



**DEKALB CITY COUNCIL AGENDA
NOVEMBER 25, 2019
6:00 P.M.**

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

REGULAR CITY COUNCIL MEETING

A. CALL TO ORDER AND ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF THE AGENDA

D. PUBLIC PARTICIPATION

E. PRESENTATIONS

1. **DeKalb Community Gardens FY2019 Human Services Funding Report by Executive Director Dan Kenney.**
2. **[Proclamation: 2019 Small Business Saturday – November 30, 2019.](#)**
3. **Illinois High School Association Football Championship by Brad Hoey.**

F. APPOINTMENTS

None.

G. CONSENT AGENDA

1. **[Minutes of the Regular City Council Meeting of November 12, 2019.](#)**
2. **[Accounts Payable and Payroll through November 25, 2019, in the Amount of \\$1,867,394.29.](#)**
3. **[Investment and Bank Balance Summary through September 2019.](#)**

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.

4. [Year-to-Date Revenues and Expenditures through September 2019.](#)
5. [Freedom of Information Act \(FOIA\) Report – October 2019.](#)

H. PUBLIC HEARINGS

1. Public Hearing: 2019 Annual Property Tax Levy.

City Manager Summary: This Truth in Taxation hearing is not required because the proposed levy that the Council supported on November 12 does not exceed 105% of the 2018 levy. Nevertheless, a public hearing is being held to provide another opportunity for public comment about the proposed City levy. The key facts that local residents and businesses should know are the following:

- The proposed aggregate and special purpose levy including the Library levy (\$2,265,717) and special purpose levies (Police and Fire Pension levies which together equal \$6,269,649) totals \$8,535,366. This represents a 4.73% increase over the 2018 total of property taxes extended or abated of \$8,149,494.
- The proposed City corporate levy which drives the City tax rate is \$6,759,724 and includes the following:
 - An allocation of \$490,075 for the Library debt payment.
 - An allocation of \$3,322,914 to partially meet Fire Pension obligations.
 - An allocation of \$2,946,735 to partially meet Police Pension obligations.
- The City's rate-setting EAV is assumed to be \$592,785,395 in 2019, an increase of \$44,837,708 (+8.2%) over the 2018 rate-setting community EAV of \$547,947,687. **Assuming a City rate-setting EAV of \$592,785,395, the proposed City corporate levy of \$6,759,724 (versus \$6,510,857 in 2018) will result in a corporate tax rate of 1.1403%, which is 4.2% lower than the 2018 City rate of 1.1883%. ([Click here for further information](#))**

2. Public Hearing: Proposed FY2020 Budget.

City Manager Summary: On November 18 and November 20, the City Council and Finance Advisory Committee jointly met in public session to review the City Manager's proposed FY2020 City Budget. The proposed and complete FY2020 Budget posted on the City's website reflects minor changes that were suggested in the course of those deliberations. ([Click here for further information](#))

3. Public Hearing: Proposed Body Art Establishment Licensure for DeKalb Tattoo Company.

City Manager Summary: Under Chapter 67 of the DeKalb Municipal Code, “body art” establishments are licensed by the City of DeKalb. The City has received a request for a body art establishment license from the DeKalb Tattoo Company, which currently operates a tattoo business at 817 W. Lincoln Highway, Suite A. The DeKalb Tattoo Company is an already established business, which was recently sold by Nick Misitano to Cassandra Smith.

In accordance with Section 67.05 of the Municipal Code, the City is required to conduct a public hearing prior to the issuance of a body art establishment license. That public hearing is subject to a requirement that the City provide the public with “due notice” of the hearing. In this instance, notice has been provided both by publication of a notice of hearing in the Daily Chronicle on November 9, 2019, and also by notice on the City’s published City Council agenda for November 25, 2019. ([Click here for further information](#))

I. CONSIDERATIONS

None.

J. RESOLUTIONS

1. Resolution 2019-152 Approving the Transportation Improvement Program (TIPS) for Federal Fiscal Years 2021-2025 at the DeKalb Taylor Municipal Airport.

City Manager Summary: The Federal Aviation Administration (FAA) and the Illinois Department of Transportation – Division of Aeronautics (IDOT-DOA) require applicants for federal and state aid for airports to submit five-year plans. The attached plan was reviewed by the Airport Advisory Board on October 22. The Board unanimously recommended its review and adoption by the Council.

