
SYCAMORE CITY COUNCIL – REGULAR MEETING
MINUTES OF APRIL 5, 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, Pete Paulsen, Chuck Stowe and Janice Tripp. Alderperson Cheryl Maness was absent.

INVOCATION

Pastor Mike Massey of Glad Tidings Assembly of God 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 7 - 0.

AUDIENCE TO VISITORS

Scott Short, 1742 Briggs Street, expressed concern about impact fees and asked for clarification of impact fees per acre. He said he figured them at about \$20,000 per acre. Mr. Nicklas said it depended on the type of housing and gave him a spreadsheet illustrating that.

CONSENT AGENDA

- A. Approval of the Minutes for the City Council Meeting of March 15, 2004;
- B. Payment of the Bills for April 5, 2004 in the amount of \$916,931.00;
- C. Zoning Board Minutes for the Meeting of November 25, 2003.

Motion

Alderperson Stowe moved to approve the Consent Agenda and Alderperson Bauer 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.

PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.

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

Sycamore Economic Development Commission member Jim Huntley introduced Gary Seegers, President of Driv-Lok, Inc. He said Driv-Lok has been in Sycamore for 56 years and are a valuable industry for Sycamore.

Mr. Seegers said Driv-Lok is a light industrial manufacturer of pins and fasteners. Their products are in many diverse products such as cars, trucks, fishing reels, computer drives, fire hydrants, medical equipment, and

missiles. Driv-Lok designs and builds much of their own equipment; out of 152 production machines, 110 were produced within the company. He said the company is family and community minded and employs 123 workers. They offer flex-time, voluntary overtime, career orientation, tuition reimbursement, and have an activity coordinator. Mr. Seegers said the company is certified to the highest quality standards and follow a strong work and life ethics code.

Aldersperson Bauer asked if the fence along the sidewalk at St. John's Church could be moved and Mr. Nicklas said he would have Zoning Officer Lyle Doty attend to it.

Aldersperson Kessler thanked Superintendent Busse for placing "Children Playing" signs in her ward. Ms. Kessler also asked when the 25 M.P.H. signs would go up and Mr. Busse said he was working with the State because of the State Routes. Mr. Nicklas said the challenge is to satisfy both the State and the City.

Aldersperson Paulsen explained that a year and a half ago the Maple Terrace developer gave 26 acres to the Park District and the neighborhood cleared a path. He said this year they are removing foliage to create native woodlands and wetlands. Joel Barczak will be meeting with them April 17, 2004 to help develop a plan and Mr. Paulsen invited the community to participate.

Aldersperson Tripp asked the status of the Middle School stoplight and Engineer Brady said the latest revisions were mailed to IDOT April 2 and construction should begin before the end of this school year.

REPORT OF OFFICERS

Manager – Bill Nicklas mentioned that Mr. Seegers left extra Driv-Lok material for anyone interested.

Engineer – John Brady – no report

Building & Zoning –Lyle Doty – no report

Treasurer – Ken Mundy – no report

Fire Chief – Bill Riddle reported that Firefighter Reynolds had a vacuum pump removed from his leg and will be on bed rest for 2 weeks before he can resume his physical therapy.

Police Chief – Don Thomas – no report

Public Works Supt. – Fred Busse - no report

Water Supt. – Ebe Smith – no report

REPORT OF STANDING COMMITTEES

Finance – Chairperson Stowe said they met March 17, 2004 to review the budget.

Ordinance – no report

Police & Fire – Chairperson Bauer said his item is on the agenda.

Sewer & Water – no report

Streets & Walks – Chairperson Paulsen reminded residents to contact their Aldermen with sidewalk repair concerns.

PUBLIC HEARING

A. Public Hearing on the FY204-2005 City Budget.

Manager Nicklas said the overall budget is a little over \$25 million including an operating budget of \$8.8 million. He said no new taxes or fees have been proposed. He said we are in the second year of a 2-year water increase. He said Council will not take action until April 19.

