

## MINUTES

### COMMITTEE OF THE WHOLE MEETING OF CITY COUNCIL

#### CITY OF DEKALB

January 28, 2013

The City Council of DeKalb, Illinois held a Committee of the Whole Meeting on Monday, January 28, 2013 in the City Council Chambers of the DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois.

Mayor Povlsen called the meeting to order at 6:00 p.m.

#### **A. ROLL CALL:**

City Clerk Wright called the roll and the following members of City Council were present: Alderman David Jacobson, Alderman Tom Teresinski, Alderman Kristen Lash (arrived at 6:05 p.m.), Alderman Brendon Gallagher, Alderman Ronald Naylor, Alderman David Baker, Alderman Monica O'Leary and Mayor Kris Povlsen.

Also present were: Mark Biernacki, City Manager; Rudy Espiritu, Assistant City Manager; Dean Frieders, City Attorney, Gene Lowery, Police Chief; Eric Hicks, Fire Chief; T.J. Moore, Public Works Director; Joel Maurer, Assistant Director Public Works–Engineering/ Transportation; Jeff Birtell, I&T Technician; and Diane Wright, City Clerk.

#### **B. ITEMS ALSO ON THE REGULAR MEETING AGENDA:**

None.

#### **C. CONSIDERATIONS:**

##### **1) CONSIDERATION OF DAVID AVENUE CLOSURE TO TRAFFIC.**

Mr. Maurer advised this was continued from the last meeting. He advised that the Park District will undertake a comprehensive master plan for Lions Park and Taylor Street which will be widened. Since that time Ald. Naylor canvassed the nearby neighborhood.

Ald. Lash arrived at 6:05 p.m.

Ald. Naylor reported that he went door-to-door and his findings were similar to the previous report. Some residents expressed concerns; some were in favor; some were not. He noted there was a concern about parking on Sharon. He asked staff to address the issue of parking difficulties.

Mr. Fred Williams, resident on Sharon Drive stated he is not generally opposed to expanding parking, but concerned about one exit at Sharon and Taylor and the storm drain filling up. Additionally, he voiced concern about the traffic on the corner; the issue is ingress and egress on Sharon and Taylor. He added that the street is frequently one lane in that some of the neighbors park on the street.

Council discussed the issue along with the recent information from the Park District.

#### MOTION

Ald. Teresinski moved to direct staff to bring forth a resolution of intent so that the Park District can proceed with their grant proposal and move forward on the project; seconded by Ald. Gallagher. Motion carried on voice vote. Mayor Povlsen declared the motion passed.

Mr. Biernacki stated staff will bring back a proposal at that time regarding the intersection of Sharon and Taylor.

## **2) CONSIDERATION OF LIBRARY FINANCING AND BONDING.**

Mr. Espiritu advised Council that the Library was recently awarded an \$8.5 million grant from the state for the proposed expansion.

Ms. Dee Coover, Executive Director of the DeKalb Public Library updated Council on the need for remodel and expansion of the Library. She summarized the disrepair of the roof, flooring that needs to be replaced, the state of the HVAC system and the lack of space. She noted that the Library had over 312,000 visitors last year and has over 16,000 active cardholders. It is a high traffic building and had not been remodeled in years, she added.

Ms. Coover stated that the building is a landmark. If the Library doesn't utilize the grant funds, the money will revert to the state, she said. A meeting is scheduled next week with the Illinois State Director to discuss the project, she added.

Mr. Dan McKay, architect stated that the current building has 19,000 square feet; the proposed addition is 47,000 square feet. The building will serve DeKalb for 25 years, he said. He provided an overview of the proposal.

Mr. Clark Neher, President of the Library Board noted that the original library was bequeathed to DeKalb and the taxpayers have not had to pay for it. It was built to serve 8,000 people, he said. He noted that the Board has approved a financial plan with a minimum cost to the public. The state grant would pay for one-third of the cost and the Library has approximately \$1 million in reserves. He stated that the Board is requesting \$1 million in TIF funds for the reconstruction of 3<sup>rd</sup> Street. Additionally, he said, plans are to conduct a donation program for to raise \$6 million which will be launched in February. He stated that \$7.5 million can be secured by the City's bonding authority which would result in an eight cent (\$0.08) tax levy, or approximately \$40 per home on a home valued at \$150,000.

