

**SYCAMORE CITY COUNCIL**  
**AGENDA**  
**October 20, 2008**

**CITY COUNCIL COMMITTEE MEETINGS**  
**No Meetings Are Scheduled**

**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 October 6, 2008.
  - B. Payment of the Bills for October 20, 2008.
  - C. Plan Commission minutes for the meeting of September 8, 2008.
  - D. Budget Report for October 3, 2008.
- 7. PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.**
  - A. Honoring Police Lieutenant Tom Scott on the occasion of his retirement after 27 years of service to the City of Sycamore.
  - B. Badge Ceremony for Ian Wheeler, Sycamore's newest full-time paid firefighter.
- 8. REPORTS OF OFFICERS**
- 9. REPORTS OF STANDING COMMITTEES**
- 10. PUBLIC HEARINGS--None**
- 11. ORDINANCES**

**A. Ordinance No. 2008.35—An Ordinance Amending Title 9, “Building Regulations,” Chapter 2, “Building Codes,” Section 9-2-1, “Building Code” to Adopt the 2006 International Building Code. Second Reading.**

The attached ordinance along with Ordinances 2008.36 through 2008.44 were heard on first reading on October 6. Taken altogether, they would thoroughly revise the basic building code framework that regulates building construction and fire prevention within the City of Sycamore. For decades, the City has enforced the code series developed and periodically updated by Building Officials and Code Administrators International, Inc., commonly known as the “BOCA” code. The City presently enforces the 1999 BOCA code provisions. In 2000, after decades of consultation and negotiation among building officials, code administrators, and the three major building code organizations in the United States--BOCA, the International Conference of Building Officials (ICBO) and the Southern Building Code Congress (SBCCI)—the first edition of the International Building Code was published. Thereafter, the three independent code writing organizations were merged into the International Code Council, Inc. The City continued to enforce the 1999 BOCA code series after this organizational merger because of its familiarity to the City’s code officials and local builders and tradesmen, and because the new code series was as yet untested in the courts and in the field. In the past five years, a substantial number of American communities have moved to the adoption and enforcement of the International Code series, and the Insurance Services Organization (“ISO”) now insists on the City’s adoption of the International Code series to maintain the community’s insurance rating. The 2006 edition of the code series is the most current edition.

The format of the International Code series is significantly different than the most recent BOCA code series, and there are some substantive differences as well. Building Commissioner Lyle Doty and the Building Department staff have reviewed all of the various International Code texts and have met with local builders and contractors to review the potential impacts on their work and the pricing of that work. A formal meeting was held on August 26 for any interested parties potentially affected by any code changes, and individual contractors have participated in an ongoing dialogue with Building Commissioner Doty since the prospect of a general code upgrade was broached in late July. To illustrate the differences, a detailed list prepared by Mr. Doty concerning differences in the International Code series is attached.

It is not uncommon for communities to adopt building code series with detailed amendments to address local conditions. However, following a review of the City’s “building code effectiveness classification” in late July, the Insurance Services Organization (ISO) advised the City that it risks a regression in its community rating and resulting increases in propertyowner fire insurance rates if it does not essentially adopt the new code series as printed. Accordingly, the attached ordinances limit local amendments primarily to minor administrative matters, such as local fine amounts for failure to comply, etc.

Affirmative Council action is expected by the ISO no later than October 25. Approval is recommended.

- B. Ordinance No. 2008.36—An Ordinance Amending Title 9, “Building Regulations,” Chapter 2, “Building Codes,” Section 9-2-6, “Existing Buildings” to Adopt the 2006 International Existing Building Code. Second Reading.**  
See Ordinance 2008.35.
- C. Ordinance No. 2008.37—An Ordinance Amending Title 9, “Building Regulations,” Chapter 2, “Building Codes,” Section 9-2-2, “Building Code” to Adopt the 2006 International Residential Code. Second Reading.**  
See Ordinance 2008.35.
- D. Ordinance No. 2008.38—An Ordinance Amending Title 9, “Building Regulations,” Chapter 2, “Building Codes,” Section 9-5-1, “Building Code” to Adopt the 2006 International Property Maintenance Code. Second Reading.**  
See Ordinance 2008.35.
- E. Ordinance No. 2008.39—An Ordinance Amending Title 9, “Building Regulations,” Chapter 2, “Building Codes,” Section 9-2-7, “Mechanical Code” to Adopt the 2006 International Mechanical Code. Second Reading.**  
See Ordinance 2008.35.
- F. Ordinance No. 2008.40—An Ordinance Amending Title 9, “Building Regulations,” Chapter 4, “Electricity and Fire Protection,” Section 9-4-2, “Codes Adopted” to Adopt the 2006 International Fire Code. Second Reading.**  
See Ordinance 2008.35.
- G. Ordinance No. 2008.41—An Ordinance Amending Title 9, “Building Regulations,” Chapter 2, “Building Codes,” Section 9-2-8, “Fuel Gas Code” to Adopt the 2006 International Fuel Gas Code. Second Reading.**  
See Ordinance 2008.35.
- H. Ordinance No. 2008.42—An Ordinance Amending Title 9, “Building Regulations,” Chapter 2, “Building Codes,” Section 9-2-9, “Energy Conservation Code” to Adopt the 2006 International Energy Conservation Code. Second Reading.**  
See Ordinance 2008.35.
- I. Ordinance No. 2008.43—An Ordinance Amending Title 9, “Building Regulations,” Chapter 2, “Building Codes,” Section 9-2-10, “Performance Code” to Adopt the 2006 International Performance Code for Buildings and Facilities. Second Reading.**  
See Ordinance 2008.35.
- J. Ordinance No. 2008.44—An Ordinance Amending Title 9, “Building Regulations,” Chapter 2, “Building Codes,” Section 9-2-11, “Wildland-Urban Interface Code” to Adopt the 2006 International Wildland-Urban Interface Code. Second Reading.**  
See Ordinance 2008.35.

