

**MINUTES
CITY OF DEKALB
REGULAR CITY COUNCIL MEETING
APRIL 13, 2020**

The City Council of DeKalb, Illinois held a Regular City Council meeting on April 13, 2020, in the City Council Chambers of the DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois.

A. CALL TO ORDER AND ROLL CALL

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

Mayor Smith ensured city officials who were attending remotely by phone due to COVID-19 considerations were online and ready for the meeting. They were Alderman Carolyn Morris, Alderman Tracy Smith, and City Clerk Lynn Fazekas.

City Clerk Fazekas called the roll, and the following members of City Council were present in person or remotely (as noted above): 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 and Interim Police Chief John Petragallo.

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

Chief Petragallo led the Pledge.

C. APPROVAL OF THE AGENDA

Mayor Smith asked whether Council might change the order of business and dispose of the ordinances before the resolutions.

MOTION

Alderman Finucane moved to approve the agenda with the proposed change in order of business. Alderman McAdams seconded.

VOTE

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

D. PUBLIC PARTICIPATION

Mayor Smith read a comment submitted by Kathy Lawes, who implored the mayor to lead by example and stop having in-person meetings of Council. She suggested he find remote means of meeting to protect people from exposure to the virus.

Mayor Smith read a comment submitted by Mark Charvat, who addressed financial implications of COVID-19 on the City's budget. Mr. Charvat suggested Council meet with Finance Advisory Committee to revise revenue projections and make cuts to the budget. He said tax increment funding (TIF) should be ended and TIF funds put to surplus, and he decried the City's apparent lack of contingency planning.

Matt Duffy, executive director of DeKalb Chamber of Commerce, attended the meeting in person. He explained the organization's "Open for Business" campaign and fundraising efforts.

E. PRESENTATIONS

1. Proclamation: National Public Safety Telecommunications Week.

Mayor Smith read the proclamation.

F. APPOINTMENTS

There were none.

G. CONSENT AGENDA

1. Minutes of the Regular City Council Meeting of March 23, 2020.
2. Minutes of the Special City Council Meeting of March 26, 2020.
3. Accounts Payable and Payroll through April 13, 2020 in the Amount of \$2,552,309.01.
4. Hospitality Recovery Program Update.

Mayor Smith read each item on the consent agenda.

MOTION

Alderman Morris moved to approve the consent agenda. Alderman Verbic 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 passage of the consent agenda.

H. PUBLIC HEARINGS

1. Public Hearing Regarding a Proposed Annexation and Development Agreement for Approximately 505 Acres of Property that is Generally Located East of Illinois Route 23 and South of Gurler Road (Ventus Tech Services, LLC).

Mayor Smith read the title of the public hearing and opened the hearing at 6:25 p.m.

Mayor Smith read a comment submitted in advance by John Rey. Mr. Rey commended Council and staff on their work and said the City needs to expand its tax base.

Mayor Smith read a comment submitted in advance by Paul Borek, who as executive director was representing DeKalb County Economic Development Corporation (DCEDC). Mr. Borek said he applauded DeKalb for accelerating the development of a world class data center campus and said DCEDC supports the annexation and related ordinances.

City Manager Nicklas said more details had been added to this agreement since Council approved a predevelopment agreement in March. He mentioned some incentives and explained the need for large amounts of power and water to run and cool a server farm, and he said DeKalb should be assured it has ample reserve capacity for water service. The city manager also reviewed the concept plan including landscaping, setbacks, traffic signaling, road widening, stormwater drainage, and sanitary sewers.

Mayor Smith closed the public hearing at 6:39 p.m.

I. CONSIDERATIONS

There were none.

J. RESOLUTIONS

1. Resolution 2020-033 Authorizing a Professional Services Agreement with Hampton, Lenzini, and Renwick, Inc. for Bridge Engineering Design and Permitting Professional Services of the Complete Replacement of the N. First Street Bridge and the Lucinda Avenue Bridge at their Spans of the Kishwaukee River in an Amount Not to Exceed \$630,000.

Mayor Smith read the resolution by title only.

MOTION

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

Mayor Smith read a comment submitted by Mark Charvat, who said he is not in favor of non-emergency road projects. He asked for postponement until pandemic-related drops in motor fuel revenues are known.

City Manager Nicklas said money for this project includes funds from a state bridge program that would go to another community if the City is not ready to move. He said the bridges are rated at 5 or 6 on a scale of 1 to 10 (where lower numbers indicate more structural deterioration, higher numbers less deterioration).

VOTE

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

2. Resolution 2020-034 Authorizing the Award of a Bid to Curran Contracting Company in the Amount of \$1,573,616.64 for Street Resurfacing on Seventh Street, Thirteenth Street and Fourteenth Street, Including Various Other Minor Segments, with Staff Authority to Approve Change Orders Up to a Combined Project Total of \$1,600,000.

Mayor Smith read the resolution by title only.

MOTION

Alderman Faivre moved to pass the resolution. Alderman Finucane seconded.

Mayor Smith noted Mark Charvat's previous comment about wanting to see road projects postponed when they are not emergencies and said it applies better to this resolution.

