
**SYCAMORE CITY COUNCIL – REGULAR MEETING
MINUTES OF JUNE 6, 2005**

ROLL CALL

Mayor Ken Mundy called the meeting to order and Clerk Candy Smith called the roll. Those Alderpersons present were: Grace Adee, Alan Bauer, Darren Knuth, Barbara Leach, Cheryl Maness, and Pete Paulsen. Alderpersons Terry Kessler and Chuck Stowe were absent.

INVOCATION

Pastor Jim Elliott of Harvest Time Fellowship gave the invocation.

PLEDGE OF ALLEGIANCE

Alderperson Chuck Stowe arrived at 7:03 p.m.

APPROVAL OF AGENDA

Motion

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

Voice Vote

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

AUDIENCE TO VISITORS

Rose Trembl, Executive Director of the Sycamore Chamber of Commerce, said that regarding the smoking ban issue that was brought up, the Chamber is not prepared at this time to make a formal statement on the issue. She said the Public Advocacy Committee, a sub-committee of the Chamber Board, has met and discussed this issue at length and will present the position of statement at the June 21st meeting for approval. She said there are a considerable number of members that are very concerned about this issue who believe that a smoking ban ordinance is construed as government interference or intrusion on the businesses of this community.

CONSENT AGENDA

- A. Approval of the Minutes for the Regular City Council Meeting of May 16, 2005;
- B. Approval of the Minutes for the Special City Council Meeting of May 19, 2005;
- C. Minutes from the May 25, 2005 Meeting of the Mayor's Ad Hoc Committee on Growth Management.
- D. Payment of the Bills for June 6, 2005 in the amount of \$820,859.76.

Motion

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

Voice Vote

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

PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.

- A. Presentation by the Illinois Municipal Treasurer's Association in Recognition of Ken Mundy's Twenty-Four Years of Service as Sycamore City Treasurer.

Mayor Mundy introduced Jan Guess, President of Illinois Municipal Treasurer's Association and Treasurer of Plano, who was accompanied by Carolyn Miller, former Treasurer of Rochelle. Ms. Guess recognized Mayor Mundy's twenty-four years as Treasurer by presenting him with a plaque and an honorary membership into the organization.

- B. Presentation by the Sycamore Economic Development Commission. Commissioner Rose Trembl will present Ken and Daryl Hopper, owners of the State Street Theatre at 420 West State Street, who will give a brief overview of their business's history and services.

Daryl Hopper said the reason they work and live in Sycamore is because the community works and grows together. She said her family moved here from St. Charles 13 years ago and in that time she has seen improvements to the Downtown, the Library, and the Schools. Ms. Hopper said the Theatre has taken part in many events promoting the Midwest Natural History Museum, the Block Party, the Car Show, Summer on State, and Ladies Night Out. She said after moving many times as a child, she is happy to call Sycamore her home town.

- C. Presentation of the Sycamore Public Library's Annual Report by Executive Director Sarah Tobias.

Executive Director Sarah Tobias said over the past year the library has entered into an Inter-governmental agreement with DeKalb County to move the County's law collection to the Library, remodeled the lower level Carnegie area, rearranged the whole upper level, increased Internet computers to 7, written four grants, spent 97.3% of the budget, and planned a 100th anniversary celebration for the library. Ms. Tobias said cardholders have increased from 5,511 in 2004 to 6,895 in 2005. She said that attendance in the library was up 19%. Ms. Tobias revealed the One Community Reading Together Program book as The Tipping Point by Malcolm Gladwell.

- D. Presentation by the Sycamore High School Rugby Football Club to the Sycamore Fire Department.

Rick Turner, Assistant Coach, said that Mark Lancaster is the Head Coach and Tom Petit is an Assistant Coach. Coach Turner said athletic trainers are mandatory to provide first aid and when their trainer could not make it he called Kurt Mathey and Kurt and Bill Reynolds put together a team to provide first aid including Bob Maciejewski, John Pink, Andy Powers, and Dustin Ruby.

Team Captain Will Turner presented Chief Riddle and Firefighter Reynolds with a team ball.

- E. Appointment of Paid-on-Call College Interns for Class of 2008: Mike Gunderson; Nicholas Young; and Ashley Williams.

Chief Riddle introduced the interns and Clerk Smith swore them in.

Mayor Mundy reviewed an article from the True Republican Newspaper in 1912 describing Sycamore Economic Development. Mayor Mundy said some paperwork is still needed from the Chamber for the

French Market. He said he received a fax from Curran Construction regarding a June 15 date for signals to be activated at Maplewood and Route 23. He said that Sandbox Day put on by the firefighters is June 18 and to call Becky at 895-4514 to order. Mayor Mundy reminded drivers to be careful now that school is out and with the good weather many people are out.

Aldersperson Stowe said he received call regarding the speed limit on North Main Street and Engineer Brady said he would notify the state to do a speed study.

Aldersperson Knuth said he was contacted about school buses unloading children in front of the Midwest Natural History Museum and congesting traffic.

Police Chief Thomas said the Police Department has decided that the best course is to unload the bus at the cross walk on California and State. He said that although that will interfere with traffic on California, it will alleviate the congestion on Route 64.

Aldersperson Adee said she received a complaint about motorcycles in front of Hink's on California Street.

Police Chief Thomas said Hink's had a permit to close the street and drink beer outside and Hink's supplied security. He said there were a few complaints about noise. The police kept a close eye on the event and he commended those who ran the event.

REPORT OF OFFICERS

Manager – Bill Nicklas thanked Public Works for cleaning up after Saturday's storm. He said that at the May 16th meeting Council expressed some interest about looking into the possibility of regulating smoking in restaurants and taverns and he suggested deferring committee discussion until the 1st meeting in July. He said he would like to bring something back to Council next meeting about a slightly higher reimbursement for sidewalk that runs through the driveway section.

Engineer – John Brady said the final surface is on streets in Landahl and in Phases 1, 2, and 3 of Townsend Woods. He said the sidewalk on the east side of Maplewood to the Middle School will be part of the City's sidewalk program.

Building & Zoning –Lyle Doty said he received the first application for the strip mall across from Culver's a Jimmy John's Gourmet Sandwich store.

Fire Chief – Bill Riddle said today's fire shift was involved in a long rescue last Wednesday on Plank Road to extricate a driver from his car. He said they worked hard alongside DeKalb and Burlington and thankfully, due to their effort the patient is alive.

Treasurer – Brian Gregory reported that audit bids are due tomorrow and he will bring them back at the next meeting with a recommendation. He said the newsletter should be out before the next meeting.

Public Works Supt. – Fred Busse – no report.

Water Supt. – Ebe Smith said he and Engineer Brady conducted a pre-construction meeting for Well #9 and work should begin out there this week with grading, digging for foundation, and sewer and water work. He

said there will be a temporary fence during construction and a permanent fence will be erected upon completion. Superintendent Smith thanked the residents of Carlson Street for their patience during a watermain break last Friday.

Police Chief – Don Thomas said he would reserve comment for two items on the agenda.

REPORT OF STANDING COMMITTEES

Finance – no report

Ordinance – no report

Police & Fire – no report

Sewer & Water –no report

Streets & Walks – no report

PUBLIC HEARING

ORDINANCES

A. Ordinance No. 2005.15—An Ordinance Amending Title 3, Business and License Regulations,” Chapter 2, “Liquor Control,” Section 3-2-1 “Definitions” and Section 3-2-6 “Classification of Licenses, Fees, Hours and Days,” to Permit the Sale of Alcoholic Beverages from Golf Course Beverage Carts When the Golf Course Is Open in the City of Sycamore, Illinois. First and Second Reading.

Manager Nicklas explained that the Park District has requested permission to sell alcoholic beverages from a beverage cart during golf course operations, including special outings.

David Peek, Park District Director, said they have established a track record over the past year with sales of beer and wine at the clubhouse with no incident. He said they need to level the playing field for attracting golf outings. Mr. Peek said typically a single outing would bring in about \$2500 for golf and \$1500 for food and liquor.

Aldersperson Leach asked how they would monitor consumption.

Mr. Peek said whoever is selling will need to be 21 years old and will have extensive training.

Aldersperson Bauer asked about the beverage cart and Mr. Peek said it runs a regular route.

Aldersperson Adee asked about the safety of the person in the cart and Mr. Peek said the cart is out there now.

Motion

Aldersperson Paulsen moved to hear Ordinance 2005.15 on first and second reading and Aldersperson Bauer seconded the motion.

Aldersperson Stowe said he did not think the public was aware of this and would like to hold this over until the next meeting.

Mr. Peek said he thought that was a good idea.

Aldersperson Paulsen withdrew his motion and Aldersperson Bauer withdrew his second.

B. Ordinance No. 2005.16—An Ordinance Amending Title 3, “Business and License Regulations,” Chapter 2, “Liquor Control,” Section 3-2-11, “Building and Location restrictions,” Paragraph A of the City Code of the City of Sycamore, Illinois. First and Second Reading.

Manager Nicklas said this ordinance is a companion to the previous ordinance and should be held over as well.

RESOLUTIONS

A. Resolution No. 459—Authorizing the Mayor to Sign a Professional Services Contract with the Daley Policy Group for Legislative Assistance in Securing Federal Funds for Capital Projects.

Manager Nicklas said a growing number of Illinois communities are turning to lobbying firms located in the Washington D.C. area who regularly meet face-to-face with the Illinois Congressional delegation, key committee chairs and staff, and key staff in various federal agencies. He listed the capital projects he thought might qualify for federal aid as the Harvester Square Brownfield cleanup, Bethany Road reconstruction from Peace to Somonauk, California Street reconstruction from Exchange to Elm, radium treatment at three of Sycamore’s four deep wells, and the elevated water tower on Sycamore’s north side. Mr. Nicklas introduced Patty Daley of the Daley Policy Group.

Ms. Daley said she represents not only Illinois interests but interests all over the United States. She said she grew up on the south side of Chicago, lived there for 25 years, moved to Washington D.C. 16 years ago, and created Daley Policy Group 4 years ago. She said her business works with all levels of government, navigating their clients’ issues through the federal level. She said they would take their orders from the City of Sycamore.

Mr. Nicklas recommended the City pay for the service with Hotel-Motel Tax Fund uncommitted reserve dollars. He said he thought a more appropriate capital source would be the Sales Tax Distributive Fund in the future when it is not being used for the Harvester Square cleanup.

Mike Liszka, 470 Lincolnshire, asked what kind of oversight Council has over this group and suggested demanding reports.

Mr. Nicklas said they will be hired for specific projects and he will get reports.

Mayor Mundy said the Daley Group’s numbers and successes are impressive and the track record is there for local area dollars.

Aldersperson Bauer said this might be a good opportunity for the Group to bring back something down the road that may not be on our current list.

Mayor Mundy agreed with using Hotel-Motel uncommitted reserves.

Motion

Aldersperson Maness moved to approve Resolution 459 and Aldersperson Bauer seconded the motion.

Voice Vote

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

CONSIDERATIONS

A. Consideration of a Request for Direction From the DeKalb County Regional Planning Commission.

Manager Nicklas explained that the DeKalb County Regional Planning Commission was approached by DeKalb County to consider taking a position on a possible revision to state law as it applies to annexation agreements. He said the point of law is found in 65 ILCS 5/11-15.1(a) and presently allows a municipality to grant zoning and building approval to a property that is subject to an annexation agreement, although that property has not been annexed and may not be contiguous to the corporate limits of the municipality. He said the fear is that this could provide a loophole for a community to create an annexation agreement at a considerable distance from any land that they might otherwise annex through a series of contiguous moves over a period of time.

Paul Miller, DeKalb County Planning Director, asked the City for support in amending the State Law. He said he thought it was in our interest in order to continue managed growth. Mr. Miller listed a couple of undesirable scenarios that could occur such as a more distant community could agree to new development on a property that is immediately adjacent to another community, creating conflicts and confusion with regard to utility service and other public services and that high-impact uses such as landfills or quarries could be permitted on property that is well-removed geographically from the approving authority. He said there is no mention in the law to tie annexations to municipalities' planning jurisdiction and allows one community to allow any development anywhere. He said the proposed amendment suggests that this provision should not apply in a County or a Township that exercises zoning authority of its own unless the County, Township, and community seeking the annexation agreement agree it should. Mr. Miller said he is asking Council to authorize the Mayor to sign a letter regarding this change to be taken to our representatives in Springfield to protect the efforts of Sycamore and surrounding communities in managing growth.

Aldersperson Bauer asked if local government can regulate over this in the County Zoning Ordinance and Mr. Miller said they cannot.

Motion

Aldersperson Stowe moved to support the amendment and Aldersperson Paulsen seconded the motion.

Voice Vote

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

B. Consideration of a Police Department Recommendation to Award a Contract to Veto Enterprises in the Amount of \$18,374.34 to Replace a Sport Utility Vehicle for Patrol Purposes.

Manager Nicklas said this and the next consideration could be taken in omnibus fashion because they have both been allocated in the budget and done through the bidding process.

C. Consideration of a Police Department recommendation to Award a Contract to Mooney Chevrolet in the Amount of \$17,749 to Replace a Sedan Used for Administrative and Investigative Work.

Motion

Aldersperson Maness moved to approve Veto Enterprises' bid in the amount of \$18,374.34 and Mooney Chevrolet's bid in the amount of \$17,749 and Aldersperson Stowe seconded the motion.

Voice Vote

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

D. Consideration of an Oral Report by the Executive Director of the Sycamore Chamber of Commerce.

Executive Director Rose Trembl said regarding economic development their website is a one stop shop for Sycamore businesses. She said that since they have moved to State Street there have been more walk-ins of people who want to do business in Sycamore. She said she is working with 2 businesses in DeKalb and 1 in Genoa who want to come to Sycamore. She said that regarding tourism they now have their brochures in over 10 Tourist Information Centers in Illinois. She said the website is completed, they are working with NIU and the Convocation Center to bring some large statewide and national events to the area, and they are working with DeKalb area CDD. Ms. Trembl said they have met with the Northern Illinois Tourism Director to get advice for a three-year marketing plan to promote Sycamore as a destination. She said they received statistics from 3 hotels and restaurants reporting 130 zip codes over the past 5 months. She said the funding from the City allows them to promote the City and build up hotel-motel taxes.

Manager Nicklas complimented the Chamber for their partnering in the promotion of economic development.

Mayor Mundy said it is great to have a professional partner for the City and thanked Executive Director Trembl and her staff for their work.

E. Consideration of an Administration Request to Conduct a Special Census in the City of Sycamore in 2005.

Manager Nicklas said the estimated cost involved would be \$226,015 and of this amount \$127,166 would be paid directly to the Census Bureau in advance and the balance of \$98,849 would be set aside by the City to pay local persons to work on the special census. He said Public Administration Intern Ryan Kelly has volunteered to give this most of his attention for the 6-month process. Mr. Nicklas said they are guessing the City would gain just under \$200,000 per year with a net increase of \$539,537 over the next 5 years. He said he would need to amend the budget and create a resolution authorizing the City Manager to sign a memorandum of understanding with the U.S. Census Bureau.

Motion

Aldersperson Paulsen moved to move this forward and Aldersperson Maness seconded the motion.

Voice Vote

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

F. Consideration of an Administration Request for Direction Regarding the Recommendations of the Ad Hoc Committee on Growth Management.

Manager Nicklas listed the package of initiatives of the Ad Hoc Committee as follows:

- To support a real estate transfer fee within the Sycamore corporate limits
- To increase the School impact fees by 10.6%
- To revise Ordinance 2003.65 to eliminate the use of “banked” permits in the first full years of permitting
- To encourage the Board of Education to rely upon its general operating reserve to offset any actual shortfall in 2005-2006 or until the result of the referendum on a transfer fee is known
- To resist the adoption of transition fees, provided the transfer fee is approved
- To continue to meet to outline a marketing plan that will attract quality commercial and industrial businesses to Sycamore.

Mayor Mundy said the group includes the taxing bodies and the Chamber, DCEDC, Sycamore Economic Development Commission, DeKalb County Building and Development Association, and he said the Farm Bureau and the CARE group are sitting in. He said they have had two productive sessions and each stakeholder at the table is becoming aware of other’s concerns. He said the communication is good.

Scott Short, 1742 Briggs, said the growth controls came in too late and are too lax, the impact fees are too low, and the voluntary contributions are too low. He asked where the 3 to 4% growth figure came from and asked Council to ask more from the developers. Mr. Short quoted 3 newspaper articles talking about growth.

Aldersperson Leach said the 3 to 4% growth figure is a target figure.

Jack Whitwell, 16037 Lindgren Road, said he is a retired farmer getting ready to sell his farm. He said that by living in Heron Creek Mr. Short appeared to be part of the problem he is complaining about. He said he would be pleased if those complaining about development would be willing to purchase his land for the same amount as the developers are paying.

Aldersperson Leach asked for an example of the transfer fee.

Mr. Nicklas said that at ½% of a \$300,000 home or building would be \$1,500.

Aldersperson Stowe asked if the fee is imposed by the City and would the City conduct the referendum.

Manager Nicklas said there were options in the law. He said the Ad Hoc Committee as a whole would be the impetus and partner with the Council. He said procedurally there would be more detail like whether the

buyer or seller would pay the tax, or whether to use a transfer stamp or fee system, or use the same process we use for paying impact fees.

Aldersperson Stowe said his concern was that this would be limited to the corporate limits and not be imposed on the whole school district limits.

Manager Nicklas said the City residents would be shouldering the burden and the City would need to sponsor this.

Aldersperson Paulsen asked when the School Board will go to Cortland and demand impact fees and transfer fees.

Mr. Nicklas said Cortland does not have Home Rule to impose Transfer Fees, but they could add another level of fees in annexation agreements. He said this body could direct him to go to speak to Cortland about this and he assumed it would be in a concerted way with the school.

Aldersperson Stowe said perhaps the Mayor would consider expanding the committee to include Cortland. He said the Ad Hoc meetings are not public friendly by being held in the late afternoon.

Mr. Nicklas said many communities have gone to afternoon Council meetings. He said there were not many people in the audience tonight.

Mayor Mundy said the County and State already impose Transfer Fees.

Aldersperson Paulsen said if they increase the School's impact fee according to the price of land, he would like to keep the Park District in line.

Aldersperson Leach asked for input from the Realtors.

Mr. Nicklas said Sharon Gorell of the Fox Valley Association of Realtors spoke with him and she asked the status of the School District's finances today. He said the key is where they will be over the next 10 years and the study indicates that after 2009 and 2010 the bubble of housing starts declines to a regulated growth pattern of about 250 housing starts per year. He said there is a need for help and much of the school population is coming from existing homes. He said they are working with what could logically be a short-term problem that is not going to go away except by new revenue, constraints on school spending, or going to the taxpayers to say we need your help to build a school, transfer fees, or transition fees. He said the Committee felt that the Transfer Fee was a fairer approach because it will not affect every taxpayer every year.

Aldersperson Knuth said he works for Huntley Schools, the fastest growing School District in Illinois, and they keep financially sound by referendum and that is getting harder to do.

Mayor Mundy said if the Transfer Fee is approved by referendum, transition fees would not be necessary. He said that impact fees address the capital side and Transfer Fees would address the operating side. He said the School District brought to the table a willingness to fund the lag time from now until the referendum is approved with their reserves. Mayor Mundy apologized for the time of the meeting, but all members of the Committee were able to make both meetings. He said there has been meaningful cooperation at the table.

Mr. Nicklas said a transition fee of \$4200 per new home in addition to impact fees was on the table.

Mike Liszka, 470 Lincolnshire, said in theory impact fees will not be perpetual when homes are no longer being built, but the transfer fees will go on indefinitely.

Mr. Nicklas said we can ask the School District for accounting of those fees and the City can go to referendum to discontinue them.

Mayor Mundy said down the road the City could take over the revenue.

Motion

Aldersperson Maness moved to support the 6 recommendations.

Hearing no second, the motion died.

