

SYCAMORE CITY COUNCIL
AGENDA
April 19, 2021

REGULAR CITY COUNCIL MEETING
7:00 P.M.

1. CALL TO ORDER AND ROLL CALL

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

5. AUDIENCE TO VISITORS

In accordance with previously adopted Rules, Public Comments shall be limited to a maximum of thirty minutes per meeting and the public may participate only during the “Public Comment” portion of the meeting. Comments shall not exceed three minutes per speaker unless limited to a shorter duration if numerous people wish to speak. All participants will be required to provide their name and address for the record. No speaker may speak more than once during any meeting unless specifically permitted to do so by the presiding officer. The City encourages that a spokesperson be chosen for individuals wishing to speak about the same subject matter to avoid repetitive presentations. All remarks should be addressed to the City Council as a whole and not to any individual member or employee. In the event speakers pose questions the Council or City staff, they should be aware that those individuals may decline to answer. Each speaker shall maintain civility and decorum. The Presiding Officer retains the right to stop or remove any speaker who becomes disruptive to the meeting.

6. CONSENT AGENDA

- A. Approval of the Minutes for the Regular City Council Meeting of April 5, 2021.
- B. Planning and Zoning Commission Meeting Minutes from January 11, 2021.
- C. Payment of the Bills for April 19, 2021.

7. PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS

- A. A Proclamation Declaring April 30, 2021 as Arbor Day in the City of Sycamore, Illinois.
- B. A Proclamation Declaring May 2021 as “Sycamore Class of 2021 Recognition Month”.

8. REPORTS OF OFFICERS

9. REPORTS OF STANDING COMMITTEES

10. PUBLIC HEARINGS

11. ORDINANCES

A. Ordinance 2020.29—An Ordinance Concerning the Adoption of the Combined Budget and Appropriation Ordinance for the Fiscal Year 2021-22 in the City of Sycamore, Illinois. Second Reading.

Ordinance 2020.29 formally adopts the FY22 budget. This ordinance is presented on second reading. The budget is on the City’s website at www.cityofsycamore.com, on reserve at the Sycamore Public Library and available for purchase at cost in the City Clerk’s Office.

City Council approval is recommended.

B. Ordinance 2020.30—An Ordinance Amending Title 1, “Administration,” Chapter 10, “Personnel Rules,” of the City Code of the City of Sycamore to Authorize Non-Elective Positions for the City of Sycamore, Illinois. Second Reading.

Coincident with the adoption of the fiscal year budget, the Council establishes the employees in its budget by adopting a new list of appointments. The attached ordinance accomplishes this purpose.

City Council approval is recommended.

C. Ordinance 2020.31—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 2021 and Ending on the Thirtieth Day of April, 2022. Second Reading.

The FY22 City Budget assumes certain levels of compensation for exempt employees, which include management positions and a number of part-time positions. The attached ordinance displays these levels of compensation and related benefits.

City Council approval is recommended.

D. Ordinance 2020.32—An Ordinance Amending the Fiscal Year 2020-2021 Budget in the City of Sycamore, Illinois. First and Second Reading.

In order to keep the City’s official budget document consistent with Council direction, the budget may be adjusted during the year to reflect actual bid prices, show revised priorities, register unforeseen costs (e.g. utilities), or balance accounts prior to the audit. The two typical occasions are at the close of a fiscal year and roughly midway through a fiscal year once the prior year’s audit is completed. The attached ordinance amends the Fiscal Year 2021 budget by making the adjustments shown in the following table:

| Line Item | Original | Amended | Notes |
|-------------|-----------|-----------|--|
| 01-000-9015 | 50,000 | 150,000 | Additional Contribution to Pensions |
| 01-000-9016 | 50,000 | 150,000 | Additional Contribution to Pensions |
| 01-760-8101 | 156,290 | 106,290 | Utilized Contractual Engineering |
| 01-760-8331 | 0 | 50,000 | Utilized Contractual Engineering |
| 02-000-9023 | 0 | 44,736 | Accrued Time Payouts to Fund 23 |
| 04-000-9023 | 0 | 27,513 | Accrued Time Payouts to Fund 23 |
| 06-000-8495 | 343,333 | 458,145 | Reflect State and Federal Grants |
| 07-000-8331 | 63,250 | 98,051 | Reflects Actual Costs |
| 15-000-4501 | 50,000 | 150,000 | Additional Contribution to Pensions |
| 15-000-8190 | 881,250 | 910,496 | Reflect Refunds to Separated Employees |
| 16-000-4501 | 50,000 | 150,000 | Additional Contribution to Pensions |
| 16-000-8190 | 540,100 | 571,827 | Reflect Additional Retirement |
| 23-000-3741 | 275,000 | 525,000 | Numerous Senior Retirements |
| 23-000-3702 | 0 | 44,736 | Accrued Time Payouts from Fund 2 |
| 23-000-3704 | 0 | 27,513 | Accrued Time Payouts from Fund 4 |
| 23-000-8185 | 350,000 | 525,000 | Numerous Senior Retirements |
| 39-000-3732 | 6,000,000 | 8,250,000 | Pass thru loan funds/project cost |
| 39-000-8626 | 6,000,000 | 8,250,000 | Pass thru loan funds/project cost |

City Council approval is recommended.

E. Ordinance 2020.33—An Ordinance Approving a Planning and Zoning Commission Recommendation of a Request by Robert and Christine Frye for a Change of Zoning of the Property Located at 560 DeKalb Avenue, Sycamore, IL (PIN number 06-32-330-019) from the Current Zoning of M-1, Light Industrial, to C-1, Neighborhood Business District in the City of Sycamore, Illinois. First and Second Reading.

Robert and Christine Frye recently purchased the property at 560 DeKalb Avenue. The Frye’s currently operate Heirloom Estate Sales at the property and are looking to permanently house their antiques and auction business at the location. Although the property is zoned M-1, Light Manufacturing, it has housed commercial uses for several years with the Garden Market operating there prior to Heirloom Estate Sales. Before making additional investment in the property, including the installation of a new roof, Mr. and Mrs. Frye are requesting a zoning change from the current M-1, Light Manufacturing zoning to C-1, Neighborhood Business District.

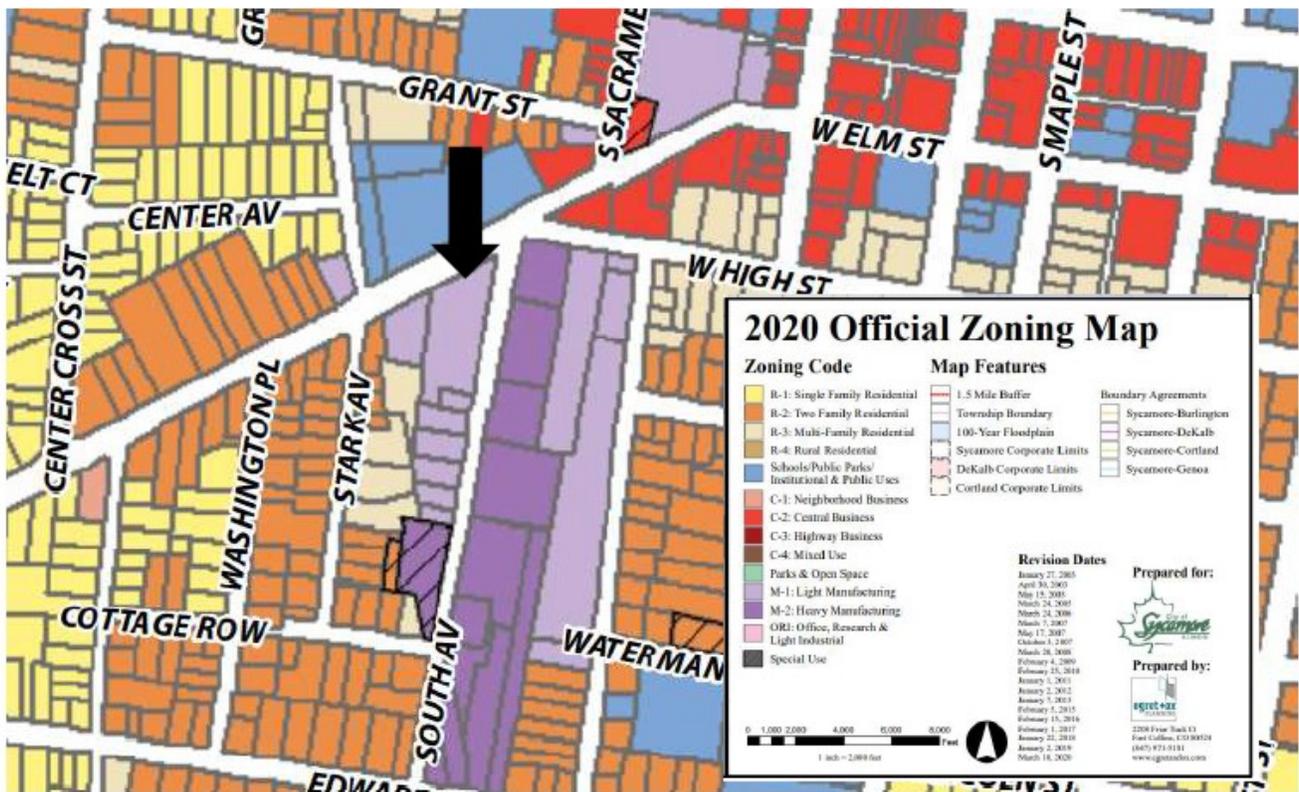
From a conventional planning standpoint there are a couple of factors that should be considered in making a zoning determination.

