



**DEKALB CITY COUNCIL AGENDA
REGULAR MEETING
SEPTEMBER 11, 2023
6:00 P.M.**

DeKalb Public Library
Yusunas Meeting Room
309 Oak Street
DeKalb, Illinois 60115

Pursuant to Chapter 2 “City Council”, Section 2.04 “Council Meetings”, persons wishing to address the City Council during this meeting are required to register with the Recording Secretary by filling out and submitting a Speaker Request form, copies of which are located on the table just outside the meeting room, along with copies of the agenda. Comments will be limited to three (3) minutes. Further information for addressing the City Council can be found on the Speaker Request form.

A. CALL TO ORDER AND ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF THE AGENDA

D. PRESENTATIONS

1. Proclamation: Stephan J. Bigolin Day – September 22, 2023.

City Manager’s Summary: By his own admission, Steve Bigolin has been an energetic student and educator in DeKalb County history since his first tour of the Ellwood House Museum in 1972. Steve moved to DeKalb from McHenry County in the fall of 1967 to attend Northern Illinois University, where he earned a bachelor’s degree in history and a master’s in secondary education by 1975. He became a volunteer docent at Ellwood House in November 1972 and in the 1980s organized and led historical bus tours for Kishwaukee College, earning a Board of Trustees Award of Excellence in 1992. He has received many other awards since that time, including a City of DeKalb appreciation award for his decades of service on the Landmark Commission. His service has extended to the state level of historic preservation as well, serving on the Illinois Historic Sites Advisory Council.

Steve has been generous in sharing the information and insights he has gained over the years, writing numerous articles for the DeKalb Daily Chronicle as well as pamphlets and books and – in more recent times – video documentaries. His tireless efforts are no more evident than in his highly regarded walking tours of cities, towns, and villages throughout DeKalb County.

In his scarce free time, Steve visits historic sites and keeps his eyes open for interesting historic memorabilia he can share with others. He is a local treasure, and much like his written word he is full of “corn” and devoted to DeKalb and DeKalb County history. The attached proclamation is a modest appreciation for this man’s life and work on our behalf. ([click here for additional information](#))

E. PUBLIC PARTICIPATION

F. APPOINTMENTS

None.

G. CONSENT AGENDA

1. [Minutes of the Special Joint Meeting of the City Council and Finance Advisory Committee Meeting of August 21, 2023.](#)
2. [Minutes of the Regular City Council Meeting of August 28, 2023.](#)
3. [Accounts Payable and Payroll through September 11, 2023, in the Amount of \\$3,416,261.05.](#)
4. [Investment and Bank Balance Summary through July 2023.](#)
5. [Year-to-Date Revenues and Expenditures through July 2023.](#)
6. [Crime Free Housing Bureau Report – August 2023.](#)

H. PUBLIC HEARINGS

1. **Public Hearing Regarding a Proposed Annexation and Development Agreement for Approximately 130 Acres of Property that is Located at the Northeast Corner of Peace Road and E. Gurler Road (Steven Goldin).**

City Manager's Summary: As Director of Planning Dan Olson writes in his background memorandum, this public hearing pertains to the annexation and development agreement filed by Steven Goldin for an approximately 130-acre site at the northeast corner of Peace Road and E. Gurler Road. The applicant is requesting rezoning, upon annexation, from the "SFR1" Single-Family Residential District to the "PD-I" Planned Development Industrial District. The development plan is only conceptual at this point because no end users have been identified. The proposed concept plan consists of four buildings totaling approximately 1,643,000 square feet that could accommodate manufacturing, packaging, distribution, and warehouse uses within the requested "PD-I" zoning district. The applicant would like to get the property annexed, zoned, and utilities extended to better market and accommodate a potential end-user.

