DEKALB CITY COUNCIL AGENDA
OCTOBER 14, 2019

DeKalb Municipal Building
City Council Chambers
Second Floor
200 S. Fourth Street
DeKalb, Illinois 60115

REGULAR CITY COUNCIL MEETING
6:00 P.M.

A. CALL TO ORDER AND ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF THE AGENDA

D. PUBLIC PARTICIPATION

E. PRESENTATIONS

1. Illinois Law Enforcement Accreditation Program (ILEAP).

City Manager Summary: During the past two years, the DeKalb Police Department has pursued Tier II accreditation with the Illinois Law Enforcement Accreditation Program (ILEAP) under the Illinois Association of Chiefs of Police (ILACP). The Tier II program is ILEAP’s most rigorous assessment, comprised of 178 professional standards that are reflected in the Police Department’s operating policies and practices. Each of the 178 professional standards contains a number of items that must be represented in written policies and then proven to be in practice. In total, there are over 550 criteria that must be met in order to achieve accreditation. A complete list of the standards can be viewed in the ILEAP section of the IACP’s website at www.ilchiefs.org.

An ILEAP assessment team responsible for evaluating these standards conducted a two-day on-site review on May 15 and 16 to inspect and assess all aspects of the Police department including its policies, procedures, and operations. The on-site assessment, policy review, and a final analysis by the ILEAP State Council determined that the DeKalb Police Department met each of the standards necessary to achieve ILEAP’s Tier Two Accreditation threshold. The on-site assessment included a department tour, vehicle inspections, staff interviews, ride-alongs, and an inspection of operations in the...
areas of Records, Evidence, Patrol, Investigations, and Communications. The general public also had the opportunity to provide input on this assessment in a dedicated phone-in session to the assessors on May 15.

The closing statement of the assessment team’s report states: “The DeKalb Police Department operates as a proactive and professional law enforcement agency. The level of community involvement was evidenced through many of those who took the time to provide their feedback about the agency during the public call in session. Local leaders provided a very positive outlook on the agency. Through ride-alongs and conversations with all personnel, it was obvious that they are well-trained and quite capable of maintaining the mission of the agency. This assessment team unanimously agrees that the DeKalb Police Department is in compliance with all applicable standards.”

The City Manager and Police Department are pleased to share the full accreditation report with the community we serve. ([Click here for further information])

2. **Voluntary Action Center (VAC) FY2019 Human Services Funding Report by Executive Director Ellen Rogers.**

   City Manager Summary: The Voluntary Action Center was granted $30,000 in funding in FY2018 and $25,000 in funding in FY2019.

3. **CROP Walk – State of Hunger Event Results.**

   City Manager Summary: The 50th anniversary celebration of the DeKalb (Sondra King Memorial) CROP Hunger Walk, held on October 6, 2019, was very successful. The contributions are still coming in, but the estimated total is in excess of the goal of $25,000 set for this year’s walk.

**F. APPOINTMENTS**

1. **Appointment of Nadine Franklin to the Human Resources Commission for the Completion of a Term through December 31, 2020.**

2. **Appointment of Sheela Prahlad to the Finance Advisory Commission for the Completion of a Term through December 31, 2021.**

3. **Appointment of Steve Becker to the Planning and Zoning Commission for the Completion of a Term through December 31, 2022.**

**G. CONSENT AGENDA**

1. **Minutes of the Regular City Council Meeting of September 23, 2019.**
2. Accounts Payable and Payroll through October 14, 2019 in the Amount of $1,762,991.54.

H. PUBLIC HEARINGS

None.

I. CONSIDERATIONS

1. Extending the City Manager’s Spending Authority in an Amount Not to Exceed $40,000 as it Pertains to HR Green’s Services.

City Manager Summary: Following the departure of the City’s chief building official in early June, the Council authorized the City Manager to engage HR Green, a third party plan review and inspection company, to help with plan reviews up to the Manager’s spending authority of $20,000. Since early June, HR Green has provided timely and professional plan reviews on a number of larger projects (e.g. the Egyptian addition, DeKalb Plaza), some single-family homes, and a variety of commercial projects. The pace has quickened now that full plan sets have been received for the proposed Project Hammer distribution center on Gurler Road and as the close of the construction season brings its usual race to get foundations constructed in advance of cold weather.