Approval of this plan for submission to the State of Illinois serves as the City’s notice of its intention to seek federal and state grant funding for the projects as described, in the order and priority specified. Submission of the plan does not constitute final approval of any individual projects or expenditures, and each project will return to the City Council at a future date for consideration, if the grant funding is obtained.

The City of DeKalb is typically obligated to pay 5% for federal/state/local projects and 10% for federal/local projects. The projects listed on the following page are scheduled next.

- Carryover Project: Replace existing Visual Approach Slope Indicator (VASI) units on Runway 2, 20 and 27 with Precision Approach Path Indicators (PAPIs). The total cost is \$731,000 and allocated as follows: Federal \$657,900, State \$36,550, and Local \$36,550. The TIF #1 Fund (#260-00-00-83900) contains the budgeted expenditure.
- Carryover Project: Crack Repair and Re-Mark Runway 2-20. The total cost is \$800,000 and allocated as follows: Federal \$720,000 and Local \$80,000. The TIF #1 Fund (#260-00-00-83900) contains the budgeted expenditure. This project excludes IDOT-DOA funding because it is a maintenance project.
- FY2020 – Overlay Runway 2-20. The total cost is \$4,500,000 and allocated as follows. Federal \$4,050,000, State \$225,000, Local \$225,000. The TIF #1 Fund (#260-00-00-83900) will contain the budget expenditure when federal funding is secured.
- FY2021 – Acquire Airport Snow Removal Equipment. Under the State Capital Bill, airport purchases of new airport equipment can be funded by the State of Illinois. New Equipment purchases would be funded 90% State and 10% local.

City Council approval of the proposed 2021-2025 Airport TIP is recommended. ([Click here for further information](#))

2. Resolution 2019-153 Approving a Body Art Establishment License for DeKalb Tattoo Company, 817 W. Lincoln Highway.

City Manager Summary: Following the results of the public hearing earlier in this agenda, the Council will have an opportunity to consider issuance of this license. In order to approve the license, the Municipal Code requires that the Council find the following:

- a. *The establishment is necessary and desirable.*
The applicant has indicated that the business is necessary and desirable, and there has been demand for multiple body art establishments demonstrated at present.
- b. *The existing establishment adequately meets a public need.*
The applicant has successfully been an employee of this tattoo facility without any observed violations or concerns, and the review of the applicant has not resulted in the disclosure of any concerns.
- c. *The licensed business will not be close to other body art establishments.*
There are three other body art establishments known to be continuing licensure after December 31, 2019, which are located at: 127 E. Lincoln Highway, 625 E. Lincoln Highway, and 120 S. Fourth Street.

No negative impact has been demonstrated and there is every indication that the facility will comply with applicable City codes.

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

3. Resolution 2019-154 Authorizing the Sale of Real Property Located at 901 Sycamore Road (P.I.N. 08-14-401-013) in the Amount of \$8,500.

City Manager Summary: The residentially zoned property at 901 Sycamore Road is one of a number of City-owned parcels that the Council authorized for sale on August 12 ([Resolution 2019-122](#)). In 2018, the City razed the abandoned and derelict house on this property. The parcel retains access to Sycamore Road through an existing driveway and curb cut.

The City has received an offer of \$8,500 for this .37-acre parcel (08-14-401-013) from Mr. Frank Schermerhorn of 1212 Sycamore Road in DeKalb.

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

K. ORDINANCES – SECOND READING

1. Ordinance 2019-071 Amending Chapter 38 “Intoxicating Liquor,” Section 38.18 “Catering Event Permits”.

City Manager Summary: This ordinance was approved on First Reading on November 12. The intent of the ordinance is to allow non-DeKalb catering businesses that hold a valid State liquor license to operate catered events in DeKalb. This allowance would apply to not-for-profits, as well as commercial businesses, that occasionally sponsor fundraising events, promotions, etc. with an annual permit, rather than getting a permit for every event. Presently, such a catering business would need to apply for a permit for every event at a cost of \$54.00 per event. Based on the Council’s guidance at the November 12 Regular meeting, the proposed ordinance suggests one annual registration fee of \$377.00 but drops the additional per-event fee of \$54.00 to cover staff review of the indoor or outdoor location where the event is to occur. A permit at no charge will still be needed so the proposed space can be inspected before the event.

