
**SYCAMORE CITY COUNCIL – REGULAR MEETING
MINUTES OF OCTOBER 20, 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, and Gregory Taylor. Alderperson Chuck Stowe was absent.

INVOCATION

Diaconal Minister Judy Bergeson of Salem Lutheran Church gave the invocation.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Motion

Alderperson Neubauer moved to approve the agenda and Alderperson Taylor 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

Mike Fogelsanger, 845 Sunset Ln., said he was opposed to ordinance 2008.46 which would increase the impact fees to the Park District. He said this ordinance increase doubled the tax and he said he could not withstand that kind of increase nor could many other people afford to pay those increases.

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 in the amount of \$851,811.42.
- C. Plan Commission minutes for the meeting of September 8, 2008.
- D. Budget Report for October 3, 2008.

Motion

Alderperson Bauer moved to approve the Consent Agenda with the Clerk's correction to the minutes and Alderperson Kessler 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.

Mayor Mundy reported that Discover Sycamore Group downtown trick or treat will be held Wednesday from 4:30 to 6:00 pm and the Pumpkin Fest cake cutting ceremony will be at 5:00 pm on the courthouse lawn. He said there will be a Heartland blood drive on the corner of State & Maple Friday and Saturday. Mayor Mundy said he had received thank you's from residents for the street maintenance program. He once again urged residents to shop locally.

- A. Honoring Police Lieutenant Tom Scott on the occasion of his retirement after 27 years of service to the City of Sycamore.

Police Chief Thomas and City Manager Nicklas presented Lt. Scott with a plaque from the City.

- B. Badge Ceremony for Ian Wheeler, Sycamore's newest full-time paid firefighter.

Asst. Fire Chief Kessler introduced newly hired Firefighter Wheeler and his girlfriend pinned on his badge.

REPORT OF OFFICERS

Manager – Bill Nicklas said that Main and State streets would be open for the beginning of Pumpkin Fest on Wednesday. He thanked Public Works for jumping in over the last couple of weeks to put in most of the streetscape features.

Engineer – John Brady, Sycamore Municipal Engineering, reported that 55 trees had been sold in the Tree Program and the contractor said he would start planting later this week.

Building & Zoning – Lyle Doty said he has had a couple of go-rounds on St. Mary's preliminary plans and they are almost finished with the design process.

Asst. Fire Chief – Mark Kessler – no report

Treasurer/Asst. City Manager – Brian Gregory said the benchmark through September was 41.67% and the combined revenues were 45.1% and expenditures were at 24.62%. He said the general fund revenues were 48.62% and all property tax monies were in. He echoed the Mayor's words to shop locally because sales tax revenues were behind benchmark. He said the pension fund equity investments are being hit hard and fixed asset interest rates are down. He said the MFT audit will be finalized later this week and the two resolutions on the agenda are required to tie that up. He said the first installment of Home Rule Motor Fuel Tax was received for the month of July and came in better than expected.

Police Chief – Don Thomas said plans were in place for the 10k run and the Pumpkin Fest parade. He said that trick or treat hours on Halloween night would be 4:00 to 8:00 pm.

Public Works Director – Fred Busse reported that the Leaf Pickup Program started today and would run through November 26. He reminded residents to rake leaves to the curb and not into the street so they do not clog the catch basins. He said that Waste Management picks up yard waste until the end of November. He said Public Works would be busy organizing barricades and signs for Pumpkin Fest Weekend and would be back out at 2:00 am Monday morning cleaning up.

City Manager Nicklas said he visited the new DeKalb Clinic site and said the tentative opening would be June 2009.

REPORT OF STANDING COMMITTEES

Finance – no report

Public Safety – no report

Public Works – no report

PUBLIC HEARING - None

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.**

Mayor Mundy said Ordinances 2008.35 through 2008.44 have been read into the record and could be taken in Omnibus Fashion.

Motion

Aldersperson Taylor moved to hear Ordinances 2008.35 through Ordinance 2008.44 in Omnibus Fashion 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.

- 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.**
- 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.**
- 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.**
- 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.**
- 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.**
- 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.**
- 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.**
- 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.**

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.

Motion

Aldersperson Bauer moved to approve Ordinances 2008.35 through 2008.44 and Aldersperson Paulsen seconded the motion.

Roll call vote

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

City Manager Nicklas said he would work with the City Clerk’s office to get certified ordinances mailed overnight to the Insurance Services Organization.

