

**ROLL CALL**

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

**INVOCATION**

Mayor Swedberg asked for a moment of silent reflection.

**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 voted aye. Motion carried 8 -0.

**AUDIENCE TO VISITORS**

Martha Wetzel, 839 Vaughn Court, said she felt the Council was ignoring the citizens by hearing items on the agenda on first and second reading, appointing a Treasurer, and not including attachments to the meeting agendas. She also commented that she did not appreciate Mr. Nicklas' remark that the citizens that voted for the referendum did not understand what they were voting for.

Beth Krogman, 1167 Arbor Lane, said she served on the Plan Commission of another town for 14 years and the Plan Commission is appointed to do the visionary work for the welfare of the whole community. She said the Comprehensive Plan is a tool for guiding the deliberation and was conceived for the good of the whole community. Ms. Krogman urged the Plan Commissioners to continue to be the visionaries and urged Council to use the work of the Plan Commission to do the policy making. Ms. Krogman said the work of these boards should serve the welfare of the whole community.

Scott Short, 1742 Briggs Street, asked if the City would consider having one company pour all the sidewalks in the City. Mr. Short said he did not think some of the newer sidewalks would last their 40-year life expectancy. Mr. Nicklas said staff recommended bidding the 2004 sidewalk project out to one contractor.

**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.

**Motion**

Alderperson Stowe moved to approve the Consent Agenda and Alderperson Maness seconded the motion.

**Voice Vote**

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

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

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

Rod Schairer, Sycamore Economic Development Commissioner, introduced Craig Whyte and Shirley Welte to talk about Nicor.

Craig Whyte, Director of Community Relations, said he replaced retiring Corky Wetzel and will be Nicor's contact for the City of Sycamore. He said Nicor Gas serves a population of over 5 million and is celebrating their 50<sup>th</sup> anniversary. Mr. Whyte said that Nicor has 7 major pipelines coming into the service area and has the largest storage capacity in the country.

Shirley Welte, Manager of Contact Center-Bethany Road, said the Center is open 24 hours a day 365 days a year. She said they handle 4,000,000 calls for gas leaks, start/stop service, billing, credit, collection and new service requests annually. Ms. Welte said the Contact Center employs 130 at Bethany Road and have found a favorable applicant pool in the Sycamore area. She said 120 employees work the Customer Response division in the north side of the building on Bethany Road. Ms. Welte said Nicor is committed to the Community through support of United Way, Volunteer Day, Dollars for Scholars, March of Dimes, Chicagovolunteer.net, and the Fire School that educates Fire Department how to handle gas fires.

### **B. Introduction of John Owens, who has taken a position as laborer with the Public Works department.**

Public Works Superintendent Fred Busse said John Owens filled a laborer position that opened when Mike Marth transferred to the Water Department. He said that John Owens is a lifetime resident of Sycamore and lives with his wife Felicia, daughter Rachel and son Trent. Superintendent Busse said John has an Associate of Science in Horticulture and his experience includes landscaping, snow removal, and excavating.

Mayor Swedberg announced that Speaker Hastert's staff will be at Sycamore Center Tuesday 1:30 to 2:30.

Aldersperson Leach asked Police Chief Thomas for an update regarding noise concerns at Ski's. Chief Thomas said they have received 2 noise complaints. He said one was unfounded because they used the decibel meter and found no violation and the other was a loud motorcycle leaving at 2:00 a.m. and the motorcycle was long gone by the time the officer arrived.

Aldersperson Paulsen thanked Keven Dahl for the progress at the Maplewood intersection.

## **REPORT OF OFFICERS**

Manager – Bill Nicklas said Saturday night would be Cruise Night in Sycamore which will be a forerunner to the 4<sup>th</sup> annual Car Show. Mr. Nicklas said the attachments to the agenda can be available from the City Clerk's office. Mr. Nicklas said he is glad to see the large group in attendance.