City Manager Nicklas recommended postponing this decision as funding is mostly local gas taxes and the revenue picture has changed since the project went to bid. He said he would like to bring additional options to Council at the next meeting.

Mayor Smith clarified that the city manager was asking for Council to postpone action on the resolution until April 27 and asked if Council was so inclined.

MOTION

Alderman Perkins moved to postpone action on the resolution. Alderman Verbic seconded.

Several aldermen spoke in support of a discussion of adjustments in budget assumptions that will likely become necessary under current circumstances.

VOTE

Motion carried 8-0 on roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: none. Mayor Smith declared postponement of action on the resolution to April 27.

3. Resolution 2020-035 Authorizing an Addendum for Engineering Services with Fehr Graham & Associates, LLC for the 2020 General Street Maintenance Program as Part of the 2019 Three-Year Services Agreement, with a Fee for FY2020 Not to Exceed \$210,000.

Mayor Smith read the resolution by title only.

MOTION

Alderman Finucane moved to pass the resolution. Alderman Faivre seconded.

City Manager Nicklas suggested postponement of this resolution until April 27.

Mayor Smith asked if anyone cared to make the motion.

MOTION

Alderman Faivre moved to postpone action on the resolution until April 27. Alderman McAdams 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 postponement of consideration of the resolution until April 27.

K. ORDINANCES – SECOND READING

1. 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 the ordinance by title only.

MOTION

Alderman Verbic moved to approve the ordinance. Alderman Faivre seconded.

Brett Jackson commented in person. He listed three safety concerns, including the relatively small size of the lot, the required fence not having been installed yet, and potential fire hazard with the site close to a gas station.

City Manager Nicklas noted the permit received unanimous support from Planning & Zoning and Council approved first reading on March 23.

Alderman Verbic said the process revealed the need for review of City codes for towing.

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 ordinance passed.

L. ORDINANCES – FIRST READING

1. Ordinance 2020-023 Authorizing an Annexation and Development Agreement with Ventus Tech Services, LLC.

Mayor Smith read the ordinance by title only.

MOTION

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

Brief discussion ensued about the possibility that Ventus will pursue generation of alternative forms of energy for its own power needs and beyond.

VOTE

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

2. Ordinance 2020-024 Authorizing a Tax Increment Financing Development Incentive Agreement with Gullie, LLC for the Remodeling of the Property Located at 260 E. Lincoln Highway.

Mayor Smith read the ordinance by title only.

MOTION

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

Mayor Smith read a comment submitted by Mark Charvat, who said the City in the past has provided 20-40% in TIF funding of remodeling costs. He said providing 100% of remodeling costs would set a bad precedent.

City Manager Nicklas explained how different options discussed at previous meetings were combined to become a new option (“E”) for consideration at this meeting that addresses the discomfort expressed about funding acquisition costs as well as lack of a clear consensus otherwise. He pointed out the options he said would provide the return on investment within the 20-year term of the forgivable loan based on calculation of EAV.

Council members and mayor expressed varying degrees of support based on the low percentage of overall costs to be covered by TIF, expected return on investment, the planned improvement to pedestrian passage, the extraordinary times the pandemic has caused, and the City’s track record of success with TIF downtown.

Some concern was expressed about sustainability of the funding model and the precedent set by covering 100% of projected remodeling costs. Alderman Perkins explicitly rejected the proposal based on the precedent of underwriting 100% of remodeling costs and the intent of TIF, including the fact that the property is not blighted.

VOTE

Motion carried 7-1 on roll call vote. Aye: McAdams, Verbic, Faivre, Morris, Finucane, Smith, Mayor Smith. Nay: Perkins. Mayor Smith declared passage of first reading.

MOTION

Alderman Finucane moved to waive second reading and pass the ordinance. Alderman Faivre seconded.

VOTE

Motion carried 7-1 on roll call vote. Aye: Verbic, Faivre, Morris, Finucane, Smith, McAdams, Mayor Smith. Nay: Perkins. Mayor Smith declared the ordinance approved.

M. REPORTS AND COMMUNICATIONS

1. Council Member Reports

Alderman Finucane thanked first responders, gave reminders for social distancing, and commented on the Ferrara, Ventus, and TIF projects as providing future fiscal stability. The alderman also voiced support for video conferencing of meetings if possible.

Alderman Verbic said he had contacted the Illinois Department of Public Health (IDPH) the previous week to request additional COVID-19 data such as numbers of hospitalizations and recoveries. He said they had discussed flu data as well.

Mayor thanked everyone for their support of the City’s combination of in-person and remote participation in meetings.

2. City Clerk Report

City Clerk Fazekas voiced support for fully remote City meetings via teleconferencing.

3. City Manager Report

The city manager gave no report.

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

No executive session was authorized during this meeting.

O. ADJOURNMENT

MOTION

Alderman Verbic moved to adjourn the regular council meeting at 7:51 p.m. Alderman Perkins seconded.

VOTE

Motion carried on majority voice vote. Mayor Smith declared adjournment at 7:52 p.m.

LYNN A. FAZEKAS, City Clerk

Approved by City Council: April 27, 2020.