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**SYCAMORE CITY COUNCIL – REGULAR MEETING**  
**MINUTES OF SEPTEMBER 5, 2006**

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**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, Terry Kessler, Darren Knuth, Barbara Leach, Cheryl Maness, Pete Paulsen, and Chuck Stowe.

**INVOCATION**

Pastor Bill Landis of Sycamore United Methodist Church gave the invocation.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**Motion**

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

**Voice vote**

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

**AUDIENCE TO VISITORS**

Michael Stack, 530 Viking Drive, said he has lived in DeKalb County since the 1960's and he and his wife chose to retire in Sycamore. He thanked the Council for the work they have done with development and said he is impressed with how they have handled and controlled growth. He invited Council to an open house he is having September 24, 2006.

Rich Neubauer, 412 S. Main Street, expressed concern that the neighbors have not been notified about the proposed parking changes on Locust Street. He said the purpose of limiting parking is to increase safety, but he felt that wider streets lead to faster traffic.

**CONSENT AGENDA**

- A. Approval of the Minutes for the Regular City Council Meeting of August 21, 2006.
- B. Payment of the Bills for September 5, 2006 in the amount of \$297,934.97.
- C. Budget Report of August 23, 2006.

**Motion**

Alderperson Bauer moved to approve the Consent 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 8 - 0.

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

Mayor Mundy introduced new High School Principal Mark Leffler and Mr. Leffler said he was excited and proud to become part of the community.

- A. Consideration of a Presentation by Chuck Criswell in behalf of the Turning Back Time Car Show organizers.

Chuck Criswell thanked City Council, Mayor Mundy, and City Manager Nicklas for their support of the event and Lieutenant Cary Singer for his time and effort towards the event. He said the numbers were down this year because of gas prices and the heat, but this was still the number 1 draw of all the car shows in Illinois. He introduced the Committee in attendance as Les Gibbons, Ray Phelps, and Guy Stone. He said those not in attendance are Terry Wheeler, Duane Blagen, Roger Ullmark, Mark Collins, Martin Pearson, and Tom Taylor. He said he hoped they have approval for next year which will be the last Sunday in July. Mr. Criswell presented donations of \$1000 to Sycamore Food Pantry, \$250 to Sycamore Public Library, \$250 to Sycamore Historical Society, \$1500 to the Fizz Ehrler Scholarship Fund, and \$3800 to the Police Department. He said since the event started in 2000 they have given \$48,000 to community organizations.

Mayor Mundy said he had placed at Council seats a brochure form the DeKalb County Veterans Assistance Commission. He also announced that there would be a 9/11 remembrance ceremony at 7:00 p.m. at Johnson's Junction.

## **REPORT OF OFFICERS**

Manager – Bill Nicklas informed Council that Charlie Laing has extended an invitation to Council and Plan Commission to tour The Willows (Stone Prairie Community) Monday September 11, 2006 at 6:00 p.m.

Engineer – John Brady said he would have the fall tree program bids for approval at the September 18 meeting.

Building & Zoning – Lyle Doty reported that some occupancy permits have been issued to Somerset Homes.

Fire Chief – Bill Riddle said Sunday, September 10, 2006 the Fire Departments throughout the County will hold their silent parade commemorating fallen firefighters. He said the 9/11 ceremony will include Boy Scouts, bag pipers and a high school student will play taps.

Treasurer/Asst. City Manager – Brian Gregory reported that the annual newsletter is out to bid and should be in the mail by the end of the month.

Public Works Supt. – Fred Busse explained that the maintenance of Marten's Ditch is not necessarily the City's responsibility, but is shared with the adjacent homeowners. He said this was the first summer employing two students from the Sycamore High School work program and they will continue to work on a part-time basis throughout the year.

Water Supt. – Ebe Smith said they will flush fire hydrants the end of September. He said they will start painting the fire hydrants this fall.

Police Chief – Don Thomas said Police Officer Cheryl Senne started work today and come to the department as an experienced officer from Lake in the Hills.

## **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. 2006.29—An Ordinance Approving the Execution of a Contractual Agreement Between the City of Sycamore, Illinois and the Foster & Buick Law Group for Legal Services. First and Second Reading.**

City Manager Nicklas said the City has a very good working relationship with this firm. He said the proposed contract includes the following terms:

- a) The term of the agreement extends from September 1, 2006 through August 31, 2008.
- b) The firm shall perform certain services as part of its retainer fee of \$4,950 per month in FY07 (an increase of 3% from \$4,800 in FY06), and \$5,100 per month (+2%) in FY08. 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, dealing with other units of government, serving on various task forces and committees appointed by the Mayor and Council, the routine prosecution of ordinance violations, and routine liquor hearings. In addition, the retainer will cover some additional services such as bond work
- c) The firm shall provide other legal services such as litigation, annexation reviews, labor negotiations, and special projects at the rate of \$135 per hour (an increase of 3% from \$130 per hour in FY06). The market rate per hour is between \$175 and \$195 for new business.
- d) Additionally, the City attorneys shall keep legal records, files, and documents and retain closed files for a period of five (5) years.

