



**DEKALB CITY COUNCIL AGENDA
REGULAR MEETING
SEPTEMBER 12, 2022
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 City Clerk or 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

None.

E. PUBLIC PARTICIPATION

F. APPOINTMENTS

None.

G. APPROVAL OF THE MINUTES

1. Minutes Submitted by the City Clerk – None

2. Minutes Submitted by the Recording Secretary

a. [Minutes of the Joint City Council and Finance Advisory Committee Meeting of August 15, 2022.](#)

b. [Minutes of the Regular City Council Meeting of August 22, 2022.](#)

H. CONSENT AGENDA

1. [Accounts Payable and Payroll through September 12, 2022, in the Amount of \\$4,716,223.72.](#)

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

2. [Investment and Bank Balance Summary through July 2022.](#)
3. [Year-to-Date Revenues and Expenditures through July 2022.](#)

I. PUBLIC HEARINGS

None.

J. CONSIDERATIONS

1. Public Discussion Regarding Redevelopment in the Hillcrest/Blackhawk Area and Annie Glidden North Area.

City Manager's Summary: On July 11 the Council considered a recommendation from the City Manager to hold several workshop sessions jointly with the Opportunity DeKalb board to welcome stakeholder opinion regarding how the Council might proceed in redeveloping the 4.87-acre area that has been prepped by the City for future private redevelopment at the intersection of Hillcrest Drive and Blackhawk Road. The first of those "listening sessions" was held on July 25 and the following recommendations were made, among others:

- Create a student dining and study center.
- Attract a "mini" Target or other general merchandiser.
- Create a student-focused gathering area.
- Avoid a bar or late-night venue.

The speakers also repeated their support for services and amenities identified by many local social service agencies and Annie Glidden North (AGN) residents in the past, such as healthy groceries, restaurants, health care, childcare, neighborhood meeting space, after-school activities, recreation other than what is offered in the newly upgraded Welsh Park, and jobs.

This workshop will hopefully attract further ideas and with some specificity. To date, the Council has invested \$2,508,431 in local and federal funds in assembling the lots in the "L"-shaped area at the corner of Hillcrest and Blackhawk. Another \$1,873,221 has been invested since late 2018 in ancillary improvements including, among other things, new streetlights (\$200,000), the extension of wi-fi at no cost to neighborhood residents (\$310,000), support for the University Village Collaborative (\$150,308), support of Grow Mobile food distributions (\$30,324), support for Camp Power and meals (\$70,860), Twombly Road sidewalks (\$110,000), support for the University Village summer bus shuttle (\$53,000), relocation assistance for Hunter Hillcrest tenants (\$128,525), and the purchase incentive for Hunter Ridgebrook and other Hunter properties to help supplant an ownership group that was not allied with the AGN objectives.

It should be noted that the Opportunity DeKalb board has organized four listening sessions as well and has engaged NIU's Center for Governmental Studies to facilitate the sessions. The focus will be broader than the "L"-shaped redevelopment area and is intended to solicit opinion on needed services across the 0.83 square mile area of the AGN neighborhood. These sessions are not open to the public. They will include up to 20 persons each, selected by board members and paid a modest stipend of \$25 to participate. The sessions will occur at the following dates and times in the AGN district:

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

- Wednesday, August 31 at 5:30 p.m. - NIU Nursing Building
- Tuesday, September 6 at 6:30 p.m. - New Hope Baptist Church
- Wednesday, September 7 at 5:00 p.m. - University Village Community Room
- Wednesday, September 7 at 7:00 p.m. - Cast Iron Coffee

Out of all the Council and Opportunity DeKalb board listening sessions, a working consensus of essential uses can be developed and synthesized for final Council consideration and action.

K. RESOLUTIONS

1. Resolution 2022-076 Authorizing a Third Amendment to a Retainer Agreement for City Attorney Services (Donahue & Rose, PC).

City Manager's Summary: The attached retainer agreement between the City of DeKalb and Donahue & Rose, P.C. is the third amendment to the original contract entered in June 2019 for city legal services. The first amendment in January 2021 reduced the amount of the retainer for basic services from \$16,000 per month to \$15,000 per month in the face of the COVID pandemic. The second amendment kept the monthly retainer for basic services at \$15,000 per month but raised the litigation hourly rate from \$185 to \$190.

The third amendment restores the monthly retainer for basic services to the original retainer level of \$16,000 per month. The litigation hourly rate will stay the same.

