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**SYCAMORE CITY COUNCIL – REGULAR MEETING**  
**MINUTES OF OCTOBER 16, 2006**

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**ROLL CALL**

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

**INVOCATION**

Pastor Weinhold from St. John Lutheran Church gave the invocation.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**Motion**

Alderperson Maness moved to approve the 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.

**AUDIENCE TO VISITORS**

Warren Lowe, 513 S Locust, stated that he felt that it was a little bit of overkill to not allow planting in the parkway, it would be easier to say we would not replace anything than to say you cannot plant anything there.

**CONSENT AGENDA**

- A. Approval of the Minutes for the Regular City Council Meeting of October 2, 2006.
- B. Payment of the Bills for October 16, 2006 in the amount of \$2,535,763.16.
- C. Plan Commission Minutes for the Meeting of September 11, 2006.
- D. Budget Report as of October 4, 2006.

Mayor Mundy asked that the minutes from October 2, 2006 be corrected to show that he and his wife "Juanita" not "Anita" attended DeKalb's Sesquicentennial Ball. Alderperson Kessler also asked that an additional correction be made to show that she assessed the streets in Ward 4 not Ward 3.

**Motion**

Alderperson Bauer moved to approve the Consent Agenda with the minutes as amended 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 7 - 0.

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

Mayor Mundy stated that Sycamore would be represented in the 100<sup>th</sup> Homecoming parade for Northern Illinois University being held in conjunction with DeKalb's 150<sup>th</sup> Sesquicentennial parade for the City of DeKalb on Saturday October 21<sup>st</sup>.

Mayor Mundy also stated that Sycamore's 45<sup>th</sup> Pumpkinfest events are all taking shape and thanked Public Works, the Police Department, Lt. Cary Singer, the Fire Department, and all the Volunteers for safe events over the years.

- A. Sycamore Economic Development Commission member Ken Mundy will introduce Angela Nielsen, owner of the Scent Shoppe at 321 W. State Street, who will describe the goods and services her business provides.

Mayor Mundy introduced Angela Nielsen from Déesse Scent Shoppe and Boutique - Déesse meaning Goddess. Angela stated that she has come full circle in Sycamore starting on State Street now back on State Street. She has changed the focus of her business from jewelry to hand crafted items, soy candles, bath & body products with custom scents for people and room scenting products. She has now expanded her business into antiques. Angela stated that one of the unique things about being in Sycamore is that the downtown shops are owner operated.

## **REPORT OF OFFICERS**

Manager – Bill Nicklas stated that the FY07 budget is being revised to conform to the audit findings and will be sent to council for action on November 6, 2006. Mr. Nicklas thanked Deputy Clerk Bobbie Lundberg for filling in for City Clerk Candy Smith. Mr. Nicklas stated that on Thursday November 2, at 6:00 pm. there will be an informal downtown meeting to discuss the idea of a downtown conservation district.

Engineer – John Brady stated that if the weather gets straightened out this week, they should be able to finish up with the street maintenance for this year.

Building & Zoning – Lyle Doty stated that his department would be working with the pumpkinfest committee this week to discuss electrical safety for the booths.

Fire Chief – Bill Riddle – no report.

Treasurer/Asst. City Manager – Brian Gregory gave council copies of the Treasurer's report showing that the benchmark for September is at 42% with revenues at 49% and expenses at 30%. Mr. Gregory stated that he had also updated the equity side of the pension fund which has gained some money and looks good. Mr. Gregory also gave council a publication report that wraps up the audit and that will be published this month.

Public Works Supt. – Fred Busse – no report.

Water Supt. – Ebe Smith stated that construction is continuing on wells number 8 and 6 for radium removal. Radium tanks have been delivered to well number 8 and they are in place. Construction will be started on the tanks to put all the piping together. Tanks have also been delivered to well number 9. Now they have to get plumbing in and get them on line when the construction ends on these wells.

Acting Police Chief – Darrell Johnson stated that he was hoping for favorable action under agenda Consideration item C.

