing city costs be addressed at future Strategic Planning Workshop, asked if wellness initiatives would help hold down costs, and suggested putting caps on benefits moving forward.

Ald. Kosirog asked about analysis of other options, how claims get researched over time and about open enrollment plans for next year.

Mr. Whipple, representing Lundstrom Insurance, answered questions and commented on possibilities for alternate carriers in the future. There being no further questions;

Roll Call:

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

NAYS: 0 MOTION CARRIED

b. Consider Draft Resolution Amending Section 6.9 of the City of Geneva's Personnel Policy Manual

Moved by Ald. Bruno, seconded by Ald. Kosirog to approve the measure as presented.

Roll Call:

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

NAYS: 0 MOTION CARRIED

c. Recommend Draft Resolution Authorizing the Purchase of Sixteen (16) Sets of Personal Protective Clothing from W.S. Darley at an Estimated Cost of \$32,000.00

Moved by Ald. McGowan, seconded by Ald. Marks to approve the measure as presented.

Roll Call:

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

NAYS: 0 MOTION CARRIED

d. Consider Draft Resolution to Waive Competitive Bidding and Accept a Proposal from RLS Landscaping Inc. for State Street Brick Repair Project in an Amount Not to Exceed \$24,050.00

Moved by Ald. Marks, seconded by Ald. Bruno to approve the measure as presented.

Ald. Swanson asked if the project could be deferred and what issues might arise if, so and whether it would be better to do a larger amount of brick work at one time. Ald. Bruno and Kosirog also asked questions regarding the project. Superintendent Landers responded that safety hazards and deterioration of the brick work and its foundations might occur if repairs are postponed, and that a larger contract would not necessarily be advantageous to the city, and answered questions as presented. There being no further questions or comment:

Roll Call:

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

NAYS: 0 MOTION CARRIED

e. Consider Draft Resolution Authorizing Execution of a Contract with Edge Landscaping for 2020-21 Commuter Parking Lot Snow Removal in the Amount of \$84.50 Per Hour

Moved by Ald. Marks, seconded by Ald. Burghart to approve the measure as presented.

Ald. Maladra described, as a commuter himself, that ice forms that is treacherous to walk on if the snow is not removed promptly, and asked if plowing could be done sooner. Superintendent Landers said that there would be additional cost to have the removal done on weekends.

Ald. Swanson, Burghart, Kilburg, Kaven and Bruno asked about and discussed the possibility of cost savings by plowing only portions of the parking lots, since much of the areas are currently under-utilized because of the pandemic. McGowan asked about staff costs involved, how the

public would be informed, parking enforcement and felt that more information was needed. Maladra felt that the lots should be cleared entirely, in anticipation of a general return to work by commuters. Ald. Kosirog asked about the cost increase over the prior year, and whether city staff could do the plowing.

Director Babica and Landers responded to questions, noting that police enforcement would be an issue, and that plowing would still need to be done to allow parking access for businesses near the parking lots.

Mayor Burns agreed there was interest in moving forward while looking into the topic. There being no further questions or comment:

Roll Call:

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

NAYS: 0 MOTION CARRIED

f. Consider Approval of a Resolution Authorizing the City Clerk to Execute a Plat of Easement to Serve the Southeast Master Plan Development Area

Moved by Ald. Bruno, seconded by Ald. Marks to approve the measure as presented.

Roll Call:

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

NAYS: 0 MOTION CARRIED

g. Consider Draft Ordinance Amending Title 13 (Flood Control), Chapter 1 (Flood Hazard Area Development) and Chapter 2 (Stormwater Management) of the Geneva City Code

Moved by Ald. Bruno, seconded by Ald. McGowan to approve the measure as presented.

Roll Call:

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

NAYS: 0 MOTION CARRIED

h. Consider Draft Resolution Granting a Request for Connection to the Municipal Water Supply Without Annexation for the Property Located at 1721 Western Avenue

Moved by Ald. Burghart, seconded by Ald. Bruno to approve the measure as presented.

Ald. Kilburg asked how many other homeowners might potentially want to be connected to the municipal water supply. This led to a discussion with input from Ald. Bruno, Hruby, Kosirog, Burghart and Swanson and Director Babica regarding the policy for, and possibility of annexation of properties in unincorporated areas. After some discussion, Ald. Swanson called the question, and the vote was held on the resolution.