Engineer – John Brady reported that contracts are signed for the Downtown project and work will begin next Monday. Mayor Swedberg asked where they would start and Mr. Brady said they would start on both Somonauk and N. Maple Streets.

Building & Zoning –Lyle Doty said he and Engineer Brady are reviewing plans for Portillo's Restaurant at the corner of Menard's. Mayor Swedberg said they indicated they wanted to be operational by November of this year.

Treasurer – Ken Mundy reported the June financials are at a benchmark of 16% and running 21% for revenue and 11% for expenditures. He said the fire and police pension fund portfolios are experiencing positive growth and he mentioned they are directly related to tax payer concerns because property taxes fund them. He said that returns on the portfolios are up 300% and are now back to where they were 3 years ago.

Fire Chief – Bill Riddle said he and Firefighter Dulzo went to Lyons, South Dakota to the fire truck factory for a pre-build conference and he expects delivery by mid-February. He said Tuesday he and Assistant Chief Niewold will go to Aurora for training for proper fitting and use of APR Respirators which are chemical and biological masks.

Police Chief – Don Thomas reported that long-time employee Luke Morton is out of the hospital after a week and a half and they anticipate he will be back to work in 2 or 3 weeks.

Public Works Supt. – Fred Busse said they would be disrupting traffic flow on Somonauk Street as they work on the sanitary sewer line. He said they would be installing manholes where needed in order to be able to clean the lines.

Water Supt. – Ebe Smith said with the recent lack of rain, the water usage has increased 400,000 gallons each day for the past three days. He said this is the month that the second part of the water rate increase goes into affect to take care of the EPA loan for Well #9 and the radium removal. Superintendent Smith said the 23% increase is only on the water portion of the bill.

## **REPORT OF STANDING COMMITTEES**

Finance – no report

Ordinance – no report

Police & Fire – no report

Sewer & Water – no report

Streets & Walks – Chairperson Paulsen said they met earlier and will meet again August 16 to review the compiled sidewalk condition report.

## **PUBLIC HEARING**

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

Mayor Swedberg opened the meeting and reminded the public that they could be cross-examined.

Manager Nicklas suggested the Public Hearing be continued because some of the necessary documents are not ready for review. He said the Plan Commission opened and continued the meeting and Mr. Nicklas suggested they postpone the hearing until the documents are completed.

## **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.**

Manager Nicklas explained this ordinance is the result of the recommendation of the Ordinance Committee and will create an appointed Treasurer's position. He said this requires a 2/3 vote and if it is approved there is one further step of enacting a resolution or ordinance that merges the duties of the Treasurer with another municipal officer. He said such enactment would not take effect until the end of the then-current fiscal year.

Aldersperson Larson suggested leaving this ordinance on first reading and Aldersperson Stowe said that would give people time to react.

**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.**

Manager Nicklas explained that Well #7 is in the Electric Park Subdivision and is on a fairly large parcel. He said recently the Park District has taken note of the size and asked if the City Council would consider ceding some of that space to create open space that is badly needed out there.

Aldersperson Larson asked if the Park District is willing to accept the land transfer and Mr. Nicklas said they are. Mr. Nicklas said a survey of plat to define the boundaries will need to be completed.

**Motion**

Aldersperson Larson moved to hear Ordinance 2004.27 on first and second reading 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.

**Motion**

Aldersperson Paulsen moved to approve Ordinance 2004.27 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.

**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.**

City Manager said this refers to a contract with the following terms:

- 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.

Mr. Nicklas said the City is pleased with the firms work its first year.

**Motion**

Aldersperson Kessler moved to hear Ordinance 2004.28 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 Ordinance 2004.28 and Aldersperson Larson seconded the motion.

Aldersperson Kessler said she is pleased with the firm’s representation, keeping up with case law, and their timeliness.

Attorney Foster said he appreciates the relationship and thanked Council.

**Voice Vote**

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

**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.**

Manager Nicklas said this ordinance eliminates the City Auctioneer licensing now that the State of Illinois regulates and licenses auctioneers.