Ms. Elizabeth Hennessey of William Blair provided a summary on the City's debt services and answered questions from Council. Ald. Teresinski stated he believed Council and the Library

could work together to find a way to minimize the potential tax increase. He voiced his support for the request. Ald. Gallagher stated that the Library is an important part of the community and will support the request also. Mayor Povlsen additionally voiced his support. Ald. Baker stated he appreciated the point of launching a donation effort from the community.

Mr. Biernacki stated the level of commitment needs to be determined from the State Library; a meeting is scheduled early in February. He noted there are other TIF expenses that Council will need to discuss in the coming year and will bring those forward also at the second meeting in February.

**3) CONSIDERATION OF A TREE PRESERVATION ORDINANCE.**

Not acted on in this meeting.

**4) APPROVAL OF A STAFF REQUEST TO HOLD A CLOSED SESSION TO DISCUSS PERSONNEL AS PROVIDED FOR IN 5 ILCS 120/2(c)(1); COLLECTIVE BARGAINING 5 ILCS 120/2(C)(2); PURCHASE OF REAL PROPERTY 5 ILCS 120/2(c)(5); AND PENDING LITIGATION 5 ILCS 120/2(c)(11).**

**D. ADJOURNMENT:**

**MOTION**

Ald. Gallagher moved to adjourn the meeting; seconded by Ald. Lash. Motion carried on voice vote. Mayor Povlsen declared the meeting adjourned at 7:10 p.m.

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**DIANE K. WRIGHT, City Clerk**

Approved by City Council  
February 11, 2013



## MINUTES

### REGULAR MEETING OF CITY COUNCIL

#### CITY OF DEKALB

January 28, 2013

The City Council of DeKalb, Illinois, held a regular meeting on Monday, January 28, 2013 in the Council Chambers of the DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois.

Mayor Povlsen called the meeting to order at 7:20 p.m.

#### **A. ROLL CALL:**

City Clerk Wright called the roll and the following members of City Council were present: Mayor Kris Povlsen; Alderman David Jacobson, Alderman Tom Teresinski, Alderman Kristen Lash, Alderman Brendon Gallagher, Alderman Ronald Naylor, Alderman David Baker and Alderman Monica O’Leary.

Also present were: Mark Biernacki, City Manager; Rudy Espiritu, Assistant City Manager, Dean Frieders, City Attorney; Gene Lowery, Police Chief, Eric Hicks, Fire Chief; T.J. Moore, Public Works Director; Joel Maurer, Assistant Director Public Works–Engineering/ Transportation; Laura Pisarcik, Finance/Purchasing Director; Jamie Smirz, Community Services Coordinator; Roger Hopkins, Economic Development Consultant; Jeff Birtell, I&T Technician; and Diane Wright, City Clerk.

#### **B. PLEDGE OF ALLEGIANCE:**

Ald. Jacobson led the Pledge of Allegiance to the Flag.

#### **C. APPROVAL OF AGENDA – ADDITIONS/DELETIONS:**

##### MOTION

Ald. Gallagher moved to approve the Agenda; seconded by Ald. Teresinski. Motion carried 8-0 on roll call vote. Aye: Teresinski, Lash, Gallagher, Naylor, Baker, O’Leary, Povlsen. Mayor Povlsen declared the motion passed.

#### **D. SPECIAL ITEMS OR PRESENTATIONS & CITIZENS’ COMMENTS:**

##### **I. SPECIAL ITEMS**

- **Promotions – Fire Department:**
  - Lieutenant Brett Gautcher
  - Lieutenant Keith Fritz
  - Captain Tom Murphy
  - Captain Jeff Jossendal
  - Battalion Chief Tony Cox
  - Battalion Chief Bart Gilmore
  - Assistant Chief Jeff McMaster

Chief Hicks announced the new leadership team of the DeKalb Fire Department and the recent promotions. Family members were present to present the department's pins on each. Ms. Wright gave the oaths of office. Mayor Povlsen thanked all for taking on leadership roles, thanked their families for their support and stated he was proud of all on behalf of the City.

