

SYCAMORE CITY COUNCIL

AGENDA

July 19, 2004

City Council Committee Meetings

6:30 P.M. Meeting of the Streets and Walks Committee to Discuss the Status Of Aldermanic Surveys of Dangerous or Missing Sidewalk Sections in Their Wards.

At this writing, only two aldermanic surveys have been received by the City Manager so the scheduled meeting will provide an opportunity to share information. Among the tasks to be completed before any sidewalk improvements can begin are:

- a) the completion of the walking surveys;
- b) the compilation of the surveys with a uniform system of prioritization;
- c) an estimation of the cost of the prioritized sidewalk improvements;
- d) the preparation of bidding documents;
- e) the bidding of the project;
- f) the phasing of actual construction over a period of months or years.

City Clerk Candy Smith has offered the services of her department in collating the aldermanic lists. When a master list is prepared, the City staff will need to perform site visits to establish cost estimates for the prioritized sections, whether they are missing sidewalks or deteriorated sidewalks. Once a budget is established that correlates with the highest priorities, the bid process can begin. Realistically, it might be possible to get the program underway later in the fall, with further work planned for FY06.

The bond proceeds raised for sidewalk replacement or the installation of missing sidewalk sections are very modest in relation to the need. The City has about 450,000 lineal feet of sidewalk and the cost of replacing one lineal foot (assuming a four-foot sidewalk) is about \$28.00. Based on a forty-year cycle, the replacement of all City sidewalk at some point in that cycle would cost \$12,600,000 or \$315,000 per year. Neither the staff nor the Council seriously contemplate the availability of resources to embark on such an ambitious program in the light of so many other infrastructure priorities. Nevertheless, the Committee's direction of June 7 provides some constructive first steps. At the Streets and Walks Committee meeting of June 7, the Committee highlighted several priorities:

- a) the installation of sidewalk where it has previously been missing along school routes, or to and from commercial centers;
- b) the expansion of the sidewalk assistance program to enable Lyle Doty to offer slightly more resources to homeowners who would pay approximately one-half of the cost. The Council supported this approach on May 17 when it increased the City's share of the cost to \$3.00 per square foot from \$2.25 per square foot.

The staff recommendation in May, as now, is to reserve whatever bond monies that are not needed to install missing sidewalk for a more ambitious sidewalk assistance program, which would be augmented by private contributions and thereby reach a wider geographic distribution. This approach would also avoid the equity issue that would inevitably result if certain homeowners received new sidewalk at no cost, and others had to pay about 50% of their sidewalk replacement costs. With this approach, the City would accept bids from qualified local contractors and award the contract for all replacement associated with the sidewalk assistance program to one contractor until the bond proceeds are spent.

Committee direction is requested.

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 July 6, 2004;
 - B. Payment of the Bills for July 19, 2004;
 - C. Plan Commission Minutes for the Meeting of June 14, 2004.
- 7. PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.**
 - A. Consideration of a Presentation by the Sycamore Economic Development Commission.
Sycamore Economic Development Commission member Rod Schairer will introduce Craig White of NICOR who will give a brief overview of NICOR's call service center at 1947 Bethany Road.
 - B. Introduction of John Owens, who has taken a position as laborer with the Public Works department.
- 8. REPORTS OF OFFICERS**
- 9. REPORTS OF STANDING COMMITTEES**

10. PUBLIC HEARINGS

A. Pubic Hearing on the Proposed Sycamore Bethany Center Commercial Development.

On May 10, the Plan Commission reviewed a concept plan for the commercial development of a 52-acre site south of Bethany Road and east of the Prairie Professional Park under development by Dennis Collins. The developers, the Three Sula Investment Company, hope to develop 24 lots for commercial office uses.

The City published a notice for a public hearing on the Three Sula commercial subdivision for July 19 because, as the deadline for publication neared about three weeks ago, it appeared that the necessary documents would be ready for Plan Commission review on July 12. However, the proposed annexation agreement and preliminary plat needed some polishing and were not ready in time for a hearing before the Plan Commission. The Commission opened and then continued their hearing until August 9. The Council is asked to open and continue its advertised hearing until August 16, at which time a full staff report and a recommendation from the Plan Commission should be available.

