

**MINUTES
CITY OF DEKALB
CITY COUNCIL REGULAR MEETING
MAY 9, 2022**

The City Council of DeKalb, Illinois held a Regular meeting on May 9, 2022, in the Yusunas Meeting Room of the DeKalb Public Library, 309 Oak Street, DeKalb, Illinois.

A. CALL TO ORDER AND ROLL CALL

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

Recording Secretary Ruth Scott called the roll, and the following members of the City Council were present: Alderman Carolyn Morris, Alderman Barb Larson, Alderman Tracy Smith, Alderman Greg Perkins, Alderman Scott McAdams, Alderman Mike Verbic, Alderman Tony Faivre, and Mayor Cohen Barnes.

Other in attendance included City Manager Bill Nicklas, Police Chief Byrd, and City Attorney Matt Rose.

B. PLEDGE OF ALLEGIANCE

Tammy Carson, Director of Facility Operations at DeKalb Community Unit School District No. 428, led the Pledge of Allegiance.

C. APPROVAL OF THE AGENDA

MOTION: Alderman Smith moved to approve the agenda; seconded by Alderman Morris.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

D. PRESENTATIONS

Mayor Barnes read the following proclamations in their entirety:

1. Proclamation: Motorcycle Awareness Month – May 2022.
2. Proclamation: Recognition of International Firefighter's Day – May 4, 2022.
3. Proclamation: National Emergency Medical Services Week, May 15 – 21, 2022.
4. Proclamation: National Police Week, May 15 – 21, 2022.

E. PUBLIC PARTICIPATION

Former Mayor Jerry Smith complimented each Council member and thanked them for their service to the City of DeKalb. He also complimented City Manager Nicklas and his staff. In closing, Mr. Smith stated he hopes the momentum this Council is achieving continues.

F. APPOINTMENTS

There were none.

G. APPROVAL OF THE MINUTES

1. Minutes Submitted by the City Clerk

There were none.

2. Minutes Submitted by the Recording Secretary

Mayor Barnes read the following by title only:

- a. Minutes of the Regular City Council Meeting of April 25, 2022.

MOTION: Alderman Larson moved to approve the minutes; seconded by Alderman Perkins.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

H. CONSENT AGENDA

Mayor Barnes read the following Consent Agenda items by title only:

1. Accounts Payable and Payroll through May 9, 2022, in the Amount of \$2,191,580.44.
2. Joint Review Board Meeting Minutes of January 28, 2022.
3. FY2022 Human Services Funding 1st Quarter Report.

MOTION: Alderman Faivre moved to approve the Consent Agenda; seconded by Alderman Morris.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

I. PUBLIC HEARINGS

There were none.

J. CONSIDERATIONS

1. Consideration of a Proposed Intergovernmental Agreement Between the DeKalb Community Unit School District No. 428 and the City of DeKalb.

Mayor Barnes read the item above by title only.

MOTION: Alderman Faivre moved to bring this item to the floor for discussion; seconded by Alderman Larson.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. The City of DeKalb and DeKalb Community Unit School District No. 428 have been in discussions regarding this item for many weeks. The spike in calls for service to the City's School Resource Officers (SROs) has been cause for concern. Discussions between the school district and City officials has focused on safety but none of the participants, especially members of the DeKalb Police Department, believe the mutual respect and accountability necessary to inspire more positive relationships can be found alone in crisis intervention. Restorative practices

and accountability are not mutually exclusive concepts. The City's Police Officers would much rather be life coaches than arbiters of obedience.

Continuing, City Manager Nicklas stated that the school district board voted to enter into an intergovernmental agreement (IGA) as described in the background for the purpose of hiring two additional SROs, bringing the total to five. However, the agreement brought before Council calls for six SROs. There would have to be some effort on both parts to agree on the number of SROs and any other changes Council thinks is appropriate to the agreement. The agreement also looks for a revised code of conduct, which is currently in draft form, that would attend to the behavior of anyone working, attending, or teaching within the school district.

City Manager Nicklas further stated that the school district hired a third party to conduct a school security audit; that audit recommends three SROs. City staff are of the agreement that the IGA should not go forward without the code of conduct, regardless of the number of SROs decided upon. Further, if revisions to the code of conduct are required, City staff shall be included in the process. On the other hand, it's also understood that the school district will be included in the selection process of the SROs.