- **PRIDE Awards Presented by Environmental Commission**

Mayor Povlsen presented the PRIDE Awards to Rose Feurer and Dave Radtke for the environmental improvements to their home and the Jim Grosklags award to Dan Kenney for serving three terms on the Environmental Commission, his involvement in the wind energy ordinance and the community gardens.

- **Elder Care Services (Tara Culotta) Human Services Funding**

Ms. Culotta advised Council that 40% of the clients served reside in DeKalb. She summarized the services offered and thanked Council for its continued financial support.

- **Certificate of Transparency – Illinois Policy Institute**

Mr. Brian Costin, Director of Government Reform with the Illinois Policy Institute stated they are a non-profit organization that has developed an online ten-point transparency checklist for governments. He announced that the City received an 88.5% rating. Over 300 municipalities are graded and this is the 12<sup>th</sup> highest grade, he said. Mr. Espiritu thanked Mr. Costin for the certificate and noted DeKalb sets the standard for the rest of the state and additionally thanked staff and Council.

- **2<sup>nd</sup> Quarter Financial Report**

Ms. Pisarcik reported on the second quarter finances. She summarized expenses and revenues and noted that the City is in line with the second quarter of last year. She anticipated a 19-20% General Fund balance, she added.

- **Five Year Progress Report**

Mr. Biernacki provided a summary of the accomplishments of the City in the past five years. He noted that the General Fund balance continues to grow; staffing levels have grown, particularly in public safety. The City's bond rating has improved during the worst of fiscal times, he said. The post-employment benefit liabilities have been reduced dramatically, he said. The airport has made significant improvements. Many services have been out sourced, saving over approximately \$100,000 annually. The City is proactive in its economic development efforts, mainly in the industrial and commercial areas. Mr. Biernacki pointed out the capital projects over the past five years, including streets, bridges, downtown area and many neighborhood improvements. DeKalb, he said, is probably the only local municipality that televises its Council meetings. All Council Members and staff liaisons to committees have all completed the state required Open Meetings Act training. Relations between management and unions are greatly improved, he added and acknowledged the union and staff efforts to greatly reducing expenses to the City. Many of the reductions are largely due to the efforts of these groups, he said. He commended Council and staff for the accomplishments of the past five years. Mayor Povlsen thanked Mr. Biernacki for the report and added his congratulations for to staff and Council for their efforts.

**II. APPROVAL OF MAYOR APPOINTMENTS**  
**NONE.**

**III. CITIZENS' COMMENTS**

**E. CONSENT AGENDA – OMNIBUS VOTE:**

**MOTION**

Ald. Teresinski moved to approve the Consent Agenda; seconded by Ald. Naylor. Motion carried 8-0 on roll call vote. Aye: Jacobson, Teresinski, Lash, Gallagher, Naylor, Baker, O'Leary, Povlsen. Mayor Povlsen declared the motion passed.

**MOTION**

Ald. Teresinski moved to approve the listing of Consent Agenda items; seconded by Ald. O'Leary. Motion carried 8-0 on roll call vote. Aye: Jacobson, Teresinski, Lash, Gallagher, Naylor, Baker, O'Leary, Povlsen. Mayor Povlsen declared the motion passed.

**1. APPROVAL OF CITY COUNCIL MINUTES:**

Committee of the Whole: January 14, 2013  
Regular Meeting: January 14, 2013

Approved in the Consent Agenda by Omnibus Vote.

**2. RECEIVE AND FILE:**

Economic Development Committee Minutes: November 20, 2012  
Finance Division Bank Balance and Bank Statement: November and December 2012  
Finance Division Check List: November and December 2012

Received and filed in the Consent Agenda by Omnibus Vote.

