

**MINUTES
CITY OF DEKALB
REGULAR CITY COUNCIL MEETING
MAY 28, 2019**

The City Council of DeKalb, Illinois held a Regular City Council meeting on May 28, 2019, 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.

City Clerk Lynn Fazekas called the roll, and the following members of City Council were present: Alderman Morris, Alderman Finucane, Alderman Smith, Alderman McAdams, Alderman Verbic, Alderman Faivre, and Mayor Smith.

Alderman Fagan was absent.

Staff present included: Airport Manager Tom Cleveland, Police Chief Gene Lowery, City Manager Bill Nicklas, and Fire Chief Jeff McMaster.

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

Alderman Morris led the Pledge.

C. APPROVAL OF THE AGENDA

Mayor Smith asked for additions or deletions to the agenda. None were offered.

MOTION

Alderman Finucane moved to approve the agenda. Alderman Verbic seconded.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Finucane, Smith, McAdams, Verbic, Faivre, Morris, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the agenda approved as written.

D. PUBLIC PARTICIPATION

Dwayne Brown talked about state-level tax increases being considered, and the governor's capital plan. He called for cost controls, particularly regarding pensions. Darryl Crum expressed concern about the impacts of artificial intelligence (AI) on local employment, since a great deal of DeKalb employment involves warehousing. Mr. Crum

offered to write a white paper regarding potential impacts, and he asked whether Council would accept it. Mayor Smith assured Mr. Crum that it would.

E. PRESENTATIONS

1. Proclamation: General Aviation Month – June 2019.

Mayor Smith presented the proclamation to Airport Manager Cleveland, who announced upcoming events at the airport.

2. Recognition of Retiring Police Chief Gene Lowery.

City Manager Nicklas led the recognition on behalf of the City, presenting a plaque and street sign to the Chief. Chief Lowery gave thanks to Council, staff, and others.

City Manager Nicklas also recognized departing City Attorney Dean Frieders.

F. APPOINTMENTS

There were no Mayoral appointments.

G. CONSENT AGENDA

1. Minutes of the Committee of the Whole Meeting of May 13, 2019.
2. Minutes of the Regular City Council Meeting of May 13, 2019.
3. Accounts Payable and Payroll through May 28, 2019, in the Amount of \$2,133,412.68.
4. Investment and Bank Balance Summary through March 2019.
5. Year-to-Date Revenues and Expenditures through March 2019.
6. Freedom of Information Act (FOIA) Report – April 2019.
7. Resolution 2019-080 Authorizing the Execution of the DeKalb County Emergency Services and Disaster Agency Memorandum of Understanding.

Mayor Smith asked if Council wanted to remove any items from the consent agenda.

MOTION

Alderman Smith moved to approve the consent agenda. Alderman McAdams seconded.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Smith, McAdams, Verbic, Faivre, Morris, Finucane, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the consent agenda passed. He then read each consent agenda item to the audience.

H. PUBLIC HEARINGS

1. Public Hearing Regarding an Annexation Agreement for Property Located at 1827 Pleasant Street (ComEd).

Mayor Smith read the subject of the hearing as above.

Mayor Smith re-opened the hearing at 6:30 p.m.

City Manager Nicklas said he and the petitioner were requesting a continuance of the hearing to the meeting of June 24.

MOTION

Alderman Finucane moved to continue the hearing to the June 24 meeting. Alderman Faivre seconded.

Motion carried 7-0-1 on roll call vote. Aye: McAdams, Verbic, Faivre, Morris, Finucane, Smith, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith recessed the hearing at 6:32 p.m.

I. CONSIDERATIONS

There were none.

J. RESOLUTIONS

1. Resolution 2019-081 Authorizing Initiation of an Intergovernmental Transfer of Real Property Pertaining to 164 E. Lincoln Highway, and Related Undertakings.

Mayor Smith read the resolution by title only.

MOTION

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

Resident Steve Kapitan said he's not necessarily opposed to city hall relocation, but does not believe a case has been made as regards space, meetings past 9:00 p.m., parking, etc. He called for a more thorough evaluation of the proposal.

City Manager Nicklas said there has been a lot of public discussion; he's heard support for the proposal, it's collaborative and innovative, and staff feel this is the plan and time, he said.

Council discussion involved the age and size of the building, potential price tag on renovations, the possibility of rotating venues for Council meetings, and the potential to increase downtown foot traffic and return City property to the tax rolls.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Verbic, Faivre, Morris, Finucane, Smith, McAdams, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the resolution passed.

2. Resolution 2019-082 Authorizing the Solicitation and Execution of Real Property Marketing/Listing Agreements for that Property Located at 200 S. Fourth Street and 223 S. Fourth Street.

Mayor Smith read the resolution by title only.

MOTION

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

Resident Steve Kapitan noted that the public has only known about this proposal for a week and has seen no plans or sketches. He called for thorough evaluations of previous renovation proposals of the current Municipal Building and the needs of the new building.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Faivre, Morris, Finucane, Smith, McAdams, Verbic, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the resolution passed.

3. Resolution No. 2019-083 Authorizing the Appointment of John Petragallo as Interim Police Chief, Effective June 1, 2019.

Mayor Smith read the resolution by title only.

MOTION

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

City Manager Nicklas listed some of Deputy Chief Petragallo's qualifications.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Morris, Finucane, Smith, McAdams, Verbic, Faivre, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the motion passed.

