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**SYCAMORE CITY COUNCIL – REGULAR MEETING  
MINUTES OF DECEMBER 17, 2007**

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**ROLL CALL**

Mayor Ken Mundy called the meeting to order at 7:00 p.m. and Clerk Candy Smith called the roll. Those Alderpersons present were: Grace Adee, Alan Bauer, Terry Kessler, Darren Knuth, Rich Neubauer, Pete Paulsen, Chuck Stowe, and Gregory Taylor.

**INVOCATION**

Pastor William Best of Well Spring Chapel gave the invocation.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**Motion**

Alderperson Kessler moved to approve the agenda and Alderperson Knuth 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**

Patrick and Bharat Butani, 1804 Mill Street, Batavia, IL, said they were interested in opening a liquor store with high-end wine spirits and cigars on California Street. They said there were no liquor stores in the center of town and they want Council direction.

Mayor Mundy asked the exact address.

Mr. Butani said it was the auto garage place.

Mayor Mundy said it was Jim Herrmann's and the former Knodle's building. He said they would like to have some idea, though not official in nature, of Council's response to their plan.

Mr. Butani said they have stores in Batavia, Streamwood, and Mendota and their goal is to get a few more stores further west.

Alderperson Kessler asked if they had a business plan.

Mr. Butani said it was routine stuff with specialty wines. He said the building is 6400 square feet that would give them room for the wines and a walk-in humidior.

Alderperson Neubauer asked where the City is in number of liquor stores per population.

Mayor Mundy said they would require a variance as did the last two liquor stores and they are looking for Council reaction.

Alderperson Bauer said he would not be inclined to vote for this unless they proved the City really needed it.

Alderson Taylor said that he has no problem with the idea.

Alderson Adee said she would need more time to think about it.

Alderson Stowe said it was not that long ago that the number of liquor stores was set and he does not see the need for an additional liquor store.

Alderson Neubauer said he did not see any compelling reason to go against our existing ordinance.

Alderson Knuth said he was not inclined to say yes.

Alderson Paulsen said he would be willing to hear what they are interested in doing.

Alderson Kessler said if they present a plan on how their store would be different she would consider it, otherwise she would not be for it.

## **CONSENT AGENDA**

- A. Approval of the Minutes for the Regular City Council Meeting of December 3, 2007.
- B. Payment of the Bills for December 17, 2007 in the amount of \$741,309.95.
- C. Plan Commission Minutes for the Meeting of November 12, 2007.

### **Motion**

Alderson Bauer moved to approve the Consent Agenda 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 8 - 0.

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

Alderson Bauer encouraged residents with fire hydrants to take the time and effort to dig them out.

Alderson Paulsen complimented the Street Division for a good job of removing snow and reminded residents to get cars off the street and not to blow snow into the street.

Alderson Kessler reminded residents to keep children off the snow piles near the street.

Mayor Mundy noted an article in the Daily Chronicle regarding property tax exemptions for seniors and veterans. He received a letter from a 4<sup>th</sup> grader asking for a stoplight and sidewalk on Peace Road and in his response he promised to pass this along to Council and suggested she take this concern to the County because that is a County road. Mayor Mundy noted that at the last meeting he failed to recognize Tennis Coach Dave Hilmer. He wished everybody a Merry Christmas.

- A. Proclamation declaring the month of December as "Drunk and Drugged Driving Prevention Month" in the City of Sycamore.

B. Annual Presentation of Service Awards to City Employees. Human Resource Director Jean Tritle will assist the City Manager in presenting awards to employees with 5, 10, 15, 20, 25 and 30 years of service to the City of Sycamore.

**5 YEAR CERTIFICATE**

Brad Dewey, Treatment Plant (10/15/02), Keith Fabrizius, Public Works (10/21/02), Roberta Lundberg, City Clerk's Office (2/6/02), Jack Knudson, Crossing Guard (3/18/02), William Reynolds, Firefighter (10/17/02)

**15 YEAR CERTIFICATE**

Dennis Dewey, Auxiliary Police (3/16/92), Darrin Hepker, Firefighter (12/9/92), Dan Marcinkowski, Firefighter (10/5/92), Dale McMillan, Treatment Plant (5/4/92)

**20 YEAR PLAQUES**

J.C. Roach, Superintendent, Treatment Plant (12/8/87), Michael Schulz, Public Works (5/1/87), Ebe Smith, Assistant Director, Public Works (10/1/87), Mike Swedberg, Superintendent, Water Division (10/1/87)

**25 YEAR AWARDS**

George Maness, Police Officer (10/28/82), Julie Rhodes, Finance (10/1/82)

**30 YEAR PLUS AWARDS**

John Brady, Engineering (2/1/72)

**REPORT OF OFFICERS**

Manager – Bill Nicklas thanked Public Works for their work through the weekend. He asked for Council direction regarding placing the public hearing for the use of the Engh Farm on the January 7 agenda. He said that a Mayor's Ad Hoc Committee on Growth report would be on the January 21 agenda and suggested placing the street maintenance ordinance on the January 7 agenda.

Aldersperson Neubauer asked if there would be a place for public comment regarding the Ad Hoc Committee report.

Mr. Nicklas said he thought they should hear the report first and then if they want to comment they could do that at the next meeting.

Engineer – John Brady said he was reviewing engineering plans on the Krpan commercial area with about 8/10 of a mile of streets with an extension of Dosen, Gateway, and a new street, Klein Boulevard, going to Bethany Road. He said it will get rid of dead ends at Gateway and Dosen and produce a water main for that whole area.

Building & Zoning – Lyle Doty said today they performed an occupancy inspection on the Starkweather Clinic on Hauser Ross Drive.

Fire Chief – Bill Riddle said that Heartland Blood Center would be conducting a blood drive at the Fire Station Tuesday from 3:30 pm to 7:30 pm.

Treasurer/Asst. City Manager – Brian Gregory said the Treasurer’s report through November is at the 58% benchmark with the combined revenue and transfers just over 62% and expenditures at 42%. He said the general fund is tracking at 57%. He said there is an interactive map of businesses on the City’s website.

Public Works Director – Fred Busse said Public Works was busy last weekend fighting snow for half of the weekend. He said that luckily last week they received the new plow truck that was ordered April 2007. He said it is the first hand and axle truck with a wing on the front corner. He said they have always relied on the Townships to help plow back some of the streets, but this allows them to push the snow back an extra five or six feet. He said, with that in mind during budget season, they are hoping to purchase another single-axle truck and the earlier they get it ordered the sooner they will receive it. He said they have used 815 tons of salt this year which is 55% of the salt used for the whole year last year. He said there is no fear of shortage; it simply took a toll on their supply early in the season.

Assistant Public Works Director – Ebe Smith suggested residents shovel a two-foot clearance around fire hydrants. He said that Well #6 has had two quarters of radium testing and both quarters have come back under 1 pico curie and the limit is 5. He said they have to go four quarters to get out of violation. He said Well #8 has had one quarter testing with a result of .56 pico curie. He said the other wells are holding their own and are not in violation.

Police Chief – Don Thomas thanked the Mayor for the Drunk and Drugged Driving proclamation that reminds everyone to be careful over the holidays. He said January 1<sup>st</sup> the no-smoking law goes into affect for all public places and all private places with employees. He said that at the January 7 meeting the City Council will vote on an ordinance that will mirror State Law which will make it more convenient for our Police Department to enforce the law and assess fines.

## **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. 2007.31—An Ordinance Levying Taxes for the Corporate Purposes of the City of Sycamore for the Fiscal Year Commencing May 1, 2008 and Ending April 30, 2009. Second Reading.**

### **Motion**

Aldersperson Stowe moved to approve Ordinances 2007.31, 2007.32, 2007.33, 2007.34, 2007.35, 2007.36, 2007.37, and 2007.38 in omnibus fashion and Aldersperson Neubauer seconded the motion.

### **Roll call vote**

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

- B. Ordinance No. 2007.32—An Ordinance Abating the Debt Service Levy for the 2002 General Obligation Bond Issue for the City of Sycamore, DeKalb County, Illinois for the Fiscal Year 2008-2009. Second Reading.**
- C. Ordinance No. 2007.33—An Ordinance Abating the Debt Service Levy for the 2003 General Obligation Bond Issue for the City of Sycamore, DeKalb County, Illinois for Fiscal Year 2008-2009. Second Reading.**
- D. Ordinance No. 2007.34—An Ordinance Abating the Debt Service Levy for the 2005 Refunding Bond Issue for the City of Sycamore, DeKalb County, Illinois for Fiscal Year 2008-2009. Second Reading.**
- E. Ordinance No. 2007.35—An Ordinance Abating the Debt Service Levy for the 2007 General Obligation Bond Issue for the City of Sycamore, DeKalb County, Illinois for Fiscal Year 2007-2008. Second Reading.**
- F. Ordinance No. 2007.36—An Ordinance Abating the Debt Service Levy for the 2007 General Obligation Bond Issue for the City of Sycamore, DeKalb County, Illinois for Fiscal Year 2008-2009. Second Reading.**
- G. Ordinance No. 2007.37—An Ordinance Partially Abating Certain Real Estate Revenue Due to the City of Sycamore for Property Owned By Tate & Lyle in the City of Sycamore, DeKalb County, Illinois for Fiscal Year 2008-2009. Second Reading.**
- H. Ordinance No. 2007.38—An Ordinance Partially Abating Certain Real Estate Revenue Due to the City of Sycamore for Property Owned by Fullco Industries in the City of Sycamore, DeKalb County, Illinois for Fiscal Year 2008-2009. Second Reading.**

**Motion**

Aldersperson Bauer moved to approve Ordinances 2007.31, 2007.32, 2007.33, 2007.34, 2007.35, 2007.36, 2007.37, and 2007.38 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, Neubauer, Paulsen, Stowe, and Taylor voted aye. Motion carried 8 - 0.

- I. Ordinance No. 2007.39—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of Ideal Industries for a Final Plat of Subdivision for Unit 8 of the Sycamore Prairie Business Park. First and Second Reading.**

City Manager Nicklas said the plat covers just over 15 acres of the 65-acre site that was annexed September 2006.

**Motion**

Aldersperson Kessler moved to hear ordinance 2007.39 on first and second reading 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.

## **Motion**

Aldersperson Kessler moved to approve Ordinance 2007.39 and Aldersperson Adey seconded the motion.

Aldersperson Taylor expressed concern that this would be zoned for heavy manufacturing right next to residential zoning.

City Manager Nicklas said there is a buffer lot zoned M-1 between this and the residential.

## **Roll call vote**

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

**RESOLUTIONS** - None

## **CONSIDERATIONS**

### **A. Consideration of an Administration Recommendation Regarding Funding Options for an Expanded Annual Street Maintenance Program.**

City Manager Nicklas recommended the following which was taken from his background:

1. Commit a total of **\$300,000** from the following existing capital sources on an annual basis:
  - \$100,000 from the General Fund, Public Works department (Street Division) budget, Operations program (731-8316).
  - \$100,000 from the Capital Fund (06-8316).
  - \$100,000 from the Sales Tax Distributive Fund (22-8316).
2. Commit **\$100,000** a year from the City's motor fuel tax revenue for street maintenance. This would require IDOT's review and approval, including an annual resolution allocating MFT monies for street maintenance, IDOT review of any plans and specs that would involve MFT monies, end-of-project reporting of actual monies spent, etc. However, the City should have the staff capability to perform this additional work along with other assigned engineering responsibilities.
3. Increase the home rule sales tax by  $\frac{1}{2}\%$ . This would raise the Sycamore home rule tax to 1.25%, which would be identical to the DeKalb home rule tax rate. It is estimated that this expanded source of revenue could generate about **\$1.2 million**
4. Impose a 2 cent per gallon gasoline tax. Home rule cities and counties can impose a gasoline tax without referendum. Although Illinois Department of Revenue sources have not identified the actual number it is estimated that businesses within the City of Sycamore generated about \$22 million in fuel sales. In that period, the price per gallon averaged about \$2.80, so the number of gallons pumped can be assumed to be 7,857,143. A rounded estimate of the return from a 2 cent per gallon tax is about **\$160,000** per year.

He said the combination of the new funding options would approach about \$1.8 million annually.

Aldersperson Bauer said it looked like an organized effort to raise these funds and although he did not feel it was enough, he felt this was reasonable. He said he did not think that the gasoline tax would be a hardship percentage wise and he thought the Motor Fuel Tax was fair. He said he would like to see the whole  $\frac{1}{2}\%$  home rule tax designated to street maintenance. He said he was in favor of this plan.

Mr. Nicklas said he would create a separate fund and all of the proceeds for that ½% home rule tax would go into that fund.

Aldersperson Bauer questioned the impact the sales tax would have on the United and American agreements.

Mr. Nicklas said in our agreements is our understanding that we would pass through the increase and we would notify the two entities that this is our intent and they understand the implications. He said this will probably require an adjustment to the agreement.

Aldersperson Bauer asked if we needed any separate agreement that would ensure that they would not exercise their written right.

Mr. Nicklas said he did not think so, but we would look at that carefully.

Aldersperson Kessler said she agreed with the recommendation and said these taxes are designed for a purpose with tangible results. She said this will allow us to continuously improve the streets and not let them get into such disrepair.

Aldersperson Taylor said he was concerned that the gas tax would not generate enough revenue to be worth it.

Aldersperson Stowe said that President Nixon brought us revenue sharing dollars much of which went to repairing streets and now that that is cut off we are scrambling for dollars to catch up. He said he thought this was a good plan.

Aldersperson Knuth said he liked the plan and felt that gasoline tax is a logical source. He said he was in favor of the recommendation.

Aldersperson Neubauer said he is in favor of the recommendation and will support it. He said ten years down the road the City will have more streets to repair and in addition to this package he wanted to consider getting the ball rolling on transportation impact fees and special assessment areas.

Mr. Nicklas said he will pursue the special assessment areas in future annexation agreements. He explained that \$100,000 from the General Fund, \$100,000 from the Capital, \$100,000 from the Sales Tax Distributive Fund, and \$100,000 from the City's motor fuel tax revenue would be addressed in the budget process and the Home Rule Tax increase and Gasoline Tax would both need enabling ordinances. He said he would have those two ordinances prepared in January.

## **B. Consideration of an Administration Recommendation Regarding Certain On-Street Parking Regulations.**

City Manager Nicklas said this consideration involves some minor revision to the City's nuisance codes and on-street parking regulations. He asked for Council direction.

Aldersperson Taylor, referring to a) storage of junk, asked if it would be possible to define the word junk.

Mr. Nicklas said they intend to have our City Attorney refine the definition.

Aldersperson Kessler said if they are ticketing cars parked in the street for more than 7 days, it would not allow for people going on a 2-week vacation.

Mr. Nicklas said they are addressing vehicles that do not move and create a problem for adjacent property owners.

Police Chief Thomas said it would be their intention to respond to complaints. He said his officers will never receive a mandate to look for cars parked more than 7 days. He said the only time being on vacation is a problem, is when it snows and no provision has been made to have the car moved.

Aldersperson Adee said that would be covered under c) the possibility of the Police Department to issue 48-hour permits.

Chief Thomas said that section refers to ""second division" vehicles and in our current code they are not allowed to park on the street at all. He said this proposed ordinance would give them the opportunity to get a 48-hour permit.

Aldersperson Bauer asked about a semi that parks on the street overnight, but does not park for more than 48 hours.

Chief Thomas said that if they are made aware of that, they would write a ticket.

Aldersperson Paulsen suggested increasing the fine for parking in the street after a snow.

Chief Thomas said that if they stay there too long, they are towed and that is pretty expensive.

Aldersperson Taylor asked how many cars were ticketed for the last snow.

Chief Thomas said they wrote about 85 tickets and towed about 6 cars and will probably tow another 6 tomorrow.

### **C. Consideration of an Administration Request for a Closed Session to Discuss Land Acquisition and Personnel Matters.**

#### **Motion**

Aldersperson Neubauer moved to go into Closed Session at 7:55 p.m. 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 Paulsen moved to return to Open Session at 7:59 p.m. and Aldersperson Knuth 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 9:10 p.m. 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.

Approve:

\_\_\_\_\_  
Mayor - Ken Mundy

Attest:

\_\_\_\_\_  
City Clerk – Candy Smith