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SYCAMORE CITY COUNCIL – REGULAR MEETING  
MINUTES OF February 18, 2019

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**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: Pete Paulsen, Virginia Sherrod, David Stouffer, Chuck Stowe, Alan Bauer, Steve Braser, Nancy Copple, and Rick Kramer. City Attorney Keith Foster was also present.

**INVOCATION** – Pastor Steve Persson, First Baptist Church, gave the invocation.

**PLEDGE OF ALLEGIANCE** Led by Luther and Andrew Swedberg and Tristan Countryman

**APPROVAL OF AGENDA**

**MOTION**

Alderperson Kramer moved to approve the agenda 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 8-0.

**AUDIENCE TO VISITORS**

Marilyn Hrymak, 472 E. Elm Street, a representative of Citizen Advocates for a Sustainable Environment, gave the names and addresses and background for the speakers coming up later in the agenda. Bart Woodstrup 451 E. Elm Street, Liliana Orozco, 1004 London Court, Dr. Becky Cohen, 207 Dunkery Drive.

**CONSENT AGENDA**

- A. Approval of the Minutes for the Regular City Council Meeting of February 4, 2019.
- B. Payment of the Bills for February 18, 2019 in the amount of \$327,817.79

**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 Paulsen, Sherrod, Stouffer, Stowe, Bauer, Braser, Copple, and Kramer voted aye. Motion carried 8-0.

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

A Proclamation Recognizing the Sycamore Moose Club for 95 Years of Service in the City of Sycamore, Illinois.

Mayor Lang read the proclamation and introduced Rick Spider Kramer who introduced Ken Sullivan, Governor, Gary Collum, Treasurer, Cheryl Collum, Administrator, Gloria Kramer, Social Quarters Manager, Jessie Alex and Daniell Wall, Member Bartenders, Todd Hilgren, Trustee.

B. A Presentation by the Citizen Advocates for a Sustainable Environment.

Marilyn Hrymak, Bart Woodstrup, Liliana Orozco, and Dr. Becky Cohen gave a presentation advocating for a sustainable environment for the benefit of Sycamore and the nation. They cited many statistics and factors impacting the environment and asked for support in having the city join ClimateMayors.org, allow community lectures, recognize citizens and businesses with sustainable practices, and partner with them by allowing them to conduct a state analysis of energy consumption, transportation, and waste in the city.

Alderman Stouffer asked what the time commitment is in reference to partnering with the city and asked what the results are from other cities that have already improved using this information.

Marilyn Hrymak said it is non-binding but they are looking for information to plug in numbers for a community climate inventory to get a rating for a baseline for improving. She said they are having community presentations the last Wednesday of each month starting February 27<sup>th</sup>. She said the information on other cities is available on ClimateMayors.org.

## REPORT OF OFFICERS

**City Manager – Brian Gregory** said to follow up on the presentation, the Waste Management “At Your Door” program, is a free program for city residents, that collects electronics, paints, household chemicals, and such. In 2017, 68,071 pounds were collected of which 64,483 pounds or 95% was recycled. In 2018, 57,771 pounds were collected of which 52,581 or 91% recycled. That program is working on getting those items out of the landfills. He said kudos to the staff that is working outdoors or being impacted. We will have a busy spring as we work through the budget with Capital Fund tonight. The Board of Zoning Appeals will meet February 26<sup>th</sup>, regarding a petition for 233 Center Cross to demolish a residential structure and reconstruct. This has been previously approved for another petitioner but did not take place. A similar plan is being proposed. The Plan Commission will meet March 11<sup>th</sup> to hear two Special Use request, for a medical cannabis dispensary and a towing service use. Congresswoman Underwood will be hosting a Town Hall Meeting at the Sycamore High School, Tuesday, February 19<sup>th</sup> 7-8:30 p.m. He reported that DeKalb County, DeKalb County Economic Development Corporation (DCEDC), and ComEd are hosting an Economic Development Boot Camp for elected officials and economic development staff on February 26<sup>th</sup> from 5:30 to 8:30 p.m.

