
SYCAMORE CITY COUNCIL – REGULAR MEETING
MINUTES OF JUNE 16, 2003

ROLL CALL

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

INVOCATION

Pastor Jim Elliott of Harvest Time Church gave the invocation.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Motion

Alderperson Larson moved to approve the agenda and Alderperson Tripp seconded the motion.

Voice Vote

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

AUDIENCE TO VISITORS

Gregory Taylor, 1239 Yorkshire Dr. South, inquired why Foxpointe Drive carried a 30 M.P.H. speed limit. Mayor Swedberg explained that in the State of Illinois residential speed limits were 30 M.P.H. Engineer Brady said a speed study was needed to prove that a percentile of cars traveled below 30 M.P.H.

Ellen Brown, 1318 Foxpointe Drive, said that Foxpointe was a curvy road with a lot of parked cars and large vehicles like school buses and construction vehicles whipped around the neighborhood. She thought 30 M.P.H. was too fast and asked for school zone signs.

Lisa Payne, 1317 Foxpointe Drive, said there was more traffic and the speed had increased.

Manager Nicklas said their comments were welcome, but suggested the interested neighbors meet with the Police Chief, Engineer, and Public Works Superintendent in a more casual atmosphere.

Randall Reising, 932 Foxpointe Drive, suggested placing a stop sign at Vaughn and Foxpointe.

Grade Adee, 1469 Longwood Drive, expressed concern regarding the reconsideration of the John Clare LTD annexation. Ms. Adee explained her concerns with traffic, costs to the City, and the developer's \$200,000 donation to the school to be used for a new field house when a new school might be needed.

CONSENT AGENDA

- A. Approval of the Minutes of the Regular City Council Meeting of June 2, 2003;
- B. Approval of the Minutes of the Special City Council Meeting of May 30, 2003;
- C. Payment of the Bills for June 16, 2003 in the amount of \$915,404.87;
- D. Plan Commission minutes for the meeting of May 12, 2003.

Motion

Aldersperson Stowe moved to approve the Consent Agenda and Aldersperson Kessler 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. Sarah Tobias, Executive Director of the Sycamore Public Library, will give a brief annual report to the City Council

Sarah Tobias, Executive Director, listed some of the year's accomplishments as:

- automated circulation system and card catalog
- placed web site www.sycamorelibrary.org on the internet
- upgraded software
- replaced two computers
- 113,700 circulation items

Director Tobias said they moved all the youth services into the new library and will use the old Carnegie section for meetings and programs. She said staff would be receiving customer service and reference skill training. Ms. Tobias said the impact fees were used to purchase and raze the annex, a building adjacent to the library, for future expansion.

Aldersperson Stowe said he was impressed with the library's automation.

Mayor Swedberg said he received a letter from IDOT authorizing the closure of Route 64 for the car show.

Barbara Leach said she had received communication about Foxpointe Drive speed limit and also received a communication of thanks for the new signs in Electric Park.

Aldersperson Maness inquired when the Home Street construction bids would be let and asked if Engineer Brady could include a completion date of October 15 in the specs. Ms. Maness said that Home Street was highly used during the Pumpkin Festival. Mr. Brady said the bids would be let in July and October 15 would be a tight schedule. Ms. Maness encouraged getting the bids out before the contractors were too booked and Mayor Swedberg said that contractors were hungry for work. Ms. Maness also communicated that Mike McAdams asked for a 24-minute meter outside his store on Maple Street and Mr. Nicklas asked the Street Division to put one in.

Aldersperson Bauer said that at the time of setting of capital improvement projects the Council allocated money to help with the planning and Mr. Nicklas said he would give a ways and means report at the July 7 meeting.

REPORT OF OFFICERS

Manager – Bill Nicklas reported that he and John Brady were working on financial options with IEPA and people who sell debt to conclude how to pay for the new well and radium removal and would bring a detailed report next meeting. Mr. Nicklas also said that over the past two months there had been banners, signs and people hawking on the street corners. He said there was nothing in the sign ordinance that addressed this and asked the City Attorney to write something to rid the City of what he considered a blight. Mayor Swedberg said to go ahead and write an ordinance and the Council consented.

Engineer – John Brady - no report

Building & Zoning –Lyle Doty - no report

Treasurer – Ken Mundy said he had distributed the May financial report with the previous year's figures shown for comparison.

Fire Chief – Bill Riddle – no report

Police Chief – Don Thomas reported that Patrick Lozeau graduated from the Police Academy and started on the street the previous night. Chief Thomas said that two officers, Marshall Flynn and Dan Wojcik had been hired and would be sworn in at the next meeting.

Public Works Supt. – Fred Busse reported that DeKalb County Health Department would hold their tire pickup July 10 from 7:00 a.m. to noon at Northern FS, Webster Road, DeKalb. Superintendent Busse also reported that Sycamore would host 150 bicyclists from the tandem bicycle society over the June 20th weekend.