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.

City Manager Nicklas said this is a technical consideration to allow the units to be sold as fee simple with some yard area with the homeowners association to maintain those areas.

Motion

Aldersperson Paulsen moved to hear Ordinance 2008.45 on first and second reading 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 7 - 0.

Motion

Aldersperson Paulsen moved to approve Ordinance 2008.45 and Aldersperson Kessler seconded the motion.

Aldersperson Taylor asked if First Rockford was still the developer.

Mr. Nicklas said that Gambino Homes is the developer for the residential area and the City understood that portion would be sold off at the time of annexation.

Roll call vote

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

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.

City Manager Nicklas said this came through the Plan Commission because the revision has to be codified in the Unified Development Ordinance which requires Plan Commission review. He said that Council approved a resolution by a vote of 7-1 which established their intent to increase Park impact fees.

Motion

Aldersperson Paulsen moved to hear Ordinance 2008.46 on first and second reading and Aldersperson Neubauer seconded the motion.

Voice vote

Mayor Mundy called for a voice vote to approve the motion. Six Alderspersons voted aye with Aldersperson Kessler voting nay. Motion carried 6 - 1.

Motion

Aldersperson Bauer moved to approve Ordinance 2008.46 and Aldersperson Paulsen seconded the motion.

Aldersperson Neubauer said he wanted to address Mike Fogelsanger's comments and said that impact fees do not affect existing Sycamore homes, but would be imposed on new development. He said it is not legal to use the fees on programs.

Aldersperson Kessler explained that when the Park District was here last time it was noted that Council wanted to see a capital improvement plan. She said it was her hope that when this issue came before Council there would be a plan. She said the lack of a plan is one of the reasons she cannot support this at this time and she also needed clarification on the increase of acreage for the ratio of 1000 people per acre.

Aldersperson Taylor said he remembered the Chamber of Commerce asking the Park District to wait until the economy improved and also agreed with what Aldersperson Kessler said.

Aldersperson Neubauer said he took issue with the idea that raising impact fees would diminish housing starts. He said this was a 1% increase in the total value of the homes. He said these figures were arrived at in the spirit of compromise because the Park District originally requested more.

Roll call vote

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons, Bauer, Knuth, Neubauer, and Paulsen voted aye with Alderspersons Adee, Kessler, and Taylor voting nay. Motion carried 4 – 3.

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.

Motion

Aldersperson Paulsen moved to hear Ordinance 2008.47 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 7 - 0.

Motion

Aldersperson Paulsen moved to approve Ordinance 2008.47 and Aldersperson Neubauer seconded the motion.

Roll call vote

Mayor Mundy called for a roll call vote to approve the motion. Alderpersons Bauer, Kessler, Knuth, Neubauer, Paulsen, and Taylor voted aye with Alderperson Adee voting nay. Motion carried 6 - 1.

RESOLUTIONS

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

Motion

Alderperson Neubauer moved to hear Resolutions 508 and 509 in Omnibus Fashion and Alderperson Bauer seconded the motion.

Roll call vote

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

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

Motion

Alderperson Bauer moved to approve Resolutions 508 and 509 and Alderperson Neubauer seconded the motion.

Roll call vote

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

CONSIDERATIONS

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

Architect Steve Nelson of Gilfillan Callahan Nelson Architects presented the schematic design work for the Police Department addition.

City Manager Nicklas told Council that this would be the time to point out suggestions.

Alderperson Taylor said he liked what seemed like a logical flow and said he appreciated that they tweaked the square footage in order to fit the budget.

Alderperson Bauer asked if the secured parking meant fences and expressed concern about the ability of the fire department to go out of the lot to the west.

Mayor Mundy said it was commendable that the space has been utilized for 50 plus years and felt the new design was budget-minded and as a taxpayer he was happy about the location and the overall look.

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

Motion

Aldersperson Kessler moved to go into Closed Session at 8:25 pm 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, Knuth, Neubauer, Paulsen, and Taylor voted aye. Motion carried 7 - 0.

Motion

Aldersperson Knuth moved to return to Open Session at 8:30 pm 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, and Taylor voted aye. Motion carried 7 - 0.

OTHER NEW BUSINESS

APPOINTMENTS

ADJOURNMENT

Motion

Aldersperson Bauer moved to adjourn the meeting at 8:30 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 7 - 0.

Approve:

Mayor - Ken Mundy

Attest:

City Clerk – Candy Smith