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

L. ORDINANCES – FIRST READING

1. Ordinance 2019-074 Adopting Chapter 13 “Municipal Cannabis Retailers’ Occupation Tax”.

City Manager Summary: On November 12, the City Council adopted [Ordinance 2019-069](#), which amended the Unified Development Ordinance (UDO) as it pertains to zoning, allowing for the retail sale of recreational cannabis in approved locations. According to the Illinois Retailers’ Occupation Tax Law, 65 ILCS 5/11-8-22, a tax may be imposed by a city on all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program Act. The tax, which is levied at the retail level, may be at a rate of up to 3% of the gross receipts from the sales made in the course of that business. The imposition of this tax is in accordance with the provisions of Sections 8-11-22, of the Illinois Municipal Code (65 ILCS 5/8-11-22). In earlier discussions, the City Council has expressed support for the local taxation of retail cannabis sales at the full 3% allowed under the law.

In addition to the local municipal tax, which is collected and enforced by the Illinois Department of Revenue, there is a state tax imposed as follows:

- a. Any recreational cannabis, other than a cannabis-infused product, with an adjusted delta-9-tetrahydrocannabinol (THC) level at or below 35% will be taxed at a rate of 10% of the purchase price.
- b. Any recreational cannabis, other than a cannabis-infused product, with an adjusted THC level above 35% will be taxed at a rate of 25% of the purchase price.
- c. A cannabis-infused product will be taxed at a rate of 20% of the purchase price.

A portion of these State revenues will be deposited into the Local Government Distributive Fund (LGDF). A portion of the Cannabis Regulation Fund revenues (8% of deposits) will go to local governments through the LGDF, which will be used to fund crime prevention programs, training and interdiction efforts. The Cannabis Regulation Fund is derived from money collected from state taxes, license fees and other amounts required to be transferred into the Fund.

Finally, in September 2019, the DeKalb County Board approved an additional tax of 0.75% on marijuana sales within municipalities.

At this point, it is impossible to accurately predict the potential revenue to be gained as a result of the implementation of this tax or cannabis legalization in general. The amount of revenue generated will depend entirely on the number

of dispensaries doing business in the City and the demand for products sold at these establishments. The Illinois Municipal League has not provided any firm estimates as to the amount of shared revenue that will be realized through the LGDF.

City Council approval of the 3% local tax on gross receipts from licensed marijuana sales in DeKalb is recommended. ([Click here for further information](#))

- 2. Ordinance 2019-075 Amending Chapter 51 “Traffic”, Schedule C “Parking Prohibited”, and Section 33 “Resident Permit Parking Only, Tow Zone”, as it Pertains to a Parking Restriction for the Entirety of Hanna Court.**

City Manager Summary: With the collaboration of First Ward Council Member Carolyn Morris, the Police Department, City Engineer Zac Gill, and the residents of Hanna Court, the attached ordinance has been developed to place residents of Hanna Court in the “Orange Zone” of Safe Streets. If approved, parking would be restricted to “residents only” except through individual permits issued by the Police Department at the request of a resident. These parking restrictions are consistent with similar restrictions near Hanna Court and within the Annie Glidden North neighborhood. An amendment to Chapter 51 “Traffic”, Schedule C “Parking Prohibited”, Subsection 33 “Resident Permit Parking Only, Tow Zone” is required to enable this action.

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

- 3. Ordinance 2019-076 Amending Chapter 51 “Traffic”, Schedule E “Limited Parking”, Section “Fifteen Minutes, Between 6:00 a.m. and 6:00 p.m.”, as it Pertains to Parking Restrictions on N. Second Street.**

City Manager Summary: At the request of Council Member Tracy Smith, as well as the owners of the DeKalb Confectionary and nearby businesses in the 100 block of N. Second Street, the attached ordinance would establish two 15-minute parking spaces at the intersection of Locust and N. Second Streets. The intent is to encourage the regular turnover of these prime spaces with respect to nearby businesses, increasing opportunities for more commerce in the downtown area.

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

- 4. Ordinance 2019-077 Amending Chapter 66 “Motor Fuel Tax”.**

City Manager Summary: In March 2008, the City of DeKalb established a local motor fuel tax on gallons of fuel pumped at motor fuel retailers within the City’s corporate limits. The rate is currently five and one-half cents (\$0.055) per gallon or fraction thereof. Based on the joint direction of the City Council and Finance Advisory Committee, the attached ordinance would increase the rate to 9.5

cents per gallon to address serious deficiencies in the condition of the City's streets and alleys in particular, as well as the declining and critical condition of much of the City's fleet of Police, Fire, and Public Works vehicles.