The site is currently in unincorporated DeKalb County's jurisdiction, but contiguous to the City. To the west is Kraft-Heinz and to the south is the Meta Data Center – both of which are annexed and zoned in the City of DeKalb. The petitioner also seeks approval of a concept plan along with the approval of associated development standards. Of the four proposed buildings, Building 1 shows 722,119 square feet, Building 2 shows 409,500 square feet, Building 3 shows 250,250 square feet, and Building 4 shows 261,300 square feet.

A full access point is shown on Peace Road and a full access point is also proposed along E. Gurler Road. Additional access points are proposed off Webster Road on the east side of the site. There are 2,082 parking and trailer spaces proposed for all four buildings. In addition, there are 341 truck docks between the four buildings. Although the number of expected employees was not provided, the applicant intends to provide parking in accordance with the Unified Development Ordinance (UDO), which is based upon the number of employees for the proposed types of uses.

Adequate public services will be provided to the subject property. Detention areas are proposed on the north and southeast portions of the subject site. Sanitary sewer will be extended from the west along the north side of Gurler Road. Water will be connected to the main at the far southwest corner of the subject site. The plans were distributed to the various City Departments and the Kishwaukee Water Reclamation District (KWRD). The site will require annexation to the KWRD and the petitioner has communicated with the District on the required fees and permits.

Once an end user comes forward to develop the site, a revision to the concept plan is likely. When an end-user is determined, it is recommended that a Preliminary/Final Plan be submitted and brought back to the Planning and Zoning Commission and City Council for review and approval. ([click here for additional information](#))

I. CONSIDERATIONS

None.

J. RESOLUTIONS

1. Resolution 2023-085 Approving a Deed in Lieu of Foreclosure Agreement for 509 Davy Street.

City Manager's Summary: In October 2021, the City demolished the dangerous and unsafe home at 509 Davy Street at a cost of \$19,394.46 and subsequently recorded a demolition lien against the property. The property's owner never responded to the City's notices to repair the property and other efforts to contact her before and after the demolition. Since the demolition, the City has cut the overgrown grass on the property on an irregular basis. After a long period of silence, the City finally established contact with the property's owner and negotiated this agreement to convey the property to the City as full satisfaction of the City's demolition lien. In this instance, the City's legal right to accept a deed for the property in lieu of foreclosing on its demolition lien is the most likely path to funding the City's investment to date.

City Council approval is recommended. ([click here for additional information](#))

2. Resolution 2023-086 Authorizing the Purchase of One 2023 Ford Police Interceptor from Sutton Ford of Matteson at the Illinois Central Management Services Contract Pricing in an Amount Not to Exceed \$42,556.

City Manager's Summary: A 2021 Police Interceptor squad car was recently involved in a crash caused by a citizen who recklessly failed to yield, and the extensive damage to the Police vehicle rendered it a total loss. A replacement is requested in order to retain the requisite number of front-line Patrol vehicles. The wrecked vehicle was equipped for K-9 use, making its replacement particularly important.

Upfitting items can be transferred from the wrecked vehicle, with only the push bumper needing replacement. The City has a commitment from Sutton Ford of Matteson, Illinois to match the 2023 Illinois Central Management Services (CMS) contract and the Suburban Purchasing Cooperative, a joint purchasing program sponsored by the Northwest Municipal Conference (NWMC) bid for one 2023 Ford Police Interceptor. Utilizing this purchasing cooperative will enable the city to purchase the vehicle in the most cost-effective manner. This vehicle will likely last five years in front-line service.

The money for the purchase of this replacement vehicle will be drawn from a liability account (100-00-00-21310) which is funded from asset seizures. Insurance reimbursement for the wrecked vehicle will then be applied back to that fund.

The price of the vehicle from Sutton Ford is \$40,556, including the title and license fee. Necessary replacement upfitting items from Ray O'Herron's and squad car striping are listed below, with installation by a combination of City mechanics and established vendors.

One 2023 Ford Police Interceptor	\$40,383
License and Title Fees	\$ 173
<u>Upfitting Costs</u>	<u>\$ 2,000</u>
Net Cost to City	\$42,556

City Council approval is recommended. ([click here for additional information](#))

K. ORDINANCES – SECOND READING

None.

