

**MINUTES
CITY OF DEKALB
CITY COUNCIL REGULAR MEETING
NOVEMBER 23, 2015**

The City Council of DeKalb, Illinois held a Regular City Council meeting on November 23, 2015 in the City Council Chambers of the DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois.

Mayor Rey called the meeting to order at 6:37 p.m.

A. ROLL CALL

City Clerk Jennifer Jeep Johnson called the roll and the following members of the City Council were present: Alderman Dave Jacobson Alderman Bill Finucane, Alderman Michael Marquardt, Alderman Bob Snow, Alderman Kate Noreiko, Alderman Dave Baker, and Mayor John Rey.

Also present were: City Manager Anne Marie Gaura, Assistant City Manager Patty Hoppenstedt, City Attorney Dean Frieders, Finance Director Cathy Haley, Police Chief Gene Lowery, Fire Chief Eric Hicks, Community Development Director Ellen Divita, Interim Public Works Director John Laskowski, Economic Development Coordinator Jennifer Diedrich, Management Analyst Lauren Stott, Management Analyst Jared Heyn, and City Clerk Jennifer Jeep Johnson.

B. PLEDGE OF ALLEGIANCE

Officer Boldt led the Pledge of Allegiance.

C. APPROVAL OF AGENDA – ADDITIONS/DELETIONS

MOTION

Alderman Noreiko moved to approve the agenda; seconded by Alderman Jacobson.

VOTE

Motion carried on a 7-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed.

D. PUBLIC HEARINGS

1. 2015 Tax Levy, Truth in Taxation Act.

Finance Director Haley introduced the 2015 Tax Levy, explaining the background and timeline.

She explained the factors taken into consideration by the Finance Advisory Committee (FAC): Senate Bill 318, Moody's rating, and actuarial calculation changes.

Finance Director Haley addressed specific questions, and how they impact the property tax levy, including questions on: 1) pension obligations; 2) the importance of the negative outlook assigned by Moody's; 3) the impact of Senate Bill 318; 4) whether the City has kept up with pension obligations; 5) the City's legal obligation to fund Police and Fire pension funds; and 6) the history of other taxing bodies' property tax increases, and the City's portion of the increases

She explained that there were 6 options that were contemplated by the FAC, explaining that some did not even get voted upon, for lack of motion.

Option 5 is the recommended approach: Finance Director Haley unpacked this option, and explained why it was preferred. She provided examples of how a homeowner of a \$150k home would be impacted, placing the increase at around \$88.00 annually.

Finance Director Haley briefly explained a change to the Library levy, and Attorney Frieders briefly explained the timeline a County contemplates for abatement of taxes. Finance Director Haley provided a visual of the impact of the library increase should they not be able to abate, which would require a levy on property taxes.

Finance Director Haley provided a brief explanation of how a Home Rule community receives money from the County, and explained that the City is in the lower 50% of comparable communities. She provided a 10 year history of DeKalb's Property Tax Levy.

Option 5 is recommended because it is a phase in back to the higher obligations for pension funds; 4/5 FAC members voted in favor of this approach, addressed Moody's concerns, implications of Senate Bill 318.

Alderman Jacobson had a question regarding the library's funding, with DeKalb Public Library Director Dee Coover updating the status of the loan process. Brief discussion ensued as to the City's potential role in filling the loan gap, and how different scenarios might play out.

Ron Naylor offered his opinion that the lowest tax increase (offered in Option 6) should be followed, or that the pension step-up spread out further, perhaps 3 years. He asked Council to reconsider Option 6.

Dee Coover offered an update on the library, and how the State's budget impasse is impacting them, as \$4.5 million is unable to be released to them until a budget is passed. She explained that the Library is essentially collateral damage of State dysfunction.

Mac McIntyre expressed his opinion that Council should follow Moody's recommendations, and be more realistic regarding returns. He stated that staff should present a full and accurate financial picture, and that the people of DeKalb can't afford the proposed increases. He suggested that the elected officials from the taxing bodies get together in order to get a total and complete picture of the finances.

Bessie Chronopoulos, regarding the library, encouraged that whatever information can be obtained to lessen the burden on the citizens, is the best approach. Regarding the tax levy, she offered that Council should direct staff to find places to cut spending.

