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**SYCAMORE CITY COUNCIL – REGULAR MEETING  
MINUTES OF APRIL 20, 2009**

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**ROLL CALL**

Mayor Ken Mundy called the meeting to order at 7:00 p.m. and City Clerk Candy Smith called the roll. Those Alderpersons present were: Grace Adee, Alan Bauer, Darren Knuth, Pete Paulsen, Chuck Stowe, and Gregory Taylor. Alderpersons Terry Kessler and Rich Neubauer were absent.

**INVOCATION**

Pastor Dan Stovall of the Sycamore Baptist Church gave the invocation.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

Mayor Mundy added Ordinance 2008.76 after Ordinance 2008.86 and removed Considerations A. and B.

**Motion**

Alderperson Stowe moved to approve the agenda as amended 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 6 - 0.

**AUDIENCE TO VISITORS**

Mayor Mundy introduced Dan Stanberry as a new Eagle Scout.

Dan Stanberry said he was with Troop 18 and said his project was child identification by gathering fingerprints and DNA from students at all the elementary schools in Sycamore.

Mary Beth Van Buer, JoAnn Fox, Lynn Morrell, and Mary Larson gave a presentation on DeKalb's Egyptian Theatre restoration.

Mike Fogelsanger, 845 Sunset Ln., asked about \$150,000 going to the Sycamore Chamber of Commerce for a three-year contract from the Hotel-Motel fund. He said he went to their website and it looked like they were a private entity and wondered why, especially during these economic times, the City subsidized them.

City Manager Nicklas said it was \$50,000 not \$150,000 and the Hotel-Motel Tax Fund is a repository of the tax put on hotel and motel rooms and has historically been used to attract visitors to Sycamore, but can be used for operating purposes. He said the City has extended monies to the Chamber for marketing and for the past seven years for a partial payment for the downtown coordinator position. He said that position is an investment that gets repaid because that person attracts visitors and businesses and is an investment that keeps on giving.

**CONSENT AGENDA**

- A. Approval of the Minutes for the Regular City Council Meeting of April 6, 2009.

- B. Approval of the Closed Session Meeting Minutes dated 10/20/08; 11/17/08; 1/5/09; 2/2/09; and 3/2/09, and the Release of the Closed Session Minutes dated 10/20/08.
- C. Approval to Destroy the Auditory Tapes from the Closed Session Council Meetings During the Period 5/21/07 Through 9/17/07.
- D. Payment of the Bills for April 20, 2009 in the amount of \$453,454.17.
- E. Plan Commission Minutes for the Meeting of March 9, 2009.

**Motion**

Aldersperson Bauer moved to approve the Consent Agenda 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.

**PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.**

Mayor Mundy presented service certificates to Alderspersons Adee and Knuth for their service from 2005 - 2009. He also pointed out that Sycamore had received an appreciation award from VAC; cautioned drivers to be aware of pedestrians, scooters, and bicycles; reminded residents that E-Pay was available for water bill payment; and announced that Sycamore History Museum would be opening at their new site the end of May.

Aldersperson Paulsen said one of his constituents problem was resolved by an ordinance on tonight's agenda.

- A. Proclamation declaring the week of April 20 through April 24, 2009 as "Administrative Professionals Week" in the City of Sycamore.
- B. Proclamation establishing April 24, 2009 as "Arbor Day" in the City of Sycamore.

Aldersperson Neubauer arrived at 7:30 p.m.

**REPORT OF OFFICERS**

Manager – Bill Nicklas said the latest budget report reflects that we are 96% through FY09 and revenues are down remarkably. He said the sales tax revenue for the first quarter of 2009 reflects the last quarter of 2008 and the numbers are off 10% for that quarter and 15% for the year. He said the FY10 budget is on the agenda and he said he was happy to say that we are on the verge of a contract settlement with IAFF Local 3046.

Engineer – John Brady, Sycamore Municipal Engineering, said the bid date for the Waste Water Treatment Plant project has been moved out to May 21, 2009 because the EPA has not released the regulations on minority and disadvantaged business requirement.

Building & Zoning – Lyle Doty reported that he had received plans and a permit application for Kishwaukee Corporate Health at 1740 Mediterranean Drive.

Fire Chief – Bill Riddle said that last week was National Telecommunicators Week and he noted that is an invisible group of workers who handle 911 calls. He said he wanted to recognize the work they do for the community and the county.

Treasurer/Asst. City Manager – Brian Gregory said that year-to-date Home Rule and 1% sales tax are down about 10%. He said that our largest investment matured today with a rate of 5.4% and unfortunately he will break it up in pieces and stagger it out.

Police Chief – Don Thomas said there was slightly increased police presence at the schools today on the 10<sup>th</sup> anniversary of the Columbine incident. He also reported that last week Sgt. Mike Anderson conducted a work fair seminar at Kishwaukee College and will do it again at Sycamore High School this week.

Public Works Director – Fred Busse thanked Mayor and Council for the Arbor Day proclamation that is required for the USA Tree City status. He said another requirement will be fulfilled Wednesday when Public Works celebrates Arbor Day by planting a tree at North School Wednesday. He also noted that the bridge that crosses the Kishwaukee River on North Grove Road is out for a few months for reconstruction.