As reported at the Council meeting on September 16, the City pursued an RFP for private inspection and plan review services in June and July that yielded significantly greater costs on a fee basis. Following that RFP process, the City pursued a more traditional search for the position of chief building official in July and August and has found a very qualified person, Dawn Harper, to fill that role effective November 4.

Until the first of November, we will need to continue to rely on the assistance of HR Green for plan reviews and the projected cost will exceed the City Manager’s spending authority of $20,000. With the expected brisk attention to commercial and industrial reviews that lies ahead, the City Manager requests the Council’s permission to extend the spending limit for “just-in-time” plan reviews through HR Green by another $20,000 for a total of $40,000. This authority would not apply to any other purpose.

J. RESOLUTIONS

1. Resolution 2019-141 Authorizing the Waiver of Competitive Bidding and Execution of an Agreement with Layne Christensen Company for Repair and Replacement of Well Parts and Equipment in an Amount Not to Exceed $64,675.
City Manager Summary: At its June 24 Regular meeting, Council approved Resolution 2019-106 authorizing Layne to perform repairs to the City's Well No. 10 in an amount not to exceed $90,000. Layne completed the repairs to the well on September 12 at a cost of $84,014.40.

The Utility staff request Council authorization in an amount not to exceed $64,675 to repair and replace well parts and equipment that were used from the City's inventory during the repair of Well No. 10.

City Council approval is recommended. (Click here for further information)


City Manager Summary: The DeKalb Taylor Municipal Airport has relied heavily on federal funds for major upgrades and improvements since the 1980s. To qualify for federal funds, the City has to work from a federally-approved, five-year “Airport Improvement Plan (AIP),” and the City has engaged the engineering consulting firm of Crawford, Murphy and Tilly for about 25 years to create plans and work with both IDOT and FAA technical staffs to see that those plans meet federal regulations.

The City has also relied heavily over the years on the lobbying efforts of the Daley Policy Group to secure the federal funds that provide about 90% of the airport improvement dollars. According to Airport records, from 1992 through May 2011, the City paid the Daley Group $1,084,189 to secure $27,637,424 in federal and state grants in support of airport improvements (see the attachment). The City determined in 2011 that it would be able to secure the necessary funding to keep up with its five-year AIP objectives without federal lobbying assistance.

The attached colorized breakdown of the City’s AIP plan shows nearly $9 million in projects that have not been funded for the period 2017 to 2022. There is a particular urgency to securing the federal funds to complete these projects because the City’s funding source for the local 10% share of any federally programmed airport improvements – the TIF #1 Fund – will be closed after FY2021. The key decisions on such federal project funding are made in the agencies and subcommittees on Capitol Hill, and key staffers need to be engaged and informed in the City’s behalf on a regular basis, in light of the competing pressure from other communities. For targeted fundraising in a compressed timeframe as described herein, phone calls will not be adequate to achieve the desired results. “Face-time” is needed. The employment of a trusted and productive lobbyist would give the City an advantage over many municipal competitors.
The attached resolution would authorize a contract with the Daley Policy Group for a one-year period with the specific objective of securing the $4.5 million in funding for the re-surfacing of Runway 2-20, which was built in 1998 and has exceeded its design life. The runway is 100’ x 7,026’ and is the principal runway used by corporate jets and larger planes using the DeKalb Airport. Other improvements, which will require substantial federal funding, are the replacement of the existing instrumentation (VASI) on both runway ends (Runways 2-20 and 27) with new, advanced (PAPI) units, and the replacement of the existing 6’ perimeter fencing with higher fencing to deter deer from entering the airport grounds. All of these improvements and others are needed while TIF funding remains.

The monthly retainer for the Daley Policy Group is $6,000. This amount has not changed since the City contracts of the early 2000s. It is a substantial fee, but very competitive in the Washington lobbying scene. In light of the Daley Group’s past success it will represent a fraction of the grant support that must be secured.

City Council approval is recommended. [Click here for further information]


City Manager Summary: This is an enabling measure. In the 10-year lease that the City and Barb City Manor entered on June 24, the City agreed to fund “carryover” obligations amounting to $248,129. The Council was aware at the time that the City had no general capital funds to underwrite those repairs, and that accrued TIF #2 monies would be needed in advance of the formal closing of TIF #2 in December.

