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**SYCAMORE CITY COUNCIL – REGULAR MEETING  
MINUTES OF APRIL 7, 2008**

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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, Rich Neubauer, Pete Paulsen, Chuck Stowe and Gregory Taylor. Alderperson Darren Knuth was absent.

**INVOCATION**

Pastor Dan Stovall of Sycamore Baptist Church gave the invocation.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**Motion**

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

**CONSENT AGENDA**

- A. Approval of the Minutes for the Regular City Council Meeting of March 17, 2008.
- B. Payment of the Bills for April 7, 2008 in the amount of \$2,299,310.52.
- C. Budget Report for March, 2008.

**Motion**

Alderperson Bauer moved to approve the Consent Agenda and Alderperson Neubauer 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.**

Alderperson Taylor said a constituent asked him about the possibility of using the retention area on the southwest corner of Bethany and Somonauk as baseball fields.

Mr. Nicklas said it could not be used for that because there are a series of open grates and drains at the bottom of the pond and it was stated in the agreement with the Strong family that the area would not be used for recreation.

Alderperson Paulsen complimented Waste Management for the good job they do.

Mayor Mundy distributed a copy of the Congressional Resolution with a cover letter from NIU President John Peters recognizing Sycamore for their assistance during the February 14 NIU tragedy. Mayor Mundy also noted that the Sesquicentennial Committees continue to work on events and those events are posted on the cityofsycamore.com website.

## REPORT OF OFFICERS

Manager – Bill Nicklas said the FY09 budget will be on the April 21 meeting agenda for adoption. He said the December sales tax numbers came in less than the November numbers and it looks like January and February will be flat so we will limp to the finish line on the revenue side as far as sales tax.

Engineer – John Brady reported he has been working with Public Works on street maintenance and he hopes to have recommendations to Council in May and go out to bid in June and award bids in July.

Building & Zoning – Lyle Doty reported that for the first time in his 19 years with the City, no residential dwelling unit permits were issued in March.

Asst. Fire Chief – Mark Kessler said they are going through the final punch list for Fire Station 2.

Treasurer/Asst. City Manager – Brian Gregory reported that \$77,782 of Transfer Tax was transferred to the School District for the first quarter which is about half of what was transferred in the first quarter of 2007. He said that a good portion of that was commercial.

Police Chief – Don Thomas reserved his comments for two items on the agenda.

Public Works Director – Fred Busse said the Street Division is still picking up branches from the December ice storm, but will no longer pick up leaves raked to the curb.

Assistant Public Works Director – Ebe Smith said the Water Division is getting close to finalizing plans for the new water tower and should be out for bid in two to three weeks.

## REPORT OF STANDING COMMITTEES

Finance – no report

Ordinance – no report

Police & Fire – no report

Sewer & Water – no report

Streets & Walks – no report

## PUBLIC HEARING

### A. Public Hearing on the Proposed FY2008-2009 City Budget.

Mayor Mundy opened the Hearing and with no public comment closed the Hearing.

## ORDINANCES

### A. Ordinance No. 2007.63—An Ordinance Approving an Agreement Between the City of Sycamore, Illinois and the Sycamore Chamber of Commerce for Visitor Attraction and Business Retention Services, FY2009-FY2011. First and Second Reading.

City Manager Nicklas said that at the March 17 Council meeting he was directed to bring back an ordinance to approve the agreement between the City and the Chamber.

**Motion**

Aldersperson Paulsen moved to hear Ordinance 2007.63 on first and second reading and Aldersperson Taylor seconded the motion.

**Voice vote**

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

**Motion**

Aldersperson Paulsen moved to approve Ordinance 2007.63 and Aldersperson Taylor seconded the motion.

**Roll call vote**

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

**B. Ordinance No. 2007.64—An Ordinance Concerning the Recommendation of the Sycamore Zoning Board of Appeals with Regard to the Petition of Mike Conro for a Variance from Article 6.2.1.D.4 and Article 6.2.1.C.2 of the Unified Development Ordinance. First and Second Reading.**

City Manager Nicklas explained that Council took action in February to rezone this property from M-1 to R-2 and at that time Mr. Conro indicated that he wanted to build a residential garage on an existing slab and learned he would have to get a variance to accomplish that. Mr. Nicklas said that the Zoning Board of Appeals voted 5 – 0 to recommend approval of the variance required to build the garage larger than 8% of the total lot area with zero clearance to the side property line.

