

**MINUTES
CITY OF DEKALB
REGULAR CITY COUNCIL MEETING
MAY 26, 2020**

The City Council of the City of DeKalb, Illinois held a Regular City Council meeting on May 26, 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.

City Clerk Lynn Fazekas (joining remotely) 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, and Mayor Jerry Smith. Alderman Tony Faivre was absent.

Staff present included: City Manager Bill Nicklas, Assistant City Manager Raymond Munch, Interim Police Chief John Petragallo, City Attorney John Donahue, and Transit Manager Marcus Cox.

Following the roll call, an Armed Forces Medley video was played in observance of Memorial Day 2020.

B. PLEDGE OF ALLEGIANCE

Mayor Smith led the Pledge of Allegiance.

C. APPROVAL OF THE AGENDA

MOTION

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

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

D. PUBLIC PARTICIPATION

There was none.

E. PRESENTATIONS

1. Service Award: Raymond Munch, Assistant City Manager.

City Manager Nicklas recognized Assistant City Manager Raymond Munch, who will be leaving after three years of service to work at the City of Naperville. Assistant City Manager Munch thanked the City of DeKalb for the opportunities afforded him during his employment.

2. Service Award: John Petragallo, Interim Police Chief.

City Manager Nicklas recognized the service of Interim Police Chief John Petragallo, who will be retiring from the City of DeKalb after 26 years of service. Interim Police Chief Petragallo thanked the City of DeKalb for the opportunities afforded him during his employment.

F. APPOINTMENTS

There were none.

G. CONSENT AGENDA

MOTION

Alderman Finucane moved to remove Items G.9. and G.10. from the Consent Agenda and adding them to J. Resolutions as Items J.12. and J.13 to allow for further discussion; seconded by Alderman Verbic.

It was at this point in the meeting that City Clerk Fazekas announced she would be unable to continue taking the minutes of the meeting due to poor audio quality. Executive Assistant Ruth Scott was asked to step in and conduct the remainder of the meeting.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

MOTION

Alderman Morris moved to approve the Consent Agenda as amended; seconded by Alderman Smith.

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

1. Minutes of the Committee of the Whole Meeting of May 11, 2020.
2. Minutes of the Regular City Council Meeting of May 11, 2020.

3. Accounts Payable and Payroll through May 26, 2020 in the Amount of \$1,961,573.62.
4. Investment and Bank Balance Summary through March 2020.
5. Year-to-Date Revenues and Expenditures through March 2020.
6. Freedom of Information Act (FOIA) Report – April 2020.
7. 2020 Schedule of Meetings Amendment.
8. Hospitality Recovery Program Update.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

H. PUBLIC HEARING

Mayor Smith read the following by title only and opened the Public Hearing at 6:32 p.m.:

1. Public Hearing Regarding the Rebuild Illinois Capital Assistance Grant Application for a Transit Operation, Maintenance and Transfer Facility within the DeKalb Urbanized Area.

City Manager Nicklas provided a brief overview of this item, stating the approval of the subsequent resolution (Resolution 2020-041), which will be discussed later in the meeting, will allow the City's transit staff to submit an application to the Illinois Department of Transportation requesting \$5,000,000 in capital assistance for the development and construction of a Transit Maintenance, Operations and Transfer facility.

Mayor Smith closed the Public Hearing at 6:33 p.m.

I. CONSIDERATIONS

1. Consideration of New Protocols for the City's Tax Increment Financing (TIF) Program.

City Manager Nicklas provided an overview of this item, outlining proposed revised "protocols" in terms of TIF budget considerations, as well as project-centered funding decisions. Those proposals include the consideration of the potential project's impact on new EAV growth, the annual capacity of the TIF program budgets, and the eligibility of the estimated costs for reimbursement

under state TIF Act and local protocols. He also proposed an application period at the beginning of each calendar year, as well as the idea of addressing projects that are “fix-up” in nature under the Architectural Improvement Program (AIP).

Brief discussion ensued regarding Alderman Morris’ concern that the EAV may not fully capture all of the return on investments.