11. ORDINANCES

A. Ordinance No. 2004.26—An Ordinance of the City Council of the City of Sycamore, Illinois Adopting an Appointed Treasurer’s Position to Replace the Elected Treasurer’s Position. First and Second Reading.

The attached ordinance would make the Treasurer position an appointed rather than an elected position. Such a change was recommended by the Council’s Ordinance Committee on July 6 by a vote of 3-0.

As explained at the Ordinance Committee on July 6, the office of Treasurer can be made an appointed position by an ordinance enacted by the Council. The Ordinance is not effective, however, until the end of the then-current term of the elected Treasurer. Upon the approval of such an ordinance, the Council may, by a 2/3 vote of the Corporate Authorities, enact a resolution or ordinance that merges the duties of the Treasurer with “any other municipal officer.” Such enactment would not take effect until the end of the then-current fiscal year.

In other words, the elected Treasurer serves until the end of his term in April 2005. Several weeks would follow in which the Treasurer duties could be assumed by the City Manager or a designee appointed by the Mayor with the consent of the Council. On a permanent basis, the Council would formally transfer the duties of the Treasurer to another appointive officer—the Assistant to the Manager for instance--during the Council’s annual consideration of the existing appointive offices and their respective compensation at the second Council meeting in April. If, by a two-thirds vote, the Council chose to make such a transfer of duties to a newly-titled appointive position (e.g. Comptroller), the transfer would go into effect on May 1, 2005.

City Council approval is recommended.

B. Ordinance No. 2004.27--An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Final Plat for the Sycamore Well No. 7 Resubdivision in the City of Sycamore, Illinois. First and Second Reading.

One of the City's four operating deep wells is located at the end of Willow Street in the Stonehenge subdivision. The well is situated on a larger parcel owned by the City that, but for the well, has no municipal value. However, it would afford the Sycamore Park District sufficient land for a small park. This area of the City has scarce land for recreation outside the floodplain, and the City staff are interested in cooperating with the Park District's ambition to create such space.

The attached plat shows two lots. Lot 1 would be retained by the City, and Lot 2 would be transferred to the Park District. An access easement would be provided from the tip of Willow Street to the boundary of Lot 2.

The Plan Commission reviewed this plat at its regular meeting on July 12 and recommended the Council's approval by a vote of 10-0. City Council approval of the Plan Commission recommendation is requested.

C. Ordinance No. 2004.28—An Ordinance Approving the Execution of a Contractual Agreement Between the City of Sycamore, Illinois and the Law Firm of Cliffe, Foster, Corneille & Buick for Legal Services. First and Second Reading.

On July 21, 2003 the City Council approved a one-year contract with the law firm of Cliffe, Foster, Corneille & Buick for contractual legal services, after pursuing a request for proposals (RFP). The firm has served the City well over the past year, and it is the City Manager's recommendation to renew their contract for two years according to the terms outlined below:

- a) The term of the agreement extends from August 1, 2004 through July 31, 2006.
- b) The firm shall perform certain services as part of its retainer fee of \$4,650 per month in FY05 (an increase of 3.33% from FY2004), and \$4,800.00 per month (+3.22%) in FY06. Such services will include, among other things, attendance at all Council, Plan Commission, and Zoning Board meetings, the drafting and review of ordinances and resolutions, regular meetings with the City Manager and staff regarding items on various public agendas, the prosecution of ordinance violations, and service to the Liquor Commissioner.
- c) The firm shall provide other legal services such as the review of bond issues, annexation reviews, labor negotiations, and special projects at the rate of \$130.00 per hour (an increase of 4% from FY04). Additionally, the City attorneys shall keep legal records, files, and documents and retain closed files for a period of five (5) years.

City Council approval is recommended.

