
SYCAMORE CITY COUNCIL – REGULAR MEETING
MINUTES OF JANUARY 2, 2007

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

Mayor Mundy asked for a moment of silent reflection.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mayor Mundy added Pending Litigation to the Closed Session Consideration.

Motion

Alderperson Leach moved to approve the agenda with the addition of Pending Litigation to Closed Session 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 - None

CONSENT AGENDA

- A. Approval of the Minutes for the Regular City Council Meeting of December 18, 2006.
- B. Payment of the Bills for January 2, 2007 in the amount of \$2,018,903.20.

Motion

Alderperson Bauer moved to approve the Consent Agenda 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.

PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.

REPORT OF OFFICERS

Manager – Bill Nicklas explained the color print he distributed to Council was a combination of a recent view of downtown along with a 1956 view of the downtown put together by collaboration of Chris Swedberg of Le Print and Assistant Superintendent Mike Swedberg of the Water Department. He said they are trying to find a way to see how the downtown might look as they proceed with the façade program. He said a larger rendition will be displayed in the Sycamore Center. Mr. Nicklas said he had also distributed a handout regarding the UDO flashing sign regulations. He explained that the UDO did not anticipate the imagination of sign makers. He suggested some revisions and has asked Building Commission/Zoning Officer Lyle Doty to halt any further flashing sign permitting until further notice. Mr. Nicklas said he would like to have Council discuss revising flashing sign regulation either at an Ordinance Committee meeting or as a Council as a whole.

Mayor Mundy said he would like to see the Ordinance Committee consider the matter.

Mr. Nicklas said he would bring it back for Ordinance Committee review at the January 15 meeting.

Engineer – John Brady – no report

Building & Zoning – Lyle Doty reported that site work has begun on a 5-unit office building on Hauser Ross Drive.

Fire Chief – Bill Riddle reported that 30 people donated blood at the Public Safety Building December 21, 2006. He also reported that earlier in the day they helped rescue a cow from an abandoned pit.

Treasurer/Asst. City Manager – Brian Gregory reported that in early fall IDOT sent out an auditor to audit 2002 through 2005 Motor Fuel Tax funds. He said he received a packet stating that there are no findings and that the City's records are in agreement with the records maintained by the Illinois Department of Transportation.

Public Works Supt. – Fred Busse said that ComEd will begin tree trimming in the northwest portion of Sycamore a week from Thursday. He said a ComEd representative said that all residents that are fed by those circuits will receive a flyer or post card by mail even if they do not have a tree in their yard that will be affected by this tree trimming program.

Water Supt. – Ebe Smith said that work continues on Wells 6 & 8 to get them in compliance with the radium regulation. He said there was a watermain break Thursday on Main Street. He reported that in 2006 the wells produced 616,000,000 gallons of water and in 2005 they produced 617,000,000.

Police Chief – Don Thomas said he would reserve his comments for the three police related ordinances.

Mayor Mundy said earlier in the day he was gifted one of Mayor Red Johnson's canes from a local 90-year-old woman.

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. 2006.57—An Ordinance Amending Various Code Provisions Relating to Quasi-Criminal Activities Within the City of Sycamore, Illinois. First and Second Reading.

City Manager Nicklas said this ordinance revises the penalties in the code regarding parking violation fines.

Motion

Aldersperson Stowe moved to hear Ordinance 2006.57 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 Alderpersons voted aye. Motion carried 8 - 0.

Motion

Alderson Maness moved to approve Ordinance 2006.57 and Alderson Kessler seconded the motion.

Roll call vote

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

B. Ordinance No. 2006.58—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 and Second Reading.

City Manager Nicklas explained that this ordinance is follow-up to action taken September 2006 to include a few additional revisions to address some additional tight spots on narrow neighborhood streets.

Motion

Alderson Bauer moved to hear Ordinance 2006.58 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 8 - 0.

Motion

Alderson Bauer moved to approve Ordinance 2006.58 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, Leach, Maness, Paulsen, and Stowe voted aye. Motion carried 8 - 0.

C. Ordinance No. 2006.59—An Ordinance Amending Title 6, “Motor Vehicles and Traffic,” Chapter 4, “Traffic Schedules,” Section 6-4-1, “Stop Intersections,” in the City Code of the City of Sycamore, Illinois. First and Second Reading.

City Manager Nicklas explained that City Engineer John Brady was no here to speak on this because he is in Springfield taking courses fulfilling some requirements for continued education, but has asked for Council approval on this ordinance.

Motion

Alderson Paulsen moved to hear Ordinance 2006.59 on first and second reading and Alderson Stowe seconded the motion.

Voice vote

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

Motion

Alderson Paulsen moved to approve Ordinance 2006.59 and Alderson Kessler seconded the motion.

Roll call vote

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

RESOLUTIONS - None

CONSIDERATIONS

A. Consideration of an Administration Request for Direction Regarding a Negotiated Agreement with the Sycamore Park District and Dahlko, LLC.

City Manager Nicklas said an informal understanding has been reached between Dahlko, LLC and Sycamore Park District regarding about 24 acres of land located south of the undeveloped, commercially-zoned parcel at the southeast corner of Mt. Hunger Road and N. Main Street. He said Mr. Dahl has asked the City to consider several conditions in order to sell the land to the Park District and after several conversations between Mr. Dahl and his attorney, Richard Schmack they are requesting the following:

1. Vacation of roughly .4 acres set aside for a well site at the east end of the undeveloped, commercially-zoned parcel at the southeast corner of Mt. Hunger Road and N. Main, which is no longer a desired site for a City well.
2. Development of platted parcels within DeKalb County's jurisdiction north of Northtown Subdivision (along what was to be called Naomi Drive) to be serviced with extended City water and sewer at the developer's expense.
3. Matters concerning who pays for the construction of traffic signals at Mt. Hunger, the commercially-zoned parcel across from the Middle School, stretching along the east side of N. Main Street between Mt. Hunger Road and Maplewood Drive.
4. 10-inch water main relocation enforcement.