L. ORDINANCES – FIRST READING

1. Ordinance 2023-035 Authorizing the Issuance of Not to Exceed \$4,265,000 General Obligation Bonds, Series 2023, of the City of DeKalb.

City Manager’s Summary: At the regular Council meeting of July 24 and at the joint meeting of the Council and the Finance Advisory Committee (FAC) on August 21, the Council considered the construction and staffing of a fourth City fire station as a priority spending objective for the Fiscal Year 2024 City Budget. The consensus of the Council and FAC was to include the Station 4 proposition in the proposed budget documents that will be reviewed by the Council in mid-November. In the public discussions about Station 4, the City Manager proposed, and the Council supported, the funding of the construction through a 15-year, \$4.265 million general obligation bond with an annual levy ceiling of \$425,000 (with the annual 2023 bond debt service to be abated in full). The expected General Fund-supported G.O. debt service, combined with the existing City G.O. debt service, is portrayed in the table below:

		15 Year Term					
Fiscal Year	General Fund Debt Service*	Principal	Assumed Rate	Assumed Yield	Assumed Interest	Total Debt Service	Aggregate Debt Service
		1-Jan			1/1 & 7/1		
2024	\$1,862,841	\$0			\$106,625	\$106,625	\$1,969,466
2025	\$1,861,121	\$195,000	5.00%	3.46%	\$208,375	\$403,375	\$2,264,496
2026	\$1,863,782	\$205,000	5.00%	3.39%	\$198,375	\$403,375	\$2,267,157
2027	\$1,865,256	\$215,000	5.00%	3.35%	\$187,875	\$402,875	\$2,268,131
2028	\$1,458,244	\$230,000	5.00%	3.32%	\$176,750	\$406,750	\$1,864,994
2029	\$1,457,211	\$240,000	5.00%	3.38%	\$165,000	\$405,000	\$1,862,211
2030	\$1,458,000	\$250,000	5.00%	3.41%	\$152,750	\$402,750	\$1,860,750
2031		\$265,000	5.00%	3.37%	\$139,875	\$404,875	\$404,875
2032		\$280,000	5.00%	3.39%	\$126,250	\$406,250	\$406,250
2034		\$290,000	5.00%	3.41%	\$112,000	\$402,000	\$402,000
2035		\$305,000	5.00%	3.48%	\$97,125	\$402,125	\$402,125
2036		\$325,000		3.59%	\$81,375	\$406,375	\$406,375
2037		\$340,000		3.71%	\$64,750	\$404,750	\$404,750
2038		\$355,000		3.87%	\$47,375	\$402,375	\$402,375
2039		\$375,000		4.02%	\$29,125	\$404,125	\$404,125
2040		\$395,000		4.12%	\$9,875	\$404,875	\$404,875
2041							
2042							
2043							
2044							
2045							
Total	\$11,826,455	\$4,265,000			\$1,903,500	\$6,168,500	\$17,994,955

*Includes Series 2010C, 2012A, 2013B, 2019, and 2020

The City’s Ground Emergency Medical Transportation (GEMT) Fund will provide annual assistance with the 2023 Bond payments through 2027, when the City will have retired sufficient annual debt service to assume a greater share of the City’s aggregate General Fund-supported debt. As illustrated in the table above, after 2030 the assumed principal and interest on the aggregate City G.O. debt will be substantially reduced.

The firm of Robert W. Baird & Co., Inc. will be the underwriter of a public sale to investors at a future date of greatest advantage to the City of DeKalb. The attached ordinance authorizes the City Manager to make determinations in consultation with Baird Finance and counsel and to execute documents related to the sale in a timely fashion no later than December 31, 2023.

City Council approval is recommended. ([click here for additional information](#))

2. Ordinance 2023-036 Authorizing an Annexation and Development Agreement with Steven Goldin for the Property Located at the Northeast Corner of Peace Road and E. Gurler Road.