On September 23, the City Council authorized a budget amendment to TIF Fund #2 (Fund 261), which made available sufficient funds to be allocated to Barb City Manor for the purposes of improvements to the facility in 2019 (Ordinance 2019-063). The attached agreement authorizes the expenditure of those funds by the City Manager through a TIF Funding Agreement. Such an agreement with BCM has been in place for several years and renewed annually.

The projects that will be addressed by the City Manager, upon approval of this funding agreement, include:

- East Wing Fire Escape Replacement – $163,799
- Electrical Conduit Replacement – $50,000
- Boiler Relief Valve/Waste Pump Replacement – $31,400
The attached TIF Funding Agreement authorizes the City Manager to reimburse BCM for TIF-eligible expenses related to those projects in our city-owned building in an amount not to exceed $249,039.

City Council approval is recommended. (Click here for further information)

4. Resolution 2019-144 Authorizing the City Manager to Execute an Agreement with DeKalb County for Membership in the DeKalb County Fiber Optic Network.

City Manager Summary: As Ray Munch writes in the attached background memorandum, the City currently maintains a run of fiber optic network cable that provides connectivity between City Hall and the Police Department along Lincoln Highway. That fiber optic cable is in desperate need of replacement. The replacement would involve an estimated capital cost of $150,000 or more for which the City has not identified a funding source. As an alternative, DeKalb County through its fiber optic network – DeKalb Advancement Technology Authority (DATA) – has offered the City a “leasing” option for partial use of a run of fiber optic cable they intend to install along the same path on Lincoln Highway at a cost of $7,500 annually for a 10-year term. This offers a collaborative, cost-effective alternative to what might otherwise be a significant capital expense.

City Council approval is recommended. (Click here for further information)

K. ORDINANCES – SECOND READING

1. Ordinance 2019-059 Amending Chapter 3 “City Administration”, Section 3.14, “City Clerk”.

City Manager Summary: The City Council approved Ordinance 2019-059 on first reading on September 23 by a vote of 5-2. The principal features of Ordinance 2019-059 are as follows:

- The City Clerk remains a part-time position of about .25 FTE. The duties of the part-time City Clerk are enumerated.

- The full-time duties of the Executive Assistant are enumerated.

- The corporate seals will be shared by the Clerk and Executive Assistant, and the Executive Assistant will be able to use a seal during regular business hours to execute key documents in the absence of the Clerk.

- No new or additional expense needs to be incurred by the City to staff the various Clerk functions.
- There is no Deputy Clerk position. State statute gives the Council the right to decide whether a Deputy Clerk is needed, or some other officer is suitable to assist the Clerk in the discharge of his or her duties [65 ILCS 5/3.1-30-10(b)]. As we have seen for years, the Executive Assistant can provide all the assistance that is required by the public in the absence of the Clerk.

The Mayor and Council--the corporate authorities--have the statutory authority and duty to resolve the outstanding issues.

City Council approval on second reading is recommended. ([Click here for further information](#))

2. **Ordinance 2019-061 Amending Chapter 33 “Peddlers, Solicitors and Itinerant Merchants”, Section 33.13 “Food or Beverage Vending Vehicle” as it Pertains to the Licensing of Food and Beverage Vending Vehicles, and Minor Text Amendments throughout the Chapter.**

City Manager Summary: Ordinance 2019-061 was approved on first reading on September 23 by a vote of 5-2. The ordinance amends textual passages that have cured many of the deficiencies in Chapter 33, from a business perspective. Currently, new applicants are required to pay $25.00 for each person listed on the application, a $50.00 background check fee for each person listed on the application, a $50.00 vehicle inspection fee, and a monthly $50.00 renewal fee. After further review, it is recommended that Section 33.13 be amended in order to allow annual licensing of Food and Beverage Vending Vehicles from April 1 through March 31. The application fee will remain the same, as will the background check and inspection fees. However, instead of requiring a $50.00 per month renewal fee, vendors will only be required to pay $50.00 annually.