**F. PURCHASES AND BID AWARDS:**

**NONE.**

**G. PUBLIC HEARINGS:**

**1) PUBLIC HEARING OF CDBG ANNUAL ACTION PLAN (ONE YEAR USE OF FUNDS) FOR PROGRAM YEAR 20 (APRIL 1, 2013 THROUGH MARCH 31, 2014).**

Mayor Povlsen opened the Public Hearing at 8:00 p.m.

Ms. Smirz stated the action plan is similar to those in the past and the same types of projects will be funded. She noted there were some regulatory changes from HUD. The budget has not been received at this point but the action plan is based on previous years' allocations. She summarized the types of projects.

There being no comments, Mayor Povlsen closed the Public Hearing at 8:09 p.m.

## **2) PUBLIC HEARING ON IRONGATE ANNEXATION.**

Mayor Povlsen opened the Public Hearing at 8:09 p.m.

Mr. Biernacki stated there is an extensive workshop scheduled with Council tomorrow. He added that staff has met with the School District and Park District since the last Public Hearing. The project on Fairview will not move forward, he said.

Ald. Naylor suggested continuing the Public Hearing past the suggested February 25<sup>th</sup> date. Mr. Biernacki replied that the developer wants to move forward.

### **MOTION**

Ald. Naylor moved to continue the Public Hearing to April 15<sup>th</sup>. The motion did not receive a second.

### **H. OLD BUSINESS:**

**NONE.**

### **I. ORDINANCES – SECOND READING:**

#### **1. ORDINANCE 13-04**

**AMENDING THE MUNICIPAL CODE OF THE CITY OF DEKALB, ILLINOIS, CHAPTER 38, “INTOXICATING LIQUORS” FOR THE CITY OF DEKALB, ILLINOIS.**

Mayor Povlsen read Ordinance 13-04 by title only.

### **MOTION**

Ald. Gallagher moved to pass Ordinance 13-04; seconded by Ald. Baker.

Mr. Frieders stated the ordinance contains updates since the last meeting and asked that Council amend the ordinance. He summarized the changes for Council.

### **MOTION TO AMEND**

Ald. Gallagher moved to amend Ordinance 13-04 with the recommended changes by staff; seconded by Ald. Lash. Motion carried on voice vote. Mayor Povlsen declared the motion passed.

Ald. Gallagher questioned the Liquor Commission’s role. Mr. Frieders stated that since regular meetings have been eliminated, the Liquor Commission will cease to function routinely but would meet on an “as needed” basis.

Ald. Naylor stated some of his questions have been answered, but he still has concerns. He asked about the Liquor Commission, and voiced misgivings about the fee structure. He added he cannot support the ordinance. Ald. Gallagher disagreed and stated that the ordinance reduces the amount of license categories by 25%, and the goal is to make the code simple for everyone.

### **VOTE**

Motion carried 7-1 on roll call vote. Aye: Jacobson, Teresinski, Lash, Gallagher, Baker, O’Leary, Povlsen. Nay: Naylor. Mayor Povlsen declared the motion passed.



**J. ORDINANCES – FIRST READING:**  
NONE.

**K. RESOLUTIONS:**

**1. RESOLUTION 13-03**

**AUTHORIZING THE MAYOR OF THE CITY OF DEKALB, ILLINOIS, TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH PECKHAM, GUYTON, ALBERTS & VIETS, INC. TO EXPLORE THE FEASIBILITY OF ESTABLISHING A TIF DISTRICT FOR THE SOUTH FOURTH STREET REDEVELOPMENT PROJECT AREA IN AN AMOUNT NOT TO EXCEED \$27,000.**

Mayor Povlsen read Resolution 13-03 by title only.

**MOTION**

Ald. Teresinski moved to pass Resolution 13-03; seconded by Ald. Gallagher.

Ms. Bessie Chronopoulos, DeKalb, Illinois asked that information on the TIF development be posted with timelines for the public. Mr. Biernacki stated field work will need to occur first which should take one month. After that, staff will be able to provide timelines and more information.

**VOTE**

Motion carried 8-0 on roll call vote. Aye: Jacobson, Teresinski, Lash, Gallagher, Naylor, Baker, O’Leary, Povlsen. Mayor Povlsen declared the motion passed.