Roll Call:

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

NAYS: 0 MOTION CARRIED

i. Presentation and Consideration of Draft Resolution Authorizing Repayment Plan for Past Due Utility Balances and the Resumption of Disconnections and Late Payment Penalties Effective October 22, 2020 (AS AMENDED)

Moved by Ald. Swanson, seconded by Ald. Burghart to approve the measure as presented.

Director Kruse gave a presentation on the current state of payments and collections since penalties and disconnections were suspended due to the pandemic. Kruse and noted that with no penalties for late payment, several of the largest users of utilities have not made payments, and showed how this has impacted the city's financial position. A proposal was included in the presentation laying out details for resumption of disconnections/warnings and penalties and how and when this would be implemented.

Ald. Swanson expressed his concern with implementing this measure now, and recommended it be delayed and that disconnect notices not be sent until April. Ald. Marks, McGowan, Burghart, Kaven, Kosirog and Bruno also expressed concern over the timeline for implementing and agreed with delaying it. McGowan suggested adding information to the city website and where residents could go for help in making payments and Kosirog asked about the application process for residents to seek financial assistance. Kilburg asked how the city communicates to accounts that are in arrears and may be disconnected. McGowan asked if money could be transferred from other funds to cover the city shortfalls. Maladra noted that he would like to see actual numbers in order to base decisions on.

Director Babica, Director Kruse and Superintendent Van Gyseghem responded to and answered questions from the council as they were presented.

4.i.a Moved by Ald. Bruno, seconded by Ald. Swanson to amend the resolution to allow a 12 month payback period.

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

NAYS: 0 MOTION CARRIED

4.i.b Moved by Ald. Swanson, seconded by Ald. Maladra to amend the resolution to delay disconnections until April 30, 2021.

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

NAYS: 0 MOTION CARRIED

4.i.c Moved by Ald. Kilburg, seconded by Ald. McGowan to amend the resolution to make it subject to review if the estimated receivable rate increases more than 50% between now and the end of the year (December 31, 2020).

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

NAYS: 0 MOTION CARRIED

There being no further discussion, the vote was held on the original motion to approve the resolution **as amended**:

Roll Call:

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

NAYS: 0 MOTION CARRIED

j. Consider Draft Ordinance Providing for the Payment of the Outstanding Parking Refunding Revenue Bonds, Series 2008, of the City of Geneva, Kane County, Illinois

Moved by Ald. Marks, seconded by Ald. Maladra to approve the measure as presented.

Ald. Swanson asked a series of questions and comments about the topic, regarding whether it was necessary and advisable for the city to be paying out these funds at this time.

Finance Director Kruse said she would ask about a waiver, and explained why the interest needs to be paid at this time. Dawkins asked if it was agreeable to keep to the timetable of payment as defined in the agreement, but with staff seeking a waiver in the meantime. There being no objection to this, and no further questions or comments:

ROLL CALL

AYES: 7 (Ald. Bruno, Kaven, Kilburg, Kosirog, Maladra, Marks, McGowan)

NAYS: 3 (Ald. Burghart, Hruby Swanson) MOTION CARRIED

k. Consider Draft Resolution Authorizing the Execution of FY2020-2021 Budget Amendment

Moved by Ald. McGowan, seconded by Ald. Kosirog to approve the measure as presented.

Dawkins clarified that if a waiver is granted, as noted in the previous resolution, then an amendment to the budget would no longer be necessary.

AYES: 7 (Ald. Bruno, Kaven, Kilburg, Kosirog, Maladra, Marks, McGowan)

NAYS: 3 (Ald. Burghart, Hruby Swanson) MOTION CARRIED

5. ADJOURNMENT

Burns noted that since the time was past 10 PM, asked whether the council wished to continue with the Special COW scheduled to follow this meeting. Consensus was to reschedule the Special Cow until Monday, September 14, 2020.

There being no further business, moved by Ald. McGowan to adjourn the meeting.

Roll Call:

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

NAYS: 0 MOTION CARRIED

The meeting adjourned at 10:04 PM.

- Submitted by City Clerk Godskesen