City Council approval on second reading is recommended. ([Click here for further information](#))

**L. ORDINANCES – FIRST READING**

1. **Ordinance 2019-064 Amending Chapter 23 “Unified Development Ordinance”, Article 5.09 “CBD” Central Business District”, as it Pertains to Text Amendments Making Private Parking Lots and Parking Structures a Permitted Use in the Central Business District.**

City Manager Summary: On September 9, the Council authorized the sale of the City’s vacant property at the southeast corner of First and Locust to Plaza DeKalb, LLC. It was not realized at the time that although public parking lots are permitted in the Central Business District as a principal use, the City’s Unified Development Ordinance (UDO) is silent on whether private lots are permitted as a principal use.
Private parking lots are permitted as a principal use in various City zoning districts. To assure the purchaser of the City’s lot at First and Locust that the intended private parking will be legal if ever challenged, the staff recommend a minor amendment to the UDO to allow such private parking lots by special use and if they are within 300 feet of the property being served. In this case, DeKalb Plaza is within 300 feet of the proposed lot at First and Locust.

Commercial and residential uses in the CBD District are not required to provide their own off-street parking spaces. In the Cornerstone development agreement, a 40-space private parking lot behind the building was approved. It is appropriate and useful to allow a downtown property owner to provide his or her own private parking areas to supplement the parking provided in the City-owned lots.

The Planning & Zoning Commission reviewed the proposed UDO amendment on October 9 and recommended its approval by a vote of 5-0.

City Council approval of the Planning & Zoning Commission recommendation is requested. (Click here for further information)


City Manager Summary: According to the Intergovernmental Agreement (IGA) between the City and Northern Illinois University (NIU) for integrated transit services, NIU agreed to contribute approximately 40% of the total costs associated with fixed route transit expenses on an annual basis. NIU’s contribution primarily goes toward the funding of fixed routes on and off the NIU campus, but a lesser portion also funds paratransit services through the Voluntary Action Center (VAC).

The anticipated total cost of system-wide transit service for FY2020 is $5,588,057.20 and includes all existing transit service by Transdev, paratransit service provided by VAC, and any planned expansion of service (e.g. the new routes to the City’s industrial parks and Elburn) throughout the year. Based upon this total, the anticipated NIU contribution for the City’s 2020 fiscal year is $2,162,343.84.

The attached ordinance establishes the NIU contribution for the City’s 2020 fiscal year.

City Council approval is recommended. (Click here for further information)

City Manager Summary: At the Council meeting on July 8, the Council considered a proposal from Syndeo Networks, Inc. to enter a ground lease for a portion of the DeKalb Airport property immediately north of the present Airport maintenance building at 2200 Pleasant Street. The City’s Airport Advisory Board has previously considered the concept at its June 25 meeting and recommended it to the Council.

Specifically, Syndeo wishes to build a temperature-controlled space on a parcel that is 125’ x 200’ to house the following:

- The City’s data center. The City will be provided two fiber pairs (four strands) at no cost, plus the guarantee of one 19” relay rack and power up to 2,000 watts during the term of the lease.
- The hub for Syndeo’s fiber optic network, with a backup generator and secure fencing.

The attached ground lease has the following features:

- The rent will consist of the in-kind services provided to the City at cost.
- The term shall be 20 years, with one 20-year extension.
- The construction will be consistent with the character of the existing City maintenance building.
- The tenant will pay all utilities.
- The Tenant will at all times keep in effect adequate liability and other insurance (see attached ground lease) and shall name the City as an additional insured party.
- The Tenant shall hold the City harmless and indemnify the City for any losses or damages based on the acts or omissions of the tenant.

City Council approval is recommended. A supermajority vote of two-thirds of the corporate authorities is required for passage. (Click here for further information)


City Manager Summary: On October 30, 2017, the City Council authorized the purchase of 912 Edgebrook Drive for $192,500 via Ordinance 2017-043. The site is zoned MFR2 Multi-Family Residential and is just over one acre in size. It contains a four-story apartment building that has been vacant for several years. The building had a series of building code violations at the time and the City had undertaken litigation procedures against the previous owners before
purchasing it in November 2017. The building had a total of 47 apartment units at one time and contains a large parking lot mostly to the east of the building. It is estimated that the asbestos mitigation in the building might reach a cost of $300,000 and the highest and best use of the parcel will not be multi-family housing given the glut of such housing in the area.