## **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. 2006.40—An Ordinance Amending Title 7, “Public Ways and Property,” Chapter 1, “Streets, Sidewalks, and Public Ways, General Provisions,” Section 7-1-10, “Harmful Deposits; Litter,” to Add a New Section C, of the City Code of the City of Sycamore, Illinois. First and Second Reading.**

Mr. Nicklas stated that this topic was being brought back from the last regular Council meeting of October 2, when the Council considered an ordinance draft that would provide guidelines for planting in the City’s parkways. Mr. Nicklas stated that some of the parkways have approached the point where they have gotten the attention of public works and police and administrative officials who need written standards to fall back on. The attached draft proposes new language as follows:

**“It shall be unlawful for any person to pave any area lying within a parkway or to place gravel, decorative stone, lava rock, paving brick, prairie grasses, or wildflowers in the parkway. Bedding plants shall be permitted in parkway areas if they are planted around mailboxes (in compliance with postal service regulations), street light poles, street sign poles, or approved trees in the parkway, provided they are maintained free of weeds and debris and do not obstruct traffic or the vision of motorists. Neither the City nor private utilities maintaining infrastructure within the parkways shall be responsible for damage to, or restoration of, plantings other than natural turf after construction or repair work within the parkway, even if such materials were lawfully installed.”**

Aldersperson Bauer stated that the first sentence should be eliminated. The last sentence is well written and should be included.

Aldersperson Knuth said that this was better, but he still had issues. He likes diversity in Sycamore, and feels that this a giant step in killing that. There is a particular property on Main Street that has tulips planted in the parkway and this would make that illegal. He also stated that he would like to see the phrase “if they are planted around mailboxes”...up to the part where it says provided they are maintained free of weeds, be removed from the ordinance, that’s the public safety issue.

Aldersperson Paulsen asked about the situations with the streets with no curbs where people have put gravel for parking.

Mr. Nicklas explained that gravel is not a parking surface. The problem with gravel is that it washes into the catch basins, along with other debris, and they have to be cleaned out every year. People also like to put gravel around fire hydrants and when the hydrants are flushed, it gets wash away.

### **Motion**

Aldersperson Maness moved to hear Ordinance 2006.40 on first and second reading and Aldersperson Kessler seconded the motion.

### **Voice vote**

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

Alderson Bauer asked if they should amend the ordinance now by eliminating the first sentence and also the part that Alderman Knuth wanted eliminated or let a motion be made and then amend the existing motion.

Mayor Mundy stated that the intention of the first sentence was to let the public know what was not allowed. We have to avoid having someone go ahead with something that is not allowed and then having to change what has been done.

**Motion**

Alderson Stowe moved to approve Ordinance 2006.40 and amend the ordinance as we go and Alderson Maness seconded the motion.

**Motion**

Alderson Bauer moved to amend the Ordinance 2006.40 by removing the first sentence and Alderson Adee seconded the motion.

Alderson Maness stated that the first sentence was the most important sentence in the whole ordinance because this is what the staff is trying to avoid and is what is causing the city staffers extra work.

Alderson Adee suggested moving the first sentence to the end.

Alderson Stowe said that if the first sentence is left off you are telling people it is okay to pave their parkway and put gravel, stone and everything else in their parkway.

Alderson Kessler said that the first sentence has to stay. The difference between a plant and a weed is one you want and one you don't. This is the reason the ordinance exists. This is what our department heads say is causing problems, so I feel obligated to trust them and administration, they know what is going on out there and if it is a question of what looks nice, mowed grass looks nice, the ordinance should stay the way it is.

Mr. Nicklas said that we should not do anything rather than delete this first sentence and go back to having no guidelines and no parameters because as Alderman Maness said the most offensive things are these hardscape things that some people think are improvements but are what nullify our efforts to try at an economical price to make repairs in the parkway and restore them to what they looked like before.

Mr. Nicklas asked Ebe Smith, Water Superintendent, to speak on this topic. Mr. Smith said that the catch basins end up with a lot of gravel in them that the guys have to spend a lot of time cleaning out. His department just completed flushing fire hydrants and had 3 issues where they wiped everything out that was in front of the hydrant. Mr. Smith said they try to be careful, but there is only so much they can do and they have to flush the hydrants. Another issue is that flowers, plants and shrubs are planted around hydrants and we are stretching over the hydrants and trying not to disturb what's there. The gravel, lava rock and stones make a mess that they have to clean up. There are over a thousand fire hydrants that they have to take care of and that is just one issue. There is also the gravel in the parkway when they are plowing snow and during heavy rains that ends up in the drains and storm sewers and they have to be cleaned out.

Alderson Bauer said that he would be willing to compromise if there would be some way for someone to have a hearing and have a landscaping plan approved by the city.

