

**SYCAMORE CITY COUNCIL**

**AGENDA**

**June 21, 2004**

**City Council Committee Meetings**

**6:30 P.M. Meeting of the Ordinance Committee** to Discuss the Creation of an Appointed Treasurer Position.

The Ordinance Committee will discuss City Attorney Keith Foster's findings (see attached) concerning the legal steps necessary to change the Treasurer's position from an elected to an appointed position. City Treasurer Ken Mundy will be present to detail the Treasurer's statutory responsibilities as the Committee considers the possibility of this change. A copy of the City Code's description of the Treasurer's responsibilities is also attached.

According to Treasurer Mundy, of the 308 Illinois communities active in the Illinois Municipal Treasurers Association (IMTA), 195 (63%) have appointed treasurer positions, and the trend is toward more appointed positions as professional city management expands in Illinois.

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**Regular City Council Meeting**

**At the Sycamore Center**

**7:00 P.M.**

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF AGENDA**
- 5. AUDIENCE TO VISITORS**
- 6. CONSENT AGENDA**
  - A. Approval of the Minutes for the City Council Meeting of June 7, 2004;**

- B. Payment of the Bills for June 21, 2004;
- C. Plan Commission Minutes for the Meeting of May 10, 2004.
- D. Closed Session City Council Minutes for the Meetings of September 2, 2003; September 8, 2003; September 15, 2003; October 6, 2003; October 20, 2003; November 3, 2003; December 15, 2003; January 5, 2004; January 19, 2004; February 16, 2004; March 1, 2004; March 15, 2004; April 5, 2004; April 19, 2004; May 3, 2004; and May 17, 2004.

**7. PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.**

- A. Introduction of Scott Flatter, Sycamore’s newest full-time paid firefighter.
- B. Consideration of a Presentation from Sarah Tobias, Director of the Sycamore Public Library, who will highlight the Library’s annual report for the fiscal year ending on April 30, 2004.
- C. Consideration of a Presentation by the Sycamore Economic Development Commission.

Sycamore Economic Development Commission member and Mayor, John Swedberg, will introduce Dennis Sands, DeKalb County Board chairman, who will give a brief overview of the celebration of the Courthouse’s centennial year on September 26, 2004.

**8. REPORTS OF OFFICERS**

**9. REPORTS OF STANDING COMMITTEES**

**10. PUBLIC HEARINGS--None**

**11. ORDINANCES**

**A. Ordinance No. 2004.14—An Ordinance Amending Title 3, “Business and License Regulations,” Chapter 2, “Liquor Control,” Section 3-2-1, “Definitions,” of the City Code of the City of Sycamore, Illinois. Second Reading.**

At the City Council meeting of June 7, the Council considered, on first reading, a proposal to revise the permitted hours for liquor sales at the Park District clubhouse. Park Board president Larry Steczo requested the Council’s consideration of a revision in the current City Code restriction of daily liquor sales to the period from noon until dusk (Section 3-2-1). Mr. Steczo proposed that in the event that the District had a rental contract for a special event or celebration, the hours of operation might extend to 10:00 p.m. Sundays through Thursdays, and until midnight Fridays and Saturdays. Mr. Steczo explained that the Park Board was sensitive to the community concern about the clubhouse becoming a bar, and offered to work with the Council in defining some leeway for later closing hours if special contractual arrangements had been made.

The attached ordinance takes a stab at putting these considerations in the “Definition” section (Section 3-2-1) of the City Code chapter on “Liquor Control.” The text reads as follows:

“GOLF COURSE:

F. Except as otherwise provided below, the hours of operation are restricted from twelve o'clock (12:00) Noon until dusk. When the clubhouse facility is rented per written agreement for special occasions (e.g. wedding receptions, birthday parties, anniversary gatherings, etc.) that have no relation to a golf outing, the closing hour may be extended to ten o'clock (10:00) p.m. Sunday through Thursday and until twelve o'clock (12:00) Midnight Friday and Saturday.”

City Council direction is requested.