Mayor Barnes stated he attended the last school district board meeting with Police Chief Byrd and a majority of the board voted for a minimum of two, potentially three, SROs. However, they want to wait until the code of conduct and security audit are finalized before making that determination.

Alderman Larson asked if metrics were used to make certain determinations.

Tammy Carson, Director of Facility Operations at the school district, responded there were no specific set of metrics used. The school district knows it will have a lot of work to do once the security audit is finalized because there are so many different factors to consider throughout the district, as well as the feedback from the current SROs, school administration, and any other potential changes recommend within the audit.

Mayor Barnes stated the City will approach this from the standpoint that the school district will require three SROs. If for some reason that isn't the case, the third SRO will be absorbed into the Police Department.

Alderman Larson asked Police Chief Byrd if he has discussed how things are going with the current SROs. Police Chief Byrd replied discussions are held on a regular basis with him and/or with the SROs Commander. For the Police Department, the metrics used to measure what's needed are the number of calls for service, the type of call, and the number of reports the SROs are writing. Further, this item was brought to the forefront due to the number of fights and very violent incidents taking place within the schools currently. He noted he will be monitoring things very closely at the beginning of the next school year.

Alderman Perkins asked what milestones will be set in place between now and the start of the school year, besides hiring additional SROs.

City Manager Nicklas added that timing is very important at this juncture and this needs to be wrapped up within the next 60 days or there's a possibility that the additional SROs will not be placed until the following school year. Police Officers who will serve in the compacity of SRO will be senior officers whose positions will need to be replaced and the hiring process takes time.

Mayor Barnes asked Ms. Carson when the security audit and the code of conduct will be finalized and released. Ms. Carson replied that the security audit is expected to be finalized by the end of May and then reviewed by administration prior to submission to the school board for review and

prioritization of where the focus will be prior to the school year. As for the code of conduct, it's being handled by the school district's Student Services Department. Based on their input, it sounds like it may not be completed until mid to late July, and possibly into the start of the school year as input is being gathered from staff and families.

Mayor Barnes asked if there would be an opportunity for Council to also review a draft version of the code of conduct. Ms. Carson replied there would.

Mayor Barnes stated the City will need to decide if it will begin the hiring process within the next 60 days and possibly doing so without having a finalized code of conduct as the IGA specifies it must be in place. If not, the IGA will not be binding come the start of the school year.

Chief Byrd commented that another thing to consider is the police academy availability. Currently two officers are signed up for the May academy, with another academy taking place in August.

Alderman Faivre asked if it would make sense to move forward with three new officers despite the SRO program. City Manager Nicklas replied we will be moving forward, however, the candidate list is almost exhausted. He added that the City is looking for a unique candidate, someone with community values, compassion, and approachability, all of which will be critical in de-escalating and diffusing situations; not everyone has those qualities.

Police Chief Byrd added there are candidates in the pipeline now, but he must be mindful to not stretch a candidate to try to fit into the continuity of the Police Department. He further added that the City is also in a recruiting war with other police departments in and out of Illinois.

Brief discussion ensued.

Alderman Smith asked if the IGA addresses truancy, noting he doesn't think it should be the SROs responsibility, but instead should fall on the Regional Office of Education.

Alderman Smith also stated that he'd like to see something in the IGA about how incidents on school buses will be addressed.

Alderman Smith then asked when the next SRO school would take place. Police Chief Byrd stated he was uncertain but those can be initiated quickly.

Mayor Barnes asked how long the SRO school lasts, with Police Chief Byrd replying four to six weeks.

Alderman Smith asked about potential Police Officer retirements. Chief Byrd replied there are some maybes and other officers not willing to put it on paper just yet. He only knows of one officer who will be leaving in September.

Alderman Smith stated he's concerned that the code of conduct will not be in place, and he won't vote on the IGA without it.

Continuing, Alderman Smith stated he's spoken with residents within the community who've heard about the additional SROs and want to know what's being done for the rest of the community. He added that he realizes there are issues in the schools but that's on the school district. What about all the traffic complaints? He would like assurance from the school district that that code of conduct will be in place, and he doesn't want to wait until August. If so, the school district will receive an abrupt no from him, and he will be very vocal about the situation.