The City Manager recommends the Council's support for these generous contract terms. The firm has very effectively represented the Mayor, Council, and City organization in numerous legal challenges in recent years and has established itself as one of northern Illinois's premier law firms. ([click here for additional information](#))

2. Resolution 2022-077 Authorizing a Professional Services Agreement with Hampton, Lenzini, and Renwick, Inc. for Bridge Construction Engineering Professional Services for the Complete Replacement of the N. First Street Bridge and the Lucinda Avenue Bridge in an Amount Not to Exceed \$558,845.

City Manager's Summary: The attached resolution authorizes a City contract for professional engineering services for the planned reconstruction of the N. First Street and Lucinda Avenue bridges over the Kishwaukee River in 2023. A Qualification Based Selection process was coordinated by City Engineer Zac Gill and Hampton, Lenzini and Renwick was chosen as the top candidate. Their professional services offer was 10.5% of the construction totals, in line with industry standards. HLR has already designed and piloted the state approval of the project, and the firm has a successful track record in serving the City.

Eighty percent (80%) of the services are eligible for reimbursement from the State, putting the local share at under \$120,000. Some services will be required upfront as preconstruction meetings and material orders advance in the Fall of 2022. The City's Motor Fuel Tax Fund (Fund 210) will provide that funding.

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

3. Resolution 2022-078 Authorizing a Professional Services Agreement with Hampton, Lenzini, and Renwick, Inc. for Construction Engineering Professional Services for the Widening and Reconstruction of Peace Road Near Fairview in an Amount Not to Exceed \$160,000.

City Manager's Summary: City Engineer Zac Gill is also recommending the services of HLR for the design of the widening and reconstruction of a segment of Peace Road including its intersection with Fairview Drive. Resident Engineering Services will be required for the proper administration and oversight of the construction and are required by the terms of the Surface Transportation Urban (STU) funds the City receives which cover 80% of the construction costs.

The City sought to advance the widening of the Peace Road corridor in order to enhance the safety of motorists using this heavily utilized route. The first segment of the Peace Road rehabilitation project to reach the contract phase is the section between the I-88 Tollway interchange and Macom Drive, which includes the significant upgrade of the intersection of Peace Road and Fairview Drive.

This is obviously a regional improvement, and the City was able to qualify for federal funds which pass through and are administered by the Illinois Department of Transportation from the federal government to local agencies. The project was successfully bid at the state level in April 2022, and it is expected that work will begin this Fall and continue through the summer of 2023.

HLR is more than qualified to complete such services and has successfully served the City multiple times on infrastructure projects. The contract amount of \$160,000 is very fair for a \$3.5 million construction project, at less than 5% of the cost borne by the City.

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

4. Resolution 2022-079 Authorizing the Award of a Contract to Curran Contracting Inc. in the Amount of \$220,172.69 for the Resurfacing of Primary Access Routes Within Market Square with Staff Authority to Approve Change Orders Up to a Combined Project Total in an Amount Not to Exceed \$240,000.

City Manager's Summary: On April 27, 2020, the City Council established Special Service Area #29 to address recurring road maintenance issues in the Market Square Shopping Center. The special tax only takes into account the common, private roadways. The detention areas, parking lots, lighting and raised medians are addressed by the Real Estate Agreement (REA) entered by all owners and tenants of the Center.

The first tax collection was in 2021 but was deficient in terms of the scope of the re-surfacing which will include all private drives including the several main entranceways. The \$240,000 accruing in the City' Fund 229 for SSA #29 will suffice to complete project that was recently bid. Curran Contracting was the low bidder in the amount of \$220,172.69. The attached resolution also includes a staff request for authority to approve change orders up to \$19,827.31 for minor quantity over-runs or unforeseen repairs. The total project cost will not exceed \$240,000.

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

5. Resolution 2022-080 Appropriating the Sum of \$2,000,000 of Local Funds, Including \$1,000,000 of Motor Fuel Tax Funds, for Construction Services to Widen, Improve, and Overlay Peace Road Near Fairview Drive.

City Manager's Summary: When the City intends to expend certain State funds, such as the locally allocated portions of the State's Motor Fuel Tax Funds, it must provide the Illinois Department of Transportation with a resolution officially appropriating those funds and explaining the purpose of that appropriation. In this case, the purpose is related to the upcoming construction efforts to widen and upgrade Peace Road near Fairview Drive; that proposed appropriation is \$1,000,000.

The City has been seeking an upgrade to the Peace Road corridor and applied for federal Surface Transportation Urban (STU) funds as provided by the U.S. Department of Transportation and administered by the State of Illinois. The improvement will consist of widening Peace Road from the west bound I-88 Tollway ramp to Macom Drive, including reconstruction to enhance the safety of the intersection at Peace Road and Fairview Drive, and a full overlay of the remaining segment to IL-38.