D. Ordinance No. 2004.29—An Ordinance Amending Title 3, “Business and License Regulations,” Chapter 9, “Auctioneers,” of the City Code of the City of Sycamore, Illinois. First and Second Reading.

City Clerk Candy Smith has requested the Council’s consideration of the attached ordinance which eliminates the City’s regulation of auctioneers. Now that the State of Illinois regulates and licenses auctioneers, a local system of regulation is considered to be unnecessary and onerous.

City Council approval is recommended.

12. RESOLUTIONS--None

13. CONSIDERATIONS

A. Consideration of an Administration Request for Clarification Regarding the Council’s Position on Residential Growth Management.

The City Council and Plan Commission met in joint session on July 12 at the request of the Plan Commission to consider whether their recent differences in interpretation of the City’s growth management policies might be leading toward inconsistent direction to petitioners and staff alike. At the end of the meeting, no consensus had been reached as to whether the City’s policy toward residential growth was sufficiently represented by the Comp Plan of 2003 and Ordinance 2003.65. Many of the Commission members agreed with Commissioner Tom Brotcke, who argued that the need to define policy was the “monkey” on the Council’s back, and not the Plan Commission. The Council agreed to pursue this matter until a consensus had been reached at an upcoming Council meeting or meetings. Given the relatively short action agenda for this week, and the keen public interest in this topic, the matter has been placed on the July 19 agenda.

Some extensive background information was provided to the City Council and Plan Commission on July 12 and that information has been appended to this agenda packet. The background was offered to focus our attention on what was seemingly wrong, before we debated what needed to be done. The discussion of July 12 underscores the perception that there is not a consensus about what needs to be fixed, any more than there is a consensus about the “fixes.” Some people say we are growing too fast in terms of population; others argue that residential development will raise our taxes; most people interested in the growth debate are anxious about the impact on public services; and many wonder if the steady investment in residentially-zoned land will lead to more commercial retail activity.

The debate has broadened in the few days since the Council and Plan Commission met. Spurred by the radio reports of the meeting that reached Sycamore and DeKalb households on Tuesday morning and amplified by the Tuesday evening newspaper headline announcing a proposed “10-year halt on new housing,” the City Manager’s phone call volume has been intense. Most of the callers have been local business owners, but the calls have also included a variety of commercial and industrial real estate brokers with long experience in our market along with contracting firms that

have strong commitments within our corporate limits. By Wednesday the anxiety had filtered into the local coffee shop gossip where the wry comment was: we should annex to DeKalb—at least they have the retail!

Thoughtful people are now asking: is there a “moratorium” on growth in Sycamore? Whatever the intentions, and whatever the actual words may have been, the aforementioned headline has led many Sycamore stakeholders to conclude that the Council is inclined to depart from the planning vision of a year ago, and has embraced the “M” word. Many of the callers asked how their voices might be heard, and they were invited to attend the Council meeting on July 19 so they could speak to the growth issue.

The Council will unquestionably listen to all voices at the July 19 meeting, and then re-join the debate that was opened last Monday night. So, what is our “problem?” Fundamentally, our dilemma arises from our virtue: we are indeed a place where life offers more. First, we have an array of housing choices. The new rooftops that have multiplied in recent years are not occupied by developers, they are occupied by teachers, police officers, plant managers, physical therapists, and families employed in a wide range of professional, commercial, and industrial occupations. The prices of the new owner-occupied households range from \$120,000 condominiums in the Townsend Wood subdivision to \$500,000 and up homes in the later Heron Creek phases. Although the housing ladder has many rungs, not every household can step into a new condo. Soon, new affordably-priced rental units will be offered in the Willows development. Many older homes have become relative bargains for first-time homebuyers or empty-nesters. It is not a perfectly elastic and inclusive market, but “days on the market” is a good guide to the appeal of a community’s housing stock and the pace of our housing sales is brisk relative to other communities. Will higher assessments drive senior residents to sell their homes? The answer will depend on factors more numerous than tax rates. However, the Council should be aware that heads of household over 65 can apply for the senior citizen assessment freeze if their annual income is less than \$45,000 in the 2004 tax year. The freeze literally levels their assessment at the previous year’s level, and continues to freeze their assessment until or unless they are no longer qualified in terms of income. Moreover, seniors get an additional homestead exemption of \$3,000 over and above the general homestead exemption, which further reduces their taxable assessment. Unfortunately, few seniors take advantage of this county program. Finally, the growth of assessments in older city neighborhoods is significantly slower than in newer subdivisions. Most older homes have not been re-assessed in years, so falling overall tax rates resulting from a steadily growing community EAV should gradually lead to slightly lower taxes. This has been the case in Elburn, our faster-growing neighbor to the east. Elburn’s EAV has quadrupled in the last ten years, according to a report in the Kane County Chronicle. When tax levies were finalized late last December, Elburn’s village president and other village officials predicted a 5 percent drop in the village tax rate and a \$26 drop in taxes on a \$250,000 home. The actual reduction was close to prediction.