Asst. Public Works Director – Ebe Smith reported that the Water Division began flushing fire hydrants this week and the schedule is posted on the City website.

## **REPORT OF STANDING COMMITTEES**

Finance – no report  
Public Safety – no report  
Public Works – no report

**PUBLIC HEARING** - None

## **ORDINANCES**

### **A. Ordinance No. 2008.80—An Ordinance Concerning the Adoption of the Combined Budget and Appropriation Ordinance for the Fiscal Year 2009-2010 in the City of Sycamore, Illinois. First and Second Reading.**

City Manager Nicklas said the Finance Committee met mid-March to review the budget, a public hearing was held at the April 6 meeting, and copies of the budget have been made available to the residents. He said he was asking Council to hear this on first and second reading and in the absence of any serious or extended concerns he felt the second reading was appropriate.

#### **Motion**

Aldersperson Bauer moved to hear Ordinance 2008.80 on first and second reading and Aldersperson Stowe 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 Bauer moved to approve Ordinance 2008.80 and Aldersperson Stowe seconded the motion.

Aldersperson Bauer said this is a fragile budget in these economic times.

#### **Roll call vote**

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

**B. Ordinance No. 2008.81—An Ordinance Amending Title 1, “Administration,” Chapter 10, “Personnel Rules,” of the City Code of the City of Sycamore, Illinois. First and Second Reading.**

City Manager Nicklas said this ordinance identifies all of the exempt positions.

**Motion**

Aldersperson Bauer moved to hear Ordinance 2008.81 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 7 - 0.

**Motion**

Aldersperson Paulsen moved to approve Ordinance 2008.81 and Aldersperson Stowe seconded the motion.

**Roll call vote**

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

**C. Ordinance No. 2008.82—An Ordinance Establishing Offices and Fixing the Compensation of Certain Appointed Officers of the City of Sycamore, Illinois, County of DeKalb, State of Illinois for the Fiscal Year Commencing on the First Day of May, 2009 and Ending on the Thirtieth Day of April, 2010. First and Second Reading.**

City Manager Nicklas said this particular ordinance deals with the compensation for exempt employees. He said a comp survey was done in the fall of 2008 and noted that 12 of the 14 management position were compensated significantly below the mid-salary range of comparable cities. He said this ordinance calls for a 2% across the board increase, but at some point we will have to address the comparability of these positions.

**Motion**

Aldersperson Stowe moved to hear Ordinance 2008.82 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 7 - 0.

**Motion**

Aldersperson Stowe moved to approve Ordinance 2008.82 and Aldersperson Paulsen seconded the motion.

**Roll call vote**

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

**D. Ordinance No. 2008.83—An Ordinance Amending the Fiscal Year 2008-2009 City Budget. First and Second Reading.**

City Manager said that each budget gets worked over three times by Council. He said the adoption, after the audit, and at the end of the fiscal year.

**Motion**

Aldersperson Bauer moved to hear Ordinance 2008.83 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 Alderpersons voted aye. Motion carried 7 - 0.

Mr. Nicklas pointed out that there would be another reserve transfer he would bring back to Council soon.

**Motion**

Alderperson Paulsen moved to approve Ordinance 2008.83 and Alderperson Bauer seconded the motion.

Alderperson Bauer said all these changes were previously discussed and he said he would like to see the reserve transfer as soon as possible.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderpersons Adee, Bauer, Knuth, Neubauer, Paulsen, Stowe, Taylor, and Mayor Mundy voted aye. Motion carried 8 – 0.

**E. Ordinance No. 2008.84—An Ordinance Concerning the Recommendation of the Plan Commission With Regard to the Petition from Rick and Gloria Kramer to Revise Table 5.3.1 of the Unified Development Ordinance to Allow Tattoo Parlors by Special Use Within the “C-2” Central Business District and “C-3” Highway Business Districts in the City of Sycamore, Illinois. First and Second Reading.**

City Manager Nicklas said the Plan Commission has considered the proposal to revise the UDO with respect to tattoo parlors or body art establishments. He said at the first hearing the Commission directed the petitioner to work with the City to create some guidelines. He said that at the next Plan Commission meeting the Plan Commission recommended that body art establishments should be allowed in C-3 by Special Use and C-2 by Special Use on the second story. He said if Council agrees to revise the UDO, then the petitioner would need to come back with a Special Use request for one or the other zoning districts.

Alderperson Stowe, Council representative to Plan Commission, said once the Commissioners felt this type of business should be allowed in C-2 and C-3, they felt the guidelines needed to be passed, and then each petitioner would need to go before Plan Commission and Council for a Special Use permit. He said that they want the Special Use Permit to keep the business from looking like stereotypical tattoo parlor.

Alderperson Neubauer said he put this out to his email list and he heard from a few people, none of which were opposed to the business in C-3, but 3 of 4 responses were opposed to C-2 Downtown zoning.

