
SYCAMORE CITY COUNCIL – REGULAR MEETING
MINUTES OF January 7, 2018

ROLL CALL

Mayor Lang called the meeting to order at 7:00 p.m. and City Clerk Mary Kalk called the roll. Those Alderpersons present were: Steve Braser, Nancy Copple, Rick Kramer, Virginia Sherrod, David Stouffer, Chuck Stowe, and Alan Bauer. Alderman Pete Paulsen was absent. City Attorney Keith Foster was also present.

INVOCATION – Pastor Jessie Meekins, Kishwaukee Bible Church, gave the invocation.

PLEDGE OF ALLEGIANCE Led by West Elementary School students Spencer Alloy and North Elementary School students Zach Buie, Matthew Gittleson and Justin Seimer.

**APPROVAL OF AGENDA
MOTION**

Alderperson Stouffer moved to approve the agenda and Alderperson Braser seconded the motion.

VOICE VOTE

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

AUDIENCE TO VISITORS

Marilyn Hrymak, 472 E. Elm Street spoke on behalf of the Citizen Advocates for a Sustainable Environment – Sycamore.

APPOINTMENTS

A. Appointment of Alderwoman Nancy Copple to the Sycamore Library Board to Serve as the Council Representative.

MOTION

Alderperson Stouffer moved to approve the appointment and Alderperson Sherrod seconded the motion.

VOICE VOTE

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

CONSENT AGENDA

- A. Approval of the Minutes for the Regular City Council Meeting of December 17, 2018.
- B. Approval of the Closed Session Minutes for the Meetings of 5/7/18, 8/20/18, 10/1/18, and 11/5/18.
- C. Release of the Closed Session Minutes for the Meeting of 5/7/18.
- D. Approval to Destroy the Auditory Tapes from the Closed Session City Council Meetings During the Period from 11/7/16 through 6/5/17.
- E. TIF Assistance Close-Out for Eligible Blumen Gardens Parking Lot Improvements.
- F. Payment of the Bills for January 7, 2019 in the amount of \$2,134,655.35

MOTION

Alderperson Bauer moved to approve the Consent Agenda and Alderperson Stowe seconded the motion.

ROLL CALL VOTE

Mayor Lang called for a roll call vote to approve the motion. Alderpersons Braser, Copple, Kramer, Sherrod, Stouffer, Stowe, and Bauer voted aye. Motion carried 7-0.

PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS

REPORT OF OFFICERS

City Manager – Brian Gregory said that the county is installing a new light on the southwest corner of Exchange and Main Streets to replace the one that was removed during the jail project. He will share more information on the timeline as it becomes available. He also reported that the city offices will be closed on Monday, January 21st for Martin Luther King Jr.'s birthday, so the City Council meeting will be Tuesday, January 22nd.

Police Chief – Jim Winters said that the assessors for the reaccreditation process were on-site to meet with members of the Police Department, the City Manager, and the Mayor. The preliminary feedback has been positive and the on-site assessment will continue tomorrow. He hopes to hear the results in the next 30-60 days. He said preliminary statistics for 2018 are showing downward trends in both property crimes and crimes against persons. He anticipates preparing the full statistics for the annual report that will be presented in early March.

Fire Chief – Pete Polarek reported that during the Red Wreath program, from Thanksgiving to New Year's Day, they had 302 requests for service, of which 252 were emergency medical, 24 motor vehicle accident responses, and 26 non-holiday fire responses. One of those calls was eligible to change a bulb from red to white but fortunately, it was relatively minor. He reported that they are up 40 calls for this same period as last year, so it is consistent with the reported increase in activity.

Director of Public Works – Fred Busse said they received the new camera unit last Thursday, the truck, and the station of monitors used for Geographic Information System (GIS) mapping and viewing inspections, which was all shown in the handout. He said the little tractor and camera unit is what propels itself down through the sanitary sewers. There is a rear camera and a front camera that rotates 360 degrees.

Treasurer/Asst. to the City Manager – Adam Orton announced that new employee, Jozi Meier, has joined the Finance Office as Accounts Payable Clerk and said they are happy to have her on board.