**Police Chief – Jim Winters** reminded everyone that the Police Department (PD) has a sergeant assigned to each ward who acts as a liaison for any issues and will be having ward meetings in the spring months. Ward one is Sergeant Joe Meeks, ward two is Sergeant Steve Watry, ward three is Sergeant Sharon Anderson, and ward four is Sergeant Justin Kness. He said since the Aurora tragedy, businesses have asked what the PD can do to help with their safety plans. They can and are willing to help them with the Alert, Lockdown, Inform, Counter, and Evacuate (ALICE) training they do for the schools but modified for businesses. He extended thoughts and prayers to the families of the victims and to the brave officers that were injured and are recovering. On a happier note, he congratulated Officer Steve Elbrecht who is retiring next week after serving 20 years with the department. He thanked him for his service to the city.

**Fire Chief – Pete Polarek** extended a “shout out” to the Public Works department for clearing the streets, lots, and downtown area allowing the work environment more palatable.

**Director of Public Works – Fred Busse** said they have tried to keep ahead of the snow and ice, plowing and hauling snow away. They had two water main breaks at Charles Street and Mason Court.

**Treasurer/Asst. to the City Manager – Adam Orton** reported on January’s Treasurer’s Report on a cash-basis with a benchmark at 75% for nine months into the fiscal year. The City and State Sales Tax is near the benchmark. The Restaurant & Bar Tax is at 74%. The Service Charges are at 79%, driven by the ambulance fees which are at 91% of their budgeted amount for the year. Overall revenues, when weighted by property taxes, moves to 75%. The expenditures are at 73.8% also including the operation fund transfers. The Water and Sewer user fees are at 77% and 75% and both pensions had a good January.

**Building & Engineering Director – John Sauter** said they sent a final draft of the proposed building code update to the City Attorney for review last week and once they’ve worked through everything with them, they will take it back to the DeKalb County Building & Development Association for one last review to hopefully bring it to the Council for consideration. They issued 1 single family permit as of the end of January. Last year at this time, they had issued 3, but they have received 3 plan sets for review in February, so there’s still some activity out there and he expects to be back on track once the weather breaks.

**City Engineer – Mark Bushnell** said the Park District began the replacement of one of their bridges at the Golf Course. Currently the contractor is removing the existing bridge with the use of a large crane, which is visible from the Route 64. The City is making periodic inspections relative to soil and erosion control as well as to ensure fill is not placed in the floodplain. The goal is to complete work over the winter months and prior to the spring thaw and golf season.

## 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 - None

## RESOLUTIONS- None

### CONSIDERATIONS

#### A. Consideration of a Preliminary Three-Year Capital Improvement Program for the City of Sycamore, Illinois.

City Manager Brian Gregory said the \$18,918,945 capital improvement program is about 95% infrastructure based, including improvements related to Phase III of the treatment plant expansion, the City's street maintenance program, sidewalks, and water system improvements. All that is being proposed is within our means as there are no new increases in taxes or fees to accomplish what is highlighted below:

- *The City's annual street maintenance program: \$1,502,000 (Street Maintenance Fund, Motor Fuel Tax Fund).*
- *Sidewalk removal and replacement in conjunction with Street Maintenance Program: \$148,000 (Capital Assistance Fund).*
- *Phase III improvement to the Treatment Plant expansion project: \$16,000,000 (Sewer Connection Fee Fund).*
- *Priority Improvements for Fire Station #1: \$100,000 (Public Buildings Fund).*
- *Collection System Improvements: \$131,000 (Sewer Fund).*
- *Well #7 Improvements Planning/Engineering: \$121,000 (Water Fund).*
- *TIF Projects including removal of elevated platform: \$225,000 (TIF Fund).*

*In the upcoming year, \$361,445 in departmental capital expenditures are planned from the Capital Assistance Fund (06) and the Sales Tax Distributive Fund (22). The majority of these capital improvements are recurring vehicle and machinery replacements necessary for departmental operations.*

He said the entire budget will be presented at the March 18<sup>th</sup> meeting for consideration, have the public hearing and First Reading on the Appropriation Ordinance at the April 1<sup>st</sup> meeting and have the Second Reading at the April 15<sup>th</sup> meeting for action.

Alderwoman Cople asked if there were improvements for Fire Station #1.

City Manager Brian Gregory said yes, last year there was \$113,500 in the budget for priority improvements, of which some were taken care of. Some improvements will be done in warmer weather all that money will not be spent in the current year, but will allocate \$100,000 in the coming budget to continue completing the list of priority improvements.

Alderman Stouffer said he is happy that this was all budgeted for and we are proactive and not reactive.

Consensus of the Council was to move forward.