**2. RESOLUTION 13-04**

**AUTHORIZING THE MAYOR OF THE CITY OF DEKALB, ILLINOIS, TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH PECKHAM, GUYTON, ALBERTS & VIETS, INC. TO EXPLORE THE FEASIBILITY OF ESTABLISHING A TIF DISTRICT FOR THE SYCAMORE ROAD REDEVELOPMENT PROJECT AREA IN AN AMOUNT NOT TO EXCEED \$19,000.**

Mayor Povlsen read Resolution 13-04 by title only.

**MOTION**

Ald. Gallagher moved to pass Resolution 13-04; seconded by Ald. Lash. Motion carried 8-0 on roll call vote. Aye: Jacobson, Teresinski, Lash, Gallagher, Naylor, Baker, O’Leary, Povlsen. Mayor Povlsen declared the motion passed.

**L. REPORTS – COMMUNICATIONS:**

Mayor Povlsen thanked Castle Bank for sponsoring the game at the Convo Center between DeKalb and Sycamore. He thanked Mr. Biernacki for the five year progress report and noted that the transparency award was one of the highest ratings received in the state.

Ald. Lash thanked the Public Works staff for their efforts during the recent ice storm. She acknowledged the members of the community who have stepped forward and voiced their concerns regarding Kiwanis Park, the Natural Trail and the Library. Ald. Gallagher also thanked the Public Works staff, Mr. Biernacki and staff for the progress report and the Mayor, Mr. Frieders and staff

for their work on Chapter 38. Ald. Naylor congratulated the employees of the Fire Department for the recent promotions. Ald. Baker added his congratulations.

Ald. O'Leary asked about the boot device that was purchased. Chief Lowery replied staff is working on upgrading the tickets to utilize the boot.

Mr. Frieders reported that a request was submitted by Mark Charvat to the Public Access Counselor. The Attorney General received inaccurate information and issued a notice there may have been a violation of the Open Meetings Act. Mr. Frieders stated he contacted the Public Access Counselor, provided documents including minutes of the meeting. The Counselor retracted their notice and stated they do not believe there is a violation. Mr. Frieders advised Council this is the sixth or seventh time the City has been reviewed and in each case the Public Access Counselor has concluded there is no violation.

Mr. Moore stated that heavy rains are expected tomorrow with possible flooding.

#### MOTION TO EXTEND MEETING

At 8:50 p.m., Ald. Naylor moved to extend the meeting past 9:00 p.m.; seconded by Ald. Teresinski. Motion carried on voice vote. Mayor Povlsen declared the motion passed.

#### **M. RECESS FOR CLOSED SESSION:**

- 1) APPROVAL OF A STAFF REQUEST TO HOLD A CLOSED SESSION TO DISCUSS PERSONNEL AS PROVIDED FOR IN 5 ILCS 120/2(c)(1); COLLECTIVE BARGAINING 5 ILCS 120/2(C)(2); PURCHASE OF REAL PROPERTY 5 ILCS 120/2(c)(5); AND PENDING LITIGATION 5 ILCS 120/2(c)(11).**

#### MOTION

Ald. Teresinski moved to approve staff's request to hold a closed session to discuss Personnel as provided for in 5 ILCS 120/2(c)(1); Collective Bargaining 5 ILCS 120/2(c)(2); Purchase of Real Property 5 ILCS 120/2(c)(5); and Pending Litigation 5 ILCS 120/2(c)(11); seconded by Ald. Gallagher. Motion carried 7-1 on roll call vote. Aye: Jacobson, Teresinski, Lash, Gallagher, Naylor, O'Leary, Povlsen. Nay: Baker. Mayor Povlsen declared the motion passed.

Mayor Povlsen closed the meeting to the public at 8:50 p.m.

Mayor Povlsen opened the meeting to the public at 9:40 p.m.

#### **N. ADJOURNMENT:**

#### MOTION

Ald. Jacobson moved to adjourn the meeting; seconded by Ald. Teresinski. Motion carried on voice vote. Mayor Povlsen declared the meeting adjourned at 9:40 p.m.

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**DIANE K. WRIGHT, City Clerk**