- Many times, the question is asked as to whether the proposed zoning classification is the highest and best use. In this case the answer lies in how it has been used over the past several years. The property has not yielded industrial or manufacturing interest, instead it has brought commercial users, likely due to it being highly visible with a significant number of vehicles passing by each day.

- Then there is the question about zoning compatibility? Even if there was manufacturing interest in the property, is it best to have it abut residential properties immediately adjacent to the west. There are many examples where this occurs in Sycamore due to previously utilized pyramidal zoning, however with today's prescriptive zoning practices this would create a buffer between residential and manufacturing. While it might look like spot zoning as there are no other commercial uses surrounding the subject property, conventional planning would suggest a buffer strip between zoning uses.

From staff's perspective this is an administrative clean-up as the property has been used in the fashion being requested for many years and the proposed zoning classification creates a buffer between the adjacent uses.

560 DeKalb Avenue (PIN 06-32-330-019)



The Planning and Zoning Commission considered this request after a public hearing on April 12th and forwarded a favorable recommendation by a vote of 12 to 0.

City Council approval is recommended.

F. Ordinance 2020.34—An Ordinance Approving a Request by the City of Sycamore for the Annexation of Property Located at the Intersection of East Page Street and Pleasant Street (PIN 06-33-102-007) to the City of Sycamore, Illinois. First and Second Reading.

As part of the Sycamore Park District’s Action 2020 initiative, the Great Western trail system is being connected from the Sycamore Forest Preserve to Old Mill Park. In order to make that connection, the City worked with the Illinois Department of Transportation (IDOT) to get access on IDOT owned property where Page and Pleasant Street intersect. The City transferred 0.251-acres at the southeast corner of North Walnut Street and East Page Street and in return the City acquired 1.091 acres along Pleasant Street.

The property that the City acquired is located at the intersection of Page and Pleasant Streets and is currently not annexed to the City of Sycamore corporate limits. This ordinance would officially annex the 1.091-acre parcel at east of the intersection (PIN 06-33-102-007).