**B. Ordinance No. 2004.17—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of Dr. Dennis Collins for an Annexation Agreement, Annexation of the Property South of Bethany Road and East of IL Route 23 Known as the Prairie Professional Park with a Zoning Classification of “C-3” Highway Business, and a Special Use Permit for a Planned Unit Development in the City of Sycamore, Illinois. First and Second Reading.**

On June 14, the Plan Commission reviewed a development plan for a commercial subdivision on the south side of Bethany Road and east of the Monsanto Headquarters. The developer, Dr. Dennis Collins, is a local dentist and lifetime resident of DeKalb County. Dr. Collins has petitioned for the annexation of 12.4 acres to be known as the “Prairie Professional Park.” The principal features of this development are outlined below:

1. The Preliminary Plan
  - Conforms to the 2003 Comprehensive Plan which depicts the Bethany Road Corridor as a locus for commercial office, research and light industrial uses.
  - Depicts 10 lots.
  - Locates stormwater detention ponds at the north end of the project, along the Bethany Road Frontage, and an additional storage facility located on Lot 4, in the southwest corner of the development.
  - Depicts a public street that extends Aberdeen Court south of Bethany Road and ends in a cul-de-sac. The street is in a 66-foot right-of-way and has a width of thirty-one feet, measured from the back to the back of the opposing curbs.
  - Shows Portland cement sidewalks running along both sides of the public street.
  - Shows an entry feature with a sign. The sign will be removed, but the boulevard-style median with landscaping will remain.
  - The landscaped circle in the cul-de-sac would typically be prohibited, but the prohibition of parking on the circle, the limit of two curb cuts on the circle, and the ability to place plowed snow on broad parkways makes the circle median acceptable in terms of City plowing operations.

2. The Annexation Agreement  
The annexation agreement has the following features:

- A twenty year term.
- The requirement of a concurrent Park District annexation.

- Calls for “C-3” Highway Business zoning.
- Requires the payment of a \$2,000 per acre annexation fee.
- Requires connection to the public water and sanitary sewer mains on Bethany Road.
- Acknowledges the City’s plans for the widening and reconstruction of Bethany Road, and provides necessary right-of-way and easements to support that project.
- A property owner’s association shall be created to maintain the common property.
- The developer will be permitted to install and maintain a private non-potable water supply for the sole purpose of providing make-up water to maintain a constant water level for two fountains in the ponds adjacent to the entrance. This private water supply shall not be used for any irrigation system or any other purpose and shall be clearly marked as a “non-potable water supply source.”
- The length of the cul-de-sac street shall not exceed 900 feet.

3. Traffic Study. The attached FAX from Wendler Engineering as this report was going to press portrays the results of a traffic study with the following assumptions:

- Of the 10 lots, 4 lots will have multiple tenants and serve general office uses; 4 lots will be single tenant buildings with office uses; and 2 lots will be used for medical and dental services.
- Occupied building space will constitute about 20% of the gross land area of each lot;
- A total of 924 vehicle trips per day is expected;
- The assumptions lead to the classification of a minor commercial street.

4. Variations. Two variations are requested: (1) a variation from Section 7-2-4, Table 1 of the City Code that requires a street width of 35 feet, back to back of curb; and (2) a variation from Section 10-3-1, B of the City Code which limits the length of cul-de-sac streets to 500 feet. With regard to the proposed reduction in street width from 35 feet to 31 feet, the staff find that in this commercial subdivision, with required off-street parking on each lot sufficient to serve its employees and guests, the reduction in street width is acceptable so long as on-street parking is restricted to one side on Aberdeen Court, with the exception of the cul-de-sac. With respect to the cul-de-sac length, the potential emergency access through Lot 2 from the Monsanto Headquarters roughly half-way down the street appears to afford the margin of safety in terms of alternate emergency vehicle access to all lots. To secure this access, the agreement requires a cross-easement involving the owner of Lot 2 and the owner or the Monsanto parcel, or their successors and assigns.

At the Plan Commission meeting of June 14, the Commission voted 11-0 to recommend the approval of the proposed annexation agreement, with the aforementioned variations, as well as the petition for annexation and the special use permit. City Council approval of the Plan Commission recommendation is requested.

**C. Ordinance No. 2004.18—An Ordinance of the Annexation of the Property South of Bethany Road Known as the Prairie Professional Park in the City of Sycamore, Illinois. First and Second Reading.**

If the City Council approves Ordinance No. 2004.17, the Council will be obliged to approved the attached ordinance of annexation, which separately considers the actual act of annexation for recording purposes.

**D. Ordinance No. 2004.19—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of Youssi Real Estate Developers for a Final Plat of River Edge Condominiums, Phase Three. First and Second Reading.**

The attached plat depicts the third and final phase of the River Edge condominium project. The City Council will recall that the final plat for Phase Two of the project was approved by the Council on February 26, 2004. Phase Two lies immediately west of the proposed Phase Three.