City Manager's Summary: In the Public Hearing portion of this agenda, the background detailed the essential features of the proposed Annexation and Development Agreement (attached) pertaining to 134.4 acres of property located at the northeast corner of Peace Road and E. Gurler Road, which is contiguous to the DeKalb corporate limits. The petitioner, Steven Goldin, proposes to rezone the property, upon annexation, from the "SFR1" Single-Family Residential District to the "PD-I" Planned Development Industrial District. The development plan is only conceptual at this point because no end users have been identified. The proposed concept plan consists of four buildings totaling approximately 1,643,000 square feet that could accommodate manufacturing, packaging, distribution and warehouse uses within the requested "PD-I" zoning district. The applicant would like to get the property annexed, zoned, and utilities extended to better market and accommodate a potential end-user.

City Council approval is recommended. To approve the agreement, the City's corporate authorities must do so by a vote of two thirds of the Council members then holding office. ([click here for additional information](#))

3. Ordinance 2023-037 Approving the Annexation of Certain Property Located at the Northeast Corner of Peace Road and E. Gurler Road to the City of DeKalb (Steven Goldin).

City Manager's Summary: If the foregoing Annexation and Development Agreement is approved, the annexation of the Goldin property is recommended. The annexation assumes the rezoning of the property from the "SFR1" Single-Family Residential District to the "PD-I" Planned Development Industrial District will follow, as described in Ordinance 2023-038, below.

City Council approval by a simple majority is recommended. ([click here for additional information](#))

4. Ordinance 2023-038 Approving the Zoning Petition of Steven Goldin to Rezone Certain Property Located at the Northeast Corner of Peace Road and E. Gurler Road to the "PD-I" Planned Development Industrial District and to Approve a Concept Plan for the Development of Four Buildings Totaling Approximately 1,645,000 Square Feet to Accommodate Manufacturing, Packaging, Distribution and Warehouse Uses.

City Manager's Summary: The proposed rezoning of the Goldin property has been outlined above. The DeKalb Planning & Zoning Commission considered the proposed rezoning petition at their regular meeting on September 5, 2023. By a vote of 7 to 0 the Commission recommended City Council approval of the rezoning of the Goldin property, upon annexation, from the "SFR1" Single-Family Residential District to the "PD-I" Planned Development Industrial District for a 130-acre property located at the northeast corner of Peace Road and E. Gurler Road for the construction of four buildings not exceeding 1,645,000 square feet. Such development could accommodate manufacturing, packaging, distribution or warehouse uses in accordance with the Concept Plan as listed in Exhibit A of the attached staff report and subject to the Planned Development Standards listed below:

Permitted Uses: Manufacturing, Packaging, Distribution, Warehouse, and accessory uses not exceeding 1,645,000 square feet.

Bulk Regulations / Landscaping / Parking / Open Space: Setbacks, building lines, site coverage, building dimension limitations, height restrictions, parking, landscaping and other similar restrictions and regulations shall meet those standards as set forth in the “HI” and “PD-I” District of the UDO, except as listed below:

- **Minimum Setbacks:** (a) Parking – 100 feet from Peace Road and 75 feet from Gurler Road; (b) building – 175 feet from Peace Road and 150 feet from E. Gurler Road.

Preliminary and Final Development Plan Review: A Preliminary and Final Development Plan shall be submitted and reviewed by the City’s Planning & Zoning Commission and City Council pursuant to the procedures in the Unified Development Ordinance. A traffic study shall be submitted once an end-user is determined.

City Council approval of the Planning & Zoning Commission recommendation is requested. ([click here for additional information](#))

5. Ordinance 2023-039 Revoking Ordinance 2020-12 Approving a Special Use Permit for the Co-Location of Cell Antennas and Associated Equipment at 1500 S. Seventh (7th) Street (Verizon Wireless).