To release and contract those STU funds the State requires authorization of the matching local funds; in this case, \$1,000,000 in MFT funds (Fund 210).

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

6. Resolution 2022-081 Authorizing Jurisdictional Transfer of a Segment of Annie Glidden Road from DeKalb County to the City of DeKalb.

City Manager's Summary: According to the terms of the attached resolution, the City will assume jurisdiction for maintenance responsibilities for that segment of Annie Glidden Road from Dresser Road northward to the entrance to Health Services Drive. The City and County have long operated on the understanding that as both sides of Annie Glidden Road are developed within the City, the intervening jurisdiction shall be transferred to the City. With the recent annexation and development of the First United Methodist Church site that arrangement was triggered. Because this section involves a County Highway, it does not automatically transfer like a Township Road, which must be done through a joint agreement or else the County retains its jurisdiction in perpetuity.

This transfer affords the City full authority over traffic, drainage, and road improvements. It does not preclude the City from subsequently entering into sensible intergovernmental agreements with DeKalb County or DeKalb Township for work such as snow removal.

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

7. Resolution 2022-082 Authorizing an Intergovernmental Agreement with the State of Illinois Department of Transportation ("IDOT") for the State Fiscal Year 2023 Downstate Operating Assistance Agreement in the Amount of \$6,117,668.

City Manager's Summary: The approval of this resolution authorizes the City Manager to execute a Downstate Operating Assistance Agreement between the Illinois Department of Transportation (IDOT) and the City of DeKalb to provide transit operating funds under IDOT's Downstate Operating Assistance Program (DOAP) for State Fiscal Year 2023 (July 1, 2023-June 30, 2024).

The Illinois DOAP grant provides 65% of eligible expenses to the maximum amount of the contract, which is \$6,117,668 for the 2023 State Fiscal Year. DOAP funding is the primary source of reimbursement for the Transit program’s expenses, with Federal 5307 and NIU funding used as the primary sources of matching funds.

As a condition of receiving the DOAP grant, the City must agree to “provide all local matching funds” as part of this agreement. These matching funds include the transit assistance contribution from Northern Illinois University and Federal Transit Administration (FTA) Operating Assistance funds granted to the City. Other revenue, such as fares and signage are used to reduce the amount that is charged to the grant.

NIU utilizes student fees allocated to public transit as a match to their portion of DOAP grant funds. Per the IGA between NIU and the City, the NIU contribution in future years will be a minimum of 40% of total costs.

With the \$6,117,668 allocated to DeKalb for the reimbursement of operating expenses to provide transit service in the DeKalb UZA, the Transit staff recommends allocating the SFY2023 DOAP grant funds in the following proportion:

Organization	Total Allocation	2022 DOAP Allocation Amount	DOAP Allocation Percentage	2022 Local Match Amount	Sources of Local Match
City of DeKalb	\$1,243,545	\$808,304	14%	\$435,241	City of DeKalb, FTA Grant & NIU Funding
Purchased Services (Transdev)	\$8,168,252	\$5,309,3364	86%	\$2,858,888	FTA Grant, NIU Funding
Total	\$9,411,797	\$6,117,668	100%	\$3,294,129	

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

8. Resolution 2022-083 Authorizing Amendments to the Service Provider Agreements with Transdev Services, Inc.

City Manager’s Summary: Transit Director Mike Neuenkirchen has been approached by Transdev, the City’s transit provider, to assist with sagging driver recruitment and retention efforts. The Transdev proposal seeks an amendment to the current transit service provider agreement that would increase the wages for bus drivers and staff in light of the current inflationary conditions.

The per hour increases, if approved, would only be allowable for the purpose of salaries and fringe benefit costs for bus operators and support staff. Additionally, Transdev would continue to be required to submit monthly reports to the City verifying that the additional expenses were directly related to the salary and fringe costs alone. The proposed increases take into account what competing local employers are offering for similar levels of skill and experience.

The proposed wage structure is shown below and would run through December 31, 2023, when the base contract portion of the agreement expires:

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

Proposed Fixed Route Wages

Length of Service	Effective 7/1/2021 (2021 Amended Pay Rate)	Effective 1/1/2022 (Current Rate)	Proposed 10/1/2022	Proposed 1/1/2023 (Includes Annual Raise)
0 – 12 Months	\$17.00	\$17.25	\$20.00	\$20.25
12 – 24 Months	\$17.50	\$17.75	\$20.50	\$20.75
24 – 36 Months	\$18.00	\$18.25	\$21.00	\$21.25
36 – 48 Months	\$18.50	\$18.75	\$21.50	\$21.75
48 – 60 Months	\$20.00	\$20.25	\$23.00	\$23.25
60+ Months	\$20.50	\$20.75	\$23.50	\$23.75