E. SPECIAL ITEMS OR PRESENTATIONS & CITIZENS' COMMENTS

1. Special Items

a. Proudly DeKalb

- 1) City of DeKalb IHSA Commercial: Community Development Director Divita introduced the videos by OC Image Works, providing background on the ABC Grant that yielded them. The videos were played for the Council.

She briefly explained the grant process, and who was involved. Mayor Rey added that the Community Conversations also impacted the Grant process. Community Development Director Divita encouraged everyone to get involved with the process.

- 2) Yards of Distinction Award – October 2015: Mayor Rey read aloud the certificate to John and Rita Johnson, 323 Greenwood Acres Drive, in recognition of their commitment to beautification of their property.

2. Presentations

- a. DeKalb Library Annual Report by Director Dee Coover: Ms. Coover provided an update on 15 months of construction in a time-lapse video. She showed a video which highlighted how those requiring handicap accessibility were unable to partake in library offerings due to inadequate access. She also showed a video regarding the importance of the library to educational opportunities along with a video regarding the role of libraries in bridging income inequality. She stated that the library is a sanctuary, access, and history. This library was originally built for a community of 8,000, and is now for a community of 46,000. She encouraged people to come tour the new facility.

3. Approval of the Mayor's Appointments

- a. Appointment of Anthony L. Faivre as Seventh Ward Alderman for a Term Until the Municipal Election of 2017 or Until His Successor Qualifies and Takes Office.

Mayor Rey explained how he came to his recommended appointee, from a field of 4 potential candidates, stating that he possessed the requisite skills, and will serve the City well. He provided background on Mr. Faivre.

MOTION

Alderman Finucane motioned to appoint Mr. Faivre; seconded by Alderman Baker.

VOTE

Motion carried on a 7-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed.

Mayor Rey explained that Mr. Faivre would be sworn in and seated at the December 14, 2015 Regular Meeting of City Council.

4. Public Participation

F. CONSENT AGENDA– OMNIBUS VOTE

1. Approval of City Council Minutes

- a. Minutes of the Committee of the Whole Meeting of October 26, 2015.
- b. Minutes of the City Council Meeting of October 26, 2015.
- c. Minutes of the Committee of the Whole Meeting of November 9, 2015.
- d. Minutes of the City Council Meeting of November 9, 2015.

2. Receive & File

- a. Accounts Payable and Payroll through November 23, 2015 in the Amount of \$2,215,597.92.
3. Resolution 2015-119 Awarding a Bid and Authorizing a Purchase Agreement for the Purchase and Delivery of Liquid Chlorine 2.3 for the Purpose of Treating the City's Potable Drinking Water with Alexander Chemical Corporation, a Carus Corporation for a One Year Period Beginning January 1, 2016 and Ending December 31, 2016.
4. Resolution 2015-120 Awarding a Bid and Authorizing a Purchase Agreement for the Purchase and Delivery of Ortho/Poly Blended Phosphate for the Purpose of Treating the City's Potable Drinking Water with Carus Corporation for a One Year Period Beginning January 1, 2016 and Ending December 31, 2016.

Assistant City Manager Hoppenstedt provided background on the Resolution, stating the City's goal was very similar to the agreement reached.

5. Resolution 2015-121 Awarding a Bid and Authorizing a Purchase Agreement for the Purchase and Delivery of Liquid Hydrofluosilicic Acid (Fluoride) for the Purpose of Treating the City's Potable Drinking Water with Univar USA, Inc. for a One Year Period Beginning January 1, 2016 and Ending December 31, 2016.
6. Resolution 2015-122 Awarding a Bid and Authorizing a Purchase Agreement for the Purchase and Delivery of Clear Southern Rock Salt for the Purpose of Treating the City's

Potable Drinking Water with Midwest Salt LLC for a One Year Period Beginning January 1, 2016 and Ending December 31, 2016.