**Motion**

Aldersperson Larson moved to hear Ordinance 2004.29 on first and second reading and Aldersperson Stowe 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 Ordinance 2004.29 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.

**RESOLUTIONS**

None

**CONSIDERATIONS**

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

Mayor Swedberg asked for public comment.

Rick Turner, 714 Somonauk, said he was speaking on behalf of 301 member of the Sycamore Chamber of Commerce to ask the Council to reconsider proposing the stoppage of growth for a number of years. He asked them to continue adopt the reasoned and rationed approach of using the appointed Plan Commission to recommend to the Council for consideration. Mr. Turner said if a ban is imposed on residential growth for any number of years it will not only affect residential, but commercial and retail growth. He said that Driv-Lok, Ideal, Suters, Elmer Larson, Sycamore Containers, and Johnson Controls provide a living for over 1,356 families – 253 of which live in Sycamore. He said annual wages to Sycamore families alone are over \$10,000,000 and the companies do business with 230 other local businesses. Mr. Turner said local patronage results in \$4,000,000 in sales and over \$579,000 in property taxes are paid. He said these contributions have a positive influence on the community. Mr. Turner asked Council to look at Option #1 To Stay the Course.

Steve Milner, Milner Commercial Real Estate, DeKalb, said he represents a number of people in the Sycamore market. He said he presented the 3-Sula project as well as Dennis Collins Professional Park both of which will be good additions to the community. He said he has 4 sales pending at the at the Peace Crossings development and is working with the redevelopment of the Caterpillar Plant at Barber Greene, recently closed on the Cooper Tool Company and the building is being redeveloped. Mr. Milner said there is development in the Menard's subdivision with Portillo's coming in, the Bemis expansion, Farm & Fleet, and there is major interest in high-end retail development. He said commercial is happening and he asked Council not to send a message that this is unfriendly territory and stay the course.

Gregory Taylor, 1239 Yorkshire Drive South, said he is a taxpayer, resident, and consumer of Sycamore and has no connection to business or development. He said the fact is his taxes will go up whether the City grows or not. He said there is advantage to a large, growing School District in that it offers more choices. Mr. Taylor said that growth is coming it just needs to be managed.

Scott Short, 1742 Briggs Street, said that a 3-4% increase in pay is reasonable and he would like to see City Council look at 3-4% growth.

Howard Cassette, 2700 DeKalb Avenue, said he is principle owner of the K-Mart Center and said without growth people will spend their money someplace else. He said that without growth the healthcare services will not grow and improve.

Steve Glasgow, 2111 Midlands Court, said there is a good expansion plan for Kishwaukee Hospital including a new \$102 million hospital and the recruiting of 35 new physicians over the next 7-10 years. He said the medical expansion is predicated upon growth and without growth the physicians will not come to this community. Dr. Glasgow said as a developer that including his professional campus and 2 other planned professional developments on Bethany Road, Sycamore will gain 30 acres of professional and medical offices and growth has made that possible.

Ken Anderson, 680 Hopkins Lane, representing the DeKalb County Developers and Builders Association, encouraged Council to think this through and focus on what is being said tonight. He said there is a restrictive tool in place in Ordinance 2003.65 and asked Council to give it a chance to work.

Barbara Andree, 220 W. Kerr Street, said that Option #2 was interesting. She said that even with deferring permitting until 2010 for annexations annexed after 2004 there is no way for City staff to supervise building. Ms. Andree asked Council to spend more time attracting industrial growth.

Don Paulsen, 1514 Willow Street, said he is a lifelong resident and felt without housing, business and industry don't come. Mr. Paulsen said that growth also grows existing businesses and many of the developers are using local contractors and subcontractors. He said he agrees with reasonable growth.

Mac McIntyre, 116 W. State Street, Executive Officer of DeKalb County Builders and Developers Association, said Option #2 is a moratorium and from the phone calls and emails he has received it is perceived as a moratorium. Mr. McAllister said all communities are trying to attract industry and Option #2 will send a message to that market not to come here. He urged Council to stay with Option #1.