Proposed Paratransit Wages

Length of Service	Effective 1/1/2021 (Original Pay Rate)	Effective 1/1/2022 (Current Rate)	Proposed 10/1/2022	Proposed 1/1/2023 (includes annual raise)
0 – 12 Months	\$14.60	\$15.20	\$17.95	\$18.20
12 – 24 Months	\$14.66	\$15.66	\$18.41	\$18.66
24 – 36 Months	\$15.20	\$16.20	\$18.95	\$19.20
36 – 48 Months	\$15.70	\$16.70	\$19.45	\$19.70
48 – 60 Months	\$16.20	\$17.20	\$19.95	\$20.20
60+ Months	\$16.70	\$17.70	\$20.45	\$20.70

The projected cost for the remaining 1.25 years of the contract with **an increase up to \$3.04 per revenue hour** based upon the proposed price is as follows:

Annual Costs to Increase Operator Wages-Fixed Route Contract

	2022 (Oct -Dec)	2023 (12 Months)	2024*
Revenue Hours	15,418	58,861	N/A
Contracted Cost per Revenue Hr.	\$ 52.39	\$ 54.03	N/A
Proposed Cost Per Revenue Hr.	\$ 55.43	\$ 57.07	N/A
<i>Total Increase Over Current</i>	<i>\$46,871</i>	<i>\$178,937</i>	<i>N/A</i>

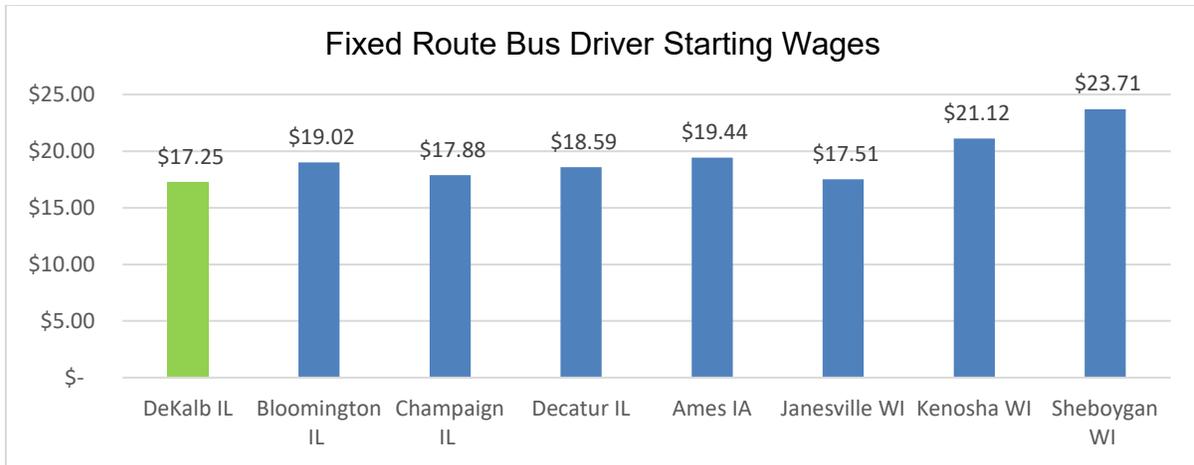
Annual Costs to Increase Operator Wages-Paratransit Contract

	2022 (Oct -Dec)	2023 (12 Months)	2024*
Revenue Hours	9,706	38,823	N/A
Contracted Cost per Revenue Hr.	\$ 41.56	\$ 43.49	N/A
Proposed Cost Per Revenue Hr.	\$ 44.59	\$ 46.70	N/A
<i>Total Increase Over Current</i>	<i>\$29,506</i>	<i>\$118,022</i>	<i>N/A</i>

This proposal will obviously add to the cost of operating the City’s public transit system based on Transdev’s contracted hourly expenses as illustrated above. The City’s Transit staff surveyed small-urban transit systems in Illinois, Wisconsin, and Iowa to gather bus operator wage structures based upon years of service. Results from these locations through mid-July 2022 showed **the average starting wage rates for a heavy-duty bus operator with a CDL is \$19.32:**

Assistive services, including hearing assistance devices, available upon request.