Building & Engineering Director – John Sauter said they have issued 53 single family permits in 2018, compared to 46 in 2017. That represents the most single family permits they've issued since 2007 and surpasses the previous high total of 50 in 2016. They are well into the plan review process for the MorningStar Media and Meijer projects and expect to issue permits to Morningstar within the next week and to Meijer within the next 3-5 weeks. The new O'Reilly Auto Parts store on DeKalb Avenue opened for Business on January 2nd. They said they've had quite a bit of traffic.

Director of Human Resources – Maggie Peck said they are working on the upcoming performance reports for employee evaluations. Sycamore U begins Tuesday, January 15th at 4 p.m. and said they are excited to partner with Kishwaukee College. She said they received a safety grant for \$7,429 and is working with the Safety Committee to assess the needs of the City. We are guaranteed to receive a grant in the same amount if not more in 2020.

City Engineer – Mark Bushnell said Metronet is continuing work through the winter. They have completed work in two of their service areas including the Fox Pointe area and neighborhood surrounding the Elmwood Cemetery. Currently they are working in three different areas, which is the maximum permitted under our agreement. They expect work to continue as long as weather is conducive to installation.

REPORTS OF STANDING COMMITTEES

Finance – Alan Bauer - no report

Public Safety – Pete Paulsen - no report.

Public Works – Chuck Stowe - no report

PUBLIC HEARINGS - None

ORDINANCES

A. Ordinance 2018.10—An Ordinance Amending Title 3, “Business and License Regulations,” Chapter 4, “Peddlers, Solicitors and Itinerant Merchants,” Section 6, “Restrictions on Permits,” and Adding a new Chapter 24 Entitled, “Mobile Food Vendors,” of the City Code of the City of Sycamore, Illinois. Second Reading.

City Manager Brian Gregory said there have been three prior discussions; two Considerations and the First Reading at the last meeting, regarding this. He noted the new additions are for an inspection failure, there will be a re-inspection fee of \$25, more specifics for the standards to meet public safety requirements including health, sanitation, fire, and life safety requirements; including the applicable National Fire Protection Agency (NFPA) and Illinois Department of Transportation (IDOT) standards. He said, otherwise, the ordinance is what was presented at the last meeting and what is also covered in the background. He reminded that upon approval, that Section 3-4-6E of the code will be deleted entirely.

Creation of a new Chapter 3-24, “Mobile Food Vendors” of the City Code

- Applicants will go through the same background check process currently required in Chapter 3-4.

Special Event Mobile Food Vendor Permits

Chapter 3-24 establishes “special event” mobile food vendor permits to allow food trucks to operate at these types of events.

- Permits for the operation of special event mobile food vending will be reviewed on a case-by-case basis with an emphasis on public safety. Zoning, location, hours of operation, parking requirements, etc. will be reviewed as a special event following the same process used for outdoor special events and catered special events, defined in section 3-2-6. In cases where an applicant desires a special event under section 3-2-6, mobile food vendor permits will be reviewed in conjunction with outdoor special event or catered special event permit. Staff will prepare an administrative procedure that includes any necessary inspections of the equipment at the time of application, in the field, or both. Inspection failure may result in a re-inspection fee of \$25.00.
- The fee for this type of permit would remain at \$50 per year plus the cost of the background check.
- This chapter does not apply to non-profit organizations selling concessions or those permitted by the Sycamore Pumpkin Festival Committee.
- Ice Cream Trucks continue to be regulated in chapter 3-4.