#### B. Consideration of a Change to Title 3, "Business and License Regulations", Chapter 2, "Liquor Control".

City Manager Brian Gregory said the agenda has the full chapter of the liquor control section of the city code. Several sections have come to the council in a piece-meal fashion, but we haven't looked at the liquor control chapter comprehensively or the annual fees since 2003. This is a combination of several different efforts from the Liquor Commissioner, the Mayor, with the support of the City Attorney, and staff. He said that a lot of the changes are best practices or language related to the State law and some are very routine. The agenda background has the full language, but some highlights include: new language for definition of a bar, and the powers and duties of the local Liquor Control Commissioner. He said the new language in 3-2-3 stated that: *Each local liquor license issued under this Chapter shall terminate on April 30 following the date of issuance.* He pointed out that there are times, for whatever reason, the license holder doesn't make payment by April 30<sup>th</sup> and the Liquor Commissioner must track it down. He wanted to make clear that the license does terminate if it is not renewed on April 30<sup>th</sup>. Some examples of Restrictions on Issuance of License in 3-2-5, prohibiting an applicant from obtaining a license include gambling offense, criminal conviction, or violation of the Illinois Tax Act. The modifications being proposed in section 3-2-6 Classifications and Fees include:

1. *Initial License Fee: Standardize the initial license fee to \$2,500 for all applicants. Currently, the fee is either \$2,500 or \$5,000; depending on size of the establishment.*
2. *Class A: Restaurants: Increase the annual fee from \$1,500 to \$1,750.*
3. *Class B: Bar: Increase annual fee from \$1,500 to \$2,000 to differentiate the fee between restaurant and bar licenses.*
4. *Class C: Club: Increase the annual fee from \$1,500 to \$1,750.*
5. *Class D: Package Goods: Increase the annual fee from \$1,500 to \$1,750.*
6. *Class E: Recreation: Increase the annual fee from \$1,500 to \$1,750 for the Golf Course and increase the annual fee from \$1,000 to \$1,250 for the Theater.*
7. *Class F: Beer and Wine Sales off the Premises: No change in the annual fee of \$1,500.*
8. *Class G: One Day Licenses: Reduce fee to \$50 from \$55.*
9. *Class H: Beer or Wine Brewed on Premises: Increase the annual fee from \$500 to \$750.*
10. *Class I: BYOB: Increase the annual fee from \$50 to \$250.*
11. *Class J: Sports Complex: Reduce initial application fee to \$2,500 from \$5,000 to align with proposed Section 3-2-6-A.1.*
12. *Class K; Special Event: Class K licenses authorize the service of alcoholic liquors for consumption on the premises of an establishment that obtains a special event permit per section "E", below. Establishments that have a City of Sycamore liquor license or are participating in a special event sponsored by the Sycamore Chamber of Commerce do not need to obtain a Class K license to provide service for such events. The application fee for Class K licenses is \$250 and the annual fee shall be five hundred dollars (\$500.00).*
13. *Class VG: Video Gaming Café: Increase the annual fee from \$1,500 to \$2,000.*

He said they also had discussions with license holders, especially the bar owners. One of the things they said they wanted the city to look at was the idea of someone coming from outside of Sycamore to serve at an event. Currently, the code says a liquor license is required but doesn't say from where. Others that come from other communities to serve at local events and weddings, don't have a Sycamore license. The challenge with this is that the chapter is about liquor control so if someone was to overserve or serve to minors, our local code doesn't provide any way to suspend their license or fine them. By having a license, Class K: Special Event license, it ensures that the license holder will understand and know the local rules here. He said for events sponsored by the Chamber, one would not need to obtain Class K license as the Chamber gets a State license for each of the participating businesses. He said they are not trying to complicate it but are trying to level the playing field for the bars and restaurants that provide service at special events. He said another point that was brought up as they looked at the Special Event, Class K license, was for at times when there are multiple servers at a special event. That creates some issues when you have a City of Sycamore licensed establishment serving and also have one that is meeting local rules but are from a different community, if there was over service, our local establishments are concerned about protecting their license and doing the right thing.

Mayor Lang said the Class K License came out of the discussions with the bar owners and pointed out that they would not have to get a Special Event, Class K license because they are already a license holder.