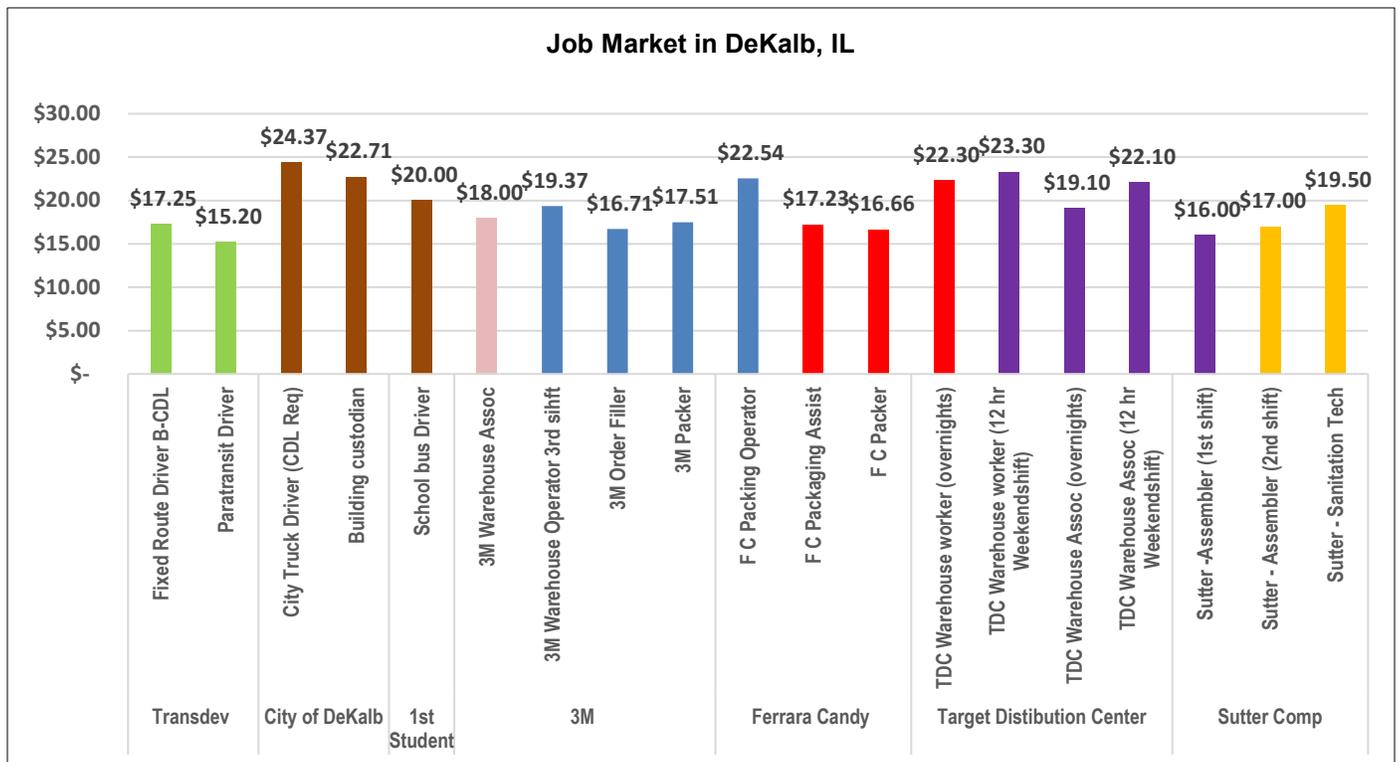
COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.



As of August 1, 2022, the starting wage rate for a heavy-duty bus operator at Transdev is \$17.25 per hour. As can be seen from table above, DeKalb lags in the wages paid in similar small urban transit systems, even with the recent pay increase.

Local Market Wages

In addition to regional transit wage comparisons, the City's Transit staff also reviewed the local job market, which includes CDL license-related jobs and other entry-level positions in the area distribution and manufacturing sectors. Through July 31, 2022, the average starting wage for CDL license holders is \$22.74 and the average non-CDL entry level starting wage is \$19.34.



Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

Overall, this proposal is expected to add \$373,336 to the remaining life of the City’s contracts with Transdev. The Transit staff anticipated the need for an increase in driver wages and budgeted for that in our SFY23 Illinois Downstate Operating Assistance (DOAP) Grant effective July 1, 2022-June 30, 2023.

	State of Illinois DOAP Awards (Effective 7/1-6/30)
SFY2022 (Ended 6/30/22)	\$5,621,396
SFY2023 (Current Year)	\$6,117,668
Increase over Yr. Prior	\$ 496,272

As shown in the table above, the increase in Illinois DOAP funding will offset the proposed rate increase in conjunction with FTA 5307 funding and NIU’s transit contribution.

The proposed \$76,377 increase for the remainder of FY 2022 will be offset by the transit program’s planned route expansion budget of \$366,000 that will go unrealized due to Transdev’s recruitment issues.

