
SYCAMORE CITY COUNCIL – REGULAR MEETING
MINUTES OF OCTOBER 4, 2004

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 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.

AUDIENCE TO VISITORS

Mike Liszka, 470 Lincolnshire Drive, spoke regarding the 8-year extension to the cable franchise and asked that Comcast provide a yearly report including technology changes, access, programming, and services.

CONSENT AGENDA

- A. Approval of the Minutes for the City Council Meeting of September 20, 2004;
- B. Payment of the Bills for October 4, 2004 in the amount of \$47,202.40.

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 voted aye. Motion carried 8 - 0.

PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.

- A. Proclamation Declaring the week of October 3-October 9, 2004 as Fire Prevention Week in the City of Sycamore.

Mayor Swedberg read the proclamation with the theme "Check your smoke detectors."

- B. Consideration of a Presentation by the Sycamore Economic Development Commission. Commissioner John Swedberg will introduce Karen Gashi, general manager of the Menard store in Sycamore, who will give a brief overview of the products and services of the store at 1825 Mercantile Drive.

Karen Gashi, General Manager of the Sycamore Menard Store, said John Menard owns and operates Menard Inc. She said in 1958 there was a need for economical agricultural buildings in Eau Claire, WI and Mr. Menard recognized an opportunity and ceased it. He built pole barns and worked in the feeder in the evening to finance his college education. Ms. Gashi said in 1960 Mr. Menard recognized the need for a building materials outlet and opened his first store in Eau Claire WI. There are now 210 stores in 10 states with 10-15 stores being added each year. Menard's is the 3rd largest home center in the U.S. and are #1 in the Midwest. They control costs by having no stockholders and manufacturing many of their own products. Menard's is a full-service lumberyard. The Sycamore store has 4 acres under roof and the lumberyard covers another 4 acres. Ms. Gashi said Sycamore is a good place to live and work and do business. She said they have started putting out Christmas early in order to keep employees working as the building season slows down. They employ between 110 and 150 employees.

Mayor Swedberg told Council they have a progress schedule for the traffic signal at Maplewood and Route 23. He said weather permitting, the completion date should be November 12, 2004.

Aldersperson Paulsen said he spoke with a family that recently had a house fire and they were very complimentary to the Fire Department.

Aldersperson Maness asked Superintendent Busse if the tree-trimming schedule they just received included taking down the tree in the alley by Locust Street. Superintendent Busse said the schedule is for ComEd, but the tree in the alley is in the process of being removed. Ms. Maness asked Engineer Brady the status of Well #9, Maple Street, and Somonauk and Becker Place. Engineer Brady said the plans for Well #9 are 90% complete, but he needs a couple of days to finish. He said the Maple Street project has a lot of work to get done in the next few weeks and the utilities have held up some progress. Mr. Brady said the National Bank & Trust building will be down Sunday to work on the utilities. Mr. Brady said they are also waiting on utilities on Somonauk and Becker Place.

Aldersperson Tripp said the contract was awarded to Curran on September 7 and asked when the street resurfacing will begin and Engineer Brady said 2 to 3 weeks.

REPORT OF OFFICERS

Manager – Bill Nicklas said there was a watermain break on Bethany Road that was difficult because of its depth and an outside contractor was needed to dig. Mr. Nicklas complimented the Water Department for their effort.

Engineer – John Brady reported that seal coating starts tomorrow and would last only about 3 days. He said the downtown would be done at night from 2:00 a.m. until 7:00 a.m.

Building & Zoning –Lyle Doty reported that a condemned house at 313 S. Locust has been raised, a house on Main Street he has been receiving complaints about is in the process of being fixed up, and Matt MacAlister bought 2 houses on the 600 block of Edwards Street that he will tear down. Mr. Doty also reported that CCI is making progress with their building. He said the underground plumbing and electric are completed and they are in the process of pouring the floors.

Fire Chief – Bill Riddle reminded everyone to test their smoke detectors. He said they have had many school tours through the station and also spoke with high school seniors about fire safety.

Aldersperson said she saw Ladder 49 and Firefighter Bill Reynolds spoke to the audience about fire safety before the movie started. Ms. Kessler also asked the Chief to comment about the new kitchen at the Fire Station.