Aldersperson Maness reminded Council that the Relay For Life would begin Saturday, June 21, at 5:45 at the Courthouse.

Water Supt. – Ebe Smith – no report

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

- A. Ordinance No. 2003.08—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of Dahlco, LLC for an Amendment to the Annexation Agreement Dated March 27, 1996 and for the Annexation and Rezoning of the Property Along the West Side of Hopkins Lane, South of Mt. Hunger Road. Second Reading.**

Manager Nicklas said neither the petitioner nor his attorney were in the audience and recommended holding over Ordinances 2003.08 and 2003.20.

B. Ordinance No. 2003.20—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of Dahlco, LLC for Approval of the Annexation of Property West of Hopkins Lane in the City of Sycamore, Illinois. First and Second Reading.

Motion

Aldersperson Larson moved to hold over Ordinance 2003.08 and Ordinance 2003.20 until the next meeting 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.

C. Ordinance No. 2003.22—An Ordinance Amending Title 1, "Administration," Chapter 10, "Personnel Rules," Section 1-10-16, "Group Insurance," in the City of Sycamore, Illinois. First and Second Reading.

Manager Nicklas explained that this ordinance spelled out the benefits which were previously vague in the City Code.

Aldersperson Kessler said the document was well written and commended Jean Tritle for her work.

Motion

Aldersperson Kessler moved to hear Ordinance 2003.22 on first and second reading and Aldersperson Maness seconded the motion.

Voice Vote

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

Motion

Aldersperson Kessler moved to approve Ordinances 2003.22 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.

D. Ordinance No. 2003.23—An Ordinance Approving a Grant of \$7,000 to the DeKalb County Economic Development Corporation for Services to Citizens of the City of Sycamore, Illinois. First and Second Reading.

Manager Nicklas said the grant was in the amount held to since the organization started ten years ago.

Roger Hopkins, DeKalb County Economic Development Corporation Director said there was some industrial activity in Sycamore Prairie Park. He said that Nicor service center added a new element for office employment. Mr. Hopkins said that Sycamore Industrial Park lost a company, but was attracting tenants. Mr. Hopkins emphasized that Sycamore was notable in marketing industrial business because of no utility tax. Mr. Hopkins said that Sycamore would be generating more employment and business activity than anywhere else in the County.

Mayor Swedberg asked what could be expected for DeKalb Avenue and Mr. Hopkins said DCEDC managed commercial development as a secondary referral process. Manager Nicklas said the focus for DCEDC has been on industrial retention and development through Board directive.

Motion

Aldersperson Tripp moved to hear Ordinance 2003.23 on first and second reading and Aldersperson Maness seconded the motion.

Voice Vote

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

Motion

Aldersperson Tripp moved to approve Ordinances 2003.23 and Aldersperson Maness seconded the motion.

Voice Vote

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

E. Ordinance No. 2003.24—An Ordinance Ascertaining the Prevailing Wage for Public Works in the City of Sycamore, Illinois. First and Second Reading.

Manager Nicklas said this ordinance was a requirement under state statute.

Motion

Aldersperson Maness moved to hear Ordinance 2003.24 on first and second reading and Aldersperson Tripp seconded the motion.

Voice Vote

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

Motion

Aldersperson Maness moved to approve Ordinances 2003.24 and Aldersperson Tripp seconded the motion.

Voice Vote

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

F. Ordinance No. 2003.25-An Ordinance Amending Title 2, "Boards and Commission," Chapter 4, "Board of Fire and Police Commissioners," Section 2-4-2, "Powers and Duties," by Expanding the Powers of the Appointment of Police Officers in the City of Sycamore, Illinois. First and Second Reading.

Manager Nicklas said this ordinance codified a mutual understanding reached by the Council and the Board permitting the acceptance of certain qualified candidates without written testing.

Motion

Aldersperson moved to hear Ordinance 2003.25 on first and second reading and Aldersperson seconded the motion.

Aldersperson Stowe inquired if this meant continuously accepting applications and Chief Thomas said only when the City was in an emergency hiring situation. Mayor Swedberg asked who decided it was an emergency and Chief Thomas said the Board would make the decision.

Voice Vote

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

Motion

Alderson moved to approve Ordinances 2003.25 and Alderson seconded the motion.

Voice Vote

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

- G. Ordinance No. 2003.26—An Ordinance Amending Title 3, “Business and License Regulations,” Chapter 6, “Taxicabs,” Section 3-6-4, “License Fee; Tags,” Subsection A, Fee,” by Reducing the Annual Fee on the Renewal of Taxicab Licenses in the City of Sycamore, Illinois. First and Second Reading.**

Manager Nicklas said this ordinance would reduce the renewal fee for taxicab licenses from \$150 to \$50.