Mayor Swedberg said this is the time for the public to comment.

Sarah Marsh, 609 Cloverlane Drive, expressed concern about hiring a new building inspector, because she understood that the lack of staffing helped pace the growth. She asked Council to consider a yearly permit cap.

Manager Nicklas said that before 2002 and 2003 it was clear that lack of staffing was holding a pace. He said that June of 2003 they adopted a pace of permitting and later put into place a deferment period, but that is not retroactive for annexation prior to the ordinances. Mr. Nicklas said when Mr. Doty retires they would need to replace a plumbing inspector by state statute. Ms. Marsh said her concern is too much growth. Mr. Nicklas said right now the review of residential homes has slowed from 1 month to 3 months to completion which is actually slowing the permit pace. Ms. Marsh said if staff is increased the permit review capability will increase. Mr. Nicklas said they will have specified inspectors.

Aldersperson Bauer said he remembered hearing the amount of building permits were limited because of staffing. He said he knows Mr. Doty needs help, but he wanted assurance that this would not increase the pace. Mr. Nicklas said quality is the City's first priority and it is irresponsible not to hire people to deal with the current inventory.

Aldersperson Tripp said in addition to new home, there are fences, decks, garages, and remodels that need inspection. Mr. Nicklas said the remodels are more time consuming than the new housing.

Mayor Swedberg closed the public hearing.

ORDINANCES

A. Ordinance No. 2003.99--An Ordinance Declaring the Result of the March 16, 2004 Referendum on Growth. First and Second Reading.

Manager Nicklas said this ordinance records the fact that the votes were cast and tabulated by the County Clerk for the Referendum on Growth.

Motion

Aldersperson Larson moved to hear Ordinance 2003.99 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 present voted aye. Motion carried 7 - 0.

Motion

Aldersperson Larson moved to approve Ordinance 2003.99 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 7 - 0.

B. Ordinance No. 2003.100—An Ordinance Concerning the Recommendation of the Zoning Board With Respect to the Petition of the National Bank and Trust Company for a Variance from the Provisions of Section 11.08.08 of the Sycamore Zoning Code. First and Second Reading.

Manager Nicklas said the Board of Zoning Appeals heard this request March 23. He explained the National Bank & Trust Company wants to replace the corner clock sign with a new digital clock sign. The proposed clock sign is larger than the existing sign.

Brad Brown, Vice-President of Marketing for the National Bank & Trust Company, said the LED portion of the clock would be connected to a satellite from a 3rd party and would show the Dow Jones Industrial average and the time and temperature. He said the changes would be timed between 3 to 5 seconds.

Motion

Aldersperson Larson moved to hear Ordinance 2003.100 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 7 - 0.

Motion

Aldersperson Larson moved to approve Ordinance 2003.100 and Aldersperson Stowe seconded the motion.

Voice Vote

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

C. Ordinance No. 2003.101—An Ordinance Approving a Collective Bargaining Agreement Between the City of Sycamore and IAFF Local 3046. First and Second Reading.

Manager Nicklas detailed the principle features of the agreement as follows:

- ◆ A term of four years (from May 1, 2004 through April 30, 2008).
- ◆ A 3% base wage increase in Year 1.
- ◆ A 4% base wage increase in Year 2.
- ◆ A re-opener after January 1, 2006 to bargain over wages and health benefits for the last two years of the contract.
- ◆ A change in contract language to address the change from minimum shift strength of three to four union firefighters plus an officer (Article 19).
- ◆ Elaboration of the different training tiers in more detail (Article 26).
- ◆ No changes in holidays, vacation or other paid leave benefits.
- ◆ An increase in the "longevity" bonus of \$250 every five years (\$50 per year).

He said the Union would meet this week to ratify.

Motion

Aldersperson Bauer moved to hear Ordinance 2003.101 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 present voted aye. Motion carried 7 - 0.

