

**MINUTES
CITY OF DEKALB
REGULAR CITY COUNCIL MEETING
MARCH 22, 2021**

The City Council of DeKalb, Illinois, held a Regular City Council meeting on March 22, 2021, in the Yusunas Meeting Room of the DeKalb Public Library, 309 Oak Street, DeKalb, Illinois.

A. CALL TO ORDER AND ROLL CALL

Mayor Smith called the meeting to order at 6 p.m.

City Clerk Lynn Fazekas (attending remotely) called the roll, and the following members of City Council were present: Aldermen Carolyn Morris, Tracy Smith, Greg Perkins, Scott McAdams, Mike Verbic, and Tony Faivre; and Mayor Jerry Smith. Absent: Alderman Bill Finucane.

Staff present included: City Manager Bill Nicklas and City Attorney John Donahue.

B. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

Mayor Smith led the Pledge.

C. APPROVAL OF THE AGENDA

Mayor Smith asked if aldermen had additions and deletions to make to the agenda. No such request was made.

MOTION

Alderman Perkins moved to approve the agenda. Alderman Morris seconded.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Morris, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: none. Absent: Finucane.

D. PUBLIC PARTICIPATION

Mayor Smith read a comment submitted by Herb and Mitzi Katz, who said they live in a wooded area and want to maintain the current ordinance allowing open burning as is.

E. PRESENTATIONS

1. Citizens' Environmental Commission 2020 Achievements and Activities Report.

Environmental Commission Chair Clare Kron presented the report. Chair Kron noted the Commission had to cancel two meetings for the pandemic, then moved to remote attendance via Zoom. She then reported the year's activities and achievements, including investigation into light pollution/trespass legislation, public forums on such topics as organic gardening and wildlife in the City, and DeKalb's participation in Monarch City USA. Lastly, Chair Kron announced goals for the coming year: updating the City's sustainability plan, holding a monarch festival (if the pandemic allows), hosting programs on backyard habitats and electric vehicles, and achieving a single-use plastic bag ban and compliance of apartment complexes with recycling programs.

F. APPOINTMENTS

1. Appointment of Kelli Meserole to the DeKalb Public Library Board for the Completion of a Three-Year Term through June 30, 2021, and a Three-Year Term from July 1, 2021 through June 30, 2024.

Mayor Smith read the item of appointment.

MOTION

Alderman McAdams moved to approve the appointment. Alderman Smith seconded.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Smith, Perkins, McAdams, Verbic, Faivre, Morris, Mayor Smith. Nay: none. Absent: Finucane. The mayor declared the appointment approved.

G. CONSENT AGENDA

1. Minutes of the March 8, 2021 Regular City Council Meeting.
2. Approval and Release of Executive Session Minutes.
3. Accounts Payable and Payroll through March 22, 2021 in the Amount of \$2,837,137.04.
4. Investment and Bank Balance Summary through January 2021.
5. Year-to-Date Revenues and Expenditures through January 2021.
6. Freedom of Information Act (FOIA) Report – February 2021.

Mayor Smith read each item of the consent agenda.

MOTION

Alderman Verbic moved to approve the consent agenda. Alderman Morris seconded.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Perkins, McAdams, Verbic, Faivre, Morris, Smith, Mayor Smith. Nay: none. Absent: Finucane. Mayor Smith declared the consent agenda approved.

H. PUBLIC HEARINGS

There were none.

I. CONSIDERATIONS

1. Consideration of a Contract with Gehrke Construction for the Repair and Remodeling of Fire Station One in the Amount of \$139,205.00.

Mayor Smith read the consideration and asked for a motion.

MOTION

Alderman McAdams moved to approve the consideration. Alderman Faivre seconded.

City Manager Nicklas summarized the project, including specifying TIF funding for it.

Mayor Smith opened Council discussion. There was none, and the mayor asked for a roll call vote.

City Clerk Fazekas said she didn't think the considerations were actionable items at that point.

City Manager Nicklas said the items were actionable; the city attorney agreed, saying any item on the agenda could be an action item if Council desired it.

City Clerk Fazekas said in the past, voting on a consideration item was a Council decision. Mayor Smith asked for a show of hands in favor of voting on the item, and no objections were heard.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: McAdams, Verbic, Faivre, Morris, Smith, Perkins, Mayor Smith. Nay: none. Absent: Finucane. Mayor Smith declared the consideration approved.

2. Consideration of the Modernization of the Vehicle Exhaust Removal System at Fire Station One by Hastings Air Energy Control, Inc. in the Amount of \$42,349.00.

Mayor Smith solicited consensus of Council to vote on the consideration as he had for the first consideration. Again, there were no stated objections.

MOTION

Alderman Smith moved to approve the consideration. Alderman Perkins seconded.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Verbic, Faivre, Morris, Smith, Perkins, McAdams, Mayor Smith. Nay: none. Absent: Finucane. Mayor Smith declared the consideration passed.

3. Consideration of a Public Works Recommendation to More Accurately Account for Larger Water Meter Sizes in the City's Water Service Fee Schedule.

Mayor Smith read the consideration and asked for consensus on voting on it. There were no objections.

MOTION

Alderman Morris moved to approve the consideration. Alderman McAdams seconded.

City Manager Nicklas said the consideration would come back to Council again, as an ordinance. He said the change would affect 118 of 11,000 accounts and help cover costs.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Faivre, Morris, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: none. Absent: Finucane. The mayor declared the consideration passed.

