
**SYCAMORE CITY COUNCIL – REGULAR MEETING
MINUTES OF SEPTEMBER 3, 2002**

ROLL CALL

Mayor John Swedberg called the meeting to order and Clerk Candy Smith called the roll. Those Alderpersons present were: Alan Bauer, Pam Blickem, Michael Chambon, Andrew Larson, Cheryl Maness, Pete Paulsen, Chuck Stowe and Janice Tripp.

INVOCATION

Pastor Nancy Weingartner of the Sycamore United Methodist Church gave the invocation. Pastor Nancy announced that there would be a Service of Remembrance, Wednesday, September 11, 2002, at 7:00 p.m. at the Sycamore United Methodist Church.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Motion

Aldersperson Larson moved to approve the agenda and Aldersperson Paulsen seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. All Alderspersons voted aye. Motion carried 8 - 0.

AUDIENCE TO VISITORS

None

CONSENT AGENDA

- A. Approval of the Minutes of the Regular City Council Meeting of August 19, 2002;
- B. Payment of the Bills for September 3, 2002 in the amount of \$640,240.31.

Motion

Aldersperson Blickem moved to approve the Consent Agenda and Aldersperson Larson seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. All Alderspersons voted aye. Motion carried 8 - 0.

PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.

- A. Introduction of New Paid-on-Call Firefighters Rhonda Overton, Ann Carlson, and Greg Schwartz.

Chief Riddle introduced Greg Schwartz, Rhonda Overton, and Ann Carlson and said that all three were paramedics and had worked for 6 months and presented them with badges.

- B. Proclamation Declaring Saturday, September 14, "Welcome Home Day" in the City of Sycamore for C Battery, 2nd Battalion, 122nd Field Artillery of the Illinois National Guard.

Mayor Swedberg read the proclamation and introduced Pat Burkart as the Sycamore Veterans Memorial Home representative. Mr. Burkart introduced SSG Tim Johnson, who stayed behind to administer to paperwork, and SSG Chris Collins and SGT Joshua Hoffman who both just returned from active duty in Germany. Mr. Burkart said that there would be a welcome home lunch at the armory on September 14th at noon to welcome the soldiers home and thank them for their service.

Aldersperson Pete Paulsen asked for an update on the Maplewood/Route 23 intersection and Mt. Hunger Road. Engineer Brady said that the Maplewood/Route 23 IDES study was close to being approved and they were working on construction drawings to send to IDOT. Mr. Brady was hopeful that construction would begin in the fall. Engineer Brady said there should be some activity on Mt. Hunger Road in November 2002.

Aldersperson Paulsen said there were semis going down Mason Court with no way to get out and asked if the signage for that one-way street could be improved. Mr. Nicklas said that the Public Works and Police Departments would address the issue.

Aldersperson Paulsen suggested placing yield signs on Susan Street in the Maple Terrace and Winfield Meadows Subdivisions and Administrator Nicklas placed the issue in the Streets and Walks Committee. Streets and Walks Chair Chambon asked if a traffic study could be performed to give the committee some data to work with. Mayor Swedberg said the Sycamore High School Key Club advisor inquired about posting a street sign recognizing the International Key Club Governor who is a member of the Sycamore Chapter. Mayor Swedberg asked the Streets and Walks Committee to establish criteria for such recognition signs.

REPORT OF OFFICERS

Administrator – Bill Nicklas said that he had received two bids for the planning and mapping of the revised Comprehensive Plan. Mr. Nicklas said that the Regional Plan Commission might subsidize part of the regional sub-plan that would be part of the project. Mr. Nicklas explained that he had not had a chance to review the proposals, but would start interviewing the next week and bring back a recommendation to Council.

Engineer – John Brady reported on the street maintenance and said that micro surfacing would be completed in one more day, resurfacing should be done by September 14th, and the crack filling would be done late in September or early October.

Building & Zoning - Lyle Doty reported that since the last meeting he had written 13 permits: 5 single-family and 8 miscellaneous residential.