As explained in the Finance Advisory Committee meeting of October 21, the City Council's Committee of the Whole meeting on October 28, and during the FY2020 Budget reviews on November 18 and 20, the proceeds from the proposed increase from \$0.055 to \$0.095 per gallon would be distributed as follows:

- 1.5 cents to the Airport Fund (Fund 650);
- 1.0 cents to the Capital Equipment Replacement Fund (Fund 420); and
- 7.0 cents to the Capital Project Fund (Fund 400) to increase the allocation for street maintenance in FY2020 by approximately \$525,000.

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

5. Ordinance 2019-078 Authorizing the 2019 Levy and 2020 Collection of Taxes in and for the Corporate and Municipal Purposes and Special Service Areas of the City of DeKalb for the Fiscal Year 2020.

City Manager Summary: As noted in the Public Hearing portion of this agenda, for 2019 the City will request a corporate levy of \$6,759,724, inclusive of Firefighter Pension and Police Pension levies and Library debt service. Based on the estimated rate-setting EAV of \$592,785,395, this levy amount should produce a tax rate of 1.14033%. As was the case in 2018, the City will not levy any amounts for IMRF, Social Security, or general Corporate purposes. The City's entire corporate levy is dedicated to Fire and Police pensions and Library debt service.

The City levied \$6,511,427 for its corporate levy in 2018, which produced a tax rate of 1.1883%. So, while the 2019 corporate levy has increased by 3.81% to \$6,759,724, the tax rate is projected to be \$1.1403, a decrease of 4.2%. The key is the growth in the community's EAV by about 8.2% (+\$44.8 million).

The City also levies on behalf of the Library, which this year has requested \$2,265,717. The Library levied \$2,132,754 in 2018; however, a portion of that levy was later abated as a "refund" to the taxpayers for dollars previously levied for the Library expansion, resulting in an extension of \$1,140,224. The Library performed this abatement on the basis that their levy would return to an amount in line with the 2018 pre-abatement levy.

In 2019, the City will also levy for five special service areas (SSA), which is an increase of one from 2018. SSA #28 will be activated in 2019 to repay a loan issued to the owner of 924 Greenbrier Road for the installation of a fire sprinkler

system in Greek housing. All other SSAs are levied at the same amounts as 2018.

The attached background details the total 2019 property tax levy and its components. It should be noted that any debt service levies imposed for 2019, with the exception of the Library debt, will be abated through a separate Ordinance immediately following consideration of this Tax Levy Ordinance.

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

6. Ordinance 2019-079 Abating Taxes Levied for Corporate Purposes of the City of DeKalb, Illinois for the Tax Year 2019 (Bonds).

City Manager Summary: When a municipality issues bonds, a Bond Order is filed with the County Clerk that determines the amount to be levied each year until the bond is paid off. The City currently holds a number of bonds, which automatically levy property taxes for the debt service. It has been the past practice of the City to use other revenue sources to pay for annual principal and interest payments. As a result, the City is able to abate the taxes levied for debt upon approval of the annual tax levy. Historically, the only debt payment that is not abated is the principal and interest for the 2013 Library expansion project of \$490,075 in 2020. While this debt is actually paid by the Library, the debt issuance is in the City's name and the County automatically levies these dollars under the City's levy. These dollars will be collected by the City and transferred to the Library to make the debt payment. Debt payments for the remaining outstanding bonds will be abated in full and payments will be made from other general revenue sources.

The abated taxes are displayed in the table below:

2019 Debt Service Levy Abatements					
	Total Debt Service Levy (\$)	Amount Abated by Initial Ordinance (\$)	Additional Abatement Required (\$)	Total Abatement (\$)	Remaining Levy (\$)
2010A Bonds	1,423,675	228,675	1,195,000	1,423,675	0
2012A Bonds	900,000	219	899,781	900,000	0
2013A Bonds (Library)	620,000	129,925	0	129,925	490,075
2014 Bonds	391,875	41,548	350,327	391,875	0
2019 Bonds	170,000	65,072	104,928	170,000	0
Totals	3,505,550	465,439	2,550,036	3,015,475	490,075

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

7. Ordinance 2019-080 Adopting the Annual Budget of the City of DeKalb, Illinois for the Fiscal Year Beginning January 1, 2020 and Ending December 31, 2020 in the Amount of \$101,864,270.