Alderman Finucane suggested a projected increase in sales tax, which may help when reviewing a proposed project.

Alderman Verbic asked about promoting workplace training and educational programs in each project. City Manager Nicklas noted that others within the community are already investing in training and education programs to the City’s advantage.

Following brief discussion, there was consensus among Council that the City Manager’s proposed revisions would be acceptable.

J. RESOLUTIONS

1. Resolution 2020-041 Authorizing the Submittal of a Rebuild Illinois Grant Application for a Public Transportation Capital Assistance Grant Under the Illinois Department of Transportation’s General Authority to Make Such Grants.

Mayor Smith read the resolution by title only.

MOTION

Alderman Finucane moved to approve Resolution 2020-041; seconded by Alderman McAdams.

City Manager Nicklas provided an overview of this item; there was no further discussion.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

2. Resolution 2020-042 Authorizing the Issuance of a Request for Proposals for an ADA Complementary Paratransit and Deviated Flex Route Transit Service Provider.

Mayor Smith read the resolution by title only.

MOTION

Alderman Perkins moved to approve Resolution 2020-042; seconded by Alderman Verbic.

City Manager Nicklas provided an overview of this item.

There was brief discussion regarding able bodied/general public riders utilizing door to door service. Transit Manager Cox stated that the definition of “general public” is anyone able to get to a bus stop and/or ride a bus without assistance.

Further discussion ensued regarding those riders 65 years of age or older. Transit Manager Cox stated that senior citizens over the age of 65 who are otherwise considered able bodied, would be eligible for paratransit service after submitting an application for approval.

VOTE

Motion carried by a 6-0-2 roll call vote: Aye: Morris, Finucane, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Smith (Recused), Faivre. Mayor Smith declared the motion passed.

3. Resolution 2020-043 Authorizing an Amendment to the Transit Service Provider Agreement with Transdev Services, Inc.

Mayor Smith read the resolution by title only.

MOTION

Alderman Verbic moved to approve Resolution 2020-043; seconded by Alderman Finucane.

City Manager Nicklas provided an overview of this item. There was no further discussion.

VOTE

Motion carried by a 6-0-2 roll call vote: Aye: Morris, Finucane, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Smith (Recused), Faivre. Mayor Smith declared the motion passed.

4. Resolution 2020-044 Authorizing an Amendment to the Transit Services Provider Agreement with the Voluntary Action Center of DeKalb County.

Mayor Smith read the resolution by title only.

MOTION

Alderman Morris moved to approve Resolution 2020-044; seconded by Alderman Verbic.

City Manager Nicklas provided an overview of this item. There was no further discussion.

VOTE

Motion carried by a 6-0-2 roll call vote: Aye: Morris, Finucane, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Smith (Recused), Faivre. Mayor Smith declared the motion passed.

5. Resolution 2020-045 Concurring with the State of Illinois Department of Transportation in the Award of a Bid to William Charles Construction Co., LLC, d/b/a William Charles Electric, in the Amount of \$595,000 for Construction Services to Relocate and Replace the Existing NAVAID Units on Runway Ends 2, 20 and 27 (DKB-4556).

Mayor Smith read the resolution by title only.

MOTION

Alderman McAdams moved to approve Resolution 2020-045; seconded by Alderman Finucane.

City Manager Nicklas provided an overview of this item. There was no further discussion.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

6. Resolution 2020-046 Authorizing the Waiver of Bids and the Award of a Contract to Curran Contracting Company in the Amount of \$875,625 for Street Resurfacing on Seventh Street, Macom Drive, and Normal Road, Including Various Other Minor Segments, with Staff Authority to Approve Change Orders Up to a Combined Project Total of \$875,625.

Mayor Smith read the resolution by title only.

MOTION

Alderman Smith moved to approve Resolution 2020-046; seconded by Alderman Perkins.

City Manager Nicklas provided an overview of this item. There was no further discussion.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

7. Resolution 2020-047 Authorizing a Master Equity Lease Agreement with Enterprise FM (Fleet Management) Trust.

Mayor Smith read the resolution by title only.