The proposed phase features the same type of condominium building as the earlier phases. Each building is a four-unit. The plat officer will oversee the ultimate subdivision of the buildings into individual lots for sale in fee simple.

The plat has the following features:

- The continuation of Penny Lane from Phase Two to a junction with Buckingham Drive.
- The first and only designated “green space” within a Townsend Woods phase. The original preliminary plan approved in the early 1990s did not feature open space or park land as the City now requires, and the developer has been encouraged to designate about a half-acre inside Chris Circle for recreation or simply a passive “green” amenity.
- The frontage on Mt. Hunger will feature a continuation of the 10-foot wide asphalt walkway/bikeway incorporated in earlier phases.

The Plan Commission reviewed the proposed final plat on June 14 and voted 11-0 to recommend approval. City Council approval of the Plan Commission recommendation is requested.

**E. Ordinance No. 2004.20—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of R.A. Faganel Builders for a Final Plat for Phase One of the North Grove Crossing Planned Development. First and Second Reading.**

On March 15, 2004, after a favorable recommendation from the Plan Commission, the City Council approved a final plat for Phase One that depicted about one-half of the “R-1” One Family Residence zoning in the North Grove Crossing subdivision. David Faganel, a principal in R.A. Faganel Builders, is requesting a revision of that plat to depict all of the R-1 zoning in order to provide more flexibility in marketing the project. The advantage for the City and prospective buyers is the incorporation of all of the open space features in the initial phase of the development.

The final plat shows all of the 164 single family home lots that were depicted on the preliminary plat, as well as the park and detention sites. All engineering contours and features conform to the City's standards. The Plan Commission reviewed the proposed final plat on June 14 and recommended its approval by a vote of 11-0, with the provision that the City Engineer arrange to have the plat slightly revised prior to recording to show a roadway and utility easement on that portion of the plat that encroaches within the Plank Road right-of-way. City Council approval of the Plan Commission recommendation is requested.

**F. Ordinance No. 2004.21—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of Norman Adshade for a Preliminary Plat for the Brickville Estates Subdivision in the City of Sycamore, Illinois. First and Second Reading.**

In January of this year the City Council approved a storm sewer easement that would serve Mr. Adshade's need to release stormwater from his 6.17-acre infill site at the corner of Brickville and Freed Roads, while addressing the concerns of Ms. Shirley Overton and other downstream propertyowners concerned about potential disruption to their property. According to the easement agreement, Mr. Adshade would design a storm sewer running from the proposed detention pond to the Brickville Road right-of-way, then within the right-of-way and that portion of Mrs. Adshade's property running to the centerline of the roadway. Mrs. Overton would grant a perpetual non-exclusive utility easement to the City of Sycamore and Mr. Adshade, at his sole expense, would install the storm sewer and all related appurtenances. Upon approval by the City Engineer, the City would assume repair and maintenance responsibility for the publicly-dedicated sewer line, as it typically does with other dedicated storm mains. In addition, any damage to the adjacent yard areas within Mrs. Overton's property during the construction period would be repaired at the sole cost of Mr. Adshade.

The approval of this easement did not involve the approval of any plan for the development of the 6.17-acre site owned by Mr. Adshade. The review of any such development plan must first be accomplished at the Plan Commission level, with a referral and ultimate action by the City Council. Action on this easement only established one of a number of preconditions to the ultimate approval of such a plan, and was necessary prior to further Plan Commission review.

Now Mr. Adshade returns with his preliminary plan for the development of his parcel. The plan conforms to the concept plan presented to the Plan Commission on August 11, 2003, which was generally supported except for the then-outstanding issue of the storm water easement. The Council will recall that the property is already annexed and zoned "R-1." The plan has the following details:

- Eleven single family detached home lots;
- A gross density of 1.63 units per acre (the maximum allowance is 3 units per acre).
- A cul-de-sac interior public roadway with one access to Freed Road.
- House lots varying from 10,767 sq. ft. to 19,681 sq. ft.

The Plan Commission reviewed the proposed preliminary plat on June 14 and recommended its approval by a vote of 11-0. City Council approval of the Plan Commission recommendation is requested.

