
**SYCAMORE CITY COUNCIL – REGULAR MEETING
MINUTES OF JULY 21, 2008**

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

Mayor Mundy asked for a moment of silent reflection.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mayor Mundy removed the discussion of land acquisition from the Closed Session.

Motion

Alderperson Taylor moved to approve the agenda 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

Mike Fogelsanger, 845 Sunset Ln., gave a copy of the U.S. Constitution review to Council and noted that the reason the founding fathers wrote the Constitution was to get away from too much government. He said he was opposed to funding the Sycamore Historical Society because it was not a function of government.

Loras Schuster, 973B Constance Ln., suggested the City think about using a gray water system which uses bath water and washing machine water to flush toilets. He also suggested that whoever builds a new development alongside an existing county road would be required to add one and a half lanes to that road.

Peter Smith, 1958 Aberdeen Ct., said he was an attorney representing John Pappas who has 3 items on the agenda.

Peter Barick, 433 W. High St., said he appreciated the revisions to the 2008 Comp Plan, asked Council to be careful about building on the flood plain for the 112 Kingsway Drive petition, and said it was unwise to proceed with the annexation of Vellagio Estates because we need to catch up on impact fees. He said they need to remember the referendum that asked to hold up on development approvals until 2010.

CONSENT AGENDA

- A. Approval of the Minutes for the Regular City Council Meeting of July 7, 2008.
- B. Payment of the Bills for July 21, 2008, in the amount of \$154,408.55.
- C. Plan Commission Minutes for the Regular Meeting of May 12, 2008.
- D. Budget Report as of July 11, 2008.

Aldersperson Neubauer asked City Clerk Smith to make a few grammatical corrections to the minutes.

Motion

Aldersperson Bauer moved to approve the Consent Agenda and Aldersperson Kessler seconded the motion.

Voice vote

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

PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.

Mayor Mundy said that Sycamore was honored by Dee Palmer at the July 15 DeKalb Municipal Band Concert. He also announced that the Car Show would be held Sunday, Cruise Night Saturday night with music and dancing, and a movie in the Sycamore Center parking lot Friday night. He asked drivers to slow down and asked residents to shop Sycamore.

REPORT OF OFFICERS

Manager – Bill Nicklas said he would defer his comments for the proposed 2008 Comprehensive Plan discussion.

Engineer – John Brady, Sycamore Municipal Engineering, said that bids for the water tower were received July 10, are currently under review, and will be back in August for consideration. He said the sidewalk and street maintenance program bids were due July 25 and should on the August 4 agenda for consideration.

Building & Zoning – Lyle Doty said that curb and gutters have been poured on Gateway Drive and the foundation is in for DeKalb Clinic.

Fire Chief – Bill Riddle said the new ambulance has been delivered and is being outfitted.

Treasurer/Asst. City Manager – Brian Gregory said the June Treasurer’s report is at the 16.66% benchmark with revenues at 19.15% and expenditures at 9.42%. He noted that we have received ½ of our property tax revenue and Restaurant & Bar Tax and State Income Tax are running strong.

Police Chief – Don Thomas encouraged residents to walk to the Car Show on Sunday because parking would be at a premium. He said that they are seeing drive-offs from gas stations and said that gas thefts from cars and garages are up.

Public Works Director – Fred Busse said that the City and ComEd are trimming trees. He said the new street sweeper has been delivered and is in service.

Assistant Public Works Director – Ebe Smith – no report

REPORT OF STANDING COMMITTEES

Finance – no report

Public Safety – no report

Public Works – no report

PUBLIC HEARING

A. Public Hearing on the Proposed 2008 Comprehensive Plan.

Rose Trembl, Sycamore Chamber of Commerce Executive Director, on behalf of nearly 500 members, thanked the City for doing their job to ensure that Sycamore continues to be a premier place to live, work, open a business, run a business, and play. She read an economic position statement of the Sycamore Chamber of Commerce.

Hearing no further comment, Mayor Mundy closed the Public Hearing.

B. Public Hearing on the Proposed Annexation of the Walters and Cambier Farms, Located at the Northeast Corner of Brickville Road and Peace Road.

Loras Schuster, 973B Constance Ln., said he has seen that whole area underneath water so Council should take great precaution with their decision.

Peter Smith, 1958 Aberdeen Ct., said he was the attorney for the petitioner, John Pappas, and wanted to address comments he heard earlier. He said the referendum passed was for controlled growth until 2010 and this agreement calls for no single-family permits until 2012. He said the impact fee concern is addressed in the agreement that clearly states that the owner must comply with the impact fees in place at the time of permitting. He said the water concerns have been addressed by assigning nearly 17% of the development to drainage, detention, and flowage. He said this will also help the water problems on adjacent properties.