MOTION

Alderman Verbic moved to approve Resolution 2020-047; seconded by Alderman Smith.

City Manager Nicklas provided an overview of this item.

Alderman Finucane stated that over the long term, leasing is more expensive to the City, but this program will be the only efficient way to procure good vehicles.

Alderman McAdams remarked on the shortage of City vehicles. City Manager Nicklas stated this program will allow the City to make a significant advance on the shortage by end of year.

Brief discussion ensued.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

8. Resolution 2020-048 Authorizing the Purchase of One Dump Truck through Rush Truck Center Based on the State Bid Contract Price in an Amount Not to Exceed \$148,054.

Mayor Smith read the resolution by title only.

MOTION

Alderman McAdams moved to approve Resolution 2020-048; seconded by Alderman Morris.

City Manager Nicklas provided an overview of this item, noting this vehicle will replace the current 1999 dump truck of which the cab is rusted off the chassis.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

9. Resolution 2020-049 Amending a Restaurant/Bar Liquor License to a Restaurant/Full Liquor License for Pete's Place, Inc., d/b/a Glidden Hill Grill, 930 Pappas Drive, DeKalb, Illinois.

Mayor Smith read the resolution by title only.

MOTION

Alderman Morris moved to approve Resolution 2020-049; seconded by Alderman McAdams.

City Manager Nicklas provided an overview of this item. There was no further discussion.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

10. Resolution 2020-050 Approving a Bar Liquor License for CJ's Gaming LLC, d/b/a CJ's Gaming, 1406-B Sycamore Road, with Supplemental Licensure for Video Gaming.

Mayor Smith read the resolution by title only.

MOTION

Alderman Finucane moved to approve Resolution 2020-050; seconded by Alderman Morris.

City Manager Nicklas provided an overview of this item. There was no further discussion.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

11. Resolution 2020-051 Authorizing a Side Letter to the Collective Bargaining Agreement with the International Association of Firefighters (IAFF) Local 1236 Regarding Promotional Examination to the Rank of Battalion Chief.

Mayor Smith read the resolution by title only.

MOTION

Alderman Smith moved to approve Resolution 2020-051; seconded by Alderman Verbic.

City Manager Nicklas provided an overview of this item. There was no further discussion.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

12. Resolution 2020-039 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 27, 2020 at 4:00 p.m., through Sunday, August 30, 2020 at 10:00 p.m.

Mayor Smith read the resolution by title only.

MOTION

Alderman Verbic moved to approve Resolution 2020-039; seconded by Alderman Finucane.

City Manager Nicklas provided an overview of this item, noting he has been in conversation with Lisa Angel, chair of the DeKalb Corn Fest, regarding the likelihood of Corn Fest moving forward this year due to the COVID-19 situation. Ms. Angel has indicated that while she isn't sure where the situation will be in August, she would like to move forward with the planning just in case the event is held. Key decisions will be made no later than mid-July via guidance from the governor's office.

Alderman Finucane stated he asked that this item, as well as the following item, be removed from the Consent Agenda so that the public would be aware of the plan.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

13. Resolution 2020-040 Authorizing a Special Event Agreement with DeKalb Corn Fest, Inc. and Approving a Public Entity/Non-Profit (PENP) Special Event Liquor License for the 2020 Corn Fest.

Mayor Smith read the resolution by title only.

MOTION

Alderman Finucane moved to approve Resolution 2020-040; seconded by Alderman Verbic.

City Manager Nicklas provided an overview of this item. There was no further discussion.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

K. ORDINANCES – SECOND READING

There were none.

L. ORDINANCES – FIRST READING

MOTION

Alderman Finucane moved to approve First Reading of Items L.1., L.2., L.3., and L.4. in one omnibus motion; seconded by Alderman McAdams.

Mayor Smith read the following into the record by title only:

1. Ordinance 2020-032 Authorizing the Purchase of Real Estate from the Margaret L. & James D. Gormley Trust (Trust 40-35660) for the Development of Afton Road.
2. Ordinance 2020-033 Authorizing the Purchase of Real Estate from William E. Walter for the Development of Afton Road.
3. Ordinance 2020-034 Authorizing the Purchase of Real Estate from Michael F. Walter for the Development of Afton Road
4. Ordinance 2020-035 Authorizing the Purchase of Real Estate from Steven L. Bemis for the Development of Afton Road.