One consequence of Transdev’s inability to maintain adequate staffing levels is the impact on the transit program’s desire to offer expanded routes and service hours. The rapid industrial growth of our community is driving demand for additional bus services that we are not able to address due to the lack of bus operators. This proposed increase in driver’s wages will help position the City’s transit program to address these new needs.

One final note related to this proposal. The Transit staff had initially considered recommending a lower rate increase, such as \$19/hour, for fixed route drivers. After reviewing the local labor market and considering Illinois minimum wage increases that are placing an upwards pressure on wage expectations, the Transit staff were concerned an increase to \$19.00 / hour would be a half-measure that would require further adjustment in FY23.

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

9. Resolution 2022-084 Authorizing an Intergovernmental Agreement with the Illinois Department of Healthcare and Family Services as it Pertains to Participation in the Ground Emergency Medical Transport (GEMT) Program.

City Manager’s Summary: The attached resolution would extend the City’s contract to participate in the Ground Emergency Medical Transportation (GEMT) program through the Illinois Department of Healthcare and Family Services until December 31, 2023. The program provides gap funding between what the City might receive in federal Medicaid reimbursement for ambulance transport and the actual cost of the ambulance service.

The possibility of participating in the program was discovered by Firefighters Local 1236 in the Fall of 2020 and since then the program has provided critical funding for the Fire department’s capital purchases. The GEMT monies received by the City are deposited in Fund 130.

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

10. Resolution 2022-085 Authorizing Payments to Municipal Emergency Services for a Complement of Self-Contained Breathing Apparatus Units and Peripherals in an Amount Not to Exceed \$390,212.16.

City Manager's Summary: For firefighters, the self-contained breathing apparatus (SCBA) is an essential life-preserving piece of equipment that allows them to enter and remain in very hostile environments where heat and gases may be extreme. The SCBA is not dependent on a hose carrying a supply of air from a remote source. It includes an oxygen cylinder, mask, regulator, pressure gauges, shoulder straps and typically a PASS device (personal alert safety system) to emit a distinctive signal if movement is not sensed in a certain period.

National regulations for SCBA devices project a maximum service life of 15 years. DeKalb's SCBA equipment is approaching the 13th year of service. In anticipation of the cost for replacement, the Fire Department applied for an Assistance to Firefighters Grant (AFG) in 2020 and received notice of a grant of \$251,008.18 in August of 2021 to help with the cost of replacing the Department's SCBA ensembles. The grant application also identified the need for a "bottle fill station" and compressor to replace a machine that had actually exceeded its useful life. The AFG grant specified that \$198,754 could be directed to the replacement of SCBAs, and \$52,255 could be expended for the replacement of the air cascade and fill station. Finally, the AFG assumed that the City would provide at least a 10% match.

The Fire Department recently went to bid for both the SCBAs and the fill station. The bid specifications identified a "Scott" brand of ensemble which offers a higher pressure SCBA bottle for longer duration in a hostile environment at a slightly higher cost.

The Department received a quote of \$390,212 from Municipal Emergency Services (MES) for the SCBAs and another \$52,225 for the fill station. The SCBAs will be received this fiscal year, and the assignment of cost is as follows:

AFG	\$198,754
<u>City</u>	<u>+ \$191,458</u>
Total	\$390,212

The breakdown of expenses for the new fill station, which is not expected until sometime after the end of the FY2022 fiscal year, is as follows:

AFG	\$52,255
<u>City</u>	<u>+ \$23,233</u>
Total	\$75,488

The City's share of the cost for the SCBA equipment and the fill station, totaling \$214,691, will be paid from the GEMT Fund (Fund 130). When the City receives the SCBAs, the AFG grant portion will be drawn down by the City to reimburse the GEMT Fund. The same process will occur in FY2023 when the fill station is received. The appropriate revisions to the FY2022 Budget will be made later this fiscal year.

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

11. Resolution 2022-086 Authorizing Payments to Municipal Emergency Services for a Fixed Cascade/Air Compressor/Self-Contained Breathing Apparatus Fill Station in an Amount Not to Exceed \$75,488.

City Manager's Summary: As noted in the preceding Agenda item, the cost of replacing the fill station for the Fire Department's SCBA bottles was bid at \$75,488. The new fill station will not be received before the close of FY2022 so it will be accounted in FY2023. **City Council permission to authorize the future payment of the bid price for the fill station, in anticipation of a reimbursement in grant monies totaling \$52,255 from the AFG grant, is recommended.** If the City were not to proceed in this fashion, an advertised price increase will fall on the fill station acquisition and increase the City's net local share. ([click here for additional information](#))

L. ORDINANCES – SECOND READING

None.