City Manager’s Summary: On February 24, 2020, the City Council adopted [Ordinance 2020-012](#), which granted a special use permit to Verizon Wireless for the co-location of cell antennas and associated equipment at 1500 S. Seventh Street. Verizon never commenced the construction for the co-location of cell antennas and associated equipment. On August 23, 2023, Verizon informed the City that it is no longer pursuing co-location at the property and further requested that the City revoke the special use permit.

Pursuant to the request of Verizon Wireless, this ordinance revokes the special use permit granted to Verizon Wireless for the co-location of cell antennas and associated equipment at 1500 S. Seventh Street. The City Council may revoke the special use permit pursuant to Article 14.03.06 of the City’s UDO. If the special use permit is revoked, then Verizon’s successors and assigns would have to apply for a new special use permit for co-location at the property.

City Council approval is recommended. ([click here for additional information](#))

6. Ordinance 2023-026 Authorizing the Acquisition through Condemnation of Fee Simple Title to the Property Located at 128-140 S. Second Street (PIN 08-23-163-013).

City Manager’s Summary: Since the regular Council meeting of August 14, the City Manager and City Attorney met with Dan and Joe Sears and their attorney, Mark Doherty, to discuss the possibility of reaching an agreement for the voluntary acquisition of the property at 128-140 S. Second Street. This meeting occurred on August 28. At that meeting, the parties generally agreed that the “gap” between the City’s recent appraisal of \$370,000 and the owners’ price of \$475,000 (the July 6 counteroffer of D-N-J Properties) might be closed with further discussion. At the end of that meeting, the City Manager offered a “supposal” of \$420,000 – subject to Council approval – with the understanding that D-N-J Properties would assume all relocation costs for their commercial tenant as well as customary closing costs.

At mid-afternoon on September 6, D-N-J Properties responded with the following counterproposal through their attorney, Mr. Doherty:

- a. The purchase and sale price for the real estate shall be \$420,000, which amount shall not include any other compensation as related to existing tenancies. However, upon a successful closing of this transaction, D-N-J Properties, Inc., Dan Sears, and Joe Sears, will waive any compensation related to their tenancies.
- b. The City shall assume responsibility for the lease with the current salon tenant.
- c. The Closing Date shall either be (1) November 30, 2023, with Seller to maintain post-closing possession at no cost to Seller through June 30, 2024; or (2) June 30, 2024, with no post-closing possession.
- d. The City shall pay all closing costs associated with the real estate closing, and there shall be no tax credit for 2023 real estate taxes payable in 2024.
- e. The City shall indemnify and hold harmless D-N-J Properties, Inc. from and against any claim for a commission or other compensation claimed by Paul Miller/Adolph Miller Real Estate as related to this purchase and sale.
- f. D-N-J Properties, Inc. shall have the option of removing the furnace at 134 and 140 S. Second Street prior to demolition and will agree to use Josh Joiner or a licensed HVAC professional of its choosing, for said removal.

Subject to City Council approval, the City Manager's response to the D-N-J counterproposal was as follows on the evening of September 6:

1. The purchase and sale price for the real estate shall be \$420,000.
2. The Closing Date shall be on or before July 1, 2024.
3. D-N-J Properties, Inc. shall have the option of removing the furnace in 134 and 140 S. 2nd St. on or before July 1, and will agree to use Josh Joiner or a licensed HVAC professional of the owners' choosing for said removal.

After the exchange of proposals on September 6, no further negotiations occurred before this Agenda was referred to Executive Assistant Ruth Scott for publication on September 7. If a subsequent response from D-N-J Properties is received prior to the Council meeting of September 11, the City Manager will summarize that response orally during the consideration of this Agenda item.

Council action to proceed to condemnation is recommended if the City counterproposal is not accepted. ([click here for additional information](#))

M. REPORTS AND COMMUNICATIONS

1. **Council Member Reports.**
2. **City Manager Report.**

N. EXECUTIVE SESSION

None.

O. ADJOURNMENT

REGULAR AGENDA PACKET
SEPTEMBER 11, 2023