Alderperson Paulsen said he spoke to downtown business owners and they were for it. He said they favored the second floor and the rules and regulations helped.

Alderperson Stowe said at both Plan Commission meetings the room was filled with people and there was not a single objection.

**Motion**

Alderperson Bauer moved to hear Ordinance 2008.84 on first and second reading 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.

**Motion**

Aldersperson Bauer moved to approve Ordinance 2008.84 and Aldersperson Paulsen seconded the motion.

Aldersperson Paulsen noted that on the index page of the body art regulations, the word supply should be supplies.

Aldersperson Taylor asked if this was just tattooing or would it include body piercing and he was assured it was just tattooing.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Adee, Bauer, Knuth, Paulsen, Stowe, and Taylor voted aye with Aldersperson Neubauer voting nay. Motion carried 6 – 1.

Aldersperson Stowe said he hoped to have the regulations return to Council before discussing the Special Use.

Mr. Nicklas said the revision to Chapter 22 will be on the May 4 agenda.

**F. Ordinance No. 2008.85—An Ordinance Authorizing the City of Sycamore, DeKalb County, Illinois, to Borrow Funds from the Water Pollution Control Loan Program.**

City Manager Nicklas said this ordinance is a necessary step to qualify the City for a low-interest or no-interest loan from the Illinois Environmental Protection Agency for Phase I improvements at the City’s waste water treatment plant.

**Motion**

Aldersperson Paulsen moved to hear Ordinance 2008.85 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 2008.85 and Aldersperson Stowe seconded the motion.

**Roll call vote**

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

**G. Ordinance No. 2008.86—An Ordinance Amending Title 6, “Motor Vehicles and Traffic,” Chapter 4, “Traffic Schedules,” Section 6-4-12, “No Parking Zones, Subsection A, “No Parking Zones Designated,” to Add Eastbound East Sycamore Street From N. Main Street to Locust Street and Section 6-4-13, “Limited Parking,” Subsection B, “Time Limit Parking,” to Add Westbound East Sycamore Street from N. Main Street to Locust Street to the Two Hour Parking Limit List of the City Code of the City of Sycamore, Illinois. First and Second Reading.**

City Manager Nicklas thanked the Police and Engineering department for their response to the neighborhood concerns.

**Motion**

Alderson Paulsen moved to hear Ordinance 2008.86 on first and second reading and Alderson Stowe seconded the motion.

**Voice vote**

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

**Motion**

Alderson Paulsen moved to approve Ordinance 2008.86 and Alderson Stowe seconded the motion.

Alderson Paulsen thanked the resident that brought this to our attention and thanked the staff for their response. He said this was a good example where contacting people about concerns can work in your favor.

Alderson Taylor asked how "except for residents" was defined.

Mr. Nicklas explained that some houses on the north side do not have much off-street parking.

Alderson Taylor asked how the Police Department would know who was in compliance.

Chief Thomas said in these cases when violators are not obvious, they respond to complaints. He said they then run the plates and their definition of resident is if the address is within the block.

**Roll call vote**

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

Mayor Mundy thanked Lowell Evans, who was in the audience, for his service on the Plan Commission.

**H. Ordinance No. 2008.76 - An Ordinance Approving a Collective Bargaining Agreement Between the City of Sycamore and Local 3046 of the International Association of Fire Fighters.**

City Manager Nicklas said there is a tentative settlement agreement and the full text of the proposed collective bargaining agreement with a memorandum of understanding was at Council seats. He said the contract comprises a 3-year agreement with a wage increase of 4% year 1, 2% wage hike year 2, and a 2% wage hike May 1, 2010 and 2% November 1, 2010 for year 3. He said there will be a \$3,000 paramedic bonus, a health insurance contribution increase year 3 for family, memorandum of understanding to be executed with the contract. Mr. Nicklas recommended Council approval and said the Union would meet the next morning to take this up.

Mayor Mundy said because this ordinance was tabled at the March 2, 2009 meeting, he would need a motion to bring this item off the table.

**Motion**

Alderson Paulsen moved to remove Ordinance 2008.76 from the table and Alderson Bauer seconded the motion.

**Voice vote**

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

**Motion**

Aldersperson Paulsen moved to approve Ordinance 2008.76 and Aldersperson Knuth seconded the motion.

**Roll call vote**

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

**RESOLUTIONS**

**A. Resolution No. 518—Reallocating the City of Sycamore’s Private Activity Bond Volume Cap for the Year 2010 to the Illinois Housing Development Authority for the Purpose of Issuing Mortgage Credit Certificates in the City of Sycamore, Illinois.**

City Manager Nicklas said these funds are based on a per capita basis and last year 5 Sycamore families took advantage of the program.

**Motion**

Aldersperson Stowe moved to approve Resolution 518 and Aldersperson Paulsen seconded the motion.

**Roll call vote**

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

**CONSIDERATIONS**

**OTHER NEW BUSINESS**

**APPOINTMENTS** - None

**ADJOURNMENT**

**Motion**

Aldersperson Stowe moved to adjourn the meeting at 8:27p.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