**Motion**

Aldersperson Kessler moved to hear Ordinance 2006.29 on first and second reading 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 8 - 0.

**Motion**

Aldersperson Maness moved to approve Ordinance 2006.29 and Aldersperson Kessler seconded the motion.

Aldersperson Kessler expressed how appreciative the City is for their work and said she supports this contract and a future relationship with the firm.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Adee, Bauer, Kessler, Knuth, Leach, Maness, Paulsen, and Stowe voted aye. Motion carried 8 - 0.

Attorney Foster thanked Council for the kind comments and said they appreciate their relationship with the City of Sycamore. He said it is a pleasure to work with the City and Bill Nicklas is an excellent City Manager.

**B. Ordinance No. 2006.30—An Ordinance Concerning the Recommendation of the Plan Commission with Regard to the Petition of Ideal Industries for Annexation of a 64.895-Acre Parcel Adjacent to the Southeast Boundary of the Sycamore Prairie Business Park and**

**Rezoning of Said Parcel to “M-1” Light Manufacturing District and “M-2” Heavy Manufacturing District” in the City of Sycamore, Illinois. First and Second Reading.**

City Manager Nicklas explained that this parcel was not included in the original annexation of the Sycamore Prairie Business Park because this parcel would logically serve a larger industrial user, but its configuration might not suit an industrial prospect without further subdivision and further subdivision would be premature without the evidence of market demand. He said the petitioner has requested that the City waive the \$1,000 per acre annexation fee that would apply under the terms of the pre-annexation agreement of 1991.

**Motion**

Aldersperson Maness moved to hear Ordinance 2006.30 on first and second reading 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 8 - 0.

**Motion**

Aldersperson Maness moved to approve Ordinance 2006.30 and Aldersperson Kessler seconded the motion.

Aldersperson Bauer asked if they were waiving the annexation fee for M-1 zoning, would that remain waived if a developer decided to rezone the property to residential.

Mr. Nicklas said he did not think Council would rezone that area to residential and that would be within Council's control.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Adee, Bauer, Kessler, Knuth, Leach, Maness, Stowe, and Mayor Mundy voted aye with Aldersperson Paulsen abstaining. Motion carried 8 – 0 - 1.

**C. Ordinance No. 2006.31—An Ordinance of the Annexation of a 64.895-Acre Parcel Approximately 0.40 Miles West of Somonauk Street and Adjacent to the Southeast Boundary of the Sycamore Prairie Business Park in the City of Sycamore, Illinois. First and Second Reading.**

City Manager Nicklas explained this ordinance is for recording purposes.

**Motion**

Aldersperson Stowe moved to hear Ordinance 2006.31 on first and second reading and Aldersperson Leach seconded the motion.

**Voice vote**

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

**Motion**

Aldersperson Leach moved to approve Ordinance 2006.31 and Aldersperson Maness seconded the motion.

Aldersperson Stowe asked if they needed to make a motion to waive the \$1000 per acre annexation fee.

Mr. Nicklas said it was relevant to the previous ordinance and said it would be more precise if there had been a motion, but it would be reflected in the minutes.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderpersons Adee, Bauer, Kessler, Knuth, Leach, Maness, Paulsen, Stowe, and Mayor Mundy voted aye. Motion carried 9 - 0.

**D. Ordinance No. 2006.32—An Ordinance Amending Title 6, “Motor Vehicles and Traffic,” Chapter 4, “Traffic Schedules,” Section 6-4-12, “No Parking Zones” of the City Code of the City of Sycamore, Illinois. First Reading.**

City Manager Nicklas said this was a collaborative effort between Alderperson Maness and the Police Department.

Chief Thomas said that all the changes reflect an effort to make it easier for the people on those streets to adhere to the current ordinance. He said the current ordinance states that parking is not permitted if it restricts the street to less than 10 feet for traffic flow. He said on some of the streets if one car is parked it reduces the traffic flow to less than 10 feet. He said they have not written tickets to cars parked illegally, but they could. He said by designating one side of the street no parking, the problem will be eliminated. Chief Thomas said they chose the street with the most fire hydrants as no parking. He said there are probably other streets in town with the same problem, but if and when those residents talk to the City about those streets they will most likely become one-side only parking as well.

Alderperson Maness said that since this was brought up in May she has had several calls from people in the area who think this is a good idea for safety reasons.

**E. Ordinance No. 2006.33—An Ordinance Authorizing the Mayor to Execute a Lease Agreement Between the City of Sycamore and Bridgeport Corporation in the City of Sycamore, Illinois. First and Second Reading.**

City Manager passed around pictures of ground that has been gained since 1999 showing the incremental improvement of Harvestore Square. He said that Joel and Joan Barczak have requested to lease a portion of Harvestore Square to make room for the cleanup of the alley that runs along the east side of the Barczak property and the west side of the property owned by Genoa Business Forms. He said they would like to move various landscape materials to the area where several buildings were demolished. He said he thought this was a good arrangement to have a lease delineating the responsibility.