Mr. Nicklas said that we started not too far away from that in existing neighborhoods. There were meetings on S. Main Street, but landscaping plan approval for parkways did not come up. People will not bring landscape plans in for approval. It is more likely that it won't happen than that it will happen and without parameters you can't go back and change things. We are just trying to be proactive rather than reactive.

Mayor Mundy asked about naming the list of unpermitted materials somewhere in ordinance – maybe after the bedding plant statement. That way we are guiding people as to what they can plant.

Mr. Nicklas asked that since this is only on first reading and there are a variety of ideas this could be held over and be brought back or would council like to proceed.

Mayor Mundy said that the motion to amend could be withdrawn if the council chose to do so with the second and the maker of the motion withdrawing the motion.

Aldersperson Knuth made a motion to reconsider the motion to waive first reading.

Aldersperson Stowe called point of order because there are already 2 motions past that motion.

Aldersperson Knuth asked if the motion to reconsider had priority.

Mayor Mundy said that it did not have priority over the motion to amend.

Aldersperson Paulsen stated that at the previous council meeting the direction was towards public safety and the problem with things getting in the streets and catch basins. This is a good compromise. We have addressed those issues and told the home owner that if they chose to put in bedding plants and such, we will replace them with grass if we need to.

#### **Motion**

Aldersperson Kessler called the question and Aldersperson Stowe seconded the motion to call the question.

#### **Voice vote**

Mayor Mundy called for a voice vote to approve the motion to end the debate. Six alderspersons voted aye Aldersperson Knuth voted nay. Motion carried 6-1.

#### **Roll call vote on Amended Motion**

Mayor Mundy called for a roll call vote to approve the amended Ordinance 2006.40 beginning “Bedding plants” and follows with the rest of what was presented. Aldersperson Bauer voted Aye and Alderspersons Maness, Paulsen, Stowe, Adee, Kessler, and Knuth voted nay. Motion failed 6-1.

Mayor Mundy stated that council was back to the original motion on the ordinance.

Aldersperson Knuth moved to amend the ordinance by striking the phrase from “if they are planted around mailboxes” up to “in the parkway”.

Motion died for lack of second.

#### **Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion on Ordinance No 2006.40 as originally presented. Alderspersons Maness, Paulsen, Stowe, and Kessler voted aye. Alderspersons Adee, Bauer, and Knuth voted nay. Motion carried 4 - 3.

### **B. Ordinance No. 2006.41—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to a Petition from Todd A. Curtis and Thomas Joseph to Rezone the Property at 246 W. Exchange Street from “R-3” Multiple Family Residence District to “C-2” Central Business District in the City of Sycamore, Illinois. First and Second Reading.**

Mr. Nicklas said that Dr. Todd Curtis wished to purchase the property at 246 W. Exchange and demolish that structure and enlarge his current structure.

**Motion**

Alderson Paulsen moved to hear Ordinance 2006.41 on first and second reading and Alderson Maness seconded the motion.

**Voice vote**

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

**Motion**

Alderson Paulsen moved to approve Ordinance 2006.41 and Alderson Stowe seconded the motion.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Aldersons Adee, Bauer, Kessler, Knuth, Maness, Paulsen, and Stowe voted aye. Motion carried 7 - 0.

**C. Ordinance No. 2006.42—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to a Final Plat for Unit Two of the Sycamore Creek Planned Unit Development in the City of Sycamore, Illinois. First and Second Reading.**

Mr. Nicklas said that the 220-acre Sycamore Creek planned development was approved by the City Council on August 5, 2002. On April 18, 2005, the first final plat for this residential development was approved, comprising 101 lots. The second final plat includes 33 single-family lots with no variances proposed.

**Motion**

Alderson Paulsen moved to hear Ordinance 2006.42 on first and second reading and Alderson Kessler seconded the motion.

**Voice vote**

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

**Motion**

Alderson Paulsen moved to approve Ordinance 2006.42 and Alderson Maness seconded the motion.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Aldersons Adee, Bauer, Kessler, Knuth, Maness, Paulsen, and Stowe voted aye. Motion carried 7 - 0.

**D. Ordinance No. 2006.43—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to a Plat of Right-of-Way Dedication for 0.162 Acres of the Simon Farm at the Northwest Intersection of Sarah Drive and Peace Road in the City of Sycamore, Illinois. First and Second Reading.**

Mr. Nicklas said that the attached dedication plat provides sufficient right-of-way for the safe configuration of the northwest corner of the intersection of Sarah Drive and Peace Road.

