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**SYCAMORE CITY COUNCIL – REGULAR MEETING  
MINUTES OF MAY 4, 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: Alan Bauer, Terry Kessler, Darren Knuth, Rich Neubauer, Pete Paulsen, Chuck Stowe, and Gregory Taylor. Alderperson Grace Adee was absent.

**SWEARING-IN OF ELECTED OFFICIALS**

City Clerk Candy Smith, Mayor Ken Mundy, and Alderpersons Alan Bauer, Pete Paulsen, Steven Braser, and Janice Tripp took the oath of office.

**INVOCATION**

Elder William Bridgewater of Israel of God Church gave the invocation.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

Mayor Mundy added Consideration C. Consideration of the Architectural Review Committee and moved Appointments to follow the Consent Agenda.

**Motion**

Alderperson Bauer moved to approve the agenda as amended and Alderperson Paulsen 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**

Joe Bussone invited Council to the annual Memorial Day Program May 25, 2009 at 10:00 a.m. at the Veterans Home.

Michael Casper, Sycamore High School Interim Band Director, extended an invitation to a music concert May 14 that will be an Armed Forces salute and a salute to community musicians.

Rob Wilkinson, YMCA director, spoke about the Strong Kids Campaign at the Y.

Mike Fogelsanger, 845 Sunset Lane, congratulated the new Council members, thanked those that were leaving, and said he wanted to address an issue that happened April 6. He said he thought Mr. Mundy's actions were out of line to use his position as Mayor to basically conduct an impromptu trial about an allegation that three law enforcement agencies had thoroughly reviewed and walked away from. He asked City Council to consider reprimanding Mr. Mundy for his actions for using his office for a political venue.

Mayor Mundy said the record is the record and Mr. Fogelsanger could have chosen to not comment. He said he did not endorse any candidate in Council Chambers, but being an elected official does not exempt one from endorsing another candidate.

## **CONSENT AGENDA**

- A. Approval of the Minutes for the Regular City Council Meeting of April 20, 2009.
- B. Payment of the Bills for May 4, 2009 in the amount of \$1,416,508.90.
- C. Proclamation Declaring the week of May 4 through May 10, 2009 as Public Service Recognition Week.

### **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.

## **APPOINTMENTS**

Mayor Mundy appointed Alan Bauer as Chair with Terry Kessler, Pete Paulsen, Chuck Stowe, and Gregory Taylor to the Finance Committee; Pete Paulsen as Chair with Steven Braser, Alan Bauer, Janice Tripp, and Rich Neubauer to the Public Safety Committee; and Chuck Stowe as Chair with Terry Kessler, Janice Tripp, Rich Neubauer, and Gregory Taylor to the Public Works Committee. Mayor Mundy reappointed Ron Bemis, Marvin Barnes, Ken George, Cindy Henderson, John Lewis, and Bill Lorence and appointed Dave Finney to Plan Commission; appointed Jeff Keicher and Russ Smith to Zoning Board of Appeals; and Aldersperson Taylor will continue to represent Council on the Architectural Review Committee.

### **Motion**

Aldersperson Bauer moved to approve the appointments 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 8 - 0.

Mayor Mundy appointed Theresa Jacobson to the Fire & Police Commission; Chief Riddle to the Fire Pension Board; Bob Keil to the Police Pension Board; reappointed Valerie Stallworth and appointed Ishmael McGhee to the Human Relations Board; reappointed Rod Schairer and Dean Copple and appointed Michelle Schulz to the Economic Development Commission; reappointed John Barris, Doug Moore, and Susan Thomas, and appointed Steven Braser as Council representative to the Library Board.

### **Motion**

Aldersperson Stowe moved to approve the appointments 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.

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

Mayor Mundy welcomed Alderspersons Janice Tripp and Steven Braser to Council and also congratulated Alderspersons Alan Bauer and Pete Paulsen for reclaiming their seats on Council. He said that Cinco de Mayo was an excellent event this past weekend, Ben Franklin will announce their new name May 16, and today West School students created posters for the service men and women serving overseas.

