

**MINUTES  
CITY OF DEKALB  
REGULAR CITY COUNCIL MEETING  
MARCH 23, 2020**

The City Council of DeKalb, Illinois held a Regular City Council meeting on March 23, 2020 in the City Council Chambers of the DeKalb Municipal Building, 200 S. Fourth Street, DeKalb, Illinois.

**A. CALL TO ORDER AND ROLL CALL**

Mayor Smith called the meeting to order at 6:00 p.m. and made a brief statement regarding the COVID-19 situation.

Executive Assistant Ruth Scott called the roll and the following members of City Council were present: Alderman Carolyn Morris, Alderman Bill Finucane, Alderman Tracy Smith, Alderman Greg Perkins, Alderman Scott McAdams, Alderman Mike Verbic, Alderman Tony Faivre, and Mayor Jerry Smith.

Staff present included: City Manager Bill Nicklas, Interim Police Chief John Petragallo, City Attorney John Donahue, and Executive Assistant Ruth Scott.

**B. PLEDGE OF ALLEGIANCE**

Mayor Smith led the Pledge of Allegiance.

**C. APPROVAL OF THE AGENDA**

Mayor Smith asked if there were any additions or deletions to the agenda. Alderman Finucane stated that the Egyptian Theatre would like for Item L.2 – Ordinance 2020-018 to be postponed. Mayor Smith added that he was aware, and the postponement of the item would be addressed during that part of the meeting.

**MOTION**

Alderman Faivre moved to approve the agenda; seconded by Alderman McAdams.

**VOTE**

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

**D. PUBLIC PARTICIPATION**

Mayor Smith read comments from Mark Charvat regarding his thoughts on fiscal contingency during the COVID-19 crisis.

Mayor Smith read comments from Tony Verbic regarding an email he forwarded to Council concerning the COVID-19 situation.

Mayor Smith read comments from Linda Ellison regarding the current COVID-19 situation and the importance of sheltering in place.

Mayor Smith read comments from Bessie Chronopoulos regarding her thoughts on the 260 E. State Street Tax Increment Financing (TIF) proposal, the ongoing TIF audit, and the use of Committee of the Whole meetings.

Mayor Smith read comments from Mark Charvat regarding his thoughts on the 260 E. State Street TIF proposal.

## **E. PRESENTATIONS**

1. 2020 Census Video.

A video was shown regarding the 2020 Census to encourage participation. Mayor Smith noted that the Census Bureau has delayed response dates due to the current COVID-19 situation.

## **F. APPOINTMENTS**

Mayor Smith read each of the following titles in their entirety:

1. Appointment of Lynn Neeley as Chair of the Finance Advisory Committee for a Two-Year Term through December 31, 2022.
2. Appointment of Scott Carlson to the Airport Advisory Board for a Four-Year Term through December 31, 2024.

## **MOTION**

Alderman Finucane moved to approve the appointments; seconded by Alderman Smith.

## **VOTE**

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

## **G. CONSENT AGENDA**

Mayor Smith read each of the following Consent Agenda items in their entirety:

1. Minutes of the Regular City Council Meeting of March 9, 2020.
2. Accounts Payable and Payroll through March 23, 2020 in the Amount of \$2,594,465.94.
3. Investment and Bank Balance Summary through January 2020.

4. Year-to-Date Revenues and Expenditures through January 2020.
5. Freedom of Information Act (FOIA) Report – February 2020.
6. Resolution 2020-028 Authorizing the Execution of a Workers' Compensation Lump Sum Petition and Order in the Amount of \$59,354.59 (Eric Blanken).

#### MOTION

Alderman McAdams moved to approve the items listed on the Consent Agenda; seconded by Alderman Perkins.

#### VOTE

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

### **H. PUBLIC HEARINGS**

There were no public hearings scheduled.

### **I. CONSIDERATIONS**

1. Additional Consideration of Tax Increment Financing (TIF) Support for the Remodeling of the Property at 260 E. Lincoln Highway.

Mayor Smith read the consideration item by title only.

Mayor Smith read a comment from Mark Charvat in which he states he is not in support of this item.

City Manager Nicklas provided an overview of this item. Along with Options A through C provided on March 9, 2020, he stated two more options (D and E) have been provided for Council review. City Manager Nicklas stated his recommendation for either Option D or E.

Following discussion regarding ADA compliance surrounding the outdoor seating area, Joint Review Board consideration of TIF projects, the need for prudent spending, as well as hesitation to fund the project because the building is seen as "turnkey", there was Council consensus to move forward with Option D or E. Mayor Smith noted this item would be discussed as an action item at an upcoming Council meeting.

### **J. RESOLUTIONS**

1. Resolution 2020-029 Authorizing a Permanent Bus Stop Easement Agreement with DeKalb 1 Preservation LP in an Amount Not to Exceed \$2,760 for the

Purchase of Three Permanent Bus Stop Easements Located within the University Village Subdivision.

Mayor Smith read Resolution 2020-029 by title only.

MOTION

Alderman Finucane moved to approve the resolution; seconded by Alderman McAdams.

Following City Manager Nicklas' overview, brief discussion ensued regarding the number of bus stops throughout the community and the placement of bus stops on Sycamore Road.

VOTE

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

2. Resolution 2020-030 Authorizing a Professional Services Agreement with Engineering Enterprises, Inc. for Engineering Design of Lincoln Highway Lane Reconfiguration in an Amount Not to Exceed \$152,500.

Mayor Smith read Resolution 2020-030 by title only.

MOTION

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

Following City Manager Nicklas' overview, brief discussion ensued regarding the expansion of the sidewalks along Lincoln Highway to allow for more space for citizens and consumers and the possibility of lowering the speed limit.

VOTE

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

3. Resolution 2020-031 Authorizing a Professional Services Agreement with Wills Burke Kelsey Associates, Ltd. for Engineering Design of Peace Road Partial Widening, Overlay, and Improvements to the Intersection with Fairview Drive in an Amount Not to Exceed \$200,000.

Mayor Smith read Resolution 2020-031 by title only.

MOTION

Alderman Faivre moved to approve the resolution; seconded by Alderman Smith.

Following City Manager Nicklas' overview, there was very brief discussion on lowering the speed limit along Peace Road.

#### VOTE

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

4. Resolution 2020-032 Authorizing the Award of Bid to Keycode Media to Provide a Broadcast Center at the DeKalb Public Library in an Amount Not to Exceed \$45,000.

Mayor Smith read Resolution 2020-032 by title only.

#### MOTION

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

City Manager Nicklas provided an overview of this item. Alderman Verbic stated he was pleased with the work done to repurpose equipment.

#### VOTE

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

### **K. ORDINANCES – SECOND READING**

1. Ordinance 2020-016 Authorizing Comprehensive Amendments to Chapter 14 "Rooming Houses".

Mayor Smith read Ordinance 2020-016 by title only.

#### MOTION

Alderman McAdams moved to approve the ordinance on second reading; seconded by Alderman Smith.

Mayor Smith read comments from Jerry Wahlstrom regarding documentation required at renewal and door requirements.

City Manager Nicklas provided an overview of this item. He also addressed Mr. Wahlstrom's comments regarding license renewal stating that documents are required for review so that the City is aware of the owner's intentions in the coming

year. He also addressed Mr. Wahlstrom's comments regarding door requirements, stating one-hour rated solid core doors will keep a fire contained for 45 minutes.

VOTE

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

**L. ORDINANCES – FIRST READING**

1. Ordinance 2020-017 Providing Relief Related to Executive Order 2020-07 by Amending Chapter 38 "Intoxicating Liquors" to Add a New Section 38.35 "Provisional Package Liquor License" and Amending Section 38.08 "Term of Licenses and License Fees.

Mayor Smith read Ordinance 2020-017 by title only.

MOTION

Alderman McAdams moved to approve the ordinance on first reading; seconded by Alderman Verbic.

City Manager Nicklas provided an overview of the item.

MOTION

Alderman Finucane moved to amend the ordinance by adjusting the proposed license fee from \$250.00 to \$25.00, and then crediting the \$25.00 fee to next year's license renewal; seconded by Alderman McAdams.

VOTE

Motion to approve the ordinance as amended carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

VOTE

Motion to approve the ordinance on first reading carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

MOTION

Alderman Finucane moved to waive second reading and approve the ordinance; seconded by Alderman Faivre.

## VOTE

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

2. Ordinance 2020-018 Amending Chapter 38 "Intoxicating Liquors", Section 38.07 "Classifications of Liquor Licenses", by Adding License Classification "Auditorium", and Amending Section 38.08 "Term of Licenses and License Fees".

Mayor Smith read Ordinance 2020-018 by title only, noting the petitioner's request to postpone the item.

## MOTION

Alderman Finucane moved to postpone the ordinance; seconded by Alderman Verbic.

## VOTE

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

3. Ordinance 2020-019 Amending Chapter 23 "Unified Development Ordinance" Authorizing Text Amendments to Article 13 "Signs" and Article 18 "Appeals and Variances".

Mayor Smith read Ordinance 2020-019 by title only.

## MOTION

Alderman Smith moved to approve the ordinance on first reading; seconded by Alderman Morris.

City Manager Nicklas provided an overview of the item.

## VOTE

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

## MOTION

Alderman Morris moved to waive second reading of the ordinance and approve; seconded by Alderman Smith.

## VOTE

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

4. Ordinance 2020-020 Approving a Special Use Permit for a Vehicle Tow Facility and Storage Yard Located at 110 Industrial Drive (J&S Tri-State Recovery and Towing).

Mayor Smith read Ordinance 2020-020 by title only.

## MOTION

Alderman Verbic moved to approve the ordinance on first reading; seconded by Alderman Faivre.

Following City Manager Nicklas' overview, there was brief discussion regarding the legitimacy of this business. City Attorney Donahue stated zoning of the business is what is being considered via this ordinance and it should not be postponed because of issues between one business and another.

## VOTE

Motion carried on a 6-1-1 roll call vote. Aye: Finucane, Smith, Perkins, Verbic, Faivre, Mayor Smith. Nay: Morris. Absent: McAdams (Recused). Mayor Smith declared the motion approved.

5. Ordinance 2020-021 Approving a Special Use Permit for a Drive-Through Restaurant with an Outdoor Seating Area and Approving a Final Plan for 2411 Sycamore Road (Raising Cane's Chicken Fingers).

Mayor Smith read Ordinance 2020-021 by title only.

## MOTION

Alderman Finucane moved to approve the ordinance on first reading; seconded by Alderman Faivre.

City Manager Nicklas provided an overview of this item, noting the Planning and Zoning Commission's support.

Brief discussion ensued regarding parking on the property.

Alderman Faivre noted there are "seas" of parking lots along Sycamore Road that perhaps should be considered for new business models rather than parking lots, suggesting a Committee of the Whole meeting concerning the topic in the near future. City Manager Nicklas agreed.

Alderman Verbic stated residential property could also be a possibility, noting that Council should be revisiting parking guidelines. City Manager Nicklas agreed.

#### VOTE

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

#### MOTION

Alderman Finucane moved to waive second reading of the ordinance and approve; seconded by Alderman Verbic.

#### VOTE

Motion carried on an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion approved.

### **M. REPORTS AND COMMUNICATIONS**

#### **1. Council Member Reports**

Alderman Morris reported that she held a ward meeting via Facebook Live on March 20, 2020. She further reported that she has published a survey regarding apartment rental dwelling in the community on her Facebook page.

Alderman Finucane encouraged social distancing at this time due to the COVID-19 situation.

Alderman Smith reported that he cancelled his March 19, 2020 ward meeting and plans to reschedule once the COVID-19 situation is under control.

Alderman Verbic reported he had spent the day speaking with Sixth Ward businesses, stating it was unanimous that DeKalb should set a goal of “restarting” as soon as July 1, 2020, perhaps even June 1, 2020. He added he is looking forward to continuing discussions regarding the topic.

Alderman Faivre encouraged 2020 Census participation. He also encouraged social distancing, noting that several grocery stores in the area offer pickup and delivery. Alderman Faivre also noted that an electronic survey regarding parking has been established with final input due on April 1, 2020.

Mayor Smith stated he is impressed with the support being provided to local area restaurants by the DeKalb Chamber of Commerce and other social media sites with regard to available take out services. He also reported that progress is being made on the new City Hall building, noting the move in date has been rescheduled for May 1, 2020 due to the COVID-19 situation.

## **2. City Clerk Report**

City Clerk Fazekas was absent. Executive Assistant Scott had no report.

## **3. City Manager Report**

City Manager Nicklas commented on the work done to ensure distancing in Council chambers during Council meetings. He also noted the change in the move date to the new City Hall, thanking the mover for their flexibility.

City Manager Nicklas also reported that a new Airport Manager, Renee Riani, has been chosen and is scheduled to start working toward the end of April 2020.

City Manager Nicklas provided Council with a handout with regard to [sales tax and related revenues](#) and stated the COVID-19 situation has affected the city's hospitality businesses. Noting that the next meeting of Council isn't scheduled until April 13, 2020, he requested a special meeting in order to discuss the forgiveness of hotel/motel and restaurant, bar, and packaged liquor tax, both retroactive for March and April 2020.

Brief discussion ensued regarding the expense involved in taking such action.

There was Council consensus to hold a special meeting on March 26, 2020, with the possibility of meeting remotely.

## **N. EXECUTIVE SESSION**

There was no Executive Session scheduled.

## **O. ADJOURNMENT**

MOTION

Alderman Finucane moved to adjourn the meeting; seconded by Alderman Smith.

VOTE

Motion carried on a majority voice vote. Mayor Smith declared the meeting adjourned at 8:07 p.m.

---

**RUTH A. SCOTT**, Executive Assistant

Approved by City Council: April 13, 2020.