Peter Barick, 433 W. High St., said the referendum did not call for when houses could be built, but addressed no new annexations until 2010.

Mark Gephart, Wendler Engineering, 698 Timber Creek Rd., Dixon, IL, said a lot of attention has been paid to drainage of this development.

Loras Schuster asked if the engineers took into consideration the absorption of the land once structures are built.

Mark Gephart said that is taken into account and in fact that is the main part of the calculation to develop the size of the retention basin.

Mike Fogelsanger, 845 Sunset Ln., asked who will be responsible for flooded homes in this proposed subdivision since the City knows that area is prone to flooding.

Mark Gephart said currently there are no control measures in place so when it floods it floods, but when the site is developed it will be engineered properly to control the water.

Loras Schuster asked what would happen to that subdivision 50 years from now because controlling floodways destroys the ability of the land to absorb water.

Upon hearing no further comments, Mayor Mundy closed the public hearing.

ORDINANCES

A. Ordinance No. 2008.17—An Ordinance Authorizing the City Manager to Execute an Intergovernmental Agreement Between the City of Sycamore and the Sycamore C.U.S.D. #427 Regarding the School Resource Officer Position. First and Second Reading.

City Manager Nicklas explained that this agreement had been evolving over the past 4 or 5 months and has been approved by the School Board.

Aldersperson Neubauer asked about the jump in the school's portion in the third year.

Mr. Nicklas said in the first two years there is a progression to get to an agreed upon number where the officer would be fully compensated for the time spent in the schools.

Motion

Aldersperson Kessler moved to hear Ordinance 2008.17 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 8 - 0.

Motion

Aldersperson Kessler moved to approve Ordinance 2008.17 and Aldersperson Taylor seconded the motion.

Mr. Nicklas said if the SRO is in the school every day that the school is in session it would total 65.2% of the calendar year.

Aldersperson Kessler pointed out that she questioned the City Manager earlier about the benefits and he assured her that was taken into consideration in the numbers.

Aldersperson Taylor asked if it would take one of our officers off the street.

Mr. Nicklas said it would, but there was a hire in August 2008 which Council gave permission to advance hire in May. He said they could hire an additional officer if they defer that new hire until January.

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. 2008.18—An Ordinance Amending the City Code of the City of Sycamore, Illinois, Title 3, "Business and License Regulations," Chapter 2, "Liquor Control," Section 3-2-1, "Definitions," to Revise the Minimum Occupancy for a Restaurant Serving Alcoholic Beverages from Fifty (50) Persons to Twenty (20) Persons. First and Second Reading.

City Manager Nicklas said this ordinance would codify direction given by Council at the last meeting to reduce the minimum occupancy for a restaurant serving alcoholic beverages.

Motion

Aldersperson Stowe moved to hear Ordinance 2008.18 on first and second reading and Aldersperson Paulsen seconded the motion.

Alderson Paulsen clarified that they were not adjusting the cost of the license.

Voice vote

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

Motion

Alderson Stowe moved to approve Ordinance 2008.18 and Alderson Paulsen seconded the motion.

Roll call vote

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

C. Ordinance No. 2008.19—An Ordinance Concerning the Recommendation of the Plan Commission with Regard to the Proposed 2008 Comprehensive Plan. First and Second Reading.

City Manager Nicklas said that six workshops and three public open houses were held to gain input on the proposed 2008 Comprehensive Plan. He said that he created a chart showing changes in land use. He said there is further limitation of the land that is likely to develop for residential purposes on the northeast side of Sycamore which is driven in no small part by sewer line capacity. He said there was also a strong effort to try to identify every logical place for future commercial and industrial growth. He said he appreciated the comments he has received including a lengthy list from Alderson Neubauer.

Mayor Mundy said that while reading the Comp Plan it struck him that it was a roadmap for prospective businesses.

Alderson Neubauer said he found the introduction and inventory analysis interesting. He said for instance there are 3,333 platted, but unbuilt homes and 2,878 of those are detached, single-family. He said that from 1996 to 2003 school enrollment went up 92 students and in the next four years enrollment went up 629 students. He said that the intersection at Peace and Route 23 has the highest number of accidents in the County. He said there is a lot of interesting information in the document which is very well done.

Mr. Nicklas thanked the people who helped edit the document and those who contributed to the data.

Alderson Taylor said it was an incredible document. He asked if this document was approved, would changes need to be made to the UDO.

Mr. Nicklas said the UDO is the document that has the land use regulations and subdivision codes.