Joyce Smith, 1514 Kennicott Court, said she did not think that 3-4% growth over the next few years was stopping growth. She wondered why they were in such a hurry to start new subdivisions with so many already on the books. Ms. Smith asked Council to listen to what the citizens have said in the referendum.

Peter Barrick, 433 W. High Street, said the recently passed growth control referendum has rightly caused some Plan Commissioners and Aldermen to question the addition of new development. He said it boils down to the quality of life and asked Council to wait 7 years to see how the current numbers work out.

Dan Curran, 1514 Sunflower Drive, of Curran Contracting, said the City has a Comprehensive Plan and slow growth plan approved and just coming into affect. He suggested giving the plan a chance to work.

Sal Banano, 3131 N. First Street, President of DeKalb County Building and Development Association, asked the Mayor about his pitch "that anybody can wrap their arms around" and Mayor Swedberg said he would present that to Council. Mr. Banano asked if the public could speak after that and Mayor Swedberg said at that time the floor will be open to Council only.

Grace Adey, 1469 Longwood Drive, said she thought the Comprehensive Plan should remain as the tool of growth as long as it give direction and is flexible. She said 3,638 permits is enough on the books and none should be added until those have been built. She said we need businesses that pay for themselves and it is not our responsibility to provide jobs for the developers and others. Ms. Adey said that rooftops have not and will not bring in industry and commercial businesses. She said the C.A.R.E. committee does not want to stop growth, but she would like more than the two options provided by staff.

Frank Griffis, Grubb & Ellis, 39W832 N. Robert Frost Circle, St. Charles, representing Sycamore Prairie Business Park, said stopping residential growth will stop industrial growth. He said there is some success in the Business Park and they would like to see that continue.

Stacy Gable, 327 Somonauk Street, said she grew up in Chicago and moved here 3 years ago because it is a small, beautiful community. She said does not want to be Aurora, St. Charles or Geneva and she is seeing a lot of greed. Ms. Gable said she wants to see cornfields and sunsets out her windows.

Mayor Swedberg read through the 3 options as follows:

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.

Mayor Swedberg said he did not agree with any of the options and read the background for the July 12 joint meeting as follows:

1. Retain the Comp Plan’s Land Use Plan of 2003.
2. Consider new annexation requests on their merits. While keeping Ordinance 2003.65 intact, negotiate annexation agreements that delay the first permit of any development approved in 2004 until 2010. Take the same approach with annexation proposals submitted in 2005 by negotiating a deferral of new permits until 2011. Thereafter, as we review the pace of permitting on our “Timeline,” we may feel “caught up” or we may find that economic forces beyond our control have altered the projected pace of permitting. This approach allows willing sellers to plan for their estates, and may invite some interested developers to invest in Sycamore’s future. It may also avoid the negative impact of a moratorium policy on commercial interests, while purposefully deferring the onset of new streams of permits to a later point in time.
3. Raise our expectations for voluntary contributions that can be used for operating purposes by the School District or the City. A \$3,000 per unit threshold for School contributions should overcome the net operating expense and produce a modest surplus in light of present trends in housing prices.
4. Aim for an annual population increase between 3% and 4% per year once the impending wave of new population growth associated with the unregulated inventory of platted lots passes.

Mayor Swedberg said if the current permits on the books are built out Sycamore will have an estimated population of 23,357 by 2014 which is a 94% increase. He said he does not believe the “bubble” of permits will be built in the predicted number of years. He said that shortage of staff and rising interest rates will soften the “bubble” and push permits to the next year. Mayor Swedberg said because of the efficiency of building, subdivisions are popping up and many residents are feeling swallowed up. He distributed a 4<sup>th</sup> option he called the “consensus of the Council option.”

Aldersperson Maness and Larson inquired if this was something new and Mayor Swedberg said he had been working on it for a while. Aldersperson Larson asked why he had not seen it earlier and Mayor Swedberg said he just printed it out and there was no draft copy available.