7. Resolution 2015-123 Authorizing Intergovernmental Agreements with the Federal Highway Administration and the State of Illinois Department of Transportation on Behalf of the DeKalb-Sycamore Area Transportation Study for Temporary Servicing of Metropolitan Planning Organization Invoices During the Illinois Budget Impasse for the Purpose of Continuing Planning Activities for Federal-Aid Programs.
8. Ordinance 2015-047 Amending Chapter 2 “City Council”, Section 2.02 “Mayor, Voting Power” and Section 2.03 “Aldermen Vacancies”. (*Second Reading*)
9. Ordinance 2015-048 Amending Chapter 38 “Intoxicating Liquors”, Section 38.09(k) “Open Containers”. (*Second Reading*)
10. Ordinance 2015-049 Amending Chapter 52 “Offences Against Public Peace – Safety and Morals”, Section 52.07 “Sound Apparatus”. (*Second Reading*)
11. Ordinance 2015-050 Amending Chapter 52 “Offences Against Public Peace – Safety and Morals”, Section 52.85 “Defacing Public Property”. (*Second Reading*)
12. Ordinance 2015-051 Authorizing the Execution of a Plat of Dedication for Public Right-of-Way of a Portion of Oak Street. (*Second Reading*)

MOTION

Alderman Noreiko moved to approve the Consent Agenda; seconded by Alderman Finucane.

VOTE

Motion carried on a 7-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed.

MOTION

Alderman Snow motioned to approve the items on the Consent Agenda; seconded by Alderman Finucane.

VOTE

Motion carried on a 7-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed.

G. ITEMS FOR SEPARATE ACTION

1. Resolution 2015-124 Authorizing a Side Letter to the Collective Bargaining Agreement with the American Federation of State, County and Municipal Employees (AFSCME) Local 813 Regarding Insurance Plan Options Effective January 1, 2016.

Assistant City Manager Hoppenstedt provided background on the Resolution. She explained that AFMSE and the City have a mutual interest in providing comprehensive and cost effective health care, so staff worked collaboratively with AFMSE to enter into an agreement that saves the City money.

Alderman Noreiko offered her congratulations to the staff in actualizing the plans that offered cost savings, and that she appreciates the work.

MOTION

Alderman Marquardt motioned to approve Resolution 2015-124; seconded by Alderman Noreiko.

VOTE

Motion carried on a 7-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed.

2. Resolution 2015-125 Authorizing a Side Letter to the Collective Bargaining Agreement with the International Association of Firefighters (IAFF) Local 1236 Regarding Insurance Plan Options Effective January 1, 2016.

Assistant City Manager Hoppenstedt provided background on the Resolution, and how the City will be positively impacted.

MOTION

Alderman Noreiko motioned to approve Resolution 2015-125; seconded by Alderman Snow.

VOTE

Motion carried on a 7-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed.

3. Resolution 2015-126 Authorizing a Side Letter to the Collective Bargaining Agreement with the American Federation of State, County and Municipal Employees (AFSCME) Local 813 Regarding a 10-Hour Shift Option for Telecommunicators.

Assistant City Manager Hoppenstedt provided background on the Resolution, and how the City will be positively impacted.

MOTION

Alderman Finucane motioned to approve Resolution 2015-126; seconded by Alderman Marquardt.

VOTE

Motion carried on a 7-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed.

4. Resolution 2015-127 Appropriating the Sum of \$580,000 of Motor Fuel Tax Funds for the Purpose of Maintaining Various Streets and Highways Under the Applicable Provisions of the Illinois Highway Code (Section 16-00000-00-GM) from January 1, 2016 through December 31, 2016.

City Engineer John Laskowski provided background on the Resolution.

MOTION

Alderman Noreiko motioned to approve Resolution 2015-126; seconded by Alderman Marquardt.

VOTE

Motion carried on a 7-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed.

5. Resolution 2015-128 Authorizing an Intergovernmental Agreement with the DeKalb Public Library Relating to the Operation and Maintenance of Storm Drainage Improvements.

Attorney Dean Frieders provided background on the Resolution. Brief discussion ensued as to who maintains the drain, and other examples of when this has happened.

MOTION

Alderman Noriko motioned to approve Resolution 2015-128; seconded by Alderman Snow.

VOTE

Motion carried on a 7-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed.

6. Ordinance 2015-054 Authorizing the 2015 Levy and 2016 Collection of Taxes In and For the Corporate and Municipal Purposes of the City of DeKalb for the Fiscal Year 2017. (*First Reading*)

Finance Director Haley provided background information on the Ordinance, highlighting that this is Option 5, as discussed earlier in the meeting. Attorney Frieders explained the City's legal obligations, and recommended an amendment including the Library's revised request.