Fixed Point Mobile Food Vendors

- The second type of mobile food vending permit established in Chapter 3-24 is for “fixed point” mobile food vending.
- A fixed point would be defined as the location of a mobile food vending operation if the location is the primary place from which the business will operate. These vendors operating at a fixed point are permitted in C-2, Central Business, C-3 Highway Business, M-1 Light Manufacturing and M-2, Heavy Manufacturing Districts, except for the downtown area (as defined in the Unified Development Ordinance).
- Fixed point mobile food vendors will be required to conform to all zoning regulations including setbacks and must be located at or behind the front plane of the building (with a minimum of 25’ if setback requirements are less) and include a minimum of five dedicated parking spaces beyond what is required for the primary business. These vendors would be allowed to operate beyond the front plane of the building when a business has more than one-hundred parking stalls and meets all public safety requirements.
- Each vendor would be required to get written authorization from the property owner to operate a fixed point mobile food vending operation. Fixed point mobile food vendors will not be permitted within two-hundred and fifty feet from any other permanent food service vendors. These vendors shall be required to submit a drawing that indicates the location of the vehicle or trailer, compliance with setbacks and dedicated parking stalls to be reviewed and approved by City staff.
- Fixed point mobile food vendors shall not operate before ten o’clock (10:00) a.m. or after nine o’clock (9:00) p.m. No vehicle, trailer, or equipment related to mobile food vending operations shall be on the property from ten o’clock (10:00) p.m. to ten o’clock (10:00) a.m.
- This type of permit is limited to operations between May 1st and the second to last full weekend in October each year.
- A drawing to scale depicting the location of any vehicles or equipment used in the mobile food vending operation, including compliance with setbacks and dedicated parking spaces is required to be submitted with the application for a fixed point mobile food vendor permit.
- Staff will prepare an administrative procedure that includes any necessary inspections of the equipment at the time of application, in the field, or both. Inspection failure may result in a re-inspection fee of \$25.00.

- The fee for fixed point mobile food vendors is \$50/month or \$250/year plus the cost of the background check.

Signs

- From a public safety standpoint, the new chapter would require all mobile food vendors to meet public safety requirements including health, sanitation, fire and life safety requirements; including the applicable National Fire Protection Agency (NFPA) and Illinois Department of Transportation (IDOT) standards. Additionally, mobile food vendors shall ensure gas or fuels are separated from the cooking/serving area and smoke and carbon monoxide detectors are installed.
- Other general requirements that were established in Chapter 3-4 addressing location in relation to sightlines, advertisement through noise, sanitization requirements, waste receptacles, and appropriate grounding of electricity are included in the new chapter 3-24.

Alderwoman Cople asked about why they couldn't even put out a small sign.

City Manager Brian Gregory said the vehicle itself would offer signage that would challenge the code as it is, so there is a bit of an advantage there already. He said that having additional signage and flags is difficult to regulate and they want to balance the permit fee to make it something that is possible and not have to raise the fees to work the compliance angle constantly visiting sites. He said that last year, there was a concern called in about flags, which took a fair amount of staff time, even after they talked with the business to get them to comply. With the fee of \$250 a year, spending multiple staff hours on just that one issue, is another reason why we wouldn't want to allow those signs. They, of course, also want to be consistent with what brick and mortar stores would be allowed.

MOTION

Aldersperson Kramer moved to approve Ordinances 2018.10 and Aldersperson Stouffer seconded the motion.

ROLL CALL VOTE

Mayor Lang called for a roll call vote to approve the motion. Alderspersons Braser, Cople, Kramer, Sherrod, Stouffer, Stowe, and Bauer voted aye. Motion carried 7-0.

Mayor Lang said he has not had any input from anyone regarding this so he thinks everyone is pretty pleased with how this turned out.

RESOLUTIONS

A. Resolution No. 772—A Resolution Amending the City's Policy Prohibiting Sexual Harassment in Accordance with Illinois Law.

City Manager Brian Gregory said that since the City adopted a resolution establishing a policy prohibiting sexual harassment in 2018, the State of Illinois passed Public Act 100-1066 which expands the time to file charges of discrimination with the Illinois Department of Human Rights from 180 days to 300 days. Resolution 772 updates the City's current policy with the requirements of the newly passed legislation. Maggie Peck has updated the policy that complies with state law.

MOTION

Aldersperson Stowe moved to approve Resolution 772 and Aldersperson Kramer seconded the motion.

VOICE VOTE

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

B. Resolution No. 773—A Resolution Authorizing the City Manager to Designate 2019 Freedom of Information Act Officers and the Open Meetings Act Officer Pursuant to the Freedom of Information Act and Open Meetings Act of the State of Illinois.

City Manager Brian Gregory said that we establish these officers each year as Illinois law requires and *recommends the designation of the following officers for 2019:*

- Mary Kalk, City-wide FOIA Officer;
- Adam Orton, City-wide FOIA Officer;
- Mary Banasiak, Police Department FOIA Officer;
- Kevin Buick, Open Meetings Act Officer.

Because of the daily and frequent requests for case information from the Police Department, a FOIA officer with special training has been designated to aid the public in such requests.

MOTION

Alderspersion Kramer moved to approve Resolution 773 and Alderspersion Stouffer seconded the motion.