**Motion**

Alderson Paulsen moved to hear Ordinance 2006.43 on first and second reading and Alderson Kessler seconded the motion.

**Voice vote**

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

**Motion**

Aldersperson Stowe moved to approve Ordinance 2006.43 and Aldersperson Kessler seconded the motion.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Adee, Bauer, Kessler, Knuth Maness, Paulsen, and Stowe voted aye. Motion carried 7 - 0.

**RESOLUTIONS -**

- A. Resolution No. 475—Resolution for Maintenance of Streets and Highways by the City of Sycamore Under the Illinois Highway Code from May 1, 2001 to April 30, 2002.**
- B. Resolution No. 476--Resolution for Maintenance of Streets and Highways by the City of Sycamore Under the Illinois Highway Code from May 1, 2002 to April 30, 2003.**
- C. Resolution No. 477--Resolution for Maintenance of Streets and Highways by the City of Sycamore Under the Illinois Highway Code from May 1, 2003 to April 30, 2004.**
- D. Resolution No. 478--Resolution for Maintenance of Streets and Highways by the City of Sycamore Under the Illinois Highway Code from May 1, 2004 to April 30, 2005.**
- E. Resolution No. 479—Resolution for Maintenance of Streets and Highways by the City of Sycamore Under the Illinois Highway Code from May 1, 2005 to April 30, 2006.**
- F. Resolution No. 480--Resolution for Maintenance of Streets and Highways by the City of Sycamore Under the Illinois Highway Code from May 1, 2006 to April 30, 2007.**

Mayor Mundy stated that Resolutions 475, 476, 477, 478, 479, and 480 are for doing business with the motor fuel tax funding for the maintenance of streets and highways by the City of Sycamore.

Mayor Mundy said that resolutions 475, 476, 477, 478, 479, and 480 could be taken in Omnibus Fashion.

**Motion**

Aldersperson Bauer moved to hear Resolutions 475, 476, 477, 478, 479, and 480 in omnibus fashion 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.

Mr. Nicklas stated that on the IDOT form for Resolution 480 the appropriated sum should be \$70,000 not \$20,000 and would need to be changed before it was sent to IDOT.

**Motion**

Aldersperson Bauer moved to approve Resolutions 475, 476, 477, 478, 479, and 480 in omnibus fashion 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.

- G. Resolution No. 481—Approving an Obligation Retirement Resolution Concerning Certain Municipal Indebtedness Involving Motor Fuel Tax Funds.**

Mr. Nicklas said this resolution specifically authorizes the expenditure of MFT monies for the retirement of the 1996 general obligation bond series from May 1, 2002 through April 30, 2007.

**Motion**

Aldersperson Paulsen moved to approve Resolution 481 and Aldersperson Maness seconded the motion.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Adee, Bauer, Kessler, Knuth, Maness, Paulsen, and Stowe voted aye. Motion carried 7 - 0.

**H. Resolution No. 482—Authorizing a Temporary Construction Entrance Onto Illinois Route 23.**

Mr. Nicklas stated the District 3 office of the Illinois Department of Transportation just announced that, hereafter, it will require engineers in local jurisdictions (e.g. cities, towns, counties, townships) to get their boards and councils to approve temporary construction entrances onto state highways. This resolution is required to permit the contractor working on John Pappas's commercial subdivision north of the intersection of Peace, Plank and Rt. 23 to install a haul road to be able to begin the water and sewer work.

**Motion**

Aldersperson Maness moved to approve Resolution 482 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.

Aldersperson Bauer asked if after this an ordinance could be written that would grant City Engineer Brady the authority to do this without going to council. Mr. Nicklas said that he already has had the authority, but they want an absolute on state roads.

**CONSIDERATIONS**

**A. Consideration of an Administration Recommendation to Create a Business District in the City of Sycamore, Illinois.**

Mr. Nicklas stated that Mike Webber of PGAV Urban Consulting of St. Louis was here to assist with explaining this proposition. The Sycamore Plaza shopping center has been underperforming ever since the K-Mart Store closed. This area might qualify for TIF in a few years, but has to have 35 years from the time of inception of the development with a steady deterioration to qualify as a TIF district.