City Manager Nicklas provided an overview of Items L.1., L.2., L.3., and L.4. There was no further discussion.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

MOTION

Alderman Finucane moved to waive Second Reading and approve Ordinances 2020-032, 2020-033, 2020-034, and 2020-035; seconded by Alderman Morris.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

5. Ordinance 2020-036 Amending the Fiscal Year-End December 31, 2019 Budget.

Mayor Smith read the ordinance by title only.

MOTION

Alderman Morris moved to approve First Reading of Ordinance 2020-036; seconded by Alderman Smith.

City Manager Nicklas provided an overview of this item. There was no further discussion.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

MOTION

Alderman Morris moved to waive Second Reading and approve Ordinance 2020-036; seconded by Alderman Perkins.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

6. Ordinance 2020-037 Amending the Fiscal Year-End December 31, 2020 Budget to Address the Economic Impact of COVID-19.

Mayor Smith read the ordinance by title only.

MOTION

Alderman McAdams moved to approve First Reading of Ordinance 2020-037; seconded by Alderman Morris.

City Manager Nicklas provided an overview of this item. There was no further discussion.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

MOTION

Alderman Finucane moved to waive Second Reading and approve Ordinance 2020-037; seconded by Alderman Morris.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

7. Ordinance 2020-038 Authorizing Boundary Modifications to the Area Known as the DeKalb County Enterprise Zone (Syngenta).

Mayor Smith read the ordinance by title only.

MOTION

Alderman Smith moved to approve First Reading of Ordinance 2020-038; seconded by Alderman Morris.

City Manager Nicklas provided an overview of this item. There was no further discussion.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

MOTION

Alderman Finucane moved to waive Second Reading and approve Ordinance 2020-038; seconded by Alderman McAdams.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed.

M. REPORTS AND COMMUNICATIONS

Alderman Finucane offered congratulations to all graduating seniors. He also noted that the Ferrara project was progressing quickly.

Alderman Smith stated it was nice to see that work had begun on the former O'Leary's building project.

Alderman McAdams thanked Interim Police Chief Petragallo and Assistant City Manager Munch for their service to the City.

Mayor Smith thanked residents for "staying the course" as we've moved through phases 1 and 2 of the COVID-19 crisis.

Mayor Smith congratulated Bee's Wok n' Roll for 30 years of service in DeKalb.

Mayor Smith also congratulated the Egyptian Theatre on the award of a \$2,000,000 allocation from the Illinois Arts Council Agency.

City Manager Nicklas stated it has been an honor to work with Interim Police Chief Petragallo and Assistant City Manager Munch. He also reported that because the search for a permanent police chief has been hindered by the COVID-19 situation, Police Commander Bob Redel will be acting Police Chief until a replacement can be found.

City Manager Nicklas further reported that if all goes well, the first City Council meeting at the DeKalb Public Library will be on June 22, 2020.

N. EXECUTIVE SESSION

Mayor Smith read the following Executive Session citation by title only:

1. Approval to Hold an Executive Session in Order to Discuss Personnel as Provided for in 5 ILCS 120/2(c)(1).

MOTION

Alderman Morris moved to recess for Executive Session; seconded by Alderman Smith.

VOTE

Motion carried by a 7-0-1 roll call vote: Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the meeting in recess for Executive Session at 7:54 p.m. and closed the meeting to the public.

Mayor Smith opened the meeting to the public at 8:15 p.m.

O. ADJOURNMENT

MOTION

Alderman McAdams moved to adjourn the Regular meeting; seconded by Alderman Verbic.

VOTE

Motion carried by a 7-0-1 voice vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: None. Absent: Faivre. Mayor Smith declared the motion passed and adjourned the Regular meeting at 8:15 p.m.

Respectfully submitted:

RUTH A. SCOTT, Executive Assistant

Approved by City Council: June 8, 2020