Chief Riddle said the kitchen was completed by the firefighters and is the final step of renovation of the Public Safety building.

Manager Nicklas commended the firefighters for doing most of the work on the kitchen remodel. Mr. Nicklas also reported, in absence of Police Chief Don Thomas, that the Police Department has been working with Building Commissioner/Zoning Officer Lyle Doty in addressing many eyesores in the community.

Treasurer – Ken Mundy said there is a delay in the audit which is becoming a concern because of reporting that needs to be done. Treasurer Mundy said they were able to put some money out at 4 to 5% for the Fire Pension Fund. He said he would like to reserve comments for Ordinance 2004.47 on the agenda.

Public Works Supt. – Fred Busse reported that Mike Schulz built the masonry sign at the corner of Elm & Somonauk Street and Justin Fleetwood did the design work on the sign. Superintendent Busse said Brad Dewey and Scott Garrelts reroofed and resided the old garage by the treatment plant. He said today they started laying pavers by the new streetlights downtown.

Water Supt. – Ebe Smith reported a problem with a motor at Well #5 and will know soon why there is no power to the motor.

Police Chief – Don Thomas – no report

REPORT OF STANDING COMMITTEES

Finance – no report

Ordinance – no report

Police & Fire – no report

Sewer & Water – no report

Streets & Walks – no report

PUBLIC HEARING

None

ORDINANCES

A. Ordinance No. 2004.47—An Ordinance Establishing and Fixing Compensation for Elected Officials of the City of Sycamore, Illinois. First and Second Reading.

City Treasurer Mundy said he wanted to support the Clerk's recommendation. He said the Clerk's office is the front door and many times the initial contact of the City. Treasurer Mundy said minutes for all meetings are coming under close scrutiny not just here, but elsewhere and can keep us out of the Courthouse when testimony is disputed. He said the Clerk has a vital role in reflecting, creating, and transcribing the recording of those meetings. He said it is a full time position and should be compensated as such. Treasurer Mundy said if the Treasurer's duties are transferred to the Finance Office, the person who acquires those duties should be compensated in an appropriate manner.

Motion

Aldersperson Maness moved to hear Ordinance 2004.47 on first and second reading and Aldersperson Tripp seconded the motion.

Aldersperson Leach asked what to do if part of the ordinance is acceptable and part is not. She asked if they could separate the issue if she is opposed to the Aldersperson increase and in favor of the Clerk's increase.

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 2004.47 and Aldersperson Tripp seconded the motion.

Voice Vote

Mayor Swedberg called for a voice vote to approve the motion. Seven Alderspersons voted aye with Aldersperson Bauer voting nay. Motion carried 7 - 1.

B. Ordinance No. 2004.48—An Ordinance Approving a Non-Exclusive Cable Television Franchise Agreement Between the City of Sycamore, Illinois and Comcast of California/Colorado/Illinois/Indiana/Texas, Inc. First and Second Reading.

Manager Nicklas listed the principal points as follows:

- a) A non-exclusive franchise. Although no competitor has expressed an interest in creating an alternative cable infrastructure or paying Comcast for use of its infrastructure, a different cable operator might someday appear and the City would not be precluded from negotiating a franchise agreement with that operator.
- b) A term of eight years from the effective date of the agreement;
- c) A franchise fee of 5% of annual gross revenues from the franchise area;
- d) a security fund to reimburse the City against out-of-pocket costs associated with damage to the City rights-of-way during service operations;
- e) Substantially increased insurance limits to indemnify the City against liability for bodily injury or property damage associated with the operation of the system. The adjustments are approximately ten times the current amounts (e.g. an increase from \$100,000 to \$1 million per occurrence, and from \$300,000 to \$3 million in the aggregate for bodily injury and property damage).
- f) The company will provide an Emergency Alert system at its own expense to override normal programming in case of severe weather or other emergencies.
- g) Considerable detail on federally-mandated installation and service standards that were missing from the current agreement;
- h) A thirty-day notice period for notifying customers of changes in programming or price;
- i) A government access channel will be provided at no charge to the City for non-commercial government access on the basic service tier, and will be available 24 hours a day. The cost of establishing the capacity to transmit government programming falls to the City. However, the operator will provide the necessary equipment to originate a link at the City's request. In other words, if the City should ever decide to broadcast public meetings, the City would have a dedicated channel to do so, but the City would have to pay for the broadcast equipment and the labor needed to operate such a system.