City Manager Summary: The Proposed FY2020 Budget was reviewed in joint session by the Finance Advisory Committee and the City Council on November 18 and November 20. The document on-line includes the recommended revisions from those public sessions.

The Proposed FY2020 City Budget includes 28 funds with overall spending of \$101,864,270 balanced by overall revenues of \$103,222,448. The largest City Fund – the General Fund – supports the essential City services with which most local residents and businesses are familiar. The Police, Fire, Public Works, Building, Development, Finance, and other essential functions are financed by the General Fund, as well as a variety of pension obligations.

The estimated General Fund operating reserve or starting fund balance as of January 1, 2020, is \$9,423,944 or 26.01% of the budgeted 2019 General Fund expenditures of \$36,231,435. In other words, the fund balance was increased by \$2,021,087 in FY2019. The FY2020 year-end reserve balance is projected to be \$9,553,385 or 25.05% of the FY2020 General Fund expenses of \$38,137,816.

The greatest challenge to building the City's General Fund reserve through constrained spending and local growth is the City's statutory Police and Fire pension obligations. In FY2020, as in recent years, the actuarial cost method driving a steep ramp of annual pension increases will exceed the growth capacity of the City's property tax base. In 2018, the City's property tax levy only covered 91% of the actuarial obligation for the Police and Fire pensions (a \$565,630 shortfall), and covered none of the City's IMRF, Social Security (FICA), and debt service obligations. In 2019, all of the City's property tax proceeds covered only 85% of the Police and Fire Pension obligations (a \$1,128,289 shortfall) and none of the City's IMRF, FICA and debt service obligations. To address this growing and threatening fiscal challenge, a coalition of labor, the Illinois Municipal League, and the Governor's Pension Consolidation Feasibility Task Force moved legislation through the State legislature in its recent veto session which promises administrative savings through the consolidation of the investment management functions of over 650 Fire and Police pension funds across the state. Legislative reform of the actuarial cost method that determines accruing liabilities is a bigger challenge and will be a focus of the regular legislative session in the spring of 2020.

The proposed FY2020 Budget also makes advances in addressing failing streets across the City. The combination of funding from Fund 400 (local motor fuel tax) and Fund 210 (State motor fuel tax) toward street design and re-surfacing will increase the annual street maintenance allocation by \$773,000 in

FY2020 (i.e. from about \$1,707,000 in 2019 to \$2,480,000 in 2020).

Finally, the Proposed FY2020 Budget begins addressing the critical condition of many front-line emergency vehicles. One Police squad was replaced in FY2019 funded by Police seizures. Otherwise, there was no general capital budget allocation although City research in 2018 determined that over one-half of the City's fleet of about 170 vehicles were beyond their useful life. In the Proposed FY2020 Budget, one cent from the proposed four-cent increase in the local motor fuel tax will be dedicated toward vehicle replacements. A vehicle replacement budget of \$1,145,000 is proposed in Fund 420.

City Council approval is recommended on First Reading only. ([Click here for further information](#))

8. Ordinance 2019-081 Authorizing a Zoning Map Amendment from the "LI" Light Industrial District to "PD-I" Planned Development – Industrial District to Allow for a Cannabis Business Establishment (Medical Cannabis Dispensary) at 700 Peace Road (BQ Enterprises, Inc.).

City Manager Summary: The City has received a rezoning application from BQ Enterprises, Inc., represented by Mitch Zaveduk, requesting that 700 Peace Road, Suite B be rezoned from the "LI" Light Industrial District to the "PD-I" Planned Development Industrial District to allow for a medical cannabis dispensary. The applicant also requested approval of a Planned Development on a site less than two acres.

The recent UDO amendments regarding cannabis dispensaries establish a 250-foot setback to schools, day care facilities, pre-school facility and residential areas. The proposed location meets all the setback requirements in the UDO and all the other cannabis dispensary regulations that were recently adopted.

The City staff recommend a time limit of one year for the applicant to obtain a state-issued license and an additional six months after the issuance of a state license to complete the build-out of the tenant space.

The Planning and Zoning Commission held a public hearing regarding the petition at their meeting on October 23, 2019. By a vote of 6 to 0 (Commissioner Maxwell was absent) the Commission recommended approval of a Zoning Map Amendment from the "LI" Light Industrial District to the "PD-I" Planned Development Industrial District to permit a medical cannabis dispensary and exceptions to the UDO regarding minimum lot size for a Planned Development.