**Motion**

Aldersperson Kessler moved to hear Ordinance 2007.64 on first and second reading and Aldersperson Adee 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 said he was glad to help out and this would be a big improvement in that area.

**Motion**

Aldersperson Kessler moved to approve Ordinance 2007.64 and Aldersperson Stowe seconded the motion.

**Roll call vote**

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

**C. Ordinance No. 2007.65—An Ordinance Amending Title 6, “Motor Vehicles and Traffic,” Chapter 3, “Parking Meters and Parking Lots,” Section 6-3-4, “Use of Meters,” of the City Code of the City of Sycamore, Illinois. First Reading.**

City Manager Nicklas said he wanted to be very clear that this would only change the fines and not the parking rate. He said the proposed ordinance would change the initial fine from 25¢ to \$1, \$2 for the second ticket in one day, and the \$3 for the third ticket would remain the same. He said the purpose is to provide a gentle prod to get some turnover in the prime parking spaces downtown. He said there are some office workers parking in the spaces all day and the price of the fines does not deter them from doing that.

Aldersperson Neubauer said he had no problem with increasing the 2<sup>nd</sup> and 3<sup>rd</sup> ticket fines, but was concerned about raising the 25¢ fine to \$1 because he feared we would catch in the net those people who have an “oops” and make them less likely to want to visit downtown.

Police Chief Thomas said they have done a survey for parking fees and fines and Sycamore is the cheapest. He said because the 25¢ fine is so low it is not paid. He said most of the people getting the tickets are not shoppers, but work downtown and remove the first ticket so the parking officer does not realize he should be writing a second ticket. He said that Public Works have put up many signs directing drivers to free parking lots.

Mr. Nicklas said that Aldersperson Neubauer has a point because people complain to merchants about the 25¢ fine. He asked Council to consider this on first reading to generate discussion.

Aldersperson Paulsen said it was not the “oops” that they are addressing; he said it is the people who work downtown. He said he thought it was a good idea.

Aldersperson Stowe said that merchants should never park in front of their own business and he felt that \$1 was ok.

Mayor Mundy said when the major State Street reconstruction was done and the meters were out the merchants were asked if they wanted the meters and they said they did to keep traffic moving and parking spaces open for shoppers.

Aldersperson Neubauer said he wants to preserve the charm of the downtown. He said these stores are competing against stores that have free parking and he does not want to see the 25¢ ticket go.

**D. Ordinance No. 2007.66—An Ordinance Amending Title 6, “Motor Vehicles and Traffic,” Chapter 2, “Parking Regulations,” by Inserting Section 11, “Vehicle Immobilization and Impoundment,” of the City Code of the City of Sycamore, Illinois. First Reading.**

City Manager Nicklas said this is a continuation of the discussion of the previous ordinance. He said the proposition here is to a step further beyond fines for those people who have a combination of at least 5 unpaid tickets and no less than \$250 of unpaid fines the City would be able to use the boot. He said additional written notification is proposed and if the fine is not paid the boot would be put on along with a sticker giving the driver 72 hours to pay the fine before the vehicle gets towed.

Aldersperson Taylor said he hated the idea of the boot, but having an ordinance that cannot be enforced should not be written. He said that unfortunately this is a measure that needs to be taken.

Aldersperson Paulsen asked about the 72 hours within the no parking between 2:00 a.m. and 6:00 a.m.

Mr. Nicklas said that would be a separate issue and he did not think that would be a conflict.

Chief Thomas said the only time they tow immediately is during snow plowing season. He said historically the boots do not stay on very long and by the time they get the boot they have received six letters. He said that most people pay up quickly.

**E. Ordinance No. 2007.67—An Ordinance Amending Title 4, “Public Health and Safety,” Chapter 1, “Fire Department,” Section 4-1-7, “Ambulance Service,” of the City Code of the City of Sycamore, Illinois. First Reading.**

City Manager Nicklas referred to the chart provided in the background that he felt reflected Council discussion from the March 17 Council meeting. He said the transfer fee was also increased from \$2 to \$4 per mile.