**G. Ordinance No. 2004.22—An Ordinance Requesting Permission of the Illinois Department of Transportation to Close Illinois Route 64 from Main Street to Sacramento Street from 7:00 A.M. Until 5:00 P.M. on July 25, 2004 to Allow for the “Turning Back Time” Car Show in Sycamore, Illinois. First and Second Reading.**

For the third consecutive year, the organizers of the “Turning Back Time” car show have requested the closing of Illinois Route 64 from Main Street to Sacramento Street from 7:00 a.m. to 5:00 p.m. for the 5<sup>th</sup> annual car show, principally coordinated by Chuck Criswell of Chuck’s Auto in Sycamore. As in previous years, the car show will feature a variety of vendors, antique cars, and some musical entertainment and should be well-attended. City Council approval is recommended.

**H. Ordinance No. 2004.23--An Ordinance Requesting Permission of the Illinois Department of Transportation to Close Illinois Route 64 from Main Street to Sacramento Street from 12:00 P.M. Until 9:00 P.M. on September 26, 2004 to Allow for the DeKalb County Courthouse Centennial Celebration in Sycamore, Illinois. First and Second Reading.**

A volunteer group of public officials from around the county along with business leaders and unaffiliated citizens with an interest in the county’s history have organized a family-oriented celebration of the DeKalb County Courthouse’s 100<sup>th</sup> anniversary on September 26, 2004. The event will be funded by donations. The one-day celebration will feature a variety of musical groups; downtown sales and food booths with 1905 prices; historical re-enactments of debates in the legal history of the courthouse by local bar association members; carriage rides; tours of the courthouse; burial of a time capsule; speeches by visiting dignitaries; and evening fireworks.

In view of the downtown street reconstruction projects that will be underway at that time, the broad scope of planned activities would not be possible unless State Street can be closed. City Council approval is recommended.

**12. RESOLUTIONS--None**

**13. CONSIDERATIONS**

**A. Consideration of a Public Works Department Recommendation to Award the Contract for a Skid Loader to CSR Bobcat in the Amount of \$25,900.**

As the attached memorandum from Superintendent Fred Busse explains, the Public Works department recently solicited bids on a skid loader. The purchase of such equipment was authorized in the FY05 Budget, with one-third of the cost coming from the Capital Assistance Fund (Fund 6: #8540; up to \$10,000) and two-thirds of the cost coming from the Sewer Fund (Fund 4: 04-752-8540; up to \$20,000). The lowest responsible bid was submitted by CSR Bobcat in the amount of \$25,900. If approved,

the funding would be provided as follows: \$8,633 from Fund 6 and \$17,267 from the Sewer Fund.

City Council approval of Mr. Busse's recommendation is requested.

**B. Consideration of a Public Works Department Recommendation to Award the Contract for a Compact Excavator to CSR Bobcat in the Amount of \$35,113.**

The attached background memorandum from Mr. Busse explains that the Public Works department also recently solicited bids for a compact excavator to access "tight" yard areas where the City's backhoe cannot maneuver. The lowest responsible bid was received from CSR Bobcat in the amount of \$35,113. A slightly lower bid from the same company was received for an alternate piece of equipment, but Superintendent Busse does not believe it provides the desired maneuverability.

As with the skid loader, funds were allocated in the FY05 Budget for this item in the total amount of \$37,500. About one-third of the cost will come from the Capital Fund (06-8540; \$11,704). Another third will be drawn from the Sewer Fund (04-752-8540 (\$11,705) and the balance will be drawn from the Water Fund (02-741-8540; \$11,704) because of the usefulness of this equipment in water main repairs.

City Council approval of Superintendent Fred Busse's recommendation is requested.

**C. Consideration of the Status of the Proposed Maplewood Traffic Signals.**

The City Manager and City Engineer would like to update the Council on the progress toward traffic signals at Maplewood Drive and IL Rt. 23, with some relevant but very condensed historical background. The subject of intersection improvements at the intersection at Rt. 23 and Maplewood has been a matter of Council interest since the initial review of the 54-lot Landahl subdivision in mid-1994. The Landahl annexation agreement that was approved in August 1994 called for the extension of Maplewood Drive in accordance with IDOT and City standards which included, among other features, sidewalk, storm sewer, and turn lanes, the cost of which was to be paid by the developer (Section 2,E). The agreement, however, was silent on the matter of traffic signals. A recapture agreement with the owners of the Townsend Wood subdivision was referenced in the Landahl annexation agreement, assuring the developer of the Landahl development, Keven Dahl, a right to one-half of the cost of acquiring and completing the extension of Maplewood Drive.