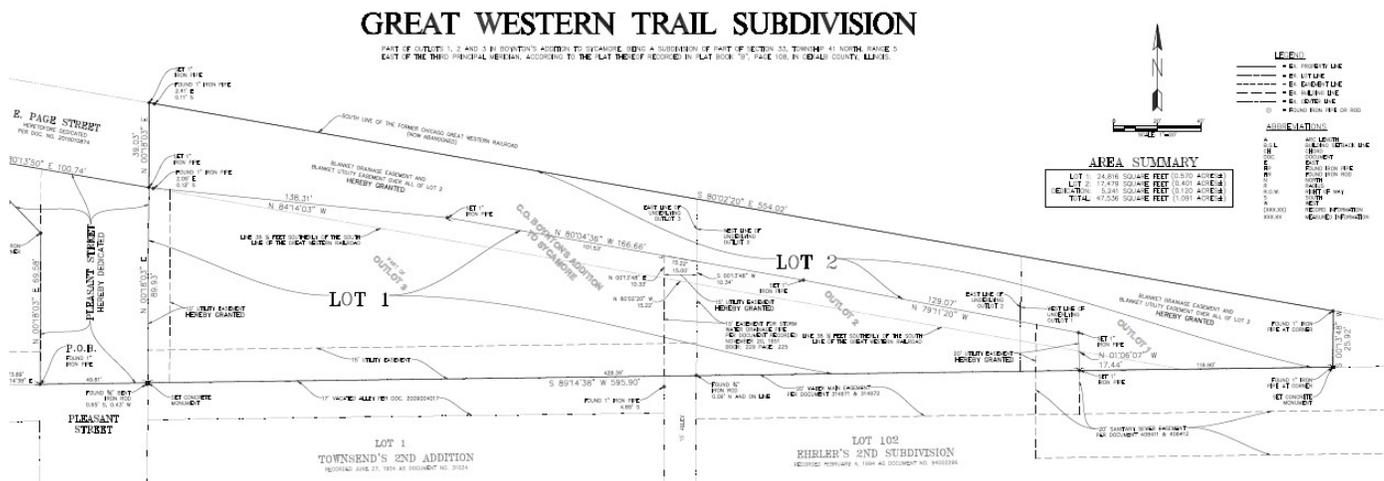
City Council approval is recommended.

G. Ordinance 2020.35—An Ordinance Approving a Final Subdivision Plat of the Great Western Trail Subdivision (PIN 06-33-102-007) in the City of Sycamore, Illinois. First and Second Reading.

Once the property at the intersection of East Page Street and Pleasant Street is annexed, the property will be subdivided by this ordinance. The Planning and Zoning Commission considered the Final Subdivision Plat on April 12th. The plat would subdivide the parcel into two lots; Lot 1 and Lot 2 of the Great Western Trail Subdivision. The City of Sycamore will retain ownership of Lot 1, which consists of 0.57 acres. Lot 2, which is 0.401 acres will be transferred to the Sycamore Park District later in this agenda in order to facilitate the Great Western Trail connection.

In addition to the newly created lots, the Final Subdivision Plat would include dedication of land for Pleasant Street. The requisite drainage and utility easements are provided as part of the plat.

An excerpt from the Final Subdivision Plat is shown below:



The Planning and Zoning Commission considered the Final Subdivision Plat on April 12th and forwarded a favorable recommendation by a vote of 12 to 0.

City Council approval is recommended.

12. RESOLUTIONS

A. Resolution 862—A Resolution Authorizing the Mayor to Execute an Intergovernmental Agreement Between the City of Sycamore and the Sycamore Park District Regarding the Great Western Trail.

When the City of Sycamore approved Ordinance 2019.35 and entered into agreement with the Illinois Department of Transportation to swap land in order to facilitate the Great Western Trail extension, the intent to allow the Sycamore Park District to construct a trail on northern portion of the land being acquired was memorialized. Resolution 862 authorizes the Mayor to execute an Intergovernmental Agreement to transfer Lot 2 of the Great Western Trail Subdivision from the City to the Park District. The 0.401-acre property will be conveyed for no consideration.

Trails and connections have consistently been noted as a priority during the City's comprehensive planning processes and the Park District's planning processes. This is another example of units of government working together to take a step forward to meet community objectives.

City Council approval is recommended.

B. Resolution 863—A Resolution Authorizing Non-Highway Vehicles Owned or Operated by the City of Sycamore or its Employees to be Operated on Roadways Pursuant to Chapter 625, Section 5/11-1426.1 of the Illinois Compiled Statutes when Such Vehicles are Operated in Furtherance of Public Safety or for an Approved Special Event.