## **REPORT OF OFFICERS**

Manager – Bill Nicklas welcomed the new and the returning Alderpersons and said he would schedule a tour of the City facilities some time in June.

Engineer – John Brady, Sycamore Municipal Engineering, reported that the Waste Water Treatment Plan bid date has been moved once again to June 18 at 2:00 p.m. He said the federal regulations have been published and there is a 45-day waiting period.

Building & Zoning – Lyle Doty said that Tuesday his department would be conducting the final inspection for the Sycamore Historical Society.

Fire Chief – Bill Riddle said that many KEC students represented Sycamore in Springfield competition and KEC presented a plaque to the City thanking the City for supporting their vocational program.

Treasurer/Asst. City Manager – Brian Gregory noted that in future Treasurer Reports he would be breaking up investments into smaller amounts in order to increase the rates. He said the Census Bureau has asked the City to encourage residents to return completed forms received in the mail.

Police Chief – Don Thomas presented a handout summarizing how the City is handling information regarding the swine flu.

Asst. Public Works Director – Ebe Smith said Wednesday or Thursday he would be meeting with Engineer Brady to go over this year's street maintenance program. He also noted that the SCADA system which has been running off phone lines for years is now running through a radio frequency system and is fully operational and working well. He said a generator has also been placed in the building.

## **REPORT OF STANDING COMMITTEES**

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

**PUBLIC HEARING** - None

## **ORDINANCES**

### **A. Ordinance No. 2009.01—An Ordinance Amending the Fiscal Year 2008-2009 City Budget. First and Second Reading.**

City Manager Nicklas said this ordinance reflects that most of the remaining bond proceeds of Bond 26 were used last year for the street maintenance program.

#### **Motion**

Aldersperson Neubauer moved to hear Ordinance 2009.01 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 Neubauer moved to approve Ordinance 2009.01 and Aldersperson Paulsen seconded the motion.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Bauer, Braser, Kessler, Neubauer, Paulsen, Stowe, Taylor, Tripp, and Mayor Mundy voted aye. Motion carried 9 – 0.

**B. Ordinance No. 2009.02—An Ordinance Approving a Collective Bargaining Agreement Between the City of Sycamore and the American Federation of State, County, and Municipal Employees, Council 31, on Behalf of AFSCME Local 3957 in the City of Sycamore, Illinois. First and Second Reading.**

City Manager Nicklas explained that a two-year agreement has been reached in tentative form. He said the terms include the following as provided in the background:

- the two-year term begins on May 1, 2009 and extends through April 30, 2011.
- In Year One (May 1, 2009 through April 30, 2010), the membership of Local 3957 will receive a 2% wage increase.
- In Year Two (May 1, 2010 through April 30, 2011), the membership will receive a 2% wage increase on May 1, 2010 and a 2% wage increase on November 1, 2010.
- A new classification—“evidence custodian and ordinance officer”—will be added to more accurately reflect the true duties of a current member assigned to the Police department.
- A no-layoff pledge has been added for the two-year term of the contract.

A memorandum of understanding will be added reflecting the City’s intention to complete a compensation survey in the early spring of 2011 as a basis for negotiating greater equity in wages as compared with wages in similar classifications at seven comparable N. Illinois cities. In addition, the MOU establishes the intent of both parties to establish greater equity and internal comparability between AFSCME Local 3957 wages and wages or salaries of similar positions in other City of Sycamore departments.

Mr. Nicklas emphasized that these negotiations were cooperative and constructive from beginning to end.

**Motion**

Aldersperson Paulsen moved to hear Ordinance 2009.02 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 2009.02 and Aldersperson Stowe seconded the motion.

Aldersperson Braser asked for an explanation of the legality of the layoff pledge.

Mr. Nicklas said there is an understanding that there are many tradeoffs in exchange for a wage increase and that was not the original wage increase they asked for. He said in a department in which most of the employees have given back over \$250,000 this was the tradeoff.

**Roll call vote**

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

**C. Ordinance No. 2009.03—An Ordinance Revising Title 3, “Business and License Regulations,” To Create a New Chapter 22, “Body Art Establishments,” in the City Code of the City of Sycamore, Illinois. First and Second Reading.**

City Manager Nicklas explained that at the last Council meeting Council approved a revision to the UDO allowing Body Art Establishments in the C-2 business district (second floor only) and C-3 business district. He said these proposed regulations reflect the best practices of other communities who have permitted and licensed body art establishments and have been vetted through the city attorney’s office.