Mr. Nicklas stated his recommendations as follows:

1. Vacate the well site and ask that a comparable-sized slice at the south end of the adjacent commercial parcel be added to the land to be dedicated to the Park District, at no charge to the District. This action would add land that is out of the floodplain to the land that is of interest to the Park Board, thereby expanding the potential for recreational uses.
2. Allow for the twelve platted lots to be developed within the County jurisdiction, with the understanding that water and sewer would be extended at the developer's expense, and the end users would pay 1-1/2 times the standard water use fee, as our ordinances require. It appears that the County has already approved the plat with the twelve lots (the County's base maps show the lots at the fringe of our zoning).
3. Have the City assume the responsibility for the west-side signals at Mt. Hunger. This would mean that the City would pay about one-sixth of the overall signal costs. Typically, the City is on the hook for about one-fourth of the cost. No waivers of development or building fees should be contemplated.
4. As noted above, the water main is temporarily alright where it rests if it is properly protected from freezing.

Mr. Nicklas said he needs Council direction and that direction would need to come back to the Council floor for action.

Aldersperson Paulsen said he thought the recommendations were fair. He said he thought the City's .4 acre would allow for some kind of shelter to be built in the proposed park property.

Aldersperson Maness said she did not object to the recommendation, but inquired if there was more property to be developed north of the 12 platted lots.

Mr. Nicklas said that Mr. Dahl owns more property to the north, but there is no current desire to develop that. He said that City staff prefers no more private wells around our system.

Aldersperson Maness asked if the property to the north of the 12 lots would have to go before the County for approval.

Mr. Nicklas said the reason it is before the City at all, is because the County planner indicated to Mr. Dahl that the question of where the water and sewer come from is important to them before issuing permits.

Mayor Mundy said one of the things most foremost in his mind is the highest and best use for a piece of property in the flood plain which is in the northern gateway to the City. He said he thought it would be better trimmed and kept up by the Park District than how it has set for many years. He said the City should not be more than fairly accommodating to any party in this or any other proposed transaction, but he felt the recommendation seems to make sense.

Aldersperson Kessler said the user fee of 1.5 times the rate for water and sewer will be in affect for the 12 lots, but asked if impact fees would apply.

Richard Schmack, attorney for Dahlko, LLC, said there are County impact fees, but would not be imposed on the 12 platted lots.

Aldersperson Stowe asked if those 12 lots were in the Park District.

David Peek, Park District Director, said the 12 lots are in the Park District which is unusual because otherwise the Corporate Limits are generally the Park District boundaries. He went on to explain that the Park District is in the process of updating their Comprehensive Plan and through surveys have learned that there is much interest in walking paths within existing parks and to connect areas in the community. He said the proposed park property would be a good location for that.

Aldersperson Kessler said she would be agreeable to vacate the City well site if a comparable-sized lot would be donated to the Park District at no charge.

Richard Schmack said Mr. Dahl was not able to attend the meeting, but was agreeable to the recommendations on the agenda.

Motion

Aldersperson Maness moved to bring back the four recommendations in ordinance form 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 8 - 0.

B. Consideration of a Closed Session Regarding Personnel Matters.

Motion

Aldersperson Kessler moved to go into Closed Session at 7:55 p.m. and Aldersperson 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 Maness moved to return to Open Session at 8:02 p.m. and Alderperson Kessler seconded the motion.

Voice vote

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

OTHER NEW BUSINESS

Mayor Mundy asked for a report on the ALAW issue. City Manager Nicklas said Judge Klein will make a decision in the next couple of weeks after reviewing written and verbal testimonies.

Attorney Keith Foster said that Judge Klein has asked for everybody to weigh in on suggestions for what the boundaries should be. He said most of the expressed suggestions are to leave DeKalb County out and Mr. Foster said he thought that would be a difficult argument to make. He said of the 1600 signatures on the petition only 200 are from DeKalb County. He said DeKalb has expressed interest, like Sycamore, to be included in order to have a voice. He said he thought the County Board would weigh in on the issue, but they are not a party.

Mr. Nicklas said that Attorney Foster took the City's recommendations to the hearing December 21, 2006.

Alderperson Adee said she thought this was about using water in open areas.

Mr. Nicklas said if water conservation was the driving issue they would include all counties where the Kishwaukee watershed is involved and everybody would have a vote. He said that the shallow water layer was exempt for farm irrigation and explained that in DeKalb County, with 3 layers, the shallow layer is our recharge layer and if unlimited pumping is allowed there, then the municipal users are jeopardized. He said the City looked at the shallow layer for well usage two years ago because it contains less radium content, because of the threat to the aquifer.

Mayor Mundy said that means our mind set has already been within the spirit and intent of what they are trying to do.

Mr. Nicklas said as he researched this issue, he did not realize that rainwater percolates to the bedrock area. He said to the east, the water does not percolate to the deeper layers. He said he thought the County Planning Commission should take up this issue.

Attorney Foster said he thought Judge Klein would make a ruling by mid-February.

Mayor Mundy asked how they would make the deadline for the April ballot.

Attorney Foster said this could be held off until a later election, but he felt their timing was calculated.

Mr. Nicklas said as McHenry County was reviewing their comprehensive plan they did a water study and those results became a tool as a means to restrain growth in McHenry County for those opposed to growth.

APPOINTMENTS

ADJOURNMENT

Motion

Aldersperson Stowe moved to adjourn the meeting at 8:22 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.

Approve:

Mayor - Ken Mundy

Attest:

City Clerk – Candy Smith