Mayor Swedberg read Option #4 as follows with the changes from the background in bold:

1. Retain the Comp Plan’s Land Use Plan of 2003.
2. Consider new annexation requests on their merits. While keeping Ordinance 2003.65 intact, negotiate annexation agreements that delay the first permit of any development approved in 2004 until **2012**. Take the same approach with annexation proposals submitted in 2005 by negotiating a deferral of new

permits until **2013**. Thereafter, as we review the pace of permitting on our "Timeline," we may feel "caught up" or we may find that economic forces beyond our control have altered the projected pace of permitting. This approach allows willing sellers to plan for their estates, and may invite some interested developers to invest in Sycamore's future. It may also avoid the negative impact of a moratorium policy on commercial interests, while purposefully deferring the onset of new streams of permits to a later point in time.

3. Raise our expectations for voluntary contributions that can be used for operating purposes by the School District or the City. A \$3,000 per unit threshold for School contributions should overcome the net operating expense and produce a modest surplus in light of present trends in housing prices.
4. Aim for an annual population increase between 3% and 4% per year once the impending wave of new population growth associated with the unregulated inventory of platted lots passes.
5. **Request a "fiscal impact of development" study over a projected 20-year period. To include a detailed analysis of fiscal impact of the currently approved annexations, service level assumptions and the detailed costs and revenues for all city departments, school, park and library facilities, with the objective of growth to pay for itself.**

Aldersperson Leach said she attended the Plan Commission meeting where the only person to mention the word moratorium was one of our largest developers. Ms. Leach said she would be happy with a 3 – 5% growth rate and does not propose a ban. She said one of her concerns is the City staff limitations. She said she does not feel that legally we can deny permits because of lack of staff and would be obligated to increase staff, therefore losing one of our growth restraint tools.

Aldersperson Larson wondered if everyone was aware of Ordinance 2003.65 which limits permits per development per year for those developments annexed after November 17, 2003. Mr. Larson also asked Mr. Nicklas how long before this ordinance is effective and how will Council know if it is successful.

Manager Nicklas said they have seen some impact already in that production developers who cannot work under these constraints have lost interest in the community. He said that custom builders have seen several annexations under this Ordinance and have seen that this Ordinance has teeth and carries impact. Mr. Nicklas said that incorporated in the Comp Plan are defined boundaries for the City which allows us to predict future population. He said maybe the issue is how fast we get there and the impact on services and costs. He said it is about taxing policy and regulation of timing. Mr. Nicklas said the boundaries were set with purpose and now the challenge is to grow out with creativity and the least impact.

Aldersperson Maness addressed all the industrial and commercial growth over the past few years. She listed long time industries as Driv-Lok, Ideal, Suters, Genoa Business, Seymour, and Sycamore Containers. She said the DeKalb Ag building is now being developed, Nicor has taken over the Duplex building, the Anaconda building is full, and the Turner-Cooper building is being used and developed. She said the Credit Union, National Bank & Trust Co., American National Bank, and Castle Bank have all had building going on and added branches. She said on the four-lane we have Menard's, Midwest Orthopedics, Country Inn Suites, Amerihost, Holiday Inn Express, Microtel, and the Brian Bemis expansion. She listed said some of the restaurants as Taxco getting ready to expand, and the new Italian restaurant Verone's, and ZaZa's. She said a lot of commercial and retail are developing besides residential. Ms. Maness said let the growth limitations passed throughout the past year have a chance to work to see if they meet the requirements to control growth.

Aldersperson Kessler said many citizens are concerned about the infrastructure regarding the sewer and water. She said the water impact fee fund is about \$1.4 million which is almost enough to put up a new water tower. She said the sewer impact fees are helping address expansion along with the EPA. Ms. Kessler said that tax dollars have been used to improve infrastructure for the existing town. She said that health services are

expanding because of the increased population and need. Ms. Kessler said we do have managed growth tools and need to give them a chance to work. She said she thinks Council has done a good job of pacing.