In April, the City was contacted by Sam Andreacchi who represents the owners (Emma Andreacchi Revocable Living Trust) of the property immediately east of the site (830 Edgebrook Drive). Mr. Andreacchi inquired about the possibility of the City’s transfer of a portion of the 912 Edgebrook Drive property to the trust in exchange for a similar-sized property the Andreacchi Trust owns along Blackhawk Road, immediately south of Fanatico’s restaurant (PIN # 08-15-101-013), that is zoned LC, Light Commercial. The Andreacchi building at 830 Edgebrook Drive currently contains a 43-unit four-story apartment complex on 0.68 acres. Mr. Andreacchi’s motivation is to secure a portion of 912 Edgebrook for additional parking for their tenants as there are less than 20 off-street parking spaces available on the site. Additionally, within the “Safe Streets” system, no tenant parking is allowed on Edgebrook.

The attached ordinance would transfer 0.4 acres of property along the east side of 912 Edgebrook to the Andreacchi Trust. As a result of such a swap, the city-owned lot at 912 Edgebrook would be reduced from about one acre to about 0.6 acres. The additional property for the Andreacchi Trust would result in about 34 more off-street parking spaces for 830 Edgebrook, alleviating a serious off-street parking deficit. In exchange, the Andreacchi Trust would transfer ownership of a 0.4-acre property located along the west side of Blackhawk Road to the City, making the City a vested owner in the potential redevelopment area to the south. The site is currently paved with some faded parking spaces and has no use for the Trust except for some occasional parking of vehicles for their apartment tenants.

In summary, the proposed “straight-up” land swap would convey 0.4 acres from the City to the Andreacchi Trust along Edgebrook Drive and 0.4 acres along Blackhawk Road would be conveyed to the City from the Andreacchi Trust. The land swap will allow the City to become a landowner and vested participant in the redevelopment along Blackhawk Road and allow a well-maintained apartment complex to gain some additional parking for their tenants.

City Council approval is recommended. (Click here for further information)

5. Ordinance 2019-068 Providing for the Termination of the City of DeKalb Tax Increment Financing District 2 (TIF 2) and the Dissolution of the Special Tax Allocation Fund for TIF 2 on December 31, 2019.

City Manager Summary: On March 27, 1995, the City established a tax increment redevelopment plan for the area now commonly referred to as Tax Increment Financing District Number Two (TIF #2) through Ordinances 1995-
024, 1995-025, and 1995-026. The estimated date for completion of TIF #2 is the 23rd year from the effective date of the ordinance passed in 1995. According to the Illinois Tax Increment Allocation Redevelopment Act (TIF Act), “…the estimated dates of completion of the redevelopment project and retirement of obligations issued to finance redevelopment project costs (including refunding bonds under Section 11-74.4-7) may not be later than December 31 of the year in which the payment to the municipal treasurer, as provided in subsection (b) of Section 11-74.4-8 of this Act, is to be made with respect to ad valorem taxes levied in the 23rd calendar year after the year in which the ordinance approving the redevelopment project area was adopted if the ordinance was adopted on or after January 15, 1981.”

Based on the creating ordinance and State statute, TIF #2 must be closed by December 31, 2019 through an action by the City Council.

In compliance with the TIF Act, the attached ordinance officially closes TIF #2. Upon approval, the ordinance must be filed with DeKalb County no later than November 1, 2019. Although this action officially closes TIF #2, eligible expenditures may continue to be made up to December 31, 2019. Anticipated expenditures include payments to Barb City Manor for building improvements and fees associated with the audit of TIF #2 funds.

City Council approval is recommended. (Click here for further information)

M. REPORTS AND COMMUNICATIONS

1. Council Member Reports
2. City Clerk Report
3. City Manager Report

N. EXECUTIVE SESSION

Approval to Hold an Executive Session in Order to Discuss:

1. Purchase or Lease of Real Property as Provided for in 5 ILCS 120/2(c)(5); and
2. Pending or Imminent Litigation as Provided for in 5 ILCS 120/2(c)(11).

O. ADJOURNMENT

FULL AGENDA PACKET

Assistive services available upon request.
Hearing assistance devices are available in the Information & Technology Office, which is located to the right, just before entering Council Chambers.