Motion

Alderson Maness moved to hear Ordinance 2003.26 on first and second reading and Alderson Tripp seconded the motion.

Voice Vote

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

Motion

Alderson Maness moved to approve Ordinances 2003.26 and Alderson Paulsen seconded the motion.

Alderson Larson said the owner of Cruiser Taxicab had wanted to expedite the background check process and Mr. Nicklas said that was an administrative issue. Mr. Larson asked if the City was going to stick to the more stringent checks and Chief Thomas said that although he understood her concern, the City would not compromise their standards.

Voice Vote

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

- H. Ordinance No. 2003.27—An Ordinance Amending Ordinance No. 2003.18 Authorizing the City of Sycamore to Borrow Funds From the Public Water Supply Loan Program. First and Second Reading.**

Manager Nicklas said this ordinance was typical of the frustration working with the IEPA. He said the IEPA required the language change referencing the reserve capability

Motion

Alderson Tripp moved to hear Ordinance 2003.27 on first and second reading and Alderson Paulsen seconded the motion.

Voice Vote

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

Motion

Alderson Bauer moved to approve Ordinances 2003.27 and Alderson Maness seconded the motion.

Voice Vote

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

- I. **Ordinance No. 2003.28—An Ordinance Amending Title 1, “Administration,” Chapter 6, “City Council,” Section 2, “Meetings,” To Change the Time at Which Council Meetings Will be Held in the City of Sycamore, Illinois. First and Second Reading.**

J.

Manager Nicklas said this ordinance would change the start time for the Council meetings from 7:30 p.m. to 7:00 p.m.

Aldersperson Stowe suggested the address also be changed to 308 W. State Street.

Motion

Aldersperson Larson moved to hear Ordinance 2003.28 on first and second reading and Aldersperson Kessler seconded the motion.

Voice Vote

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

Motion

Aldersperson Larson moved to approve Ordinances 2003.28 with the addition of the change of address to 308 W. State Street and Aldersperson Leach seconded the motion.

Voice Vote

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

RESOLUTIONS

None

CONSIDERATIONS

A. Re-Consideration of the Council Votes on Ordinance No. 2003.12 and 2003.13.

Manager Nicklas explained that Aldersperson Larson indicated a desire to give the Council an opportunity to reconsider the votes for Ordinances 2003.12 and 2003.13.

Motion

Aldersperson Larson moved to reconsider the votes for Ordinances 2003.12 and 2003.13 and Aldersperson Maness seconded the motion.

Voice Vote

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

Mr. Nicklas said that he stood by his recommendation of approval along with the full recommendation of the Plan Commission. He said that noted in his background there was a fiscal issue for the City and for the School District. Mr. Nicklas said that he would not recommend totally on fiscal grounds, but because of other positive features of the proposed development. Mr. Nicklas said if the Council did not vote a 2/3 vote for approval, they would need to review the budget to make up the shared-state revenue deficit.

Mayor Swedberg said that if the plan was voted down again, the Council would need to take a hard look at the revised Comprehensive Plan.

Aldersperson Larson thanked Mr. Nicklas, Mayor Swedberg and the Department Heads for their discussion over the past two weeks regarding the development. Mr. Larson said this was an important decision to make for the

whole City, not simply his ward. He said he was close to making a decision and asked those Council members who voted for the development to give his or her reasoning.

Alderman Stowe said he viewed the development area as fill in and felt the developer was offering a lot to the City as far as open space, looping water lines, and connecting roads. Mr. Stowe said the money given to the schools and the amenities given to the City could be viewed as bribes, but he felt that if they told this developer no, the next developer may be less generous.

Alderman Maness said she did not view the amenities as bribes, but as a willingness to work with the City and become part of the community. Ms. Maness said the City had been fortunate so far, that developers went above and beyond City requirements. Ms. Maness said she spoke with Dr. Hammon who assured her that the school was doing their job regarding planning. She said this development followed the Comprehensive Plan and Council should recognize there were no objectors on the Plan Commission. Ms. Maness said she thought attention should be paid to the Plan Commission recommendations and perhaps the Aldermen should attend the Plan Commission meetings and voice objections at that time.

Alderman Tripp said the plan worked with the land use map and carried a reasonable agreement.

Alderman Kessler said she attended the Plan Commission meetings and heard the commissioners demand more out of the developer and he rose to those demands. Ms. Kessler said that not knowing what the economy will drive for future development, she totally supported the current proposal.

Dave Johnson, President of John Clare LTD, thanked Council for the reconsideration and said he took offense at the use of the word bribe. Mr. Johnson said that B & B had set the standards with their extra contributions at the time of permitting at Sycamore Creek. He said the word anonymous donor for the \$200,000 donation to the school district was used because he had not yet formally applied for the petition for annexation. Mr. Johnson said once he had filed, his name was publishable. Mr. Johnson said they wanted to create a good development.