Treasurer – Ken Mundy – no report

Fire Chief –Bill Riddle extended an invitation to the 9-11 memorial service the Firefighters would hold at 8:30 a.m., September 11, 2002 at Johnson Junction.

Police Chief – Don Thomas – no report

Public Works Supt. -- Fred Busse reported that Waste Management had performed above and beyond their contract by helping a Sycamore homeowner by picking up trimmed branches.

Water Supt. – Ebe Smith reported that they were done airlifting sand from well #5 after hauling 15 dump truck loads. Superintendent Smith said that they would place a test pump in for 24 hours next Monday and that would determine if the well was still pumping sand. Superintendent Smith said that he was appointed by the IEPA to the Community Water Testing Supply Council.

REPORT OF STANDING COMMITTEES

Finance –no report

Ordinance – no report

Police & Fire - no report

Sewer & Water –no report

Streets & Walks –no report

PUBLIC HEARING

None

ORDINANCES

None

RESOLUTIONS

None

CONSIDERATIONS

A. Consideration of an Administration Request for Clarification on Ordinance No. 2002.33.

Administrator Nicklas explained that he was looking for Council direction and clarification on this ordinance that was passed at the last meeting.

Aldersperson Maness stated that the copy of the signed Ordinance 2002.33 they received was not exactly what they had passed and asked to have that corrected. Aldersperson Maness inquired if a restaurant abided by all the requirements of Ordinance 2002.33 would they be able to sell alcohol outdoors and Mayor Swedberg said he would not be willing to extend the liquor license.

Aldersperson Chambon inquired if the Liquor Commissioner was subordinate to City ordinance and Attorney Smith said he was.

Aldersperson Maness said that they should clarify the ordinance to read that if the restaurant met all the requirements passed by Council, they would receive permission to sell alcohol outdoors.

Mayor Swedberg said that he felt they were creating a potential for neighborhood disturbances. Mayor Swedberg said that the business in question was already non-conforming regarding parking and any build out would only increase the lack of parking. Mayor Swedberg also said that drinking outdoors was not what he wanted to see in Sycamore.

Aldersperson Maness said that there were no police reports filed by any Donlin Court or surrounding neighbors over the last two years. Mayor Swedberg said that he had received complaint calls for the past 3 of 4 special events. Aldersperson Maness said that special events were a separate issue than the one at hand. Mayor Swedberg said that he was accompanied by two police officers so at least one police report should have been written. Chief Thomas said that one written report existed regarding loud music. Mayor Swedberg said that this business was contiguous on three sides by residential.

Aldersperson Blickem said that this issue was before Council tonight because the Mayor was unwilling to issue an extended liquor permit based on the Ordinance that the Council had passed. Mayor Swedberg said no that the issue was technically before Council again because the Administrator wanted clarification. Aldersperson Blickem asked if they stuck to the original ordinance would the Mayor be willing to issue the outdoor liquor permit and Mayor Swedberg said that he would have to rethink that since he had learned earlier that state statute would force him to abide by the Ordinance.

Aldersperson Larson said that he thought an outdoor garden would police itself in order to maintain customers. Aldersperson Tripp said that she thought the original intent was to serve food. Aldersperson Chambon asked if the beer garden became rowdy on a regular basis what means would the City use to address that. Mr. Chambon wondered if the City would simply pull the liquor license. Mayor Swedberg said that the police would report the violations to him, as Liquor Commissioner and he would hold a hearing. Mayor Swedberg did not think he had the authority to pull the license, but Administrator Nicklas said that the Liquor Commissioner had a lot of latitude and would have the authority to revoke the license. Attorney Smith confirmed that the Liquor Commissioner has the authority to revoke liquor licenses.

Aldersperson Maness said the solution might be to remove the first eight words of Section 1 and Mayor Swedberg said that he would still need to approve a special license.

Aldersperson Stowe objected to Ordinance 2002.33 because the only mention of the word restaurant was in the title and there was no definition of restaurant in the ordinance. Attorney Smith clarified that paragraph e. in the ordinance stated that the outdoor area was part of the food service business located on the licensed premises.

