

**SYCAMORE CITY COUNCIL
AGENDA
November 3, 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 20, 2008.
 - B. Payment of the Bills for November 3, 2008.
 - C. Approval of the Closed Session Meeting Minutes dated 4/21/08; 5/5/08; 6/16/08; 7/7/08; 7/21/08; 8/4/08; 9/15/08; and 10/6/08.
 - D. Approval to destroy the auditory tapes from the Closed Session Council Meetings during the period 1/2/07 through 4/16/07.
- 7. PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.**
- 8. REPORTS OF OFFICERS**
- 9. REPORTS OF STANDING COMMITTEES**
- 10. PUBLIC HEARINGS--None**
- 11. ORDINANCES**

A. Ordinance No. 2008.48—An Ordinance Amending the Combined Annual Budget and Appropriation Ordinance for Fiscal Year 2008-2009 in the City of Sycamore, Illinois. First and Second Reading.

To promote sound fiscal planning, since 1998 the annual City budget has been revised at mid-year to reflect audited numbers for the previous fiscal year ending on April 30 and to reflect actual construction bids and costs from the more substantial summer capital projects. Copies of the revised budget have been distributed under separate cover. The key changes are highlighted below:

1. The General Fund Reserve transfer to the Employee Benefit Assistance Fund (Fund 23) is increased from \$50,000 to \$100,000 to cover accrued leave payouts for Lt. Tom Scott and Lt. Duane Prather (Line items 23-3741 and 23-8185).
2. The Water Fund overall spending is increased by \$50,000 through a Water Fund reserve transfer to finance the conversion of the SCADA system from a phone-operated to a signal-operated system. This will involve the installation of antennas at the well buildings and Water division offices. The change is prompted by months of repeated failures in the switching system of the local phone carrier that have led to an average of a dozen or more false failure alerts at the City wells that involve responses from Water division personnel at all hours (See line item 741-8580).
3. Several adjustments are made in the Sales Tax Distributive Fund to provide adequate funding for the FY09 street maintenance program. Because of the slow accrual of new sources of funding in the new Street Maintenance Fund (Fund 30), other capital funding sources have been tapped to meet contractual obligations. Line item 22-8316 was increased from \$20,000 to \$100,000 and line item 22-8634 was increased to \$100,000 partially for the same reason and also to cover the unexpected cost of tank removal in S. Main Street which will total about \$35,000 when all remediation costs are known.
4. The Motor Fuel Tax allocation for street maintenance has been increased from \$100,000 to \$160,000 per Council direction on August 4 (Resolution No. 504) to cover the contractual costs associated with an expanded improvement on Somonauk Street.
5. A new Radium Decommission Fund has been established (Fund 33) to more clearly identify the segregation of funds (\$178,200) each year for the remote possibility that the City's radium treatment plants can be shut down in the future. This set-aside is a requirement of the Illinois Emergency Management Agency. Previously, this allocation was shown in a Water Fund line item. The proposed approach removes the possibility that such funds would be spent for other Water system purposes.

City Council approval is recommended.

B. Ordinance No. 2008.49—An Ordinance Amending Title 3, “Business and License Regulations,” Chapter 2, “Liquor Control,” Paragraph 3-2-6, “Classification of Licenses; Fees; Hours; and Days,” Section C to Permit Package Liquor Sales on Sunday from 10:00 A.M. in the City of Sycamore, Illinois. First and Second Reading.

Liquor Commissioner Ken Mundy recently received a request from Jewel-Osco's compliance officer, Constance Zaio, to change the Sunday opening hour for package liquor

sales from 11:00 a.m. to 10:00 a.m. (see the attached letter). Ms. Zaió’s letter includes a survey of the Sunday opening hours for Jewel-Osco stores throughout northern Illinois. The Council faces no legal obstacle in amending the hours for Class D (package liquor) licenses if all licensees in that class have the same opportunity. Since Section 3-2-6,C of the City liquor code presently applies the same Sunday opening hour to all license classes, the proposed language specifies that the change will only apply to Class D liquor licensees.

City Council direction is requested.

12. RESOLUTIONS--None

13. CONSIDERATIONS

A. Consideration of a Public Works Department Report on the City’s Secondary Meter Pilot Program for Yard Irrigation.

On June 18, 2007 the City Council authorized a pilot program that permitted secondary water meters for yard irrigation, following a recommendation from the Water & Sewer Committee on June 4, 2007. The program extended from July 1, 2007 through October 1, 2008 and was prompted by community interest in secondary water meters by residents who wanted to irrigate their lawns without incurring sewer fee costs. The secondary meters would account for water use but would allow users to achieve a savings in sewer fees that would otherwise be assessed on the basis of the flow through their primary meter.

The attached memorandum from Water Division Superintendent Mike Swedberg summarizes the participation in the program. Nine (9) secondary meters were installed. A total of 740,520 gallons passed through these meters for irrigation purposes, although one particular user accounted for over 243,000 gallons. On the revenue side, the total value in metered water was \$1,851.78. The value of the sewer charges, *if billed*, would have been \$2,841.30. An anonymous breakdown of the meter usage is shown in the table below:

Number	Gallons Metered
1	243,100
2	172,040
3	142,120
4	75,548
5	38,896
6	35,156
7	22,440
8	11,220
9	0*

*The 9th meter was just installed in mid-September, 2008. No readings are yet available.

The Public Works department does not support a continuation of the relief from sewer charges in view of the negative revenue implications. If the Council concurs, it is recommended that the participating property owners reimburse the City for the cost of the secondary meters that were loaned for the purposes of the pilot program. Present and future

owners of yard irrigation systems are also obliged to abide by the annual inspection of cross connection devices that the Illinois Department of Public Health requires.

B. Consideration of a Building Department Request for Direction Regarding the Construction of a Screening Fence on City Property.

In mid-summer, the Building department issued fence permits to the owners of 353 and 358 Plymouth Court. The court ends in a “hammer-head” turnaround in front of these properties, so the screening fences were integrated to form a continuous privacy barrier at a right angle with the end of Plymouth Court (see the attached photographs).

Both homeowners were partially motivated to seek the permits because of the chronic yard nuisances, noise, and other distractions on the adjacent property at 335 Pleasant Street. According to Police records, in the past two years our Police department has responded to 7 domestic disturbances, 2 disorderly conduct incidents, 3 harassing phone call incidents, 3 junk vehicle complaints, 3 curfew violations, and 6 animal complaints at 335 Pleasant Street, and have made numerous arrests including domestic battery, assault, criminal trespass, aggravated assault, and resisting a police officer. In addition, warnings have been issued for junk vehicles and couches on the lawn at 335 Pleasant Street.

In late October, Building Commissioner Lyle Doty informed the City Manager that the permits had been issued for fencing that encroached on ground that had once been platted as a City alley, although no alley had ever been constructed. The homeowners are consequently in violation, although their dilemma was created by an error on the part of a City department.

The Council has several options to consider:

1. Revoke the permits and order the razing of the fences;
2. Abandon the alley right-of way. This option would unfortunately lead to the razing of the fences as well, because in the event of an alley vacation the abandoned property is divided and apportioned equally among the adjacent properties. Consequently, the fences--which were constructed on the east edge of the platted area--would be on another private property.
3. Support the Building Department’s decision by allowing the two fences to remain on public property.

The City Manager recommends option #3. The new fences serve a public purpose by establishing an attractive boundary to Plymouth Court and by eliminating headlight diffusion beyond Plymouth Court. This result has been achieved at no City expense, and to no one’s detriment.

14. OTHER NEW BUSINESS

15. APPOINTMENTS

16. ADJOURNMENT