In the late 1990s, Mr. Dahl acquired control of the Townsend Wood subdivision, making him solely responsible for whatever improvements might be required by IDOT at the intersection of Rt. 23 and Maplewood Drive. IDOT's original permit for access to Rt. 23 from the Landahl subdivision (October 1997) required an intersection design study and prohibited access to Maplewood from the development to the south until the permanent street surface on Maplewood had been completed and an intersection design study had also been completed. The developer continued to receive permits for both subdivisions without IDOT's concurrence. Finally, IDOT pressed the City and the developer in a series of pointed conversations and correspondence aimed at the

completion of the required Maplewood Drive extension and the timing of intersection improvements that IDOT then determined should include traffic signals. After one of the meetings which included State Senator Bradley Burzynski (see the attached IDOT letter of June 11, 2001), it was agreed by all parties that the developer would install the traffic signals “as soon as possible.”

Since the original Landahl agreement was silent on the details of the improvements to be made at the Maplewood intersection, amendments to both the Landahl and Townsend Wood agreements were negotiated later in 2001 to define the obligation for traffic signals in local law. On January 21, 2002, the Council approved amendments to both the Landahl and Townsend Wood annexation agreements. These revisions (see attached) also touched upon potential access from the commercially-zoned area on the Rt. 23 frontage between Maplewood and Mt. Hunger Roads, and the timing of signals at Mt. Hunger Road. Specifically, the revised Landahl annexation agreement required the following:

- Completion of the traffic signals and related intersection improvements at the developer’s sole expense within “six months after the IDOT approval of the engineering plans;”
- Installation of temporary traffic control signals at Maplewood Drive consisting of flashing amber lights by the developer, in the amount of \$8,500.00, to be manually operated by a crossing guard or police officer until permanent traffic signals could be installed;
- Establishment of an irrevocable letter of credit in favor of the City in the amount of 100% of the contract cost of the intersection improvements, based upon the approved plans.

The revised Townsend Wood annexation agreement, also approved on January 21, 2002, called for the following:

- Construction of sidewalks on the commercially zoned property along Maplewood Drive by July 1, 2003;
- Temporary traffic control signals at the Maplewood intersection, as described above;
- The reconstruction of the intersection at Mt. Hunger Road and Rt. 23 when one of the following should occur:
  1. when a total of 275 permits had been issued for the Townsend Wood subdivision, inclusive of townhomes and condos; or
  2. when a total of 200 permits had been issued along with permits for the development of 10 or more acres on the commercially zoned property on either side of the Mt. Hunger intersection; or
  3. when any resurfacing project on Rt. 23 initiated by IDOT would include the intersection of Rt. 23.
- The widening and reconstruction of Mt. Hunger Road (except for the final asphalt lift) from a point 500 feet east of the east right-of-way line of Rt. 23 to the east end of the retention pond by November 1, 2002;

- The widening and resurfacing (except for the final lift) of the remainder of Mt. Hunger Road to about Hopkins Lane by November 1, 2004;
- Installation of the final asphalt lifts on Mt. Hunger Road by November 1, 2005 (or, alternatively, one year after the completion of the Mt. Hunger/Rt. 23 intersection improvements if required).
- Sidewalk improvements on Mt. Hunger Road, either in the conventional form of Portland cement sidewalks on both sides; a widened (10-foot) sidewalk/bikeway on the south side only; or a standard cement sidewalk on the south side only with a separate asphalt bike path from Mt. Hunger Road in a southwest direction through the condo area to the bridge.
- A letter of credit in the amount of 100% of the contract cost of the required public improvements.

A second amendment to the Townsend Wood Farm agreement was approved by the Council in March 2003 to address the improvements on Hopkins Lane.

In early May of this year, the City Manager and City Engineer were notified that IDOT was prepared to issue a permit for the intersection improvements and signals at Maplewood Drive upon the completion of the following: (a) acquisition of right-of-way on the northwest and southwest corners of Maplewood Drive and approval of the right-of-way plats; and (b) the Council's approval of a final plat for the commercially-zoned land between Maplewood and Mt. Hunger Roads. The approval of the commercial plat is a standard procedure to assure IDOT of the land uses intended to develop at or near the area of the intended improvements. Later in May, the City staff met with Keven Dahl and learned that his preference for a final commercial plat included a right-in, right-out access point at Rt. 23, roughly between Maplewood and Mt. Hunger, to suit the preference of a potential buyer of a portion of the commercially-zoned land. This prompted a call to IDOT to ascertain the impact of such a plan on the Maplewood traffic signals. The attached letter from City Engineer John Brady expresses the City's anxiety that an extended review or contentious debate about the merits of such a plat would delay the Maplewood improvements and signals. In response to Mr. Brady's letter, IDOT has taken the position that a right-in, right-out access point could be permitted only if the developer first proceeds with the intersection improvements at Mt. Hunger Road.

