

**MINUTES
CITY OF DEKALB
REGULAR CITY COUNCIL MEETING
APRIL 12, 2021**

The City Council of DeKalb, Illinois held a Regular City Council meeting on April 12, 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, Bill Finucane, Tracy Smith, Greg Perkins, Scott McAdams, Mike Verbic, and Tony Faivre; and Mayor Jerry Smith.

Staff present included: City Manager Bill Nicklas, Transit Manager Marcus Cox, and City Engineer Zac Gill.

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, but no changes were requested.

MOTION

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

VOTE

Motion carried 8-0 on roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: none. Mayor Smith declared the agenda approved.

D. PUBLIC PARTICIPATION

Mayor Smith read a comment submitted by resident Pamela Verbic of North Tenth Street, in which she shared concerns about the proposed location for the new transit facility, including runoff and the need to mitigate increased flooding, pollution, and traffic issues. Ms. Verbic noted a marsh is located on the property and disputed the contention that construction would not affect the property and surroundings. She also maintained that accurate pedestrian and vehicle traffic studies could not get done until the current situation gets back to normal. Finally, Ms. Verbic questioned the need to spend \$1 million to find out whether the location has a "fatal flaw," as described in the agenda backup materials; and she urged Council to locate a more appropriate and cost-effective property.

Mayor Smith read a comment submitted by Margaret Bassett of Sycamore, who said she is a member of a local non-profit that helps people having trouble with housing. Ms. Bassett said she would like for Council to consider putting some of the block grant funding toward housing (also see items H.1. and J.1.) and specifically toward housing for families headed by women within a cooperative setting. She said her organization, St. Vincent DePaul, could help with researching this novel idea, which they believe could also help with program consolidation.

E. PRESENTATIONS

1. National Public Safety Telecommunicators Week Proclamation, April 11-17, 2021.

Mayor Smith read the proclamation and City Manager Nicklas presented it to Communications Coordinator Sean Woyna.

2. National Fair Housing Month Proclamation – April 2021.

Mayor Smith read the proclamation and City Manager Nicklas presented it to Neeley Erickson of the Illinois Realtors Association. Ms. Erickson said realtors are working to further fair housing with education and efforts at culture change.

Andrew Tillotson of DeKalb Tenants Association commented there are many things that could be done to make housing fairer for DeKalb's many renters, including improving conditions in apartments and providing tenants' protections. He said he will be back and wants to work with the City.

Sasha Cohen, Edgebrook Drive, called the proclamation "beautiful," but said words are cheap when people are dealing with mold issues, ceilings collapsing, and not feeling safe at night. He questioned why we would proclaim instead of taking time this month to work on some of these problems.

3. Presentation of a Check for \$19,500 to the City of DeKalb from the Kishwaukee Kiwanis Club to Partially Fund the Fairview Drive Bike Path.

City Engineer Gill accepted the check from Kiwanis, which was explained as seed money to be combined with federal grants to complete the next phase of the path, to run from Seventh Street to Macom Drive.

F. APPOINTMENTS

There were none.

G. CONSENT AGENDA

1. Minutes of the March 22, 2021 Regular City Council Meeting.
2. Accounts Payable and Payroll through April 12, 2021 in the Amount of \$2,002,146.09.
3. DeKalb Chamber of Commerce 2020 Annual Report to Council.
4. DeKalb County Economic Development Corporation 2020 Annual Report to Council.
5. DeKalb County Convention & Visitors Bureau 2020 Annual Report to Council.
6. DeKalb Municipal Band 2020 Annual Report to Council.

Mayor Smith read each item of the consent agenda. He asked if there were requests to remove items for individual consideration and there were none.

MOTION

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

VOTE

Motion carried 8-0 on roll call vote. Aye: Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Morris, Mayor Smith. Nay: none. The mayor declared the consent agenda passed.

H. PUBLIC HEARINGS

1. Public Hearing on the 2021 Community Development Block Grant Annual Action Plan.

Mayor Smith opened the hearing at 6:42 p.m.

City Manager Nicklas explained the new and carryover allocations for the action plan.

After ascertaining no one else wished to speak to the public hearing topic (there had been one related public comment made in D. above), Mayor Smith closed the hearing at 6:45 p.m., noting there would be a resolution on it to consider later in the meeting.

I. CONSIDERATIONS

1. Consideration of a Staff Report on the Status of 5G Regulation in DeKalb.

Mayor Smith said the Illinois Municipal League is monitoring at least six bills ahead of the sunset of current law June 1.

Alderman Verbic said two House bills need to be vetted and he brought up safety-related issue, specifically radiation and the need for insurance. He suggested in protecting the community, the City could consider turning further to alternatives such as fiber.

Alderman Faivre talked about meeting the challenges to approve permits in 60 or 90 days. He said some of the antennas are ugly, and he brought up the question of where to install the boxes where there are no light or telephone poles. He said he wants to see what zoning regulations the City can enact to protect aesthetics.

The group agreed to continue monitoring developments over the next six weeks.

J. RESOLUTIONS

1. Resolution 2021-027 Approving the Community Development Block Grant 2021 Annual Action Plan for Program Year 28 (April 1, 2021 - March 31, 2022).

Mayor Smith read the resolution by title only.

MOTION

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

VOTE

Motion carried 8-0 on roll call vote. Aye: Smith, Perkins, McAdams, Verbic, Faivre, Morris, Finucane, Mayor Smith. Nay: none. Mayor Smith declared the resolution approved.

2. Resolution 2021-028 Authorizing the Sale of Real Property Located at 624 N. Eleventh Street (PIN 08-23-209-003) in the Amount of \$64,500.

Mayor Smith read the resolution by title only.

MOTION

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

Alderman Morris asked how the City came to acquire the property. The city manager said it had been a police officer-in-residence property.

VOTE

Motion carried 8-0 on roll call vote. Aye: Perkins, McAdams, Verbic, Faivre, Morris, Finucane, Smith, Mayor Smith. Nay: none. Mayor Smith declared the resolution passed.

3. Resolution 2021-029 Authorizing a Professional Services Agreement with Stantec Architecture, Inc. for Architectural and Engineering Design of a Transit Maintenance and Operations Facility in an Amount Not to Exceed \$1,002,000.

Mayor Smith read the resolution by title only.

MOTION

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

Alderman Finucane noted he has opposed this location in earlier discussions due to anticipated environmental impact as well as impact on the buildout of a residential area. He suggested a location on Peace Road.

Alderman Morris said she supported the plan in December but has since changed her mind and would like to consider a more industrial location for the facility.

Alderman Smith said he is not overly pleased with the proposed location but wants vehicles under cover sooner rather than later. The alderman asked about wetland status, and Engineer Gill answered the marsh is not entirely natural to the location and not delineated as wetland by state and national governments.

Alderman Verbic noted the proposed site is in the middle of residential and suggested it could be recreational instead. He said he would prefer a location on a main arterial county or state road and suggested the possibility of collaboration with other authorities.

The city manager said if this contract is rejected, he would recommend the City talk to Stantec about a proposal to generate three or four other options with pros and cons.

Council began to generate location ideas and were reminded that a location close to NIU would shorten the commute from transit facility to start of bus routes. Transit Manager Cox said 70-80% of routes need to start on campus.

Council members expressed interest in revisiting the issue with Stantec.

VOTE

Motion was defeated 1-6 on roll call vote (mayor not voting). Aye: Faivre. Nay: McAdams, Verbic, Morris, Finucane, Smith, Perkins. Mayor Smith declared the resolution defeated.

4. Resolution 2021-030 Approving the Regulation of Traffic for the Purpose of Holding the Annual DeKalb Corn Festival on Illinois Route 38 Between First Street and Fourth Street Beginning Thursday, August 26, 2021 at 4:00 p.m. through Sunday, August 29, 2021 at 10:00 p.m.

Mayor Smith read the resolution by title only.

MOTION

Alderman Morris moved to approve the resolution. Alderman Smith seconded. Following brief discussion of the option to combine all three resolutions relating to Corn Fest in one omnibus motion, Aldermen Morris and Smith withdrew their motion and second.

MOTION

Alderman Morris moved to combine resolutions 4, 5, and 6 (2021-030, 2021-031, and 2021-032) to vote on them in omnibus fashion.

VOTE

Motion carried 8-0 on roll call vote. Aye: McAdams, Verbic, Faivre, Morris, Finucane, Smith, Perkins, Mayor Smith. Nay: none.

MOTION

Alderman Perkins moved to approve the omnibus package of resolutions. Alderman Faivre seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Verbic, Faivre, Morris, Finucane, Smith, Perkins, McAdams, Mayor Smith. Nay: none. The mayor declared approval of the resolutions.

5. Resolution 2021-031 Approving a Non-Profit Special Event Liquor License for the 2021 Corn Fest.

This resolution was approved as part of an omnibus package as described in Item 4 above.

6. Resolution 2021-032 Authorizing a Special Event Agreement with DeKalb Corn Fest, Inc. for the 2021 Corn Fest.

This resolution was approved as part of an omnibus package described in Item 4 above.

7. Resolution 2021-033 Authorizing an Engineering Services Agreement with Fehr Graham for Design Engineering of 7,900 Feet of Water Main in an Amount Not to Exceed \$154,000.

Mayor Smith read the resolution by title only.

MOTION

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

VOTE

Motion carried 8-0 on roll call vote. Aye: Faivre, Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: none. The mayor declared the resolution passed.

K. ORDINANCES – SECOND READING

There were none.

L. ORDINANCES – FIRST READING

1. Ordinance 2021-014 Amending Chapter 7, “Water Service,” Section 7.18-6, “Water Service Fee,” to Include Water Meter Sizes Not Currently Contained in the Fee Schedule.

Mayor Smith read the ordinance by title only.

MOTION

Alderman Verbic moved to approve first reading. Alderman Morris seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: none.

MOTION

Alderman Perkins moved to waive second reading and approve the ordinance. Alderman Faivre seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Morris, Mayor Smith. Nay: none. Mayor Smith declared the ordinance passed.

2. Ordinance 2021-015 Approving an Amendment to Ordinance 2020-029 to Extend the Time Limit to July 1, 2022 to Obtain a State-Issued Cannabis Dispensary License for the Property Located at 818 W. Lincoln Highway (NuMed Partners).

Mayor Smith read the ordinance by title only.

MOTION

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

A company representative was on hand to explain a delay at the state level in issuing licenses, but the company believes it has strong applications and hopes to have an answer by the fall, she said.

VOTE

Motion carried 8-0 on roll call vote. Aye: Smith, Perkins, McAdams, Verbic, Faivre, Morris, Finucane, Mayor Smith. Nay: none.

MOTION

Alderman Finucane moved to waive second reading and approve the ordinance. Alderman McAdams seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Perkins, McAdams, Verbic, Faivre, Morris, Finucane, Smith, Mayor Smith. Nay: none. Mayor Smith declared the ordinance approved.

M. REPORTS AND COMMUNICATIONS

1. Council Member Reports

Alderman Morris congratulated the winners of last week's elections.

Alderman Finucane announced he received his second COVID shot.

Alderman Verbic reported traffic counts at the NIU Convocation Center are up due to vaccination activity.

Mayor Smith announced grants received for art and other engagement projects in continuing the "Belonging" initiative, as well as a virtual program offered by the Pick Museum of Anthropology called "Hateful Things." He said the next Council meeting will be his last, and he will offer reflections on his tenure at that time.

2. City Clerk Report

City Clerk Fazekas gave no report.

3. City Manager Report

City Manager Nicklas reported ongoing efforts to work with Nehring Electric to improve the parking situation near the plant, with continued congestion at Eighth Street and Locust due mostly to trucks but not entirely. The city manager advised a revised approach is being developed and he will have more information for council next meeting.

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

1. Approval to Hold an Executive Session in Order to Discuss Pending or Imminent Litigation as Provided for in 5 ILCS 120/2(c)(11).

MOTION

Alderman Smith moved to recess for executive session. Alderman Verbic seconded.

Mayor Smith noted that the remote part of the meeting would be disconnected due to security concerns.

VOTE

Motion carried 8-0 on roll call vote. Aye: McAdams, Verbic, Faivre, Morris, Finucane, Smith, Perkins, Mayor Smith. Nay: none. Mayor Smith declared a recess at 8:02 p.m.

O. ADJOURNMENT

MOTION

Following executive session, Alderman Morris moved to adjourn the regular meeting. Alderman Faivre seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: none. Mayor Smith declared adjournment at 8:25 p.m.

LYNN A. FAZEKAS, City Clerk

Approved by the City Council on April 26, 2021.