- j) One free service connection at a City building. Such connection has been identified in the Sycamore Center.

Mr. Nicklas said he hoped Comcast representative Chris Nelson, who is in the audience, took note of the utility in regard to the Maple Street construction.

Aldersperson Kessler said she did not receive all the pages of the contract in her packet, and asked Mr. Nelson if Sycamore is assured the public access channel.

Chris Nelson, 300 Carpenter Blvd, Carpentersville, IL, Manager of Government Affairs for Comcast, said the public access channel is memorialized in the agreement. He said, in addition, there are other public access channels available that are not memorialized. Mr. Nelson said he will train Mr. Nicklas for the emergency broadcast system and the public access channel.

Mr. Nicklas said if this is approved, he will convene a meeting of the Comcast representatives and our emergency staff to go over the emergency procedures.

Motion

Aldersperson Maness moved to hear Ordinance 2004.48 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 2004.48 and Aldersperson Maness seconded the motion.

Aldersperson Bauer said if Council has interest in pursuing the government access channel at a modest level they could look into the equipment needed to put these meetings into the homes of the residents.

Aldersperson Leach said she has heard positive feedback from some residents.

Aldersperson Bauer asked if they could investigate the option.

Mayor Swedberg asked Mr. Nelson to put together a package of numbers for the City Manager.

Mr. Nelson said he would get them 3 options. He said the equipment is expensive and someone is needed to operate the equipment. Mr. Nelson said many communities have a volunteer resident run the equipment.

Voice Vote

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

C. Ordinance No. 2004.49—An Ordinance Amending Title 6, “Motor Vehicles and Traffic,” Chapter 5, “Pedestrians,” Section 6, “Roadway Solicitation,” of the City Code of the City of Sycamore, Illinois. First and Second Reading.

Manager Nicklas said this ordinance reflects the discussion last meeting with the addition of the 7-day submittal of the application. He said he also changed the effective date to January 1, 2004 in order to get through this season.

Mayor Swedberg said this is the solicitation season and a lot of permits were approved and signed by him before this issue came up.

Aldersperson Kessler asked whether they should identify 7 working days and Manager Nicklas said it would get to staff meeting either way.

Motion

Aldersperson Larson moved to hear Ordinance 2004.49 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 voted aye. Motion carried 8 - 0.

Motion

Aldersperson Larson moved to approve Ordinance 2004.49 and Aldersperson Leach 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 a Public Works Department Recommendation Regarding Bids for a New One-Ton Dump Truck.

Superintendent Busse said this truck is much more versatile than simply a snowplow. He said this replaces a truck used for 15 years and does not increase the fleet. Superintendent Busse said the low bids are from Sycamore Auto Center for the chassis at \$27,974.74 and Monroe Center for the plow, spreader, and 9-foot dump body for \$27,495.00.

Motion

Aldersperson Bauer moved to award the total bid of \$55,469.74 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.

B. Consideration of an Engineering Department Recommendation Regarding Bids for Topsoil Removal and Excavation Relating to the Oakland Drive Extension.

Engineer Brady said he received 6 bids and recommended approving the low bid from Rockford Blacktop for \$15,375.

Mayor Swedberg asked why such a spread of bids and Mr. Brady said Rockford Blacktop often comes in low.

Engineer Brady said there is over 2,000 feet of street and this involves stripping off the topsoil and some excavation of the former railroad right-of-way, ComEd transmission line, and tree and stump removal. He said the next phase will be the rest of the drawings and watermain and sewer main.

Motion

Aldersperson Stowe moved to award the bid to Rockford Blacktop for the amount of \$15,375 and Aldersperson Bauer 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. Consideration of an Administration Request for a Closed Session to Discuss Collective Bargaining Matters.

Motion

Aldersperson Kessler moved to go into Closed Session at 8:10 p.m. And Aldersperson Leach 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 Leach moved to return to Open Session at 8:50 p.m. 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.

APPOINTMENTS

None

ADJOURNMENT

Motion

Aldersperson Stowe moved to adjourn the meeting at 8:50 p.m. and Aldersperson Bauer 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