Aldersperson Maness asked the attorney how to proceed to have the Liquor Commissioner act as the Council has directed. Attorney Smith suggested changing paragraph 1, line 2 "may be permitted" to "shall be permitted."

Motion

Aldersperson Maness moved to consider amending Ordinance 2002.33 by changing "may" to "shall" in paragraph 1, line 2 and Aldersperson Bauer seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. Seven Alderpersons voted aye with Alderperson Stowe voting nay. Motion carried 7 - 1.

B. Consideration of a Public Works Department Recommendation to Hire a Replacement Laborer and One New Laborer.

Administrator Nicklas explained that laborer Fred Ruthe had given his intent to retire December 10, 2002 and Mr. Nicklas said he would like to get authorization to hire his replacement as soon as possible to get trained before the snow falls.

Motion

Alderperson Maness moved to authorize the hiring of a replacement laborer and Alderperson Chambon seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. All Alderpersons voted aye. Motion carried 8 - 0.

Administrator Nicklas explained that the Public Works Department never hired a replacement when Gene Listy retired and the two divisions merged. Mr. Nicklas said that the Treatment Division had increased their presence in the sewer collection system with the new televising equipment and Superintendent Busse has asked for more manpower. Administrator Nicklas said that he felt that a new hire could be financed through the sewer system improvement fund.

Motion

Alderperson Chambon moved to authorize the hiring of an additional laborer and Alderperson Larson seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. All Alderpersons voted aye. Motion carried 8 - 0.

C. Consideration of an Administration Recommendation for Direction Regarding a Recent Proposal from Verizon.

Administrator Nicklas explained that Verizon informed the City that we were entitled to back payment for 25 free business access lines per the franchise agreement of 1990. Mr. Nicklas said that Verizon was offering a \$21,649.44 refund and asked Council direction on whether to accept the offer.

Motion

Alderperson Stowe moved to accept the refund amount of \$21,649.44 and Alderperson Bauer seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. All Alderpersons voted aye. Motion carried 8 - 0.

Administrator Nicklas explained that there were three options for the City and Verizon to remain in compliance with the agreement for the remaining 10 years of the franchise agreement. One option would

be to receive set quarterly payments, the second option would have the City monitor each phone line and the third option would be for the City to impose a telecommunication tax. Mr. Nicklas suggested the Council discuss the issue with their constituents.

Aldersperson Stowe said that he felt the City should collect the money from Verizon quarterly until the end of the agreement because he did not want to impose new taxes.

D. Consideration of a Report from the City Administrator Concerning Local Efforts to Address the West Nile Virus.

Administrator Nicklas explained that the Illinois Dept. of Public Health was now recommending that municipalities take steps to cut down on mosquito larva. Mr. Nicklas, Superintendent Busse, and Assistant Superintendent Ray attended a seminar where they were temporarily licensed to apply larvicide briquettes into the City's catch basins. Mr. Nicklas said that they would have more Street Division staff licensed for future applications. Mr. Nicklas said this process was good for about 30 days and would need to be reapplied at least one more time in 2002, but unfortunately this would not eradicate West Nile Virus.

E. Consideration of an Administration Recommendation for a Closed Session to Discuss Personnel Matters and Land Acquisition.

Motion

Aldersperson Chambon moved to go into closed session at 9:00 p.m. and Aldersperson Blickem seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote. All Alderspersons voted aye. Motion carried 8 - 0.

Motion

Aldersperson Chambon moved to return to Open Session at 9:52 p.m. and Aldersperson Larson seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. All Alderspersons voted aye. Motion carried 8 - 0.

Mayor Swedberg moved discussion of the City Administrator's salary to the Finance Committee.

APPOINTMENTS

None

ADJOURNMENT

Motion

Aldersperson Stowe moved to adjourn the meeting at 9:53 p.m. and Aldersperson Bauer seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. All Alderspersons voted aye. Motion carried 8 - 0.

Approve:

Mayor – John L. Swedberg

Attest:

City Clerk – Candy Smith