VOICE VOTE

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

C. Resolution No. 774—A Resolution Issuing a Notice of Intent to Award Contract “A” to Leander, Inc. of Canton, Illinois for Improvements Related to the City’s Wastewater Treatment Plant Project.

City Manager Brian Gregory said this is the largest part of the contract and is part of several components that make up Phase III of the treatment plant improvements. Initially, in 2005, Tim Bronn, the principal representative for McMahon Associates presented an initial two-phase plan that would ultimately result in an increase in the rated plant capacity from 2.97 MGD (million gallons per day) to 4.90 MGD. As the project has evolved an additional phase was added making the project three phases. He said that Phase I involved headworks and solid handling improvements, which were completed in 2011. Phase II dealt with the excess flow clarifier and the installation of a centrifuge, which was completed in 2015. He said that the third and final stage is the actual expansion of the capacity of the treatment plant to treat 2.97 MGD to 4.90 MGD. He said most of the main footprint was built in the 1970’s and has well outlived its useful life. He said that the council looked at many options in 2014 and the sequencing batch reactor (SBR) was selected for the project. The project, which was previously submitted to the Illinois Environmental Protection Agency for permitting and financial assistance (through the low-interest loan program), went to bid in early October. The bids consisted of two contracts, Contract “A” which includes a base construction bid, seven alternate bids, and twenty equipment items where alternate pricing could be provided by the contractor. A second contract, Contract “B” was bid by Xylem Water Solutions USA, Inc. to provide all of the sequencing batch reactor (SBR) equipment for the project. McMahon and Associates recommended this bidding format to give the City maximum control over budget and equipment selection.

Tim Bronn, McMahon said that he appreciated working with Sycamore and said that Brian Gregory, Fred Busse, Mark Bushnell, and Matt Anderson have been great to work with. Initially being concerned about the budget, he eliminated what wasn’t absolutely needed and created the bid format to provide flexibility and allow competition on pieces of equipment, which saved a lot of money. He explained that he purposely separated Contract B, one preferred vendor for one piece of equipment, which was pre-approved by IEPA, to maintain competition on the rest of the equipment on the job.

Bids for Contract “A” were opened on December 19th at 1:00 PM. Six general contractors submitted bids as outlined in the table below:

Contract No. S0702-7-12-00134-A	Leander Construction	Whittaker	Williams Brothers	IHC	J J Henderson	Vissering
BASE BID - Contract A:	\$ 20,771,900.00	\$ 21,497,150.00	\$ 21,760,000.00	\$ 23,265,360.00	\$ 24,048,000.00	\$ 24,867,000.00
Alternate Bids:						
Alternate Bid #A1 Additional Centrifuge	\$ 474,000.00	\$ 500,000.00	\$ 480,000.00	\$ 510,000.00	\$ 480,000.00	\$ 405,000.00
Alternate Bid #A2 Alternate Finish on Cast in Place Concrete	\$ (296,000.00)	\$ (20,000.00)	\$ (27,000.00)	\$ (70,000.00)	\$ (60,000.00)	\$ (275,000.00)
Alternate Bid #A3 Alternate Finish on SBR Tank Floors	\$ (26,000.00)	\$ (20,000.00)	\$ (10,000.00)	\$ 30,000.00	\$ (106,000.00)	\$ (25,000.00)
Alternate Bid #A4 Alternate Water Repellant on SBR Tankage	\$ (25,000.00)	\$ (20,000.00)	\$ (10,000.00)	\$ (25,000.00)	\$ (1,000.00)	\$ (30,000.00)
Alternate Bid #A5 Upgrade to Fiberglass Reinforced Panel Doors	\$ 13,700.00	\$ 25,700.00	\$ 2,500.00	\$ 9,100.00	\$ 9,000.00	\$ 4,000.00
Alternate Bid #A6 Switch to High-Efficiency Blowers (8-year payback)	\$ 226,000.00	\$ 300,000.00	\$ 230,000.00	\$ 60,000.00	\$ 220,000.00	\$ 210,000.00
Alternate Bid #A7 Alternate Pump Manufacturer	\$ 4,750.00	\$ 7,500.00	\$ 5,000.00	\$ -	\$ 7,000.00	\$ 6,000.00
Base Bid with Alt.	\$ 20,669,350.00	\$ 21,770,350.00	\$ 21,950,500.00	\$ 23,269,460.00	\$ 24,117,000.00	\$ 24,757,000.00
Unit Price - Sludge Removal	\$ 0.10	\$ 0.10	\$ 0.10	\$ 1.00	\$ 0.30	\$ 0.70