Rick Hoffman, 535 Babson Road, Monroe Center, said as a Commercial Realtor he was affected by the vote on June 2nd defeating the development. Mr. Hoffman said he was delivering a contract from a client to purchase the K-Mart property the day after the vote and the buyer expressed concern with the possibility of no growth in Sycamore.

Alderman Paulsen said property taxes increased every time a subdivision went up. He said that impact fees did not work because they increased the EAV of all homes. Mr. Paulsen said the impact fee structure needed to be overhauled. He said if developers were so willing to give extra money, then the City was not asking for enough.

Alderman Bauer said he did not consider himself a "no-growth" person, in fact, it was the first development he voted against. Mr. Bauer said he thought the Plan Commission adapted to Mr. Johnson's plan. Mr. Bauer said he would like to see Sycamore in the 3-5-year building range rather than the 15-year building range.

Alderman Leach said she was considered "no-growth." Ms. Leach said she was told that the Council could always vote no, they did and here they were back for reconsideration. She said she voted against the land use map and had not changed her mind.

Attorney Smith said they would need to re-vote each ordinance. He said Ordinance 2003.12 required a 2/3-majority vote of the Corporate Authorities and 2003.13 was only for recording purposes and needed only a simple majority vote. Attorney Smith said the original motions and seconds should be used.

Aldersperson Paulsen said that steps had been taken to make sewer, water, and garbage pay for themselves and he thought it was time to make new development pay for itself.

Ordinance No. 2003.12—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of John Clare, LTD for an Annexation Agreement, Annexation and Rezoning of the Property Known as the Kocher Farm. First and Second Reading.

Motion

Aldersperson Tripp moved to approve Ordinances 2003.12 and Aldersperson Maness seconded the motion.

Roll Call Vote

Mayor Swedberg called for a roll call vote to approve the motion. Alderspersons Maness, Stowe, Tripp, Kessler, Larson and Mayor Swedberg voted aye. Alderspersons Leach, Paulsen, Bauer, and voted nay. Motion carried 6-3.

Ordinance No. 2003.13—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of John Clare, LTD for Approval of the Annexation of the Property Known as the Kocher Farm in the City of Sycamore, Illinois. First and Second Reading.

Motion

Aldersperson Stowe moved to approve Ordinances 2003.13 and Aldersperson Bauer seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. Alderspersons Maness, Stowe, Tripp, Kessler, Leach, Paulsen, Bauer, Larson, and Mayor Swedberg voted aye. Motion carried 8-0.

B. Consideration of a Building Department Recommendation Regarding the Sale of a Used Vehicle.

Manager Nicklas said they received a number of responses with the highest bid being \$510. Mr. Nicklas said that Superintendent Busse researched the suggested retail prices of the vehicle at \$1,200 to \$1,500 and recommended retaining the vehicle as a pool vehicle for the custodian.

Motion

Aldersperson Bauer moved to reject the bids and Aldersperson Tripp seconded the motion.

Voice Vote

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

C. . Consideration of Proposals to Perform the City's Legal Services.

Manager Nicklas said that two proposals were received, one from Smith, Tucker, Brown and the other from Cliffe, Foster, Corneille & Buick. Mr. Nicklas said since receiving the proposals, Smith, Tucker, Brown had withdrawn their proposal in consideration of other business opportunities. Mr. Nicklas recommended accepting Cliffe, Foster, Corneille & Buick proposal while extending Smith, Tucker, Brown contract until August 1, 2003 in order to make a smooth transition. Mr. Nicklas said the Peter Smith had been a friend to the City and wished him well in the future.

Attorney Peter Smith apologized for the timing of his firm's withdrawal and said he had looked at his position as public service and as an honor. Mr. Smith said he had watched a remarkable metamorphosis over the past 13 years. He had seen the Council's wisdom to take steps to become a Home Rule community and a Manager/Council form of government. Mr. Smith wished Kevin Buick the best of luck. Mayor Swedberg to Attorney Smith he would be missed. Alderperson Larson thanked Mr. Smith

Motion

Alderperson Larson moved to award the contract for legal services to Cliffe, Foster, Corneille & Buick and Alderperson Paulsen seconded the motion.

Voice Vote

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

Motion

Alderperson Maness moved to extend the services of Smith, Tucker, Brown for 30 days through the transition and Alderperson Tripp seconded the motion.

Voice Vote

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

Kevin Buick said he would be working with the Plan Commission and it would be Keith Foster working with Council. Mr. Buick said it would be an honor to follow Peter Smith.

APPOINTMENTS

None

ADJOURNMENT

Motion

Alderperson Stowe moved to adjourn the meeting at 9:35 p.m. and Alderperson Kessler seconded the motion.

Voice Vote

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

Approve:

Mayor – John L. Swedberg

Attest:

City Clerk – Candy Smith