Aldersperson Tripp said she would like to stay the course, also. She said Council has worked hard to establish regulations. She said if growth is stopped property values increase therefore the taxes on those properties will increase.

Mayor Swedberg said Council needs time to digest his Option #4 because the only difference is that permitting is prolonged until 2012. He suggested including the Library, School District and Park District in the fiscal study he recommended.

Aldersperson Bauer said it is hard for this body to define the future, but the most important bullet point of any of the options is to consider new annexations on their merits. He said the Comp Plan is not perfect, but he feels it works fairly well and Ordinance 2003.65 needs a chance to prove itself.

Aldersperson Paulsen said he thinks City services are ok, but the schools are falling short because of laws. He asked where the kids will go to school. Mr. Paulsen said the City has an opportunity to design the City for future development and have developers comply. He said if new businesses don't want to come in, then existing businesses will grow.

Aldersperson Stowe said the Comp Plan is good with a ring drawn around the community. He said the City needs to be careful and plan for growth. He said that delaying permitting until 1012 is not a bad idea to take time to study for future growth.

Mayor Swedberg said because of the new option he would like to have Council holdover further discussion of this consideration.

Aldersperson Maness said they should make some type of motion tonight because this conversation has gone on for two years. She said she is not hearing new information and though she appreciates the new option she would prefer Option #1 with the addition of investigating a transfer real estate tax.

### **Motion**

Aldersperson Maness moved to accept Option #1 with the addition of investigating a transfer real estate fee and Aldersperson Tripp seconded the motion after Mayor Swedberg asked Ms. Maness to take the motion back.

Mayor Swedberg asked Aldersperson Maness to take back the motion in order to take more time to study the new option for action at the next meeting. He said he has consensus on the new option with  $\frac{3}{4}$  of Council majority.

Aldersperson Larson said he applauded the work C.A.R.E. has done and asked why they chose 2010 for permitting and are now asking for additional time.

Grace Adey said they did not ask for 2014; they thought 7 years was fair.

Mayor Swedberg said C.A.R.E. was not part of the discussion to extend the permitting starts to 2014 and 2012.

Aldersperson Leach said she is confused by the speed of the motion. She asked why not wait because Council will meet again before Plan Commission. She felt they should wait two weeks for more discussion before sending a message to the Plan Commission.

Aldersperson Bauer said he will probably vote in favor of this motion, but will still vote for the merit of each development.

Aldersperson Larson said they will take into consideration the current permit inventory and the C.A.R.E. group and vote for the merit of each proposal.

Aldersperson Paulsen said the problem for negotiating for a break-even development is they don't know what that number is. He said that is the purpose for an independent study.

Aldersperson Leach asked Aldersperson Bauer if it is a good plan at a bad time would that factor into his decision and he said it would.

Aldersperson Stowe expressed concern about transfer fees. He said the reason they are having the discussion is because the Plan Commission is frustrated with time and money spent for proposals that get turned down at Council.

Aldersperson Kessler said she has heard many of the same people speak and has heard from the Chamber of Commerce. She said this Council and staff are working to get industry here and rooftops will bring industry. She said she is not receiving phone calls from constituents so she will have to solicit input. She said she would like to stay the course until she can get information from her Ward.

Aldersperson Leach said two weeks is not long enough to get that input.

**Motion**

Aldersperson Bauer moved to postpone action until the next meeting and Aldersperson Leach seconded the motion.

**Roll Call Vote**

Mayor Swedberg called for a roll call vote to approve the motion. Alderspersons Leach, Paulsen, Stowe, Bauer, and Larson voted aye. Alderspersons Maness, Tripp, and Kessler voted nay. Motion carried 5 - 3.

**APPOINTMENTS**

None

**ADJOURNMENT**

**Motion**

Aldersperson Stowe moved to adjourn the meeting at 9:32 p.m. 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.

Approve:

\_\_\_\_\_  
Mayor – John L. Swedberg

Attest:

\_\_\_\_\_  
City Clerk – Candy Smith