
SYCAMORE CITY COUNCIL – REGULAR MEETING
MINUTES OF MARCH 15, 2004

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 Dan Stovall of Sycamore Baptist Church gave the invocation.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Motion

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

Voice Vote

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

AUDIENCE TO VISITORS

Charlie Laing, 450 Lincolnshire Street, expressed concern about an ordinance passed at the March 1st Council meeting extending hours for outdoor beer gardens. Mr. Laing said he had been in front of Council 5 times during his 15 years in Sycamore and concern for neighbors was most important to the Council. He said that bedrooms in the apartments he owns are only 60 feet from the beer garden fence and he fears noise will be an issue. Mr. Laing said the bar patrons drive and park on his property. He said he thinks beer gardens are good ideas, but is concerned why his tenants need to put up with potential noise until midnight. Based on the history of the parking issue and the lack of respect of the patrons parking on his property, he is assuming there will be a lack of respect with noise. Mr. Laing said the proposed fence would help, but he asked Council to reconsider the time to close the beer garden to a time more compatible with the neighborhood.

Lance Klinger, Ski's All American Pub, 1001 W. State Street, said he agreed with the Laings regarding the parking and he will erect a fence on the west and rear of his property. He said he is policing his parking lot to keep patrons from parking on the Laing property. He said he spent Friday night out in the parking lot. He said the fence may also serve as a noise barrier, although the police have said that beer garden noise has not been a problem. Mr. Klinger said it was not fair to penalize his business for something that has not happened. He said his is a good business, Council made a good decision and it is up to Mr. Klinger to enforce the rules.

Cathy Laing, 450 Lincolnshire Street, said that Mr. Klinger was happy to comply with the beer garden hours last summer and she felt offended that he thinks the Laings are hurting his business. Ms. Laing said the parking issue does go along with the noise issue. She said Mr. Klinger was not standing outside directing parking; he would go out and ask patrons to get off the Laing property after the fact. She said there was screaming in the parking lot around 1:45 p.m. and the woman screaming was slapped and she and her mate drove across the Laing property as they left.

Mayor Swedberg said he wanted to take time to discuss this issue. He said he thought Mr. Laing was asking Council to reconsider the time change to 11:00 p.m. for weekdays and weekends and opened discussion to Council.

Aldersperson Larson said he spoke with both parties and there are two issues, one of parking and one of potential noise. Mr. Larson proposed a group meeting of the two property owners, Mr. Nicklas, himself, and he invited other Council members who were interested.

Aldersperson Bauer said he did not think the ordinance changed the weekday hours. Attorney Foster said the ordinance deleted the 9:00 p.m. weekday closing for the beer garden and set the hours to the same as the bar weekday hours.

Aldersperson Bauer moved to reconsider the motion to change the outdoor restaurant hours.

Aldersperson Larson said they could change the ordinance at any time, but it would not address the parking issue. He asked for two weeks to resolve the dispute between the property owners.

Aldersperson Bauer said the fence would probably take care of the parking problem, but the noise would be impossible to enforce unless somebody was on the property with a noise meter. He said he wanted a resolution to the problem and said he would revoke his motion.

Aldersperson Paulsen volunteered to serve at the meeting.

Mayor Swedberg asked Manager Nicklas to place this on as an agenda item for the next meeting. Manager Nicklas suggested they meet at 5:00 p.m. the next evening. The property owners were agreeable and Aldersperson Larson said he could make it. Aldersperson Paulsen said he could not make it and the Mayor said he would sit in his place. Mayor Swedberg asked that this be placed on the agenda under Presentation of Petitions, Communications, and Bills.

Aldersperson Kessler asked what role the Police Officers could play in addressing trespassing and destruction of private property. Chief Thomas said the Police Department can take enforcement action on both of those issues. Ms. Laing said she was not aware that the Police would respond to parking issues on private parking and Chief Thomas said they could.

CONSENT AGENDA

- A.** Approval of the Minutes for the City Council Meeting of March 1, 2004;
- B.** Payment of the Bills for March 15, 2004 in the amount of \$190,029.32;
- C.** Plan Commission Minutes for the Meeting of February 9, 2004.

Motion

Aldersperson Stowe moved to approve the Consent Agenda and Aldersperson Bauer seconded the motion.

Voice Vote

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

PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.

A. Consideration of a Presentation by the Sycamore Economic Development Commission.

Manager Nicklas introduced John Biesiadecki, Jr. as one of the owners of Thermal Shell Technologies, located in the Sycamore Industrial Park. He said that together with his father they have been piloting a number of interesting industrial processes.

John Biesiadecki said he and his father have been in this business in Sycamore one year and their first project in DeKalb County will be the T.A.I.L.S. Humane Society building on Peace and Barber Greene. He said they make precast concrete walls similar to walls going up in industrial parks, but they are 4 times lighter and installation is quicker. He said their walls do not absorb a lot of water so mold is not an issue. They try to improve the aesthetics and create designs.

Mr. Biesiadecki said they are glad to be in the Sycamore-DeKalb area where a lot of things are happening.

Mr. Nicklas thanked Mr. Biesiadecki and mentioned that John was the valedictorian at the Sycamore High School before going to M.I.T. for his engineering degree.