Alderperson Bauer asked if the City should sell the property.

Mr. Nicklas said it still needs to be cleared by the IEPA and then we will welcome interested proposals.

**Motion**

Alderperson Paulsen moved to hear Ordinance 2006.33 on first and second reading and Alderperson Maness seconded the motion.

**Voice vote**

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

**Motion**

Alderperson Paulsen moved to approve Ordinance 2006.33 and Alderperson Kessler seconded the motion.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderpersons Adee, Bauer, Kessler, Knuth, Leach, Maness, Paulsen, and Stowe voted aye. Motion carried 8 - 0.

**F. Ordinance No. 2006.34—An Ordinance Amending Title 7, “Public Ways and Property,” Chapter 5, “Trees and Shrubs,” to Meet the Standards of the National Arbor Day Foundation for the Purpose of Being Named a Tree City U.S.A. in the City of Sycamore, Illinois. First and Second Reading.**

City Manager Nicklas said Ordinances 2006.34 and 2006.35 are necessary for the City to be named a Tree City U.S.A. and can be taken in omnibus fashion.

**Motion**

Aldersperson Paulsen moved to hear Ordinance 2006.34 and 2006.35 in omnibus fashion 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 8 - 0.

**G. Ordinance No. 2006.35—An Ordinance Amending Title 4, “Public Health and Safety,” Chapter 4, “Nuisances,” Section 4-3-1, “Nuisances Declared,” to Meet the Standards of the National Arbor Day Foundation for the Purpose of Being Named a Tree City, U.S.A. in the City of Sycamore, Illinois. First and Second Reading.**

**Motion**

Aldersperson Paulsen moved to hear Ordinances 2006.34 and 2006.35 on first and second reading and Aldersperson Bauer seconded the motion.

Aldersperson Paulsen thanked Superintendent Busse for his work to get this accomplished.

**Voice vote**

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

**Motion**

Aldersperson Paulsen moved to approve Ordinances 2006.34 and 2006.35 and Aldersperson Bauer seconded the motion.

Aldersperson Bauer thanked Aldersperson Paulsen for his efforts behind getting the City named a Tree City, U.S.A.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Adey, Bauer, Kessler, Knuth, Leach, Maness, Paulsen, and Stowe voted aye. Motion carried 8 - 0.

**RESOLUTIONS** - None

**CONSIDERATIONS**

**A. Consideration of a Fire Department Recommendation To Revise the Part-Time Wage for a Paid-On-Call Instructor.**

City Manager Nicklas explained that Chief Riddle asked City Council to amend the Salary Ordinance to raise the instructional pay for the paid-on-call firefighters to \$25, but only for those services that fall under the KEC fire science program.

**Motion**

Aldersperson Stowe moved to approve the recommendation and Aldersperson Maness seconded the motion.

Aldersperson Kessler said the City is fortunate to have paid-on-call firefighters like Cary Niewold and Gerry Dettlof as POC's and as instructors to train young men and women in this profession. She said she supports this and the program.

Aldersperson Bauer said his son participated in the program and is a better person for it.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Adee, Bauer, Kessler, Knuth, Leach, Maness, Paulsen, and Stowe voted aye. Motion carried 8 - 0.

**B. Consideration of a Fire Department Recommendation to Purchase a Brush Truck.**

City Manager Nicklas said the bid received for the brush truck came in well over the budget of \$28,500 at \$42,341. He said with some substitutions and in-house installations they have reduced the price to \$40,950.44. He suggested the difference can be covered by deleting two Fire department requests from the FY07 budget including the concrete apron repairs for \$5000 and a lighted fire prevention sign for \$5000 and the remaining \$2450.44 can be found in the contingency fund.

Aldersperson Paulsen asked what they would do with the existing truck.

Mr. Nicklas said they would advertise its sale through the fire journals and he estimated its value at \$2000.

**Motion**

Aldersperson Maness moved to approve the bid for \$40,950.44 and Aldersperson Leach seconded the motion.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Adee, Bauer, Kessler, Knuth, Leach, Maness, Paulsen, and Stowe voted aye. Motion carried 8 - 0.

**C. Consideration of an Administration Request for a Closed Session to Discuss Personnel Matters and Pending Litigation.**

**Motion**

Aldersperson Leach moved to go into Closed Session at 8:20 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 8 - 0.

**Motion**

Aldersperson Kessler moved to return to Open Session at 8:50 p.m. and Aldersperson Leach seconded the motion.

**Voice vote**

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

**OTHER NEW BUSINESS**

**APPOINTMENTS**

**ADJOURNMENT**

**Motion**

Aldersperson Stowe moved to adjourn the meeting at 8:50 p.m. 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 8 - 0.

Approve:

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Mayor - Ken Mundy

Attest:

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City Clerk – Candy Smith