Alderson Neubauer said he would be voting no so he explained that he did not have any problem with this particular business, but would have a problem with the 4<sup>th</sup> or 5<sup>th</sup> tattoo parlor downtown.

**Motion**

Alderson Stowe moved to hear Ordinance 2009.03 on first and second reading and Alderson Paulsen seconded the motion.

Alderson Paulsen noted a typo in the regulations and said he felt the regulations were very thorough.

Alderson Bauer asked if Section 3-22-5 assured there would be no piercing.

Mr. Nicklas said it did.

**Voice vote**

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

**Motion**

Alderson Paulsen moved to approve Ordinance 2009.03 and Alderson Taylor seconded the motion.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Aldersons Bauer, Braser, Kessler, Paulsen, Stowe, Taylor, and Tripp voted aye with Alderson Neubauer voting nay. Motion carried 7 – 1.

**D. Ordinance No. 2009.04—An Ordinance Authorizing the Partial Abatement of Future City Property Taxes and a One-Time Grant of \$22,000 for Smart Motion Robotics, Inc., in the City of Sycamore, Illinois.**

City Manager said this was a request to abate a portion of future City property tax for a company that has run out of space at its current location in Gilberts. He said that, except for Cortland Township which will meet next week, all of the other taxing bodies have agreed to the abatement. He strongly recommended the abatement plus the one-time \$22,000 grant.

**Motion**

Alderson Kessler moved to hear Ordinance 2009.04 on first and second reading and Alderson Paulsen seconded the motion.

**Voice vote**

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

**Motion**

Aldersperson Kessler moved to approve Ordinance 2009.04 and Aldersperson Paulsen seconded the motion.

Mr. Nicklas passed along the regrets of 2 of the 3 principals who were meeting with their key customer.

Aldersperson Kessler said that those companies who have taken advantage of the abatement program have exceeded the criteria that were established for the program. She said that this ordinance had her full support.

Aldersperson Bauer said the standard package was not quite enough and he felt that Mr. Nicklas utilized good judgment to offer the \$22,000. He said that when the opportunity is there, we should grab it.

Aldersperson Taylor said he was all for investing in Sycamore, but felt the City should show some caution that companies will play one town against another.

Mr. Nicklas said we are played against other communities and it took about 1 ½ years to hammer out the abatement agreement and it has worked and is not something that will likely be reopened soon.

Mayor Mundy pointed out that Mr. Nicklas had represented the City well again in gaining a business that is a clean, high-tech company.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Bauer, Braser, Kessler, Neubauer, Paulsen, Stowe, Taylor, and Tripp voted aye. Motion carried 8 – 0.

**RESOLUTIONS**

**A. Resolution No. 519—A Resolution for Maintenance of Streets and Highways by the City of Sycamore Under the Illinois Highway Code from May 1, 2009 to April 30, 2010.**

Mr. Nicklas said these types of resolutions would need to be passed every year.

**Motion**

Aldersperson Stowe moved to hear Resolutions 519 and 520 in omnibus fashion and Aldersperson Neubauer seconded the motion.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Bauer, Braser, Kessler, Neubauer, Paulsen, Stowe, Taylor, and Tripp voted aye. Motion carried 8 – 0.

**B. Resolution No. 520—A Resolution Providing for the Retirement of Certain Municipal Indebtedness by Use of Motor Fuel Tax Funds.**

**Motion**

Aldersperson Stowe moved to approve Resolutions 519 and 520 and Aldersperson Neubauer seconded the motion.

**Roll call vote**

Mayor Mundy called for a roll call vote to approve the motion. Alderspersons Bauer, Braser, Kessler, Neubauer, Paulsen, Stowe, Taylor, and Tripp voted aye. Motion carried 8 – 0.

## **CONSIDERATIONS**

### **A. Consideration of an Extension to the Consulting Agreement with the Daley Policy Group.**

Patricia Daley, Daley Policy Group, reported on the legislative calendar for the past six months and noted that Sycamore would be receiving transportation dollars for Lindgren Road and she would be submitting plans for Bethany and Lindgren in the reauthorization legislation.

City Manager Nicklas said this was put on the agenda because the contract is expiring at the end of the month and in light of what we understand and what we have heard tonight, he recommended an extension of the contract to get us to the finish line of the reauthorization bill. He said the resource for the contract would be the Hotel-Motel fund. He said the Lindgren Road project would cost \$496,000 which seems to be secured and the Bethany Road project would be about \$5 million and we are looking for \$2 to \$3 million from the federal government.

Ms. Daley said the request for the Bethany project is almost \$2.5 million on the reauthorization legislation.

Aldersperson Taylor asked if we get money for Bethany Road could we get the stoplight to give more than 12 seconds for those using it.

Mr. Nicklas said that was not part of the project and that signal is not within the City's control. He said they would forward comment to appropriate authorities.

Aldersperson Kessler said this was good news and we need to be in their face and the voice of Sycamore is heard. She said that Bethany Road is becoming more and more a gateway to Sycamore. She said she supported the 6-month extension.

#### **Motion**

Aldersperson Kessler moved to extend the Daley Policy Group contract for six months and Aldersperson Taylor seconded the motion.

#### **Roll call vote**

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

### **B. Consideration of an Administration Recommendation Regarding a Contract for Independent Financial Audit Services for the City of Sycamore, Illinois.**

City Manager Nicklas said that Brian Gregory circulated an RFP and received two responses. He said that Siepert & Company has worked with the City for the past three years and offered a price of \$37,650 for the next three years and Lindgren, Callihan & Van Osdol Co., Ltd. proposed a fee of \$39,500 for one year.

Aldersperson Neubauer said he thought having a fresh set of eyes was a good idea and said he would like staff to review this for another couple of weeks to go with LCV for one year and if they do not work out we could go back to the old firm.

Aldersperson Braser pointed out that LCV was asked for prices for three years and they failed to do that so he felt they would not be very thorough.

**Motion**

Alderson Braser moved to award the contract to Siepert & Company for a three-year contract and Alderson Bauer seconded the motion.

Alderson Bauer asked what the cost of the audit was last year.

Assistant City Manager/Treasurer Brian Gregory said it was about the same as the bid. He noted that only a one year fee was asked for in the RFP and also pointed out that the cost of hiring a new firm can incur costs of time and money.

Alderson Stowe said he knew what it took to bring Siepert up to speed and even though he was not happy with all of their conclusions he would support the recommendation.

Mayor Mundy said at NIU they were reviewed by federal and state insurance retirement auditors all the time. He said we have worked with Siepert to develop and improve procedures and policies.

Mr. Nicklas said he took exception at the last audit because there were not enough separation of duties, but with a small organization other firms said they would have made the same conclusions.

Alderson Neubauer withdrew his earlier comments.

**Roll call vote**

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

**C. Consideration of a Recommendation of the Architectural Review Committee Regarding a Façade Grant for Jones Family Ventures, LLC at 307 & 309 W. State Street.**

City Manager Nicklas said the Architectural Review Committee met and recommended granting \$10,000 for the two building addresses. He said they intend to continue with the two facades that were uncovered and the Architectural Review Committee did discuss the possibility of additional funds, but would that is not on the agenda today and the façade grant program would not be the vessel for additional funding.

**Motion**

Alderson Stowe moved to award a \$10,000 façade grant to Jones Family Ventures, LLC for property located at 307 & 309 W. State Street and Alderson Paulsen seconded the motion.

Alderson Bauer asked about the owner's share of expense.

Mr. Nicklas said they have already spent \$10,000.

**Roll call vote**

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

**OTHER NEW BUSINESS**

## **ADJOURNMENT**

### **Motion**

Alderson Stowe moved to adjourn the meeting at 8:46 p.m. and Alderson Paulsen seconded the motion.

### **Voice vote**

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

Approve:

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Mayor - Ken Mundy

Attest:

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City Clerk – Candy Smith