Second, our quality of life, in terms of services and amenities, is quite appealing. The community's continuing commitment to a vibrant downtown is being matched by the commitment of new entrepreneurs and restaurateurs who see a future in our growing local economy. Our school report card remains competitive, our parks and open spaces are expanding, and our medical, insurance, and social service agencies are growing in breadth and depth.

Third, we offer more in terms of municipal services at a bargain rate. The cost of City operating services is about \$655 per person in FY05, but only \$608 if our administrative overhead (i.e. Council budget, Clerk's budget, and Administration budget) is discounted. That amount excludes the "enterprises" of water use and water treatment, which are funded on a fee-for-service basis, but includes snowplowing, leaf pickup, street repair, police and fire protection, building and engineering reviews and inspections, and a host of other routine city responsibilities.

Fourth, we have moved deliberately—and more aggressively in recent years—to preserve the Kishwaukee River watershed and thousands of agricultural acres from urban growth. The 2003 Comp Plan shows more ag land in our mile-and-a-half planning area than urban residential acreage (4,581 acres versus 3,006 acres), and more new park and buffer areas than industrial and commercial acres combined (894 acres versus 779 acres).

In short, since the preservation of our small-town image and feel became our premier planning goal in 2000, we have methodically managed new growth in ways that have attracted an estimated 1,500 new residents. The challenge is avoiding too much of a good thing (i.e. learning to grow slower, without discouraging interest), and wrestling with shortcomings of a more distant time when today's planning documents and regulations were not in place. The 2003 Comp Plan's "green belt" that poses a physical barrier to ever-evolving rings of growth, and Ordinance No. 2003.65, are remarkable community initiatives in this respect.

Here are some options that the City staff offer for Council consideration:

Option #1: Stay the Course.

- Retain the Comp Plan's Land Use Map of 2003.
- Consider new annexation requests on their merits, and negotiate annexation agreements that establish a break-even point for school and city services in terms of voluntary contributions and impact fees. This could involve significantly higher contributions.
- Continue to use Ordinance 2003.65 and the "Timeline" of projected annual permits to weigh the fiscal impact of new residential development.

Option #2: Feather the Throttle.

- Retain the Comp Plan's Land Use Map of 2003.

- Consider new annexation requests on their merits, and negotiate annexation agreements that establish a break-even point for school and city services in terms of voluntary contributions and impact fees. This could involve significantly higher contributions.
- Continue to use Ordinance 2003.65 and the “Timeline” of projected annual permits to weigh the fiscal impact of new residential development. However, defer any new permits for land annexed after July 1, 2004 until 2010.
- Investigate the feasibility and wisdom of real estate transfer fees.

Option #3: A Moratorium on New Growth, Except in Name.

- Retain the Comp Plan’s Land Use Map of 2003.
- Consider new annexation requests on their merits, but for residential annexations approved after July 1, 2004 no permits can be issued until 2014. Rescind Ordinance 2003.65 and create a new “pacing” regulation that conforms to this approach.

The City staff recommend either Option #1 or Option #2. City Council direction is requested.

14. APPOINTMENTS

15. ADJOURNMENT