J. RESOLUTIONS

1. Resolution 2021-023 Approving a Second Addendum to the Non-Exclusive License Agreement for the Installation of Underground Fiber Optic Facilities within the Public Right-of-Way (Dated June 15, 2010) for the Expansion of the Annie Glidden North Broadband Infrastructure Project.

Mayor Smith read the resolution by title only.

MOTION

Alderman Morris moved to approve the resolution. Alderman Faivre seconded.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Morris, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: none. Absent: Finucane. Mayor Smith declared the resolution passed.

2. Resolution 2021-024 Authorizing the Award of a Bid to Era Valdivia in the Amount of \$1,011,056 for Painting and Repair of the South Water Tower.

Mayor Smith read the resolution by title only.

MOTION

Alderman Verbic moved to approve the resolution. Alderman McAdams seconded.

City Manager Nicklas said research showed the lower bids would have been disqualified.

Alderman Faivre said he wants the engineering company that reviews the bids to make sure they follow state law. He said throwing out bids twice might make it difficult to find bidders in the future.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Smith, Perkins, McAdams, Verbic, Faivre, Morris, Mayor Smith. Nay: none. Absent: Finucane. Mayor Smith declared the resolution approved.

3. Resolution 2021-025 Authorizing the Award of a Contract to Curran Contracting, Inc. in the Amount of \$1,251,009.56 for Resurfacing and Concrete Repairs on First Street and Taylor Street, Including Alternates 1 and 2, with Staff Authority to Approve Change Orders Up to a Combined Project Total Not to Exceed \$1,283.673.

Mayor Smith read the resolution by title only.

MOTION

Alderman McAdams moved to approve the resolution. Alderman Faivre seconded.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Perkins, McAdams, Verbic, Faivre, Morris, Smith, Mayor Smith. Nay: none. Absent: Finucane. Mayor Smith declared the resolution approved.

4. Resolution 2021-026 Authorizing an Agreement with the DeKalb Community Unit School District No. 428 to Provide Emergency Medical Services for DeKalb High School Home Football Games for the 2020-2021 School Year.

Mayor Smith read the resolution by title only.

MOTION

Alderman Morris moved to approve the resolution. Alderman McAdams seconded.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: McAdams, Verbic, Faivre, Morris, Smith, Perkins, Mayor Smith. Nay: none. Absent: Finucane. Mayor Smith declared the resolution passed.

K. ORDINANCES – SECOND READING

There were none.

L. ORDINANCES – FIRST READING

1. Ordinance 2021-013 Amending Chapter 24 “Building Code,” Article 3 “International Fire Code,” Section 307.1.2 “Burning of Leaves and Garden Debris” to Prohibit the Burning of Leaves.

Mayor Smith read the ordinance by title only.

MOTION

Alderman Faivre moved to approve first reading. Alderman McAdams seconded.

Resident Tim Mescher spoke in opposition of the proposed change. He said he lives on West Lincoln Highway near the police station, where there are many trees and lots of deadfall from the wind. He said he would have to hire a landscaping company to carry away waste that is not easily bagged or bundled.

Barbara Larson called herself a “leaf burner,” noting that her home backs up to a forest preserve. Ms. Larson said she is never sure if the leaf pickup will come before the wind carries leaves away. She asked if leaf burning were no longer allowed, could leaf pickup be scheduled so residents know when it is coming.

Mayor Smith read a letter from Steve and T.J. Irving, who said they support keeping the ordinance the same.

Environmental Commission Chair Clare Kron declined to remove her mask at the request of the mayor, remarking, "I'm a biologist." Chair Kron said the proposal aims to reduce the toxic load of wood burning, including fine particulate matter and chemicals such as benzene and formaldehyde, which pose health threats to at-risk children, pregnancies, and people with COPD, heart problems, and perhaps COVID. She noted also that asthma cases are rising.

Aldermen Morris, McAdams, Faivre, and Smith said they had received feedback in opposition to the proposed change. Aldermen Verbic and Perkins said they had not received complaints about the current ordinance.

VOTE

Motion was defeated 0-6-1 (mayor not voting). Aye: none. Nay: Verbic, Faivre, Morris, Smith, Perkins, McAdams. Absent: Finucane. The mayor declared the motion defeated.

M. REPORTS AND COMMUNICATIONS

1. Council Member Reports

Alderman Morris said she is hearing concerns about face masks being lowered at meetings and gave the reminder that not everyone is vaccinated.

Alderman Faivre said he has received emails about litter that is visible now that the snow has melted. He asked that everyone do their part and said he did see someone out with a trash bag recently.

2. City Clerk Report

City Clerk Fazekas announced the openings of satellite polling sites for early and grace period voting and reminded voters each site is open to all DeKalb County residents. She also reported a local group, Trash Squirrels, has been organized to pick up litter around the City.

3. City Manager Report

City Manager Nicklas gave no report.

N. EXECUTIVE SESSION PURSUANT TO 5 ILCS (120/2)

No executive session was authorized during this meeting.

O. ADJOURNMENT

MOTION

Following completion of business, Alderman Smith moved to adjourn the meeting. Alderman Morris seconded.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Verbic, Faivre, Morris, Smith, Perkins, McAdams, Mayor Smith. Nay: none. Absent: Finucane. Mayor Smith declared adjournment at 7:10 p.m.

LYNN A. FAZEKAS, City Clerk

Approved by City Council on April 12, 2021.