**K. Ordinance No. 2008.45—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition of Gambino Homes for a Special Use Permit to Re-Subdivide Certain Duplex Lots for the Sale of Individual Units in Fee Simple with a Common Wall Agreement, Per the Requirements of Article 4.3.4, 13 and Article 6.5 of the Unified Development Ordinance. First and Second Reading.**

On February 6, 2006 the City Council approved the annexation petition of the First Rockford Group for the annexation of the 82.148-acre Artery Farm on Peace Road. The approved development plan included 65.245 acres designated for highway business purposes and 16.903 acres containing 46 duplex buildings (or a total of 92 single family units) along the west edge of the property. Unfortunately, the timing of the annexation coincided with a precipitous drop in both residential and retail property investment in the region. The developer has installed many of the public infrastructure improvements required by the development plan, including turn lanes, traffic signals, substantial storm water detention facilities, sanitary sewer and water main extensions. These improvements were sufficient for the permitting of four duplex buildings at the south end of Anjali Court. In the past year, no additional permits have been issued. Of the eight units that are constructed, four are occupied by families, one is a sales model, and one more will soon be occupied.

The duplex units are presently sold as condominiums, with occupants owning just the space within the unit. The common areas are maintained by a homeowners association. The petitioner is simply asking to be able to sell the units in fee simple with a divided lot for each unit, as a buyer of a duplex would expect. The homeowners association will continue to maintain the yard areas, even though they will be owned individually. If requested at the time of the annexation in 2006, this change would have been incorporated in the special use permit. However, at the time of the annexation, no developer had been selected by First Rockford for the duplex units. The present arrangement is actually a disincentive in the local market because of the preference for ownership of vendible parcels including yard areas.

The Plan Commission reviewed this petition on October 13 and recommended its approval by a vote of 8-0. City Council approval of the Plan Commission recommendation is requested.

**L. Ordinance No. 2008.46—An Ordinance Concerning the Recommendation of the Plan Commission With regard to the Revision of Article 6.11.2 of the Unified Development Ordinance to Amend the Park District Land/Cash Fee Schedule. First and Second Reading.**

On September 2, the City Council took an interim step toward the revision of the Sycamore Park District's land/cash fee schedule. By a vote of 7-1, the Council approved a resolution (Resolution No. 507) that established their intent to increase Park impact fees, knowing that such revisions would need to be codified in the Unified Development Ordinance (Section 6.11.2), which requires prior Plan Commission review. The purpose of the Council's interim action was to support the Sycamore Park Board's unanimous vote for increases that conformed to recent changes in the variables that appear in the statutory formula for calculating Park fees. According to the UDO, the Commission must provide a hearing before any impact fee changes are acted upon in ordinance form by the Council. Public notice of a hearing before the Plan Commission has been provided (see attached).

The three key variables in the Park District land/cash fee schedule since 1996 are as follows:

1. the “acres per thousand” of population;
2. the value of a developed acre of land; and
3. the number of persons assumed to occupy different types of housing, on average.

The Council resolution makes several revisions to the current land/cash fee formula, which was last revised in September 2005:

- an increase in the “acres per thousand ratio” from 11.5 to 25 acres.
- an increase in the gross acre price for neighborhood park acreage from \$122,000 to \$130,000 (the price for community park acreage was kept at \$15,000).
- the incorporation of Dr. Emanuelson’s 2007 demographic findings on persons per household by housing type.