M. ORDINANCES – FIRST READING

1. Ordinance 2022-044 Approving a Special Use Permit for Antennas and Associated Communications Equipment on Top of the Building at 507 E. Taylor Street (DISH Wireless).

City Manager's Summary: The City has received a special use petition from Fullerton Engineering Consultants, LLC on behalf of DISH Wireless, LLC requesting approval to install antennas and associated equipment on top of the building at 507 E. Taylor Street (Taylor Street Plaza). The building is owned by the Housing Authority of the County of DeKalb and the equipment will be owned by DISH Wireless.

The Unified Development Ordinance (UDO) requires a special use permit for any antenna on existing non-tower structures. There will be no increase to the height of the structure at 507 E. Taylor Street or expansion of the lease area. There are a total of three carriers who have equipment on top of the building at present.

DISH Wireless is proposing to add three new antennas to the top of the building. The proposed work will deploy a new 5G broadband network. The supporting equipment will be contained inside the existing penthouse equipment room. The project will help support 5G connectivity needs of the community. In addition, the proposed equipment will utilize concealment tape to help minimize the visual effect to the surrounding area. This concealment film has been used successfully by the other carriers on top of the building. The proposed DISH Wireless facility will be unstaffed and only require service approximately once per month by a technician. Finally, the facility will operate in accordance with all FCC regulations.

The Planning and Zoning Commission held a public hearing regarding the special use petition at their meeting on September 6, 2022. By a vote of 6 to 0 (Commissioner Becker was absent), the Commission recommended approval of a special use permit for an antenna and associated equipment on top of the 16-story building at 507 E. Taylor Street to allow for the installation of communication equipment associated with DISH Wireless subject to the following:

1. The antennas and equipment shall comply with the drawings dated 7-19-22 and described in Exhibit A of the attached staff report.
2. The antennas and associated visible equipment shall be wrapped with concealment tape.
3. The building permit application and plans must comply with applicable building codes and the regulations of Article 7.08 of the UDO (Wireless Communications Ordinance).

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

2. Ordinance 2022-045 Approving the Rezoning of the Site at 304 N. Sixth Street and Associated Parking Lot from the “LI” Light Industrial District to the “LC” Light Commercial District (Martin Garcia Miranda and Paulina Chavez Martinez).

City Manager’s Summary: The City has received a petition from Martin Garcia Miranda and Paulina Chavez Martinez to rezone the property at 304 N. Sixth Street and the associated parking lot south of Oak Street from the “LI” Light Industrial District to the “LC” Light Commercial District. The intent of the applicant is to establish a grocery store and small restaurant (taqueria) in the existing building. The 48-50 stall parking lot is located to the south of the building across Oak Street and will relieve pressure on the limited on-street parking spaces nearby.

The building is 9,900 square feet in area and the grocery store and restaurant will occupy 6,800 square feet. The remaining 3,100 square feet is currently occupied by the offices of the Association of Individual Development (AID) which will remain in the building. The applicant is under contract with the current owner of the property (the estate of George D. Embree).

Under the current zoning, “LI” Light Industrial, grocery stores and restaurants are not permitted; therefore, a request to rezone to the “LC” District was in order. Rezoning the site to the “LC” District was seen as the best possible option and the most compatible with the surrounding neighborhood. The proposed “LC” District fits into the surrounding neighborhood, with “LC” zoning existing to the north and northwest of the subject site. The request is for the rezoning of the site, not for the approval of the specific uses.

A copy of the existing floor plan was submitted as well as the proposed layout of the grocery store and restaurant. The restaurant (taqueria) area is small in relation to the grocery. It will occupy about 400 square feet of the total space and have 30 seats. The applicant currently operates a grocery store at 418 N. Tenth Street called Paraiso Minimarket, which will remain open. There will be two access points to the grocery store along Oak Street. The paved area between the building and Oak Street is in the City right-of-way. With direction from the City, the owner will be striping this area to include parallel parking spaces and some handicap spaces. The paved spaces along N. Sixth Street will also be striped by the owner for diagonal parking. The City Engineer and owner’s architect will be working on a striping plan for these public parking spaces.

The total number of required parking spaces for all the uses (office, grocery store and restaurant) is 46 and the number of provided parking spaces is 48-50 on the private lot across Oak Street. The petitioner has indicated he will have employees park in the lot across Oak Street which will be re-surfaced and re-striped.