Motion

Aldersperson Bauer moved to approve Ordinance 2003.101 and Aldersperson Stowe seconded the motion.

Aldersperson Kessler asked when the current list expires and Mr. Nicklas said August 13, 2004. She asked how many of those on the list have the qualifications that were recently passed. Mr. Nicklas said some do and some do not. She asked if they maintain the 5-man shift and overtime and spend a potential \$75,000 for paramedic training would the budget cover that? Chief Riddle said the list contains 2 experienced firefighters and 1 paramedic and they would do what they had to within the budget.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. Six Alderspersons voted aye with Aldersperson Kessler abstaining. Motion carried 6 – 0 - 1.

- D. Ordinance No. 2003.102—An Ordinance Amending Title 1, “Administration,” Chapter 10, “Personnel Rules,” Section 1-10-1, Appointments,” and Section 1-10-9, “Salaries and Additional Compensation,” to Create a New Management Position of Assistant Fire Chief in the City of Sycamore, Illinois. First and Second Reading.**

Manager Nicklas said based on the Council’s informal direction of March 1, and direction from the budget hearing of March 17 he has prepared an ordinance to add the new management position of Assistant Fire Chief.

Motion

Aldersperson Bauer moved to hear Ordinance 2003.102 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 7 - 0.

Motion

Aldersperson Bauer moved to approve Ordinance 2003.102 and Aldersperson Tripp seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. Six Alderspersons voted aye with Aldersperson Kessler abstaining. Motion carried 6 – 0 - 1.

RESOLUTIONS

- A. Resolution No. 447—Authorizing the Mayor to Sign a Local Agency Agreement with the Illinois Department of Transportation for Federal Participation in the Bethany Road Reconstruction Project.**

Manager Nicklas explained that this Resolution authorizes the Mayor to sign an agreement for federal participation in the amount of \$1,550,000.

Aldersperson Larson asked if Resolutions 447, 448, and 449 could be taken in omnibus fashion.

B. Resolution No. 448—Appropriating State Motor Fuel Tax Funds for the Reconstruction of Bethany Road, Section 99-00064-00-FP, in the City of Sycamore, Illinois.

C. Resolution No. 449—Appropriating Local Funds in the Amount of \$420,000 for the Reconstruction of Bethany Road.

Motion

Aldersperson Larson moved to approve Resolutions 447, 448 & 449 and Aldersperson Kessler seconded the motion.

Aldersperson Tripp pointed out a typo on Resolution 448 and Clerk Smith said she would make the correction.

Voice Vote

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

Mayor Swedberg said this is a 2-year project, beginning with underground work and the second year the street work. He said this would open up that corridor.

CONSIDERATIONS

A. Consideration of a Request by Julie Lundeen to Consider Adding a Package Goods Liquor License for Lundeen Liquors.

Manager Nicklas said when Council adopted the new liquor code regulations April 2003 one of the changes was to permit a departure from the population limit for package store if a supermajority of $\frac{3}{4}$ of the corporate authorities voted to suspend such a proration on a case-by-case basis. He said that since no petitioning procedure was identified he suggested an informal presentation by the petitioner to give the general public time to comment.

Julie Lundeen, 708 Somonauk Street, said she and her husband David were petitioning the issuance of a new liquor store license. She said they think the time is right on Route 23. They were in business for 18 years in Northland Plaza and when that was sold no leases were extended to independent business owners. Ms. Lundeen said they were assured by former Mayor Jim Edwards that if they filled out a liquor license application they would be guaranteed the receipt of the next available liquor store license. They want to return to Route 23 and after 4 years have purchased a lot at Menard's. She said they think this will pull shoppers not otherwise coming into Sycamore's downtown. Ms. Lundeen said they predict \$1.5 million in sales.

Aldersperson Larson said he is a proponent of the population regulation and asked for an estimated current population. Mr. Nicklas said he has calculated about 13,000 and is anticipating conducting a special census in 2005.