4. Resolution 2019-084 Authorizing a 17-Month Purchasing Agreement Extension with Petroleum Traders Corporation for the Purchase of Vehicle Fuel for the Period of August 1, 2019 to December 31, 2020.

Mayor Smith read the resolution by title only.

MOTION

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

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Finucane, Smith, McAdams, Verbic, Faivre, Morris, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the resolution passed.

5. Resolution 2019-085 Authorizing the Award of a Bid to Curran Contracting Company in the Amount of \$536,000 for 1.88 Lane Miles of Street Resurfacing on Joanne Lane, Golfview Place, Ilehamwood Drive, Wineberry Court, and Manning Drive, with Staff Authority to Approve Change Orders Up to a Combined Total of \$552,080.

Mayor Smith read the resolution by title only.

MOTION

Alderman Smith moved to pass the resolution. Alderman Verbic seconded.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Smith, McAdams, Verbic, Faivre, Morris, Finucane, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the resolution passed.

6. Resolution 2019-086 Authorizing the Award of a Bid to Curran Contracting Company in the Amount of \$691,151.42 for 3.45 Lane Miles of Street Resurfacing and Crack Mitigation on North First Street from West Dresser

Road North to Bethany Road with Staff Authority to Approve Change Orders Up to a Combined Total of \$715,341.

Mayor Smith read the resolution by title only.

MOTION

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

VOTE

Motion carried 7-0-1 on roll call vote. Aye: McAdams, Verbic, Faivre, Morris, Finucane, Smith, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the resolution passed.

7. Resolution 2019-087 Authorizing the City Manager to Amend the Professional Service Agreements with Wills Burke Kelsey Associates, Ltd for Engineering Services Relating to Annie Glidden Road Intersection Improvements for an Additional \$9,600, for a Not to Exceed Total of \$149,600.

Mayor Smith read the resolution by title only.

MOTION

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

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Verbic, Faivre, Morris, Finucane, Smith, McAdams, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the resolution passed.

8. Resolution 2019-088 Authorizing a Tax Increment Financing Grant in the Amount of \$21,308 to Dekalb Iron and Metal Company, Located at 900 Oak Street, for the Repair and Replacement of a Screening Fence.

Mayor Smith read the resolution by title only.

MOTION

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

City Manager Nicklas explained that the reimbursement request doesn't fit the TIF Architectural Improvement Program (AIP) because fencing is not included in AIP, and because the reimbursement would be 100% instead of the usual 50%. He said the City needs to support the industrial sector.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Faivre, Morris, Finucane, Smith, McAdams, Verbic, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the motion passed.

K. ORDINANCES – SECOND READING

There were none.

L. ORDINANCES – FIRST READING

1. Ordinance 2019-040 Authorizing a Zoning Map Amendment for the “CBD” Central Business District to the “PD-C” Planned Development – Commercial District; Authorizing a Planned Development Preliminary and Final Plan; and Authorizing Waivers to the Unified Development Ordinance (Lovell’s Discount Tire – 424 E. Lincoln Highway.

Mayor Smith read the ordinance by title only.

MOTION

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

Resident Steve Kapitan spoke in favor of having two readings and not to waive second reading when the issue is significant.

City Manager Nicklas spoke in support of the business owner and in support of both preliminary and final approval on same day. He said waivers are all about appearance and pointed out Planning & Zoning gave a unanimous recommendation.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Morris, Finucane, Smith, McAdams, Verbic, Faivre, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the motion passed on first reading, and he asked for a motion to waive second reading and approve the ordinance.

MOTION

Alderman Faivre moved to waive second reading and approve. Alderman Smith seconded.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Finucane, Smith, McAdams, Verbic, Faivre, Morris, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the ordinance passed.

2. Ordinance 2019-041 Authorizing an Amendment to Ordinance 1998-075 to Accommodate a New Landscape Plan Along S. 4th Street for the DeKalb Park District Sports and Recreation Center, Located at 1765 S. 4th Street.

Mayor Smith read the ordinance by title only.

MOTION

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

City Manager Nicklas made a short presentation of the plan.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Smith, McAdams, Verbic, Faivre, Morris, Finucane, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared passage of first reading.

MOTION

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

VOTE

Motion carried 7-0-1 on roll call vote. Aye: McAdams, Verbic, Faivre, Morris, Finucane, Smith, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the ordinance passed.

3. Ordinance 2019-042 Authorizing a Special Use Permit for an Outdoor Patio/Deck at 241 and 249 E. Lincoln Highway (Hometown Sports Bar & Grill).

Mayor Smith read the ordinance by title only.

MOTION

Alderman Verbic moved to pass first reading. Alderman Faivre seconded.

City Manager Nicklas noted a positive recommendation from Planning & Zoning Commission.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Verbic, Faivre, Morris, Finucane, Smith, McAdams, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared passage of first reading.

MOTION

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

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Faivre, Morris, Finucane, Smith, McAdams, Verbic, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the ordinance approved.

4. Ordinance 2019-043 Amending Ordinance 2018-019 and Authorizing a Change to the Implementation Date for Compliance with the Greek Housing Fire Safety Act for Specified Properties to August 1, 2019.

Mayor Smith read the ordinance by title only.

MOