

**SYCAMORE CITY COUNCIL**  
**AGENDA**  
**June 19, 2006**

**City Council Committee Meetings**

No Meetings Are Scheduled

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**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 June 5, 2006.
  - B. Payment of the Bills for June 19, 2006.
  - C. Plan Commission Minutes for the Meeting of May 8, 2006.
- 7. PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.**
  - A. Recognition of Assistant Fire Chief Cary Niewold for his 30 years of service to the City of Sycamore.
  - B. Recognition of Luke Morton for his 31 years of service to the City of Sycamore.
  - C. Sycamore Economic Development Commission member Jim Huntley will present Chuck Criswell, owner of Chuck's Auto Center at 1625 DeKalb Avenue, who will describe his firm's services and the upcoming "Turning Back Time" car show.
  - D. Sycamore Economic Development Commission member Bill Nicklas will introduce Vic Graff, owner of Captain Vic's Fish and Seafood Market at 265 West Peace Road, who will describe the casual dining offered by his new market and restaurant.

**8. REPORTS OF OFFICERS**

**9. REPORTS OF STANDING COMMITTEES**

**10. PUBLIC HEARINGS--None**

**11. ORDINANCES**

**A. Ordinance No. 2006.10—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition from Dan Brown and TM Herst, Inc. for a Rezoning of the Properties at 503 Main Street and 525 N. Main Street from “M-1” Light Manufacturing District to “C-3” Highway Business District with the Approval of Existing Legal, Non-Conforming Yard Setbacks Where Applicable. First and Second Reading.**

Dan Brown, the owner of the Riverside Marathon fuel station at 503 N. Main Street, and Tom Herst, the principal of TM Herst, Inc. which owns the Turbo-Wash car wash at 525 N. Main Street, have co-petitioned the Council for a review of their proposal to re-zone the properties from “M-1” Light Manufacturing to “C-3” Highway Business. The Council will recall Jeff Bridge’s petition in March 2006 to re-zone the properties at 456, 502-504, 524, and 530 N. Main Street from “M-2” Heavy Manufacturing to “C-3” Highway Business, which was approved by the City Council on March 20, 2006 (Ordinance No. 2005.92). The present petition is similarly motivated. The properties at 503 and 525 N. Main Street have long been dedicated to commercial uses. In addition, it has been the City Council’s intention to maintain commercial as opposed to industrial uses along this corridor. In this context, the current industrial zoning is an anomaly that conformed to the railroad-related uses that grew up in the early twentieth century. The present petition seems only logical in terms of present uses and future intended uses.

It should be noted that the petition requests a continuance of the legal, non-conforming status of the Marathon station’s setbacks. The new Unified Development Ordinance establishes a corner side yard of 50 feet in the “C-3” districts (the station is 32 feet from the lot line, which complied with the “M-1” zoning prior to the UDO). In addition, the canopy setback from the North Main Street right-of-way is 25 feet, which complied with the “M-1” zoning prior to the UDO but not with the present setback requirements. In fact, the difference is academic. If no re-zoning occurred, the setbacks would still be non-conforming in terms of today’s setback standards but would be consistent with setbacks in this commercial area. The March 2006 rezonings of properties across the street likewise sustained legal, non-conforming setbacks in terms of the new UDO. The only way to make all these properties legal and conforming would be to raze the structures and start over—a course of action which is neither desired nor economically feasible.

The Plan Commission reviewed this petition on June 12 and recommended its approval by a vote of 9-0. City Council approval of the Plan Commission recommendation is requested.

**B. Ordinance No. 2006.11—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of from Rodney V. Oehlert and Martha S. Oehlert for an Amendment to the Annexation Agreement Dated December 11, 1995**

**and Subsequently Amended on February 7, 2000, to Permit the Construction of Two, Eight-Unit Apartment Buildings. First and Second Reading.**

In December 1995 the City Council entered a pre-annexation agreement with Rodney and Marty Oehlert which established the parameters for the development of an 8.01-acre parcel that formerly contained the Twin Gables Motel and related structures. The parameters were as follows:

- 1) The front 2 acres were zoned C-3 Highway Business and contained two buildings with commercial uses on the first level and a total of twelve (12) two bedroom apartments above.
- 2) The rear 6 acres were zoned R-3 Multiple Family and were to contain fourteen (14) apartment buildings with eight, **one-bedroom** units apiece.
- 3) The regulations then in effect allowed a minimum lot area of 2,400 sq. ft. per unit with one bedroom, and 2,800 sq. ft. per unit with two bedrooms. It should be noted that the City revised the density allowances in 1996 to require 3,200 sq. ft. per unit with one bedroom and 3,600 sq. ft. per unit with two bedrooms.
- 4) The rental buildings in the R-3 zone were intended for occupancy by persons fifty-five (55) years of age or older. At least eighty percent (80%) of the units were to be occupied by at least one person fifty-five years of age or older.
- 5) The entire tract was to be annexed by the City when it became contiguous.
- 6) The owners were to pay for the extension of sanitary sewer service but the City would reimburse the owners for the over-sizing of the sewer line beyond an 8-inch diameter.
- 7) The City was to extend a public water main from Johnson Avenue westward to the west property line of the site but the City's cost would be offset by a contribution of \$30,000 from the owners.
- 8) The owners would install a sidewalk along Route 64 upon annexation to the City.
- 9) The owners agreed to plant and maintain a two-row evergreen windbreak along the north 175.80 feet of the east property line. This windbreak was initially to consist of upright evergreen saplings two or more feet in height planted on staggered 14-foot centers.
- 10) The owners further agreed to plant and maintain a buffer of one row of evergreen seedlings along the property line shared with the neighboring propertyowners (the Doederleins).

The restriction on age was intended to address concerns by local school officials and others about the ability of the school system to absorb the projected number of new students from various development sites.

On February 7, 2000 the Council voted to lift the age restriction at the request of the Oehlerts who were having trouble keeping at least 80 percent of the units rented by one or more persons 55 years of age or older. In presenting their case to the Council, the Oehlerts argued that the lifting of the special use restriction based on age would not create an unnecessary burden on local schools because the one-bedroom, handicap-accessible units were not inviting to families with children. The Council concurred, but added several additional conditions:

1. That the Oehlerts be required to plant a buffer of arborvitae or a comparable evergreen along the east boundary line of their development. Such evergreens

would be 4 feet tall at planting and would be placed on six-foot centers. The row of evergreens would extend along the common property line with the Doederleins and extend southward as new buildings were erected.

2. That the Oehlerts should bring the density of their development into line with the high density standards of the then-proposed 2000 Comp Plan. At the time of their petition for a revision in 2000, the buildings already constructed had a density of 18.67 units per gross acre (112 units in 6 acres). The Comp Plan of 2000 proposed a limit of 12 units per gross acre for high density developments with a minimum of 30 percent of the land area dedicated to open space. If two of the planned buildings were eliminated, the density would be 12 units per gross acre if the entire 8-acre development was considered (96 units divided by 8). In calculating the density in 1995, the entire development area of 8 acres was used.

The Oehlerts have now petitioned the Plan Commission and City Council to re-introduce the two buildings (16 units) that were eliminated from the development plan in 2000 as a condition of lifting the age restriction. The Oehlerts propose that all of these units will be limited to one-bedroom.

The move to a higher density would conflict with the 2003 Comp Plan's reduction of the permitted density in multifamily or high density zoning districts to nine (9) units per gross acre with 30 percent of the land area dedicated to open space. This standard is codified in the Unified Development Ordinance ("UDO") in Article 4.3.4, B,11. In addition, the UDO requirement for density is now 3,600 square feet of minimum land area for one bedroom units, an increase from 3,200 square feet in 2000 (see Article 6.5.2 for lots final platted after May 1, 2005).

The Plan Commission reviewed this petition on June 12. By a vote of 9-1, the Commission opposed the Oehlert petition, expressing substantial concern about the potential loss of open space. City Council approval of the Plan Commission recommendation against the petition is requested.

**C. Ordinance No. 2006.12—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to Proposed Text for the Airport Road Sub-Area Plan.**

On April 3, 2006 the City Council approved the Airport Road Sub-Area plan map for the 675 acres extending north, south, and east of the intersection of Airport Road and East State Street. The proposed draft presented the following features:

- A pulling back of the City's east "edge" from Lovell Road to a point roughly 0.9 miles east of the present corporate limits at Illinois Route 64 and Airport Road;
- Clarification of the south terminus of the re-aligned Airport Road north of the bridge over the East Branch of the Kishwaukee River;
- An extension of commercial uses south of the former State Street Motors to the proposed subdivision road that aligns with the entrance to the Sycamore Park;
- An expansion of commercial space between Illinois Route 64 and the re-aligned Old State Road;

- A buffer area of “green space” whose north boundary was the park entrance and whose south boundary was the north tree line of the Carls farmstead. This buffer extended easterly from the present Airport Road to the re-aligned Airport Road.
- The alignment of Hillside Road (serving the 10-lot Swanson’s subdivision) and the proposed entrance to the ORI area east of the present Airport Road.

The revised plan that the Council approved had the following intended land uses:

Land Use	Acres
Office, Research, Industrial	250
Mixed-Use Commercial	120
Open Space	115
Commercial	170
Residential	20
Total	675

The remaining task was to formulate a textual companion to the map that will be adopted as an amendment to the 2003 Comp Plan. The attached draft provides a focal point. It has the following purposes:

- To describe the intent of the sub-area plan;
- To detail expectations for land use and the buffering of land uses;
- To affirm the importance of several road re-alignments;
- To prescribe that any development in this area shall be a planned development subject to the extensive public review that attends such developments.

The Plan Commission reviewed the proposed text at its regular meeting of June 12. By a vote of 9-1, the Commission recommended the Council’s approval of the proposed text. City Council approval of the Plan Commission recommendation is requested.

**D. Ordinance No. 2006.13—An Ordinance Approving an Economic Incentive Agreement Between the City of Sycamore, Illinois and Auto Meter Inc. for Economic Development in the City of Sycamore, Illinois. First and Second Reading.**

Since the mid-1990s, Sycamore residents have expressed their strong desire to retain and attract a diverse mix of quality industrial enterprises in order to strengthen Sycamore’s economic, employment, and tax base. This desire was formally expressed through Sycamore’s participation in the Competitive Communities Initiative from 1998 through 2002, the comprehensive planning process of 1999-2000, the comprehensive planning process of 2002-2003, and a number of sub-area planning processes since 2003. In addition, since the late 1990s, the City has annually set aside public capital funds to promote its industrial retention and attraction efforts. A very recent example of the City’s commitment to the retention of longstanding industrial business is its economic incentive agreement with Driv-Lok, approved on December 19, 2005. Through that agreement, the City provided a package of \$350,000 in grant and loan assistance to afford the opportunity for Driv-Lok employees to purchase the company and assure its retention in Sycamore.

The City of Sycamore now has an opportunity to retain and expand the presence of another longstanding industrial company in Sycamore. Auto Meter Products, Inc. has announced its desire to open a new Corporate Headquarters at 109/111 Somonauk Street, the former location of the Gullberg & Johnson furniture store. Auto Meter Products is a world-wide leader in performance instrumentation for personal vehicles as well as professional racing cars. Since 1977, the firm has produced its tachometers, speedometers, gauges, and electrical system test equipment in a complex of structures at 413 West Elm Street. Upon concluding an agreement over the terms of a long-term lease with Mr. Bingham, the firm intends to move its corporate staff, product engineering, sales, marketing, customer and technical support, legal, information technology, and accounting teams to the new location at 109/111 Somonauk, easing material flow and manufacturing space constraints at the West Elm Street location. With Auto Meter's consolidation of its engineering groups from Utah to Sycamore and the planned expansion of its engineering team to support its growth, the firm's current space is no longer adequate.

To assist Auto Meter in the relocation of its corporate offices and integration of production facilities, the attached revenue-sharing agreement has been negotiated with Auto Meter officials and the owner of the building at 109/111 Somonauk Street, Arthur Bingham of Clare, Illinois. The terms of the agreement are as follows:

The City agrees:

- a) To provide Mr. Bingham a grant of \$150,000 to make public safety improvements at 109/111 Somonauk Street to meet code requirements for the new Auto Meter occupancy. These improvements include an elevator to make the principal floors accessible, a fire escape from the second story, and façade improvements (including the replacement of the over-sized plate glass windows with new windows resting on masonry knee walls allowing "kick" spaces).
- b) To allocate the grant monies only upon the issuance of a certificate of occupancy for Auto Meter at 109/111 Somonauk Street.

The Company agrees:

- a) That after reaching an agreement with Mr. Bingham over the terms of a long-term lease, it will relocate its corporate staff, product engineering, sales, marketing, customer and technical support, legal, information technology, and accounting teams to the new location at 109/111 Somonauk at such time as a certificate of occupancy is issued by the City of Sycamore.

The landlord (Mr. Bingham) agrees:

- a) Comply with all City fire protection and building code provisions in the remodeling of the building at 109/111 Somonauk Street.
- b) Pay prevailing wages to contractors who might be reimbursed by City grant funds.

The City is financially in the position to consider the proposed grant/loan offer because of the sales tax revenue it annually receives from American Aviation Supply and United Aviation Fuels. These monies are deposited in Fund 22, the Sales Tax Distributive Fund, and are designated for capital purposes. The attached spreadsheet shows how the fund would manage this outlay for the balance of the fiscal year. For better reference purposes, the Fund 22

spreadsheet shows year-end FY06 and budgeted FY07 numbers that have been adjusted to conform to the most recent monthly sales tax warrants from the Illinois Department of Revenue.

City Council approval of the attached development agreement is recommended.

A second stage of Auto Meter's reconfiguration of production and management functions will involve façade improvements at the firm's present location at 413 W. Elm Street. That location is within the City's tax increment financing (TIF) district. A follow-up agreement for a TIF grant not to exceed \$50,000 for façade improvements at the 413 W. Elm Street location will be presented to the Council for its review and approval at a subsequent meeting.

**E. Ordinance No. 2006.14—An Ordinance Approving an Intergovernmental Agreement Between the City of Sycamore and the Sycamore Community Unit School District No. 427 Regarding Transfer Tax Revenues. First and Second Reading.**

The attached agreement formalizes the revenue-sharing relationship anticipated in the transfer tax referendum of March 21, 2006 and Ordinance 2005.93, approved by the Council on April 17, 2006. Essentially, the text describes the procedures for the City remittance of transfer tax monies in more specific terms, and establishes a small reserve fund for occasional refunds that may be necessary. The Board of Education will consider this draft at their June 27 meeting.

City Council approval is recommended.

**12. RESOLUTIONS--None**

**13. CONSIDERATIONS**

**A. Consideration of an Administration Request for a Closed Session to Discuss Collective Bargaining Matters.**

**14. OTHER NEW BUSINESS**

**15. APPOINTMENTS**

**16. ADJOURNMENT**