City Manager Brian Gregory walked through the base bids and different alternatives listed above and said the low bid came from Leander Construction. He said *the alternate bid items being recommended include numbers 2, 3, 4, 5, 6, and 7; reducing the overall contract cost by \$112,050. McMahon and staff recommend that the alternate equipment including: Whipps Gates, Xylem/Flygt Centrifugal Pumps, Belding Fiberglass Tank, Salsnes Microscreens, and Trojan UV Disinfection Equipment be selected; reducing the overall contract by \$760,383. The total for Contract "A" inclusive of alternate bids and equipment selections is \$19,908,967.* Mr. Gregory said this will be paid for from sewer and sewer connection fee and from borrowing through the IEPA council. Council previously approved the loan application documents and IEPA has approved the city for the low interest rate loan. The rate structure is factored in so there are not changes to the rate that is anticipated. When all variables are factored in, it will cost about \$24 million. This notice of intent will go to the IEPA for approval and then to Council to award the contract. He expects construction to begin in the spring or summer. He thanked Fred Busse, Mark Bushnell, Matt Anderson, and Tim Bronn.

Director of Public Works Fred Busse said they are happy that this is moving forward and said it was great working with Tim Bronn and McMahon & Associates.

City Engineer Mark Bushnell said they were happy to get six bids. They had talked to other agencies, of which none had bids this size out to bid. All the conditions worked well to get a bid under the engineer's estimate.

MOTION

Aldersperson Stowe moved to approve Resolution 774 and Aldersperson Kramer seconded the motion.

ROLL CALL VOTE

Mayor Lang called for a roll call vote to approve the motion. Alderspersons Braser, Cople, Kramer, Sherrod, Stouffer, Stowe, and Bauer voted aye. Motion carried 7-0.

D. Resolution No. 775—A Resolution Issuing a Notice of Intent to Award Contract "B" to Xylem Water Solutions USA, Inc. for Sequencing Batch Reactor Equipment Related to the City's Wastewater Treatment Plant Project.

City Manager Brian Gregory said the SBR is the main technology utilized in the plant design. Xylem Water Solutions is the preferred equipment. Based out of Wisconsin, they are in close proximity for service, they have a good reputation, and they were willing to provide a process guarantee that we will meet the standard that the IEPA requires.

Contract No. S0702-7-12-00134-B	Xylem Water Solutions USA
BASE BID - Contract B:	\$ 1,662,500.00
Alternate Bid #B1	\$ 43,400.00
Base Bid with Alt.	\$ 1,705,900.00

This Contract also included one alternate bid, the Nutrient Removal Controller System (NURO), which improves system efficiency and maximizes nutrient removal to minimize chemical feed for nutrient removal.

The total for Contract "B" with the NURO alternate is \$1,705,900.00. This is an intent to award and the engineer's estimate was \$2.6 million.

MOTION

Aldersperson Kramer moved to approve Resolution 775 and Aldersperson Stowe seconded the motion.

ROLL CALL VOTE

Mayor Lang called for a roll call vote to approve the motion. Alderspersons Braser, Cople, Kramer, Sherrod, Stouffer, Stowe, and Bauer voted aye. Motion carried 7-0.

CONSIDERATIONS

A. Consideration of an Administration Request for a Closed Session to Discuss Pending Litigation.

MOTION

Aldersperson Stouffer moved to enter into Closed Session at 7:43 p.m. and Aldersperson Kramer seconded the motion.

VOICE VOTE

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

MOTION

Aldersperson Braser moved to return to Open Session meeting at 7:54 p.m. and Aldersperson Stouffer seconded the motion.

VOICE VOTE

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

OTHER NEW BUSINESS

ADJOURNMENT

MOTION

Aldersperson Stowe moved to adjourn the meeting at 7:55 p.m. and Aldersperson Stouffer seconded the motion.

VOICE VOTE

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

Approve:

Mayor - Curt Lang

Attest:

City Clerk – Mary Kalk