Mayor Barnes stated it will most likely be the end of July before the school district has the process wrapped up. Further, the IGA stipulates the code of conduct has to be in place otherwise the IGA won't become effective.

Alderman Smith stated he wants assurances for the citizens, reiterating that otherwise he will vote no on the IGA. He suggested that the school board attend a Council meeting for further discussion.

Mayor Barnes stated he agrees 100%, noting the code of conduct will have to be signed by every student and parent by day one of the school year. Via conversations with the school board and the school district's superintendent, it's also their priority to have the document in place by then.

Alderman Smith asked how incidents are handled at Cortland and Malta schools. Ms. Carson stated SROs are not permanently placed in those schools and assistance is called in on an as needed basis.

Alderman Smith asked if an agreement should be in place with the Sheriff's Office. City Manager Nicklas replied that agreements with other agencies can be worked out if needed.

Discussion ensued, with Alderman Verbic asking for a review of the police officer hiring timeline. Police Chief Byrd reiterated that two officers are starting the academy in May, two others are starting the academy in August, and there are two laterals in place. Time must then be allotted for academy training, which is 14 weeks. Then there's further training internally, with new officers not being allowed solo patrol until after 10 to 12 weeks.

Alderman Verbic asked about recidivism data. Police Chief Byrd stated that the code of conduct will be a big part of tracking the repeat offenders and allow for more accountability. Ms. Carlson added that the school district can gather the information and provide it to the City at a later date.

City Manager Nicklas stated the IGA will be brought forward to Council as an action item at the next meeting. He added that we won't be able to wait until August for the school district to decide if they need two or three SROs and asked Ms. Carson to deliver that message to the school district.

2. Consideration of the Aggregate 2021 DeKalb County Real Estate Tax Bill on DeKalb Taxpayers.

Mayor Barnes read the item above by title only.

MOTION: Alderman Faivre moved to bring this item to the floor for discussion; seconded by Alderman Morris.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. DeKalb residents and businesses recently received their 2021 tax bills in the mail. Overall, taxpayers in DeKalb Township saw a 3.77% reduction in the aggregate tax rate, that includes all participating taxing bodies listed on their tax bill (from \$11.49927 per \$100 EAV to \$11.06613 per \$100 EAV). The City of DeKalb's rate, including the combined general levy and pension levies, dropped 7.73% (from \$1.069 per \$100 EAV to \$0.986 per \$100 EAV).

City Manager Nicklas added that for a number of years, the City has been aggressively aiming to reduce its tax rate and there's still a long way to go. He will be working with Finance Director Dittman on upgrading the Financial Plan, which will then be brought back for review so that Council can discuss what they think should be done in terms of collaborating with the other taxing bodies to continue the pace.

Mayor Barnes stated he's looking forward to those conversations, noting this is a singular moment in the community where all taxing bodies can step up and do what's right by the taxpayer and further reduce DeKalb's tax rate, making it competitive with the surrounding communities.

Brief discussion ensued.

K. RESOLUTIONS

1. Resolution 2022-043 Approving a Non-Profit Special Event Liquor License for the 2022 Corn Fest.

Mayor Barnes read the resolution by title only.

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

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. This item seeks authorization for the Corn Fest committee to sell alcoholic beverages within prescribed parameters during the festival. Approving the liquor license now will allow the DeKalb Corn Fest board to apply for the required State of Illinois liquor license for the event.

There was no discussion among Council.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

2. Resolution 2022-044 Authorizing the Award of a Contract to Curran Contracting, Inc. in the Amount of \$496,508.16 for Resurfacing and Concrete Repairs on Joanne Lane and Various Other Locations with Staff Authority to Approve Change Orders Up to a Combined Project Total Not to Exceed \$521,333.57.

Mayor Barnes read the resolution by title only.

MOTION: Alderman Morris moved to approve the resolution; seconded by Alderman Faivre.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. This project came in very close to the estimates provided a while back. The Phase One focus of the 2022 general maintenance program is paid from State Motor Fuel Tax allocations (Fund 210), and targets Joanne Lane from Ileshamwood Drive to Tilton Park Drive to resurface streets that were excavated to install new water main in 2021. City Engineer Gill is recommending the award of the contract to Curran Contracting in the amount of \$496,508.16, as well as Council support for staff authority to approve change orders up to a combined project total of \$521,333.57 to address contingency items such as minor quantity over-runs and unforeseen repairs. He is not recommending awarding the alternate due to budget constraints.