Aldersperson Paulsen asked of the \$1.5 million anticipated how much was new business and how much was existing. Ms. Lundeen said they were the largest liquor store when they were on Sycamore road for 18 years and did not hurt the existing stores.

Aldersperson Tripp asked if there is an obligation with the lot to get started and Ms. Lundeen said they are obligated to build the access route.

Louis Schoenburg, 813 Somonauk, said Council just revised the liquor licenses last year. He said there is not enough alcohol sold in Sycamore to support 3 stores. Mr. Schoenburg said he thought this was before the Council because of "back room" discussions. He said the issue should not be considered and the Council should do nothing.

Aldersperson Leach asked Mr. Schoenburg how when they were located a mile down the road from where they are proposing could the other liquor stores survive. Mr. Schoenburg said there is \$2.2 million sold among 5 liquor stores and 1 mile is a long distance.

Aldersperson Larson asked what Mr. Nicklas meant in his background that formal action would be taken April 19 and Mr. Nicklas said they could vote to add another license or do nothing.

Aldersperson Leach asked how long until the population hit 15,000 and Mr. Nicklas said it is hard to predict.

Ms. Lundeen said it was not right for Mr. Schoenburg to innuendo about back room deals, she said she is here for that discussion.

Aldersperson Kessler said she did not think the Council felt there were backroom deals going on. She said she thought Sycamore was courting this business when it went out in DeKalb thinking it would draw DeKalb customers.

Mr. Schoenburg asked the Council to keep it fair.

Aldersperson Stowe said according to the ordinance they could change the ordinance with a super majority vote. He said he did not think this was the type of business they were seeking and did not see a need to change the ordinance right now.

Mayor Swedberg said Ordinance Chairperson Cheryl Maness is absent and informed him that she wanted to be part of this conversation. Mayor Swedberg scheduled an Ordinance Committee meeting Monday, April 19, 2004 at 6:30 to further discuss this issue.

B. Consideration of Additional Public Reaction to Ordinance No. 2003.95 Regarding the Hours of Operation for Outdoor Restaurant Liquor Sales.

Manager Nicklas said no consensus was met at the March 16 meeting and different points of view remain. Mr. Nicklas said it was important for Council to take a broader view of this district including downtown.

Charlie Laing, 450 Lincolnshire, owner of property behind Ski's said he would compromise with 11:00 p.m. closing on weeknights and midnight on Friday and Saturday.

Lance Klinger, owner of Ski's Pub at 1001 W. State Street, said the parking issue has been resolved except for a survey in question. Mr. Klinger said he would like to have the ordinance remain as changed to give him the opportunity to prove it would work.

Aldersperson Leach said she was concerned about the general standard just brought up to consider all businesses rather than just one.

Aldersperson Bauer said he was disappointed there was a compromise only on one side.

Aldersperson Kessler said there is a 10:00 p.m. noise ordinance that must be enforceable. Mayor Swedberg said that Outdoor Special Events conflict with that ordinance. He asked Mr. Klinger if there were outdoor speakers and Mr. Klinger said yes and they are set to a low volume.

Aldersperson Larson said he believes Mr. Klinger's customers could make this work and the parking issue is totally separate.

Mayor Swedberg said there is a potential for loss of income for the Laings by creating less desirable apartments on adjoining property lines. He said he supports the compromise of 11:00 p.m. on weeknights and midnight on Friday and Saturday. Mayor Swedberg said the bar is part of the neighborhood community and it is our job to protect the sanctity of the homes.

Motion

Aldersperson Bauer moved to bring this back as an ordinance to change the hours to 11:00 p.m. Sunday through Thursday and Midnight on Friday and Saturday and Aldersperson Leach seconded the motion.

Aldersperson Paulsen said it was his position to let Mr. Klinger and his employees prove Council wrong.