REPORT OF OFFICERS

Manager – Bill Nicklas – no report

Engineer – John Brady – no report

Building & Zoning –Lyle Doty – no report

Treasurer – Ken Mundy reported that the February financials were completed.

Fire Chief – Bill Riddle reported that Firefighter Reynolds would have some expected outpatient surgery Tuesday and is doing well in rehab.

Police Chief – Don Thomas – no report

Public Works Supt. – Fred Busse - no report

Water Supt. – Ebe Smith reported that the drilling is complete for Well #9 and they test pumped last week and it tests equal to Well #8. He said they need the design and construction of the building and it would be ready to go. Alderperson Maness asked the time frame for the design and construction and Engineer Brady said he hoped to be ready to go to bid in June.

Alderperson Larson said he did have a communication from a resident in Foxpointe concerned about the corner of Peace and Hathaway. Mayor Swedberg said the concrete barrier will be removed this spring and replaced by a conventional curb. Mayor Swedberg said it has been suggested to add, "cross traffic does not stop" to the stop signs. Also suggested were amber or red lights attached to the stop signs. Alderperson Larson said they could make it a right turn only and eliminate drivers from shortcutting DeKalb Avenue. Manager Nicklas said the visibility issue will be resolved with the removal of the barricades.

REPORT OF STANDING COMMITTEES

Finance – no report

Ordinance – no report

Police & Fire – no report

Sewer & Water – Chairperson Tripp said they met earlier to review the secondary water meter study and the committee agreed to make no changes.

Streets & Walks – no report

PUBLIC HEARING

None

ORDINANCES

A. Ordinance No. 2003.96--An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of R.A. Fagenal Builders for a Final Plat of the North Grove Crossing Planned Development. First and Second Reading.

Manager Nicklas explained that North Grove Crossing preliminary plat was approved June 16, 2003 and then revised January 19, 2004 under new ownership, R.A. Fagenal Builders. Mr. Nicklas said this final plat depicts 75 single-family lots as well as once common area reserved for storm water detention (Lot 201) and one common area reserved for detention and a 6.35-acre park space (Lot 202). He said this was recommended by a vote of 8-0 by the Plan Commission and conforms to City codes and ordinances.

Motion

Alderman Kessler moved to hear Ordinance 2003.96 on first and second reading and Alderman Stowe seconded the motion.

Alderman Larson asked if the newly increased School District impact fees would be paid and Mr. Nicklas said that he understood there was some confusion at the School District level, but the newly increased fees will be received.

Voice Vote

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

Motion

Alderman Stowe moved to approve Ordinance 2003.96 and Alderman Kessler seconded the motion.

Voice Vote

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

B. Ordinance No. 2003.97—An Ordinance Approving an Agreement Between the City of Sycamore and the Sycamore Community Fire District for Fire Protection Service. First and Second Reading.

Mr. Nicklas said this and the next ordinance are related and could be taken in omnibus fashion. He said the 3-year contract for the Sycamore Fire Protection District expires on April 30 and these two

ordinances extend fire protection and ambulance and emergency medical services for another three years on the same basic terms with a price of living increase incorporated in the fee.

C. Ordinance No. 2003.98--Ordinance Approving an Agreement Between the City of Sycamore and the Sycamore Community Fire District for Ambulance and Emergency Medical Service. First and Second Reading.

Motion

Aldersperson Larson moved to hear Ordinances 2003.97 and 2003.98 on first and second reading and Aldersperson Leach seconded the motion.

Voice Vote

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

Motion

Aldersperson Larson moved to approve Ordinances 2003.97 and 2003.98 and Aldersperson Paulsen seconded the motion.

Voice Vote

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

RESOLUTIONS

None

CONSIDERATIONS

A. Consideration of the Preliminary FY2004-2005 City Budget.

Manager Nicklas said he would go into detail of the budget at the Finance Committee Budget Meeting Wednesday March 17, 2004 at 7:00 p.m. He said that a second night would be published if needed.

B. Consideration of the First Draft of a Unified Development Ordinance for the City of Sycamore.

Manager Nicklas said Council had received an incomplete draft of a Unified Development Ordinance which is a compilation of zoning and development ordinances. He said the Comprehensive Plan is not codified, but this document when approved will advance the Council's goals for local development as prescribed in the Comp Plan. Mr. Nicklas said this document is user friendly and concise about the rules. He said he has asked Plan Commission to review the first 3 of 6 chapters at the April meeting and asked if Council wanted to review as Plan Commission completes and approves chapters or as a completed review. Consensus of Council was to review chapters as the Plan Commission approves them.

C. Consideration of an Administration Request for a Closed Session to Discuss Collective Bargaining Matters, Personnel Matters and Land Acquisition.

Motion

Aldersperson Larson moved to go into Closed Session at 8:15 p.m. and Aldersperson Leach 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

Aldersperson Larson moved to return to Open Session at 9:00 p.m. and Aldersperson Bauer seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. All Alderpersons voted aye. Motion carried 7 -0.

APPOINTMENTS

None

ADJOURNMENT

Motion

Aldersperson Stowe moved to adjourn the meeting at 9:00 p.m. and Aldersperson Larson seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. All Alderpersons present voted aye. Motion carried 7 - 0.

Approve:

Mayor – John L. Swedberg

Attest:

City Clerk – Candy Smith