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

9. Ordinance 2019-082 Approving a Waiver to Article 13.03.9 of the Unified Development Ordinance and a Special Use Permit to Allow an Electronic Changeable Copy Sign (Digital Display Sign) at 650 N. First Street (Clinton Rosette Middle School).

City Manager Summary: The proposed sign will be just under 13 feet in height and about 50 square feet. The digital display portion of the sign will be about 25 square feet or about 50% of the total sign area. The UDO allows churches, schools and public buildings to have one Identification or informational sign not to exceed 50 square feet and 15 feet in height. The proposed sign will replace an existing manual changeable copy sign which is about 36 square feet in size and 10 feet in height and internally illuminated. The proposed sign will be about 20 feet from the right-of-way of N. First Street at the same location as the existing sign. The site is zoned "SFR2" Single-Family Residential and "MFR1" Multi-Family Residential and a school is a special use in those districts.

In July 2018, Littlejohn Elementary School received a special use permit that included approval of a 7-foot-high, 46 square foot electronic changeable copy sign near the entrance to the school building. In October 2018 the City approved a special use permit to allow Hillcrest Covenant Church at 1515 N. First Street to have an area of 30 square feet and a five-foot-high electronic changeable copy sign that replaced an existing ground sign with manual changeable copy.

The Planning and Zoning Commission held a public hearing regarding the petition at their meeting on November 6. By a vote of 5 to 0 (Commissioners Buckley and Wright were absent) the Commission recommended City Council approval of a Special Use Permit for the property located at 650 N. 1st St. (Clinton Rosette Middle School) in order to approve a waiver to Article 13.03.9 of the Unified Development Ordinance to allow an electronic changeable copy sign (digital display sign). The recommended operating instructions are the same as those that apply to Littlejohn School and the Hillcrest Covenant Church.

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

10. Ordinance 2019-083 Authorizing a Zoning Map Amendment from the "GC" General Commercial District to the "PD-C" Planned Development Commercial District to Allow for a Video Gaming Establishment at 1704 Sycamore Road (DeKalb-Harlem, LLC).

City Manager Summary: This applicant is one of the two that were vying for the "tenth" video-gaming license and the allowance provided in Ordinance 2019-072 that was approved on October 28. Lacey's Place was originally issued a liquor license and video gaming license in April 2016. Lacey's Place never

opened for business and surrendered their license with the City in December 2018. In June 2019, an applicant came forward to re-open Lacey's Place as a video gaming establishment; however, the applicant did not have full approval by the property owner and eventually withdrew his petition. Because there will be a new owner and operator, the present applicant must re-apply for a liquor and video gaming license and obtain the appropriate zoning for the site. The applicant has indicated that a name change will be made.

The subject site is 7.26 acres and includes the building where the video gaming establishment will be located, a parking lot and two other freestanding buildings. The tenant space for the proposed establishment is about 2,000 square feet and substantial work has occurred inside the space in order to accommodate the proposed use. Other tenants in the building are Carniceria Super Market, Evolve Fitness, the US Census Bureau Office, Hearing Help Plus, and Sherwin Williams. Adequate parking is provided, the parking lot is striped, and all handicap signage is in place. The property owner did complete some landscaping improvements on the site in 2017 in conjunction with the installation of new parking lot lighting fixtures.

The applicant is proposing to have the video gaming establishment open seven days a week and to adhere to the hours allowed for a video gaming establishment in the City Liquor Code. The Code allows the following operating hours: Monday-Wednesday 6:00 a.m. to 1:00 a.m., Thursday-Saturday 6:00 a.m. to 2:00 a.m., and Sunday 10:00 a.m. to 1:00 a.m.

The Planning and Zoning Commission held a public hearing regarding the petition at their meeting on November 6. By a vote of 4 to 1 (Chair Doe voted no and Commissioners Buckley and Wright were absent) the Commission recommended approval of a rezoning from the 'GC' General Commercial District to the "PD-C" Planned Development Commercial District for the subject site located at 1704 Sycamore Road to allow for a video gaming establishment per the conditions and standards identified in the background to this item.

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

M. REPORTS AND COMMUNICATIONS

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

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.

N. EXECUTIVE SESSION

Approval to Hold an Executive Session in Order to Discuss:

- 1. Personnel as Provided for in 5 ILCS 120/2(C)(1).**
- 2. Purchase or Lease of Real Property as Provided for in 5 ILCS 120/2(C)(5).**

O. ADJOURNMENT

[FULL AGENDA PACKET](#)