Aldersperson Larson asked what the measure would be for proving Council wrong. He said he does not want to generate phone calls to the police.

Aldersperson Paulsen said he thought the noise level would be the same at midnight as at 2:00 a.m.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion and because of the split vote asked for a roll call vote. Alderspersons Stowe, Bauer, and Leach voted aye with Alderspersons Paulsen, Tripp, Kessler, and Larson voting nay. Motion failed 3 - 4.

C. Consideration of an Administration Recommendation to Hire an Assistant Fire Chief.

Manager Nicklas explained that with Council's authorization, the new position of assistant fire chief was advertised internally several weeks ago. He said three Fire Lieutenants applied for the position and were interviewed. Mr. Nicklas said the interview team recommended the appointment of Cary Niewold and he concurred.

Motion

Aldersperson Stowe moved to approve the appointment of Cary Niewold as Assistant Fire Chief and Aldersperson Bauer seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. Six Alderpersons voted aye with Alderperson Kessler abstaining. Motion carried 6 – 0 - 1.

D. Consideration of the Fire Chief’s Recommendation Regarding a New Rescue Pumper to Replace Engine #1.

Manager Nicklas explained that the low bid of \$271,223 from Rosenbauer, Fire Trucks of Illinois Inc., Pekin, IL was \$21,223 over budget and the additional funding would be drawn from the Capital Fund balance.

Fire Chief Bill Riddle recommended accepting the low bid and said it was the same chassis as Engine #5. He said the components of the vehicle would be purchased from other buyers and each vendor would meet the specifications. They are including rescue equipment on the new machines to eliminate running two vehicles to accidents. Chief Riddle said the life span of the truck is about 20 years.

Alderperson Larson asked if they used the same power units on all vehicles and Chief Riddle said they do and will take that off Engine #1.

Alderperson Bauer asked what they would do with Engine #1 and Chief Riddle said it was only worth about \$1,000 so they would use it as a training aid.

Motion

Alderperson Bauer moved to accept the low bid of Rosenbauer – Fire Trucks of Illinois, Inc., in the amount of \$271,223 and Alderperson Paulsen seconded the motion.

Norm Johnson of Fire Trucks of Illinois in Pekin said Rosenbauer is the World’s largest manufacturer of fire apparatus outside North America. He said they are currently in the third year of a contract with Saudi Arabia through the U.S. government for 650 fire trucks.

Alderperson Kessler asked about service availability and Mr. Johnson said the warranty service is through a company in Elmhurst, IL and parts are over-nighted when necessary.

Mr. Nicklas asked if the Rosenbauer bid meets or exceeds City specifications and Mr. Johnson said it does.

Alderperson Kessler asked if additional equipment will be needed not covered in the bid and Chief Riddle said the air packs and the Amkus tools will be transferred from machine to machine.

Voice Vote

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

E. Consideration of an Administration Report on Options for the Use of the City’s Private Activity Bond Volume Cap for the Year 2004.

Manager Nicklas said home rule communities have the option of using this money to issue their own bonds, transfer their authority to other communities, cede their volume cap to one of the authorized state agencies for

use on behalf of the City, or return the authority to the State of Illinois for state-assisted private development projects.

Mayor Swedberg asked the local media to get this information out to see if it generates interest. He said he would like to see this money be used locally before looking to source it out.

F. Consideration of an Administration Request for a Closed Session to Discuss Collective Bargaining Matters and Personnel Matters.

Motion

Aldersperson Larson moved to go into Closed Session at 9:30 p.m. 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 7 - 0.

Motion

Aldersperson Larson moved to return to Open Session at 10:05 p.m. and Aldersperson Kessler seconded the motion.

Voice Vote

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

APPOINTMENTS

None

ADJOURNMENT

Motion

Aldersperson Stowe moved to adjourn the meeting at 10:05 p.m. 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 7 - 0.

Approve:

Mayor – John L. Swedberg

Attest:

City Clerk – Candy Smith