Mr. Webber of PGAV said that the business district identifies a certain geographic area and allows a home rule community to impose a higher home rule sales tax within the boundaries of the business district. The incremental tax revenue generated by the additional tax rate may be used within the designated district for redevelopment purposes. The special tax may not exceed 1% of the gross receipts from the sales generated in the district, and can be imposed in 0.25% increments. As with home rule taxes in general, this tax may not be imposed on most foods consumed off the premises where it is sold, prescription and nonprescription medicines, and a variety of medical appliances and testing materials. The taxes collected are remitted to the Department of Revenue by the retailer and later disbursed to municipalities. Mike Webber's firm PGAV has done a feasibility study for this area. Between 1998 and 2005 the assessed valuation of this area dropped approximately 21%. On the sales tax side the average annual sales volume was less than \$13 per square foot. The Midwest average for a community shopping center of comparable size is \$214 per square foot. As the PGAV study concludes, the City of Sycamore is losing a considerable amount of potential annual sales tax revenue so long as Sycamore Plaza remains in its current underperforming state.

Mr. Nicklas said that since K-Mart left in 2003 there have been 3 serious development interests that have looked at this site and one of them settled in the area, but out of Sycamore, and the other 2 moved on. To pursue the creation of a business district, further technical services are needed to follow the formal review and approval process defined in the Illinois Business District Act, for a fee of about \$15,000.

Aldersperson Stowe asked what amount of money would be raised by this kind of a tax, and if it is going to take several years to pay off the \$15,000.

Mr. Nicklas said that to proceed, we would have to provide a couple of scenarios and play out what we think it will generate based on square feet of new commercial retail space based on National or Midwest averages.

Mr. Mike Webber stated that the Business District Act allows local communities to divert sales tax to redevelopment projects. To include this additional tax you have to find that this area is blighted and that is what PGAV has done with their report including the documentation that shows the area meets the definition of blight under the Business District Act. This report shows that this is an old, tired, obsolete, underperforming center and it most likely needs to be torn down. What we need now is to determine if you want to move forward with the second step which is to have a development proposal in hand to see how a developer might want to redevelop the center. Revenue projections can be run at that time and that will be part of the redevelopment plan that will set up the District. In terms of financing, it will likely be a pay-as-you-go type of arrangement. All of the risk will be on the developer, although, you do have the authority to take out developer notes or do a bond issue.

Mr. Nicklas asked if we could also, as with the TIF district, do certain projects that we would like to do with the revenue that is generated.

Mr. Webber said that a budget would have to be identified that would need to show where the monies would go such as property acquisition, demolition, and so forth.

Mr. Nicklas said that there are a couple of businesses that have done a good job of surviving on that sight. Wright's Fitness does a very good job and Radio Shack which generates a modest, but steady stream of sales tax revenue to the city. This is an area that is zoned "C-3" highway business which is our most intense commercial zoning and we expect a lot more.

Aldersperson Kessler said that this area is an underachiever and the tax increase would make this area equivalent to DeKalb. The term of the Business District can only be for 23 years and we have a set dollar amount and if that dollar amount is reached within the time limit then the Business District is retired.

Mike Webber said that was correct. If a heavy hitter retail sales performer came in and the dollar amount was reached within the 23 year time limit the Business District could be dissolved.

Aldersperson Kessler asked about the acreage behind the 10 acres of Sycamore Plaza and if the .75 higher tax would only apply to the Sycamore Plaza.

Mr. Webber said the area must be defined and that the area directly behind Sycamore Plaza was vacant land and it would be difficult to qualify vacant land.

Mayor Mundy said that when you compare the current annual sales tax of \$13 per square foot to the Midwest average of \$214 per square foot. Others have said over the years that this is a wonderful location but unless there is a catalyst, an engine, we just do not see a lot happening.

Alderson Bauer asked if the property needs an engine – then how big of an engine is this Business District. Is this going to make the difference for somebody.

Mr. Webber said that it will depend on who the developer can bring to the table as tenants. That information is not known as yet.

Mr. Nicklas said that the property is under contract right now, but that contract will expire soon. If we cannot proceed with that interested commercial firm, we will have to wait until we have another interested firm.

Mr. Webber said that by law we have to identify our project.

Alderson Stowe asked how the \$15,000 fee is figured out. It will take \$3 Million in sales just to pay that, and questioned how much will this tax help in the long run.

Mr. Webber said that a 30,000 square-foot big box retailer will be doing \$250-300 a square foot easily so they will be doing \$20 plus million a year right off and again, it will depend on the retailer.

Alderson Bauer said that rather than sit back and do nothing, we need to do something. We are missing an opportunity that left us just a few years ago. I am in favor of moving forward.