Alderman Jacobson inquired as to the City's Financial Policy, Finance Director Haley clarifying when it was written, and that it was voted through by the FAC as well as Council.

Further Discussion ensued as to the numbers presented in the presentation, including the comparable Cities used in the financial comparisons, and where DeKalb falls. Alderman Jacobson expressed concern over the fact that DeKalb is paying 50% higher tax rates on property than comparable cities. He said he understands the burden is not entirely due to the City, but the overall effect is that people can't afford to live here. He expressed his belief that Council has an obligation to fix the problem, rather than treat the symptoms, and the

City needs to address overspending and lack of growth. He emphasized that Council has an obligation to serve the constituents, and that something needs to be done.

Brief discussion ensued as to potential spending cuts.

Alderman Snow corrected what he believes to be inaccurate statements made by Alderman Jacobson. He suggested the City look at cutting costs, but staff has looked at these measures as well, despite not being highlighted. He agreed further discussion is needed.

Alderman Noreiko stated that pension obligations can't be ignored, with Alderman Jacobson acknowledging this obligation, but wanting to see it paid from the general fund rather than by tax payers.

Alderman Jacobson offered that the City should provide a short-term loan to the Library to cover the gap in their funding. Attorney Frieders clarified the law on these issues, and discussion ensued as to the City's obligation to pay the tax levied by the Library Committee.

Alderman Snow said he would not be in favor of a loan to the Library, but if it was done, the City would have to come up with an interest rate to charge them to make up for lost income from investments.

Alderman Baker stated he doesn't think Council should be involved in Library business.

Alderman Marquardt, expressed his opinion that, while taxes are high, the City has only increased by about \$85k in the last several years, indicating the majority of the burden is imposed by other taxing bodies. He emphasized the City needs to focus on growth, to increase EAV. He emphasized that roughly \$800k had been cut from FY2015 to FY2016, and highlighted the obligation to provide services, with the City operating without adequate staff. He offered there is a middle ground that can be reached without raising taxes.

Alderman Baker emphasized the importance of the FAC, stating it should run in conjunction with Council, because Council doesn't benefit from their brainstorming if they aren't privy to it. He offered that staff should be responsible for finding the cuts at the direction of the Council, but Council members aren't responsible for finding the cuts. He encouraged personnel cuts be made with great caution and offered that all taxing bodies meet to prevent duplication of services, and encourage cooperation.

Alderman Noreiko disagreed with Alderman Baker's assessment of the FAC, stating she believes they are quite accessible, and Alderman Baker should go to the meetings.

Alderman Baker reiterated that the FAC would best function in conjunction with Council.

The Mayor offered that the City doesn't have a spending issue, but rather a revenue issue, per the Chair of the FAC.

Alderman Snow offered there are conflicting opinions regarding whether Council members should be present during FAC meetings.

Alderman Finucane offered there have been joint Council/FAC meetings on 6 occasions this year alone.

Brief discussion ensued as to the amount of money discussed, and the need for additional notice, with Attorney Frieders clarifying the legal obligations.

MOTION

Alderman Finucane motioned to consider Ordinance 2015-054, as amended, to include the Library's request; seconded by Alderman Noreiko.

No action.

MOTION

Alderman Jacobson motioned to consider Ordinance 2015-054, as amended, to remove consideration for the Library tax levy; seconded by Alderman Baker.

VOTE

Motion failed on a 2-5 roll call vote. Aye: Jacobson, Baker. Nay: Finucane, Marquardt, Snow, Noreiko, Rey. Mayor Rey declared the motion failed.

Further clarifying discussion ensued.

MOTION

Alderman Finucane motioned to consider Ordinance 2015-054, as amended to include the Library's levy request; seconded by Alderman Noreiko.

VOTE

Motion carried on a 5-2 roll call vote. Aye: Finucane, Marquardt, Snow, Noreiko, Rey. Nay: Jacobson, Baker. Mayor Rey declared the motion passed.