Illinois State statute allows for the use of City-owned and operated non-highway vehicles on roadways. The Sycamore Police Department received a "golf cart" type of vehicle through a grant to be used for special events and public safety outreach programs, which they will look to purchase later this calendar year. This resolution is necessary to ensure the vehicle's use is consistent with State law and local regulations.

City Council approval is recommended.

C. Resolution No. 864—A Resolution Declaring Surplus Property, Authorizing the Sale of the Property and Directing a Direct Sale of the Real Estate Located at 370-400 South Avenue in the City of Sycamore, Illinois.

In 2004, the City began the process of cleaning up the former Harvester Square plant on South Avenue. The facility was previously used as a manufacturing facility for Diamond Wire, Essex Wire and Marsh Manufacturing. Manufacturing operations ended in the early 1980's.

During the late 1980's and 1990's, hundreds of drums of potentially hazardous materials were brought to the Harvester Square facility for storage. The Illinois Environmental Protection Agency cited the facility for unsafe and unethical practices that produced conditions that, if not addressed, may have posed a threat to the community.

The City took possession of the property through forfeiture after former owner Jim DiNicola failed to repay a \$75,000 loan the City made to demolish a portion of the building to keep it from collapsing into the street.

The City's stated goal was to end the threat of any hazardous material contamination, revitalize the property, promote economic growth, and increase neighboring property values. The property is situated in the City's only Tax Increment Financing District (TIF).

The initial goal of ending the threat of hazardous material contamination has been addressed as the materials and soils have been removed and an engineered barrier installed. The Illinois EPA issued a No Further Remediation (NFR) Letter in 2012 that allows the property to be used for residential, commercial, or industrial uses as long as the engineered barrier remains in place.

After the hazardous materials were removed and the property stripped, the City entered a lease agreement with Joel Barczak, owner of Blumen Gardens to utilize a significant portion of the south end of the property. Mr. Barczak has grown his landscaping, nursery and reception business and has become a valuable member of the business community and the adjoining neighborhood. In addition, the City has allowed Blackhawk Moving and Storage to use the property for access and storage of moving containers. Both businesses have expressed interest in acquiring the property with Blumen Gardens owning the majority and Blackhawk Moving and Storage maintaining use of the far north end.

In 2020, the City completed the demolition and soil management of the raised platform on the property with the assistance of GeoThink LLC. This work included removal of over 560 cubic yards of contaminated soil as well as the installation of a new engineered barrier. The barrier was constructed beneath the final platform demolition and excavation limits to isolate and protect human exposure and complies with IEPA NFR conditions and requirements.

With this completed, the next step is for the City to convey the property to a private owner and seek out the highest and best use.

In order to sell real estate, the City must take the following steps:

1. The corporate authorities of a municipality by resolution may authorize the sale or public auction of surplus public real estate.
2. The value of the real estate shall be determined by a written MAI certified appraisal or by a written certified appraisal of a State-certified or licensed real estate appraiser. The appraisal shall be available for public inspection.
3. The resolution may direct the sale to be conducted by the staff of the municipality; by listing with local licensed real estate agencies, in which case the terms of the agent's compensation shall be included in the resolution; or by public auction.
4. The resolution shall be published at the first opportunity following its passage in a newspaper published in the municipality or, if none, then in a newspaper published in the county where the municipality is located. The resolution shall also contain pertinent information concerning the size, use, and zoning of the real estate and the terms of sale.

5. The corporate authorities may accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value.

The City has obtained an appraisal for the property from Jacobson and Associates, an MAI certified appraiser. The appraisal suggests the fair market value of the property is \$169,000. A copy of the appraisal is available at the Sycamore Center and on the City's website for public inspection.

As noted above, the owners of the adjoining businesses, Blumen Gardens and Blackhawk Moving and Storage, have expressed an interest in the property. Resolution 864 declares this property as surplus, authorizes the sale of the property and directs the Acting City Manager to work with the business owners to determine if a joint agreement can be reached to convey the property for full consideration of the appraised value.

City Council approval is recommended.

13. CONSIDERATIONS

A. Consideration of a Staff Recommendation to Discuss City Permitted Functions in Relation to Current Restore Illinois Provisions.

