

SYCAMORE CITY COUNCIL
AGENDA
July 18, 2005

City Council Committee Meetings

6:30 P.M. Ordinance Committee Meeting. At the May 16 Council meeting, several Council members asked under “Reports of Officers” if the Ordinance Committee might take up the question of whether the Council should restrict smoking in local restaurants and bars by ordinance. A Committee review of this question was postponed until the Sycamore Chamber of Commerce, which represents most of these establishments, had polled its membership. The attached resolution by the Sycamore Chamber of Commerce Board of Directors urges the Council not to legislate in this area of concern. Their reasons are both philosophical and economic: the Chamber believes that this is an area for private prerogative rather than “government interference” and that citizens who are concerned about second-hand smoke can choose not to patronize certain establishments.

This topic is of course a matter of public debate in Chicago and metropolitan areas of all sizes around the country. It is typically a contentious matter that leads to polarization. Before legislating on this matter, the Council might consider how far it is willing to go to enforce any strictures against second-hand smoke. In the case of non-conforming establishments, would the ultimate penalty be the closing of the restaurant or bar that refused to comply? Would substantial fines or the forfeiture of the establishment’s liquor license (which would possibly have the same effect) be contemplated if violations were noted and prosecuted? Would Police officers be obligated to respond to 9-1-1 cell phone calls from diners who observed smoking elsewhere in a restaurant, as happens in larger metropolitan areas? Public health regulations generally prohibit smoking in food preparation areas, so the policy question is: what population needs to be protected that cannot protect itself by simply refusing to patronize restaurants and bars that permit smoking?

To proceed in the direction of a prohibition on smoking in restaurants, bars, or other public places, the Council needs to determine, within its police powers, that a public health menace exists, based on an abundance of evidence. There is no local baseline of data concerning an alleged health threat, but there are findings from nationally organized groups on both sides of the question that can be consulted. The City staff is concerned that a considerable amount of time and energy may be devoted to a quarrelsome debate that will have little effect on the health habits of local residents, and may create public rifts that do not advance the community’s image.

The Ordinance Committee’s direction is requested.



**Regular City Council Meeting
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 Regular City Council Meeting of July 5, 2005.
 - B. Payment of the Bills for July 18, 2005.
 - C. Plan Commission Minutes for the Regular Meeting of June 13, 2005.
7. **PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.**
 - A. Presentation by the Sycamore Economic Development Commission. Commissioner Bill Nicklas will introduce Judy Schneider of OC Photos, located at 1622 DeKalb Avenue, who will give a brief overview of the firm’s services and products.
8. **REPORTS OF OFFICERS**
9. **REPORTS OF STANDING COMMITTEES**
10. **PUBLIC HEARINGS--None**
11. **ORDINANCES**
 - A. **Ordinance No. 2005.27—An Ordinance Amending the City Code of the City of Sycamore by Adding a Class H Liquor License to Title 3, “Business and License Regulations,” Chapter 2, “Liquor Control,” Section 3-2-6, “Classification of Licenses; Fees; Hours and Days,” and Section 2-2-7, “Number of Licenses” in the City of Sycamore, Illinois. First and Second Reading.**

The City Council’s Ordinance Committee met on July 5 to discuss the creation of a new classification of license for shops that would specialize in the following:

 1. the sale of beer brewed on the premises in original packages for consumption off the premises.
 2. the sale of wine fermented on the premises in original packages for consumption off the premises.
 3. the tasting of wine and beer in samples of not more than one ounce in conjunction with the anticipated sale of wine and beer.

The Committee determined that such a classification was appropriate, so it also considered the hours of operation, the number of licenses that might be available, and the annual license fee for such a classification. The attached ordinance establishes a new “Class H” liquor license for “home-brew” stores, assesses a \$500 a year license fee, and limits hours to 9:00 a.m. to 10 p.m., Monday through Saturday and 11:00 a.m. to 10:00 p.m. on Sundays.

City Council approval is recommended.

12. RESOLUTIONS--None

13. CONSIDERATIONS

A. Consideration of a Recommendation from the City Engineer Regarding the Bids for the FY06 Street Maintenance Program.

Bids for the FY06 street maintenance program will be opened at 2:00 p.m. on July 18 by City Engineer John Brady. Mr. Brady will prepare a bid tabulation and be prepared to report the bidding results to the Council at the July 18 meeting.

The budget allocation for the FY06 program is \$250,000 and is partially funded by the General Fund (\$100,000; 731-8316) and the Capital Assistance Fund (\$150,000; 06-8316).

B. Consideration of a Revised Engineering Department Recommendation Regarding the Scope of the FY06 Sidewalk Improvement Project.

At the last regular Council meeting of July 5, City Engineer John Brady reported that the lowest responsible bid for the bond-funded FY06 sidewalk program was about \$155,000 above the available funding (approximately \$240,000 after engineering costs). To assist the Council in making tough choices about which sidewalk sections to install or replace, Mr. Brady has reviewed the unit pricing and quantities involved in the bidding and makes the following recommendations in conformance with the City’s budget:

- Maplewood Drive - From Illinois Route 23 west to the east driveway of the Sycamore Middle School (south side only).
- Reckitt Street - From Townsend Street to Wild Street (north side only)
- Somonauk Street - From Conlin Avenue to Vance Street (west side only - construction of missing portions of sidewalk).
- Somonauk Street - SE corner of Vance & Somonauk - handicapped ramp only to north and west.
- North Cross Street - From 276 North Cross Street north to align with the Cornerstone School's east entrance. (east side only).
- East State Street - From 503 East State Street (Marathon Station) east to the Kishwaukee River Bridge (north side only) Existing sidewalks to remain adjoining Parkway Restaurant.
- DeKalb Avenue - From 1041 DeKalb Avenue to 1245 DeKalb Avenue (north side only).
- Meadow Lane - From 621 Meadow Lane to 835 Meadow Lane (west side only).

With this list, approximately \$10,000 would be available as a contingency for additional sections that may later seem important at either end of each individual repair or installation.

City Council approval of the City Engineer's recommendation is requested.

14. APPOINTMENTS

15. ADJOURNMENT