Since this exchange of letters, which were shared with the developer, the developer has not indicated whether he intends to proceed with the plat or modify it in light of IDOT's requirements for further Rt. 23 improvements. We are again at a standstill, waiting for the developer to submit a plat that can be approved by the Council after Plan Commission review, and that can be approved by IDOT. At the earliest, a commercial plat and the right-of-way plats would not be brought to the Council until its second meeting in July. In the interest of a balanced accounting, it should be noted that the developer is not the only party responsible for the protracted delay in the installation of intersection improvements at Maplewood Drive. IDOT's plan review and permitting process in recent years has been extraordinarily slow, inconsistent, and fraught with personnel changes. Since 1997, the District 2 office in Dixon has had three

district engineers, three permit engineers and two geometric engineers on this project, and each has had a somewhat different slant on what is required. In addition, IDOT now requires a further level of review for all traffic signal projects by the Springfield offices, in addition to the district offices. Nevertheless, according to the terms of the various documents noted above, the developer is required to be the relentless champion of the required improvements, and has not evinced the sense of public obligation and urgency we might reasonably expect.

City Council direction is requested on two matters:

- a) whether the City should order the installation of at least a temporary sidewalk on the south side of Maplewood Drive. A permanent sidewalk was required in the revised Townsend Wood Farm agreement of January 2002, but each time the permitting of the intersection improvements at Rt. 23 has appeared to be imminent the installation has been postponed because such sidewalk would be damaged or removed during the intersection construction.
- b) Whether the City should impose a moratorium on further permits for single-family detached housing in the Townsend Wood and Landahl subdivisions in the interest of safety, until the required intersection improvements at Rt. 23 and Maplewood Drive have been permitted.

#### **D. Consideration of a Joint Meeting of the City Council and Plan Commission on July 12, 2004.**

The Plan Commission has invited the City Council to join them in a joint meeting on Monday, July 12, at 7:30 p.m. The Commission will conduct its regular business from 6:00 p.m. to 7:30 p.m. that evening. The purpose of the joint meeting will be to review each body's interpretation of the relevance of the Comp Plan of 2003 and attendant regulations imposed in the fall of 2003, particularly with respect to new residential development proposals. The Commission is aware that its role is advisory, and its focus is whether the Plan remains vital and representative of the community's vision. It is not primarily concerned with the fiscal, social, or cultural impact of a particular development proposal, as is the case with the City Council. Nevertheless, the commissioners are sensitive to such impacts, and want to responsibly advise the Council, which speaks in a representative way for the vision and the interests of all local citizens.

This invitation is not prompted by a concern that the Council may from time to time disagree with a Commission recommendation in terms of detail. However, the Commission is aware that one of its duties, according to the City Code, is to assess whether changes to the Comp Plan are appropriate in light of any remarkable difference between the Commission's view and the Council's view of the Plan's application. It is charged with giving "aid to the officials of the City charged with the direction of projects . . . and generally to promote the realization of the Official Comprehensive Plan." Recently, two different annexation proposals—the Haviar proposal and the Gracious Living Homes proposal—have come before both bodies. Both were strongly recommended by the Commission; the former was not approved by the Council and the latter was approved by one vote. Each was reviewed by the Commission and the

Council in light of the Comp Plan's vision. Both bodies agreed that the Haviar proposal satisfied the Plan's direction; it was also agreed that the Gracious Living Homes proposal did not comply fully with the land use designation for the Bethany Road corridor in the vicinity of the Strong Farm. Though the senior living project did not comply with the Plan, it was approved by the Council (as recommended by the Commission); though the Haviar proposal did comply with the Plan, the annexation agreement failed to gain the required two-thirds majority for approval. At this point, the consensus of the Commission is that an important difference exists between the direction of the two bodies regarding future residential development. The attached letter from Plan Commission chairman John Lewis explains the Commission's reluctance to establish a pattern of recommending projects that the Council finds objectionable, either in terms of their timing or their proposed land use.

**14. APPOINTMENTS**

**15. ADJOURNMENT**