Alderson Taylor inquired about the definition of Rural Residential which states that 1 unit/acre or less shall be considered rural residential. He said that he felt the word shall was firm.

Mr. Nicklas said he used shall purposefully and included the rural residential in 2003 because it was right at our threshold and needed to be recognized.

Alderson Neubauer asked for clarification of the roads on the Airport Road Sub-Area Plan.

Mr. Nicklas said he would have that area cleaned up for the final copies.

Motion

Aldersperson Paulsen moved to hear Ordinance 2008.19 on first and second reading and Aldersperson Neubauer 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 approve Ordinance 2008.19 and Aldersperson Kessler seconded the motion.

Roll call vote

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons, Bauer, Kessler, Knuth, Neubauer, Paulsen, Stowe, and Taylor voted aye with Aldersperson Adey voting nay. Motion carried 7 - 1.

D. Ordinance No. 2008.20—An Ordinance Concerning the Recommendation of the Plan Commission with Regard to the Final Plat for the Primm Prairie Commercial Subdivision. First and Second Reading.

City Manager Nicklas explained that this final plat conformed to the preliminary plan for the commercial subdivision located north of the intersection of Peace and Northgate Drive. He said the nine lots are shown with eight lots dedicated for highway business uses and one lot set aside for detention.

Motion

Aldersperson Stowe moved to hear Ordinance 2008.20 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 Paulsen moved to approve Ordinance 2008.20 and Aldersperson Taylor seconded the motion.

Aldersperson Neubauer asked how long before the stop light would go in at Northgate Drive.

Mr. Nicklas said the plat needs to be approved by council before IDOT reviews the signals.

John Brady, Sycamore Municipal Engineering, said it would take 3 to 4 months and it would depend on IDOT and the right-of-way issues.

John Pappas, 3 Fairway Cir., DeKalb, IL, said they are working with IDOT, waiting on a couple of easements with B & B, have all the bids done and hope to have a stoplight ready to go in 4 months.

Roll call vote

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Bauer, Kessler, Knuth, Neubauer, Paulsen, Stowe, and Taylor voted aye with Aldersperson Adey voting nay. Motion carried 7 - 1.

E. Ordinance No. 2008.21—An Ordinance Concerning the Recommendation of the Plan Commission with Regard to the Petition of Angelo Tsiagalidis to Rezone a Portion of the Property at 112 Kingsway Drive from “C-2” Central Business District to “R-3” Multiple Family Residence District. First and Second Reading.

City Manager Nicklas said the matter before Council tonight was rezoning and once it was rezoned Mr. Tsiagalos would need to return to Plan Commission with a detailed engineering plan and plot layout. He said the Plan Commission made it clear that a rigorous development approval process would unfold.

Aldersperson Knuth asked the difference between a floodway limit and a flood plain limit.

John Brady, Sycamore Municipal Engineering, said the floodway limit is an area meant to be for conveyance of floodwaters and flood plain is more like back waters or shallower waters. He said the floodway should not be obstructed. He said the plan is to do some compensatory storage in the floodway by deepening the floodway and this would need DNR (Department of Natural Resources) approval. Mr. Brady said it would have to be elevated up to a 100-year event. He said that if this is approved they will probably be back with a petition to vacate Hollnick Drive.

Motion

Aldersperson Taylor moved to hear Ordinance 2008.21 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 Bauer moved to approve Ordinance 2008.21 and Aldersperson Paulsen 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.

F. Ordinance No. 2008.22—An Ordinance Concerning the Recommendation of the Plan Commission with Regard to the Petition of Brickville and Peace Road Development, LLC for the Approval of an Annexation Agreement and Concept Plan for Property Located at the Northeast Corner of Peace Road and Brickville Road and the Subsequent Annexation of Said Property and the Rezoning to “R-1” One Family Residence District, Planned Unit Development, and to “R-3” Multiple Family Residence District, Planned Unit Development with a Special Use Permit for an Assisted Living Facility in the City of Sycamore, Illinois. First Reading.

City Manager Nicklas said the most dramatic part of this proposed plan is the re-routing of Brickville Road. He said the issue of drainage will be addressed because they will have to conform to the City’s rigorous standards of retention. He said the bike paths are created to wander through the subdivision and to work toward connecting with existing paths. He said there is a mature grove of trees that will provide a buffer area between the new development and the existing homes. He said the language of the annexation agreement requires that the developer pays impact fees that are in place at the time of permitting. He said this agreement states that in the event Transportation Impact Fees are enacted, this development would be subject to those. He said that no permits could be issued until 2012 except the assisted living portion of the development.