City Manager Nicklas added that Phase Two of the 2022 street maintenance will be performed in the Knolls and on the N. 13th and N. 14th Street corridors. This contract will be let this summer and will be funded by local capital dollars in Fund 400.

There was no discussion among Council.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

L. ORDINANCES – SECOND READING

There were none.

M. ORDINANCES – FIRST READING

1. Ordinance 2022-021 Amending the Fiscal Year End December 31, 2021, Budget.

Mayor Barnes read the ordinance by title only.

MOTION: Alderman Larson moved to approve first reading of the ordinance; seconded by Alderman Faivre.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. There were 32 funds in the 2021 budget, nine of which are impacted in this amendment. Of those nine, only three have a net impact on the actual fund balance, with the general fund being the largest fund involved. He stated he was pleased to note that revenues in the general fund exceeded expenditures in 2021 by approximately \$4.8 million.

Continuing, City Manager Nicklas stated that in order to meet audit standards and protocols, when a spending line item exceeds the budgeted amount, there has to be some adjustment made to bring it back into balance. COVID played a big part in some of those line items being overspent, specifically where overtime was involved due to additional call volume to the Fire and Police Departments.

City Manager Nicklas then provided a brief description of the other amendments.

There was no discussion among Council.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

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

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

City Manager Nicklas stated that 2022 fiscal year amendments will be brought forward for Council review at the next meeting.

N. REPORTS AND COMMUNICATIONS

1. Council Member Reports.

Alderman Faivre reported on the Ward 7 meeting, which was well attended. They discussed parking, property maintenance, and speeding. He also thanked Andy Raih, Public Works Director of Streets, and Dawn Harper, Chief Building Official, for the great work done cleaning up some issues in the neighborhood recently. He encouraged citizens to contact their alderman if they're having issues within their neighborhoods.

Alderman Smith thanked City Engineer Gill for the work being done on N. 13th Street. He also thanked the residents of the area for their patience throughout the project.

Alderman Morris reported on the special meeting/ceremony held prior to this meeting at the former Hunter Hillcrest Shopping Center, which is scheduled to be demolished tomorrow. She noted it was nice to see that come to fruition after having worked so long with the Council toward progress in that neighborhood.

Alderman Larson reported that she drove through Tilton Park recently and noted the Joanne Lane project is coming along very well. As Council Liaison to the Citizens' Environmental Commission, she also reported that the group is working with the DeKalb Park District to include information on monarch butterflies to residents during their outdoor movie nights.

Alderman Perkins reported he's planning a Ward 4 meeting on May 25, 2022, and encouraged residents to reach out with topics they want to discuss.

Alderman Verbic reported that Northern Illinois University graduations, as well as various high school graduations, are scheduled for this coming weekend.

Mayor Barnes also reported on the brief meeting/ceremony at the former Hunter Hillcrest Shopping Center, stating it was great to bring a visual representation to the lack of tolerance the City has for inappropriate behavior from a residents, businesses, or landlords within the community. He thanked Council for their support on the project over the last year, as well as the years before that that got us to this point.

2. City Manager Report.

City Manager Nicklas congratulated the Mayor and City Council on the event that took place today at the former Hunter Hillcrest Shopping Center. He also thanked City Attorney Matt Rose, the Police Department, and the Building Division for the work they put in to getting the City to this point. He noted there's still a lot of work ahead to find a development that makes sense within the neighborhood.

O. EXECUTIVE SESSION

1. Approval to Hold an Executive Session in Order to Discuss the Sale or Lease of Real Property as Provided for in 5 ILCS 120/2(c)(6).

Not acted on.

P. ADJOURNMENT

MOTION: Alderman McAdams moved to adjourn the meeting; seconded by Alderman Faivre.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed and adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Ruth A. Scott, Recording Secretary

Minutes approved by the City Council on May 23, 2022.

Click [here](#) to view the agenda packet for the May 9, 2022, Regular City Council meeting.

Click [here](#) to view the video recording of the May 9, 2022, Regular City Council meeting.