**B. Consideration of an Administration Recommendation to Award a Professional Services Contract to Peckham Guyton Albers & Viets, Inc. (“PGAV”) to Assist the City of Sycamore in Establishing a Business District.**

Mr. Nicklas said the consulting firm of Peckham Guyton Albers and Viets, Inc. (“PGAV”) has had a consulting relationship with the City of Sycamore since the late summer of 1999. Mr. Weber has prepared a draft feasibility study and believes the former Kmart site will qualify as a business district. The contract has a not-to-exceed price of \$15,000 plus reimbursable expenses and would be funded by the Sales Tax Distributive Fund (22-8331). Upon the completion of the plan, public hearings would be held to invite public inquiry into the business district concept and its application at the Sycamore Plaza site. If it appears that we cannot proceed with the district, we may do some additional preliminary work.

**Motion**

Alderson Bauer moved to accept the recommendation to proceed with a contract with PGAV to establish a Business District and Alderson Maness seconded the motion.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Aldersons Adee, Bauer, Kessler, Knuth, Maness, Paulsen, and Stowe voted aye. Motion carried 7 - 0.

**C. Consideration of a Police Department Recommendation to Hire a New Police Officer.**

Mr. Nicklas said that hiring of a new police officer is required due to the deployment of Ann Carlson and her reserve unit to Germany for about one year. It has been our intention to expand the number of full-time patrol officers to 17 in FY08 (i.e. after May 1, 2007) in order to assure a 6-person shift (allowing for vacations and other absences). The City Manager and Police Chief recommend the hiring of a new police officer in early December to fill the shift vacancy left by Patrol Officer Carlson. Balancing the savings in overtime against the additional regular hours, the General Fund would see an overall increase of \$13,499.42 in wage and benefit costs for the period December 11 to April 30. Some of these costs (\$3,499.42) will be absorbed by the Police department; the balance will involve an increase in the overall General Fund expenditures by \$10,000. This

additional appropriation can be made when budget revisions reflecting the FY06 audit are presented to the Council in November.

Lt. Darrell Johnson said that he has been doing the scheduling for the past 3 years and it has been an uphill battle every year trying to meet the 2.1 shift relief factor and trying to provide service 7 days a week 24 hours a day. Without an additional person someone would have to be called back more than half the days in a typical payroll period just to maintain 2 cars on the street.

Mr. Nicklas said that we do have a policy of making up the difference between military pay and an employee's regular wage that they were receiving before deployment. If we didn't do that, we would not have to make budget adjustments, but we would still want to have the new hire.

**Motion**

Aldersperson Kessler moved to approve the hiring of a new police officer and Aldersperson Adee seconded the motion.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Adee, Bauer, Kessler, Knuth, Maness, Paulsen, and Stowe voted aye. Motion carried 7 - 0.

**D. Consideration of an Administration Recommendation Regarding a Nepotism Policy.**

Mr. Nicklas said this was brought about at staff level because we have been expanding our staff in all departments. We do not have a policy on nepotism currently and are focusing on relatives working with each other that may cause conflicts. An example would be the hiring of immediate relatives of employees in regular or full-time positions where (a) one relative would have the authority to supervise or discipline the performance of the other; (b) a relative would be responsible for auditing the work of another; or (c) relatives might work in circumstances of actual or foreseeable conflict between the City's interest and their own. We have limited the "immediate relative" to first cousin and more intimate family members.

Aldersperson Maness said that she understands the reason for a policy like this, but in a small community like this, going to first cousin is going too far.

Aldersperson Kessler said she understands what Aldersperson Maness is saying about first cousins, but this does not say that relatives cannot be employed by the city it says that they cannot be in direct supervisory evaluation of work, wage increases, consideration for promotion of an "immediate relative". That could cause problems. This should be implemented into the city policy.

Mayor Mundy asked if this should become part of our policy.

Mr. Nicklas said that our personnel policy is not adapted in the city code but we could bring back something in the form of a resolution.

Mayor Mundy said that if it was agreeable to all, and since he was not hearing any objection, by consensus, can we agree that this become part of the personnel document for human resource and city management.

All Alderspersons agreed.

**OTHER NEW BUSINESS**

**APPOINTMENTS**

**ADJOURNMENT**

**Motion**

Alderson Stowe moved to adjourn the meeting at 8:47 p.m. and Alderson Adee seconded the motion.

**Voice vote**

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

Approve:

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Mayor - Ken Mundy

Attest:

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Deputy City Clerk – Bobbie Lundberg