City Manager Brian Gregory continued that, although there is a lot of background for the Special Events section 3-2-6-E, it is merging the Outdoor Special Event and Catered Special Events to streamline the process. Some other highlights addresses new managers to do background checks, and posting warnings to minors. He said there is significant language for suspension or revocation of licenses following the state law, new language for dram shop insurance, and for the industry standard *Beverage Alcohol Sellers and Servers Education and Training (BASSETT)* program, ranging from \$14.75 - \$19.75 per training. The goal is for review and discussion so that, based on City Council direction, staff will prepare an ordinance for action at the first meeting in March. Any changes would not be effective until May 1, 2019.

Alderwoman Cople asked how they came up with the amount of the fee increase.

City Manager Brian Gregory said that the Liquor Commissioner looked at what six to eight neighboring communities charge and also based on the fact that it hasn't changed since 2003. When you look at the \$250 over a 16 year period, it's less than 2% a year.

Alderman Braser asked what the liquor fee money goes towards and asked if the significant decrease in the Sports Complex fee was based on losing events.

City Manager Brian Gregory said the fees go into the General Fund and that the part of the code for the Sports Complex was established for when the Liners came to Sycamore.

Alderman Braser said, not knowing if there is a legal stance, hoped to see a fee increase for license holders being caught serving minors or a decrease in the fee for a clean year. He referenced one license holder received TIF money, got caught serving minors, and is still able to have a liquor license. It would be a good way to reward those without violations. We have a lot of really nice businesses that do a great job. He doesn't remember anyone losing their liquor license because of violations. He also asked how many one-day liquor licenses can be purchased in a year.

Mayor Lang said "this puts a lot of meat on the bone"

City Manager Brian Gregory said the state law talks more about the punishment and unfortunately, the legal review would be as challenged in court. He said there is not a limit on one-day licenses in the code. It is very infrequent that they are used.

Mayor Lang thanked Attorney Keith Foster and the staff for the tremendous effort.

Consensus of Council was to move forward.

**C. Consideration of a Recommendation by the Building and Engineering and Public Works Departments to Award a Contract for the Abandonment of Well #5 to Great Lakes Water Resource Group of Joliet, Illinois in the Amount of \$66,743.50 Plus Contingency for Supplemental Work.**

City Manager Brian Gregory said this consideration is to seal abandoned Well #5 located at the intersection of Park Avenue and Becker Place. It's been offline for about 10 years. At the direction of the Illinois Environmental Protection Agency, the City will abandon the well in accordance with the Illinois Department of Public Health standards. He acknowledged and complimented City Engineer Mark Bushnell. The project was advertised in the local newspaper and specifications were distributed in hard copy and electronic formats. Bids were received at the City Clerk's office until 2:00 PM on February 12, 2019. A total of four bids were received from six potential bidders as follows:

1	Great Lakes Water Resource Group Joliet, IL	\$66,743.50
2	Water Well Solutions Elburn, IL	\$67,723.70
3	The Cahoy Group Sumner, IA	\$78,519.20
4	Municipal Well and Pump Sandwich, IL	\$125,628.00

Great Lakes Water Resource Group of Joliet, IL in the amount of \$66,743.50. Staff also recommends that the contract value be increased by \$9,820 to a total of \$76,563.50 to include supplemental work be required to address sand related issues. The supplemental work would be completed per the agreed upon unit prices included with the bid and at the direction of the City Engineer.

**MOTION**

Alderpersion Stowe moved to award the bid to Great Lakes Water Resource Group for \$66,743.50 base bid and the increase of \$9,820 for a total of \$76,563.50 and Alderpersion Kramer seconded the motion.

**ROLL CALL VOTE**

Mayor Lang called for a roll call vote to approve the motion. Alderpersons Paulsen, Sherrod, Stouffer, Stowe, Bauer, Braser, Cople, and Kramer voted aye. Motion carried 8-0.

**D. Consideration of an Administration Request for a Closed Session to Discuss the Setting of a Price for Sale or Lease of Property Owned by the Public Body.**

**MOTION**

Aldersperson Stouffer moved to enter into Closed Session at 8:19 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 8-0.

**MOTION**

Aldersperson Kramer moved to return to Open Session meeting at 8:46 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 8-0.

**OTHER NEW BUSINESS**

**APPOINTMENTS**

**ADJOURNMENT**

**MOTION**

Aldersperson Stowe moved to adjourn the meeting at 8:47 p.m. and Aldersperson Paulsen seconded the motion.

**VOICE VOTE**

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

Approve:

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Mayor - Curt Lang

Attest:

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City Clerk – Mary Kalk