Peter Smith, 1958 Aberdeen Ct., attorney for the petitioner, said the background and comments by Mr. Nicklas were thorough and he and the petitioner were available for questions.

Aldersperson Neubauer asked if the detention was dry or wet.

Mark Gephart, engineer for the petitioner, said the ponds would be wet. He said there would be dry areas, but the plan was for wet-bottom basins with trees around.

Aldersperson Taylor said his concern was the density since this was near the rural residential housing.

Peter Smith said the gross residential density was 1.14 units per acre.

Aldersperson Taylor said it looked to him like most of the lots were ½-acre lots. He said he would like to see the periphery of Sycamore as very low density.

Aldersperson Paulsen said according to the County's website the lots in the core of Sycamore are in the 8,000 square feet or less range. He said this would be next to a high-density townhome development and felt the plan was a good one.

Aldersperson Adee asked how much farm land would be taken away. She also asked how much farmland they had to turn into houses. She suggested they should think about this so we do not have future regrets.

G. Ordinance No. 2008.23—An Ordinance Annexing a 94.95-Acre Parcel Located at the Northeast Corner of the Intersection of Brickville Road and Peace Road in the City of Sycamore, Illinois. First Reading.

Mayor Mundy said this ordinance was contingent upon approval of the previous ordinance.

Peter Smith asked if they could hear the second reading on August 18, 2008 because he and Mr. Pappas would be out of town on August 4, 2008.

Motion

Aldersperson Kessler moved to hear Ordinances 2008.22 and 2008.23 on second reading at the August 18, 2008 meeting 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 8 - 0.

RESOLUTIONS

CONSIDERATIONS

A. Consideration of a Status Report on Negotiations with the Park District and Sycamore Historical Society and Museum Regarding the Future Use of the Engh Farm.

City Manager Nicklas reminded Council that at the June 2 meeting further discussions about options for the long-term use of the Engh Farm were postponed until the July 21 meeting. He said one of the questions Council has to address was whom the partners are that can make something happen on that site. He said it appears the partners are the City of Sycamore and the Sycamore Historical Society. He said the Historical Society has been awarded a Smithsonian traveling exhibit for display in the City of Sycamore in May 2009 on the condition that there is a home for this and representations have been made that that will be the case. He said another question to be answered is what will be the public share of that and he has recommended the Historical Society's suggested amount of \$21,500.

Tom Ostreicher, 203 North Cross, representative of the Sycamore Historical Society, said what was in front of Council was basically an upgrade of the City's own property. He said because of Michelle Donahoe's successful grant writing skills Sycamore is the first stop in Illinois of the Smithsonian traveling exhibit. He said he could not go into detail, but the amount pledged by the John Deere Corporation is phenomenal. He said it is the goal of the Sycamore Historical Society to maintain the integrity of the Engh Farm.

Aldersperson Taylor said he felt a tangible plan makes a big difference. He said he recognizes the value of the organization and sees this as making an investment in the City much like purchasing a second street sweeper or replacing an ambulance.

Aldersperson Kessler said her concern was how they would pay for this year after year, but in speaking to residents in her Ward and in the Community she has found that they are in favor of this. She asked if they had a longer term plan.

Tom Ostreicher said they are currently involved in a \$100,000 drive campaign. He said they have already raised \$12,000. He said their operating budget is \$40,000 per year and they never have a problem raising that amount. He said one of their Directors, Bill Lenschow, was able to get a contribution from the John Deere Corporation. He said they have secured Orion Samuelson and Ginger Z as spokes persons.

Aldersperson Bauer said when this was last discussed it concerned three entities and it was apparent by their lack of presence that two entities have dropped out. He said he thought the Smithsonian project was an important project and he feared that if not for doing this it would not happen.

Motion

Aldersperson Bauer moved to approve the recommendation and Aldersperson Neubauer seconded the motion.

Aldersperson Paulsen said he received support for this recommendation from his email list.

City Manager Nicklas asked if the motion included the grant and the lease.

Aldersperson Stowe said he met with the Director and some board members and they assured him that they have no intention of becoming part of the City's budget.

Aldersperson Bauer said he moved to approve exactly as recommended.

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. Consideration of an Administration Request for a Closed Session Collective Bargaining.

Motion

Aldersperson Neubauer moved to go into Closed Session at 9:15 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.

Motion

Aldersperson Taylor moved to return to Open Session at 9:30 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.

OTHER NEW BUSINESS

APPOINTMENTS

ADJOURNMENT

Motion

Aldersperson Stowe moved to adjourn the meeting at 9:30 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