Mr. Nicklas said he could not believe there was no stand on this and said he needed direction to take back to the Committee. He also asked what the Council would do with annexations that will come to them this summer.

Aldersperson Maness said we spent money to have the study done and the taxing bodies are meeting to see what they need to get things done. She said Council as a major player in the Ad Hoc Committee needs to give them direction.

Aldersperson Stowe said he felt the School District needs to sign on to the combined incentive package. He said he agreed with the impact fee increase, the School District using reserves to pay bills – which they would do anyway, the elimination of the “bank” in Ordinance 2003.65, but he wanted more discussion about the Real Estate Transfer Fees.

Aldersperson Bauer said most of the options are the work of the City and he agreed that the incentive package needed to be signed on.

Mr. Nicklas said regarding the incentive program, the School District has seen no changes in their revenue yet to change their minds. He suggested giving them a year to see what the Transfer Fees might do for their finances.

Aldersperson Paulsen said he thought attracting commercial and industrial businesses was important and said he would like to see this supported with the Park District impact fees increased, too.

Motion

Aldersperson Paulsen moved to support the recommendations with the Park District impact fee increased to match the School District’s land value, and encouraging the School Board to talk with Cortland to get on Board, and aggressively pursue the marketing of commercial and industrial businesses and Aldersperson Maness seconded the motion.

Aldersperson Bauer said if this passes tonight and they go to referendum, can the funds be redirected to the City.

Mr. Nicklas said they must adhere to the terms of the referendum.

Aldersperson Leach asked if the Ad Hoc Committee will continue to look at alternatives in case this does not pass.

Mayor Mundy said they would and thought this group would keep meeting in the future.

Aldersperson Adee said she thought they needed more time to think about this.

Voice Vote

Mayor Mundy called for a voice vote to approve the motion. Two Alderspersons voted aye with Stowe, Bauer, Leach, Adee, and Knuth voting nay. Motion failed 2 - 5.

Mr. Nicklas asked Council to provide him with direction, if not tonight, then through the next week.

Aldersperson Leach said she would like this information to get out into the public then come back to discuss it again at the next meeting.

Aldersperson Paulsen asked if everybody was on board with impact fee increases, eliminating the "bank" in Ordinance 2003.65, and having the School Board pay its bill with their reserve is only sensible.

Mayor Mundy said this is not a matter of telling the School Board to do anything. He said reserves are necessary for increasing bond rating to lower debt payments. He said the fiscal study resulted in a deficit for the School District. He said he wanted to get past the adversarial spirit, because that is not the spirit of the Ad Hoc meeting. He said they are looking for recommendations from Council.

Aldersperson Knuth asked who should approach Cortland to talk about these concerns with the School District.

Manager Nicklas said this body has never formally sent an emissary to approach another taxing body and he thought that the City Manager might be a logical choice.

Mayor Mundy said Mayor Seyller said the density of the plan was reduced from its original plan and they had worked with the Sycamore School District. He said that Mayor Seyller also said he would welcome communication with Sycamore and there are impact fees imposed on the most recent development.

Mr. Nicklas explained the context in which he works every day and why he feels a sense of urgency to get some direction. He said that along what our Comp Plan designates as prime commercial corridors there are real estate signs up promoting what could be commercial developments. He said the early negotiations would not have gotten past the first meetings if they thought the City Council could not find direction on these main points. He said they count rooftops and if the City cannot keep moving then we will not get businesses to invest in our community.

Aldersperson Leach said she understands that, but she needs more time. She said there is another meeting before the Ad Hoc meeting and she would like to discuss this again at the next Council meeting.

APPOINTMENTS

Mayor Mundy appointed Barbara Leach to the Architectural Review Committee.

Motion

Aldersperson Paulsen moved to approve the appointment and Aldersperson Stowe seconded the motion.

Voice Vote

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

ADJOURNMENT

Motion

Aldersperson Stowe moved to adjourn the meeting at 10:10 p.m. and Aldersperson Maness seconded the motion.

Voice Vote

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

Approve:

Mayor – Ken Mundy

Attest:

City Clerk – Candy Smith