7. Ordinance 2015-055 Authorizing the 2015 Levy and 2016 Collection of Taxes In and For the City of DeKalb Special Service Area Four for the Fiscal Year 2017. *(First Reading)*
8. Ordinance 2015-056 Authorizing the 2015 Levy and 2016 Collection of Taxes In and For the City of DeKalb Special Service Area Six for the Fiscal Year 2017. *(First Reading)*
9. Ordinance 2015-057 Authorizing the 2015 Levy and 2016 Collection of Taxes In and For the City of DeKalb Special Service Area Fourteen for the Fiscal Year 2017. *(First Reading)*

MOTION Alderman Finucane moved to consider Ordinances 2015-055, 2015-056, and 2015-057 together; seconded by Alderman Jacobson.

VOTE

Motion carried on a 7-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed.

MOTION

Alderman Snow motioned to consider Ordinances 2015-055, 2015-056, 2015-057; seconded by Alderman Marquardt.

VOTE

Motion carried on a 7-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed.

10. Ordinance 2015-058 Abating Taxes Levied for Corporate Purposes of the City of DeKalb for the Tax Levy Year 2015 (Bonds). (*First Reading*)

Finance Director Haley provided background on the Ordinance.

MOTION

Alderman Marquardt motioned to approve Ordinance 2015-058; seconded by Alderman Snow.

VOTE

Motion carried on a 7-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed.

H. NEW OR UNFINISHED BUSINESS

1. Request for Proposal for Building Division Services.

Community Development Director Divita provided background on the request for proposals, including how to improve the process. She offered suggestions on how to create a “one-stop-shop.” She suggested areas in which there is room for improvement on the City’s part. She explained the aspects this RFP seeks to address.

Brief discussion ensued as to elements of licensing for contractors, with Attorney Frieders clarifying that the City does not license all contractors.

The Mayor called for a motion to approve the preparation and circulation of the RFP document.

MOTION

Alderman Marquardt motioned to approve the preparation and circulation of the RFP document; seconded by Alderman Baker.

VOTE

Motion carried on a 7-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed.

Further discussion ensued as to the procedures and protocols at issue.

2. Elected Officials' Compensation.

The Mayor led conversation on the issue.

Alderman Baker provided background on why he wanted this issue to be discussed, explaining he didn't want to see the people seeking office limited to only those who can afford to put in the required time, without needing compensation.

Alderman Snow agreed this is an issue worthy of discussion, but more data is needed, including a query of benefits.

Alderman Baker encouraged everyone to participate in conferences, and stated it should be covered by the City.

The Mayor highlighted that the comparable cities were the same used as part of the Pay and Compensation Study.

Alderman Jacobson offered that Aldermen should have access to the City's health plan, if they want to pay 100% of the cost.

Mac McIntyre offered his opinion that a reduction in the City Clerk's pay was a mistake, and that he was against a reduction in pay and benefits eliminated previously. He said the lack of pay doesn't engender confidence that people are spending adequate time in their roles.

I. REPORTS – COMMUNICATIONS

Alderman Finucane offered his thanks to staff for their snow removal efforts, and reminded everyone to welcome IHSA visitors.

Alderman Noreiko reminded Ward 5 Residents that she's hosting an open meeting to discuss her first 6 months in office on December 5 from 10:00 a.m. to 11:30 a.m. She thanked the Fire Chief for hosting them for fire training.

Alderman Baker mentioned the Huskies are doing well, and to watch the game.

Mayor Rey complimented the City's efforts regarding leaf collection and snow removal. He echoed Alderman Noreiko's sentiments regarding the fire training.

Community Development Director Divita reminded everyone to shop locally first as we go into the holiday season.

J. RECESS FOR EXECUTIVE SESSION

1. Approval to Hold an Executive Session to Discuss Personnel as Provided for in 5 ILCS 120/2(c)(1).

MOTION

Alderman Noreiko motioned to hold Executive Session; seconded by Alderman Marquardt.

VOTE

Motion carried on a 5-2 roll call vote. Aye: Finucane, Marquardt, Snow, Noreiko, Rey. Nay: Jacobson, Baker. Mayor Rey declared the motion passed.

Mayor Rey closed the meeting to the public at 10:08 p.m.

Mayor Rey opened the meeting to the public at 10:33 p.m.

K. ADJOURNMENT

MOTION

Alderman Finucane motioned to adjourn; seconded by Alderman Jacobson.

VOTE

Motion carried on a 7-0 voice vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Rey. Mayor Rey declared the motion passed. Mayor Rey declared the meeting adjourned at 10:34 pm.

JENNIFER JEEP JOHNSON, City Clerk