The resulting formula is illustrated below:

Example: Three Bedroom Detached Home

Assumptions:

- The fair price per acre of developed, residentially-zoned land for a neighborhood park is increased to \$130,000.
- The fair price for raw or agricultural-zoned farm acreage abutting the community park that may someday be purchased to expand the park remains \$15,000.
- The “acres per thousand” ratio is revised to reflect actual park acreage (approximately 25 acres per thousand, overall).
- The demographic findings of Dr. Emanuelson’s 2007 study are incorporated.

$$3.25 \times \$130,000 = \$422,500/1,000 = \$422.50 \text{ per person}$$

$$21.75 \times \$15,000 = \$326,250/1,000 = \underline{\$326.25} \text{ per person}$$

$$\text{Total: } \$748.75 \text{ per person} \times 2.67 = \$2,000 \text{ (rounded)}$$

**Park Board’s Land/Cash Fee Proposal:**

<b>Type of Residence</b>	<b>Persons per Unit</b>	<b>Land/Cash Fee per Unit @\$749/person (rounded)</b>	<b>2005 Fee (existing)</b>
<b>SINGLE FAMILY</b>			
<b>DETACHED</b>			
One and Two Bedroom	2.100	\$1,573	\$706
Three Bedroom	2.670	\$2,000	\$1,015
Four Bedroom	3.240	\$2,427	\$1,015
Five Bedroom	3.960	\$2,966	\$1,015
<b>SINGLE FAMILY</b>			
<b>ATTACHED</b>			
One Bedroom	1.000	\$749	\$418
Two Bedroom	1.750	\$1,311	\$697
Three Bedroom	2.560	\$1,917	\$837
Four Bedroom	2.280	\$1,708	\$837

The Plan Commission voted 6-2 on October 13 to recommend the Council's approval of this revision to the UDO. In arriving at this recommendation, the Commission wrestled with several legal questions, including the grounds upon which a member could abstain from voting as well as what constituted a majority. Following the meeting, City Attorney Kevin Buick concluded that, according to the Plan Commission by-laws, a majority of a quorum is all that is needed to approve a main motion before the Commission. This meant that a 6-2 vote was an affirmative vote. City Council approval of the Plan Commission recommendation is requested.

**M. Ordinance No. 2008.47—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Final Plat for Phase Three of the Stonegate Townhouse Development.**

The attached final plat depicts the third and final phase of the Stonegate townhome development at Peace and Frantum Roads. The development was recently sold by Stonebreaker Builders, LLC to Youssi Real Estate and Development, Inc.

The parcels shown on the plat will contain either four-unit or six-unit buildings, as defined on the preliminary plat (see attached), keeping the same density as originally approved by the City Council in October 2002.

The Plan Commission reviewed this plat on October 13 and recommended its approval by a vote of 8-0. City Council approval of the Plan Commission recommendation is requested.

**12. RESOLUTIONS**

**A. Resolution No. 508—Motor Fuel Tax Resolution for Maintenance of Streets and Highways from May 1, 2008 to April 30, 2009.**

Resolution No. 508 and Resolution No. 509 can be taken in omnibus fashion. Each year in conjunction with the state audit of our MFT fund expenditures, the City is obliged to account for any MFT fund transfers. In the FY09 City budget the Motor Fuel Tax Fund (Fund 7) shows three transfers totaling \$120,000. Of this amount, up to \$51,567.50 may be transferred to the 2005 Bond Fund to cover the MFT portion of the debt service on the outstanding 1996 Bond series (refunded in 1999 and in 2005). The balance is accorded to street maintenance.

City Council approval is recommended.

**B. Resolution No. 509—Motor Fuel Tax Resolution Concerning the Retirement of General Obligation Bond Series 1996.**

See Resolution No. 508, above.

**13. CONSIDERATIONS**

**A. Consideration of Schematic Designs for the Police Department Addition.**

Since the Council's acceptance of the conceptual design for an addition to the Police department facility at 535 DeKalb Avenue on July 7, the City Manager and Police department management have been working with representatives of Gilfillan Callahan Nelson Architects to develop schematic designs to flesh out the concept plans and to prepare

for the preparation of construction plans and specifications. Funding for this work is allocated in the Sales Tax Distributive Fund (Item #22-8331). Steve Nelson and Craig Meadows of the architectural firm will present a multi-media description of the progress to date. Based on the Council's direction, the firm will move toward the completion of the schematic phase.

**B. Consideration of an Administration Recommendation for a Closed Session to Discuss Closed Session Minutes.**

**14. OTHER NEW BUSINESS**

**15. APPOINTMENTS**

**16. ADJOURNMENT**