There are 22 striped diagonal parking spaces along the west side of N. Sixth Street between Oak Street and Pine Street. The east side of N. Sixth Street has approximately six non-striped spaces. A random survey over the last few weeks revealed there was on average about 7 to 11 parking spaces open on the west and east sides side of N. Sixth Street on business days. The west side of N. Sixth Street was restriped in the summer of 2021 in conjunction with the conversion of the street from a two-way with parallel parking spaces to a one-way northbound street with 28 diagonal spaces. The east side was not striped. The change was done at the request of the Housing Authority of County of DeKalb so there would be more spaces for their staff and visitors. There are six 90-degree parking spaces in front of the Housing Authority's office.

The Planning and Zoning Commission held a public hearing regarding the rezoning petition at their regular meeting on September 6, 2022. By a vote of 6 to 0 (Commissioner Becker was absent), the Commission recommended City Council approval of the rezoning of the subject site at 304 N. 6th Street and the associated parking lot from the "LI" Light Industrial District to the "LC" Light Commercial District.

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

3. Ordinance 2022-046 Approving the Rezoning of the Site at 311-317 N. Fourth Street and 321 Oak Street (First United Methodist Church) and Associated Parking Lot from the "RC-1" Residential Conservation District - Public to the "PD-C" Planned Development Commercial District (Jacob Tennant, EggToy Studios Design, Inc.).

City Manager's Summary: Jacob Tennant, owner and founder of EggToy Studios Design, Inc. of Sycamore, has submitted a petition to rezone the former First United Methodist Church at 311-317 N. Fourth Street, 321 Oak Street, and the associated parking lot from the "RC-1" Residential Conservation District – Public to the "PD-C" Planned Development Commercial District. The intent of the applicant is to establish a future art studio, exhibit space and associated uses including a small retail area. The subject site includes the church, parsonage, and a two-story education building and 36-stall parking lot across N. Fourth Street. The square footage of the building is 31,592 square feet plus an additional 8,590 square feet of basement storage.

Under the current zoning on the site, "RC-1" Residential Conservation District – Public, an art studio is not a permitted use. If the rezoning is approved, it is the intent of the First United Methodist Church to sell their property to EggToy and lease back the space until their new facility along Annie Glidden Road is finished in the summer of 2023. EggToy Studios will not be operating in the building until the church has vacated, however, there may be some storage moved in, with the cooperation with the church.

EggToy Studios is currently located in Sycamore and makes customized lighting, furniture, signage, glass, and sculptures. When the applicant occupies the church, the first floor and second floor will be devoted to the design offices and exhibit space in the former worship area and chapel. Studio space and some of the fabrication work will occupy fellowship hall and the classrooms. The basement will accommodate a storage area and design mock-up space. The parsonage will be for future retail space.

Rezoning the site to the "PD-C" District was seen as the best possible option to accommodate the various uses and the most compatible with the surrounding neighborhood. "PD-C" zoning

exists to the west (DeKalb Public Library) and to the southeast (Agora Tower). The entirety of the building will be preserved with only a future overhead garage door planned on the west side of the church. Electrical and fire life/safety improvements are also planned.

The UDO doesn't list art studios in the parking regulations, but it is estimated there will be about 12 parking spaces occupied on a daily basis. The proposed square footage and uses are similar to the applicant's current location in Sycamore. The summary provided by the applicant notes they will have a staff of 7-9 people. The 36-stall parking lot across N. Fourth Street should be more than adequate to handle the daily parking demands and for any special events. In addition, there are public parking lots to the southwest of the site within walking distance.

The recommended development parameters limit the various uses including the art studio, exhibit space and future retail space to no more than 1,000 square feet. They also allow the church to stay in the building until August 31, 2023. If there are delays in the construction of the new church, the time limit can be amended. The church is a legal non-conforming use based upon the setbacks and other standards in the RC-1 District. The recommended "PD-C" zoning standards allow those non-conformities to continue. Any future improvements shall meet the standards as set forth in the "GC" and "PD-C" District of the UDO along with the Building Code.

The Planning and Zoning Commission held a public hearing regarding the rezoning petition at their meeting on September 6, 2022. By a vote 6 to 0 (Commissioner Becker was absent), the Commission recommended approval of the rezoning of the site at 311-317 N. Fourth Street, 321 Oak Street, and the associated parking lot from the "RC-1" Residential Conservation District – Public to the "PD-C", Planned Development Commercial District according to the standards identified in the Planning Director's report (see attached).

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

N. REPORTS AND COMMUNICATIONS

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

O. EXECUTIVE SESSION

- 1. Approval to Hold an Executive Session in Order to Discuss the Sale or Lease of Real Property as Provided for in 5 ILCS 120/2(c)(6).**

P. ADJOURNMENT

[Regular Agenda Packet – September 12, 2022](#)

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.