For several months, Region 1 of the State of Illinois has been in "Phase 4: Revitalization" of the Restore Illinois Plan. City staff have worked throughout the pandemic to implement health guidance while working with business and community interests, such as creating the outdoor dining cafés. In recent weeks, Region 1 experienced an increase in the seven-day rolling positivity average from 4.2% on March 28th to 6.1% on April 6th. During the same time-period, DeKalb County figures increased from 3.9% to 5.6%. Staff continues to monitor trends and health guidance to ensure safety while working with businesses during the current circumstances.

With vaccines being rolled out and a general sense of optimism moving forward toward the "new normal," the City is receiving permit requests for activities such as special events and solicitation. Staff is requesting discussion and direction on whether special events and solicitation should be permitted at this time.

Special Events

The challenge with permitting special events is that many of the events are several weeks or months away. Staff recognizes that event planners need to secure vendors and begin to advertise for events in order to be successful. However, current guidance outdoor events to be limited as follows:

Outdoor recreation allowing group sizes of up to 50 indoors and 100 outdoors, and permitting multiple groups given facilities have space to appropriately social distance and can limit interaction between groups. The health guidance continues to suggest that social distancing be followed with masks used to prevent the potential spread of COVID-19.

As has been the case throughout the pandemic, the City does not have authority to enforce these health guidelines. If a special event is permitted, the lack of enforcement ability, puts staff in a difficult position when complaints concerning the event and health guidelines come forward.

Staff recommends that the special event permit dates be reserved, thus granting pre-approval but that no financial deposit be collected at this time. In Phase 5, up to 250 people can gather indoors and up to 500 outdoors. Many of our businesses and residents look forward to special events each year, as does the City. With the permits essentially pre-approved, as soon as Region 1 moves to Phase 5, the permits would be issued with an understanding that it be limited to gatherings of 500 people, or whatever the guidance is at that point.

Solicitation

For several months, companies that utilize door-to-door sales have inquired about the possibility of the City issuing solicitation permits. These were suspended at the beginning of the pandemic. Each month staff has reviewed the appropriate time to restart the permitting of solicitors. May 1st is the next benchmark review date, and it was previously communicated to solicitors that no permits would be issued before then.

Based on the types of calls and complaints the City receives about people not following health official guidance, it would seem likely that there are still residents that would not be comfortable having someone come to their door at this time. Rather than review solicitor permits based on a specific date, staff recommends the permitting continue to be suspended until Region 1 reaches Phase 5, therefore not accepting applications at this time.

This consideration is presented for Council discussion and direction.

B. Consideration of an Administration Recommendation to Exercise the Option Years in the Contract for Independent Financial Audit Services with Lauterbach & Amen, LLP.

In FY19, the City invited proposals from professional accounting firms to perform the annual independent audit of the City's combined financial statements (including the component unit library and pension funds) for the fiscal years 2019, 2020 and 2021 with options for fiscal years 2022 and 2023.

Three firms with the professional experience and expertise to satisfactorily meet the City's annual audit requirements responded to the City's RFP. Lauterbach & Amen was the lowest responsible bidder and was awarded a three-year contract while also providing the lowest cost options for year four (\$31,000, next lowest \$34,000) and year five (\$31,900, next lowest \$34,800). Staff recommends the City Council exercise the options on years four and five with Lauterbach & Amen.

City Council approval is recommended.

C. Consideration of the City's FY22 Accounting and Purchasing Manual.

Periodically, changes are proposed to the City's Accounting and Purchasing Manual. A few of this year's highlights are as follows:

- References to HIPAA legislation (ambulance billing) including other financial document confidentiality, and the City of Sycamore’s Code of Ethics Policy which is outlined in the City handbook.
- Update policy and procedures with the Payroll Direct Deposit requirements to ensure not only timely deposits, but also adherence to documentation controls to prevent fraudulent activity.
- Information related to the City of Sycamore’s Identity Theft Policy including purpose, definitions, how to identify “Red Flags”, and how best to respond once identity theft is detected.
- Update policy and procedures to reflect current practices such as the placement of water liens, limited manual check usage, and petty cash restrictions.

City Council approval is recommended.

14. APPOINTMENTS

15. OTHER NEW BUSINESS

16. ADJOURNMENT