**F. Ordinance No. 2007.68—An Ordinance Amending Title 8, “Water and Sewer,” Chapter 4, “Sewer Use and Service,” Section 8-4-2, “Sewer Connection Charges,” Subsection 8-4-2, C, “Connection Fees and Unit Charges,” of the City Code of the City of Sycamore, Illinois. First Reading.**

City Manager Nicklas said that he brought this back in ordinance form after Council discussion at the March 17 meeting. He said the changes generally refer to in-house bathroom facilities not used by the general public where the impacts are not there because they are not in constant use. Mr. Nicklas also clarified that that this refers to commercial and industrial applications of this fee system and does not extend to residential installations. He said that also proposed is an increase in the maximum credit for job creation to 90% from 75% which is consistent with the City’s tax abatement schedule.

**RESOLUTIONS** - None

**CONSIDERATIONS**

**A. Request for Council Direction Regarding the Extension of a Professional Services Contract with the Daley Policy Group.**

Patricia Daley said she was here to review what has occurred since her last visit. She said the Republicans and the Democrats are having budget debates over earmarks. She said in the midst of this Illinois has a new congressman who is just ramping up and getting to know the budget. She said there are two bills coming up one of which is the Water Reauthorization Bill that comes up every two years and the other is the Transportation Reauthorization Bill which comes up every six years. She said the City needs to determine and prioritize their projects and get them on State list. She said the City should start back up with her about June and move as soon as possible at the local level.

Mayor Mundy asked when the City might get any indication of the progress in the funding.

Ms. Daley said the Committee will start the hearings in June and July, take August off, return in September, have the Presidential election, and then they will go through the State list after Christmas for the next six to nine months. She said that this legislation is a gas tax which is a self-sustaining user fee tax so nobody is going to declare a moratorium on this money. She said the City Engineer has talked with her about a water project and she said they should get that going as soon as possible.

Mr. Nicklas said there are two projects for which the City is looking for the IEPA loan funding – Well #10 and improvement at Well #5. He said they will take those two projects to Ms. Daley. He said the City’s number one transportation project is the east leg of Bethany Road from Peace to Somonauk. He said that is registered under IDOT’s list. He suggested bringing Ms. Daley back the first meeting in June to make a decision on the contract. Mr. Nicklas noted that when he put the background together he thought the fall would be the optimal time to address this and tonight they have learned that July would be the optimal time.

Ms. Daley said the Committee moved the hearing dates up so they would not get lost in the presidential shuffle.

Aldersperson Taylor asked if there was a more junior congressman than Congressman Foster and asked how big his piece of the pie would be.

Ms. Daley said this was a targeted district because the Democrats worked hard to get this seat, so she did not think they would leave Congressman Foster out to dry. She said this district will get something, but she has no idea how much.

Aldersperson Stowe said he felt that they worked hard to get the seat and they will have to defend it again in the fall. He said we did not have much luck with the Speaker of the House in our district; he felt maybe this would be better for us.

Mayor Mundy said this was a high profile case and thought it would not be logical for them to drop the ball.

Aldersperson Bauer said if Council felt we were going to proceed with this agreement, he thought they might want to act on it in May.

Ms. Daley said the hearings would begin in June.

Aldersperson Kessler said she thought they needed to be proactive and look at this as an investment in getting our projects recognized.

Mr. Nicklas said he could bring an ordinance back at the second meeting in May for a June 1, 2008 agreement.

Mayor Mundy said he would not want to be sitting here a year from now reading about how our neighbors in the district have fared well.

#### **B. Consideration of an Administration Report on Options for the Use of the City's Private Activity Bond Volume Cap for the Year 2008.**

City Manager Nicklas recommended reallocating the use of the City's private activity bond volume cap to the Illinois Housing Development Authority's Mortgage Credit Certificate Program.

Aldersperson Stowe said he was glad to help out new home buyers.

Consensus of Council was to move forward with the recommended resolution.

#### **C. Consideration of an Administration Request for a Closed Session to Discuss Collective Bargaining.**

##### **Motion**

Aldersperson Neubauer moved to go into Closed Session at 8:35 p.m. and Aldersperson Taylor 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 Kessler excused herself from Closed Session.

**Motion**

Aldersperson Paulsen moved to return to Open Session at 8:55 p.m. and Aldersperson Taylor seconded the motion.

**Voice vote**

Mayor Mundy called for a voice vote to approve the motion. All Alderspersons voted aye. Motion carried 6 - 0.

**OTHER NEW BUSINESS**

**APPOINTMENTS**

**ADJOURNMENT**

Aldersperson Stowe moved to adjourn the meeting at 8:55 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 6 - 0.

Approve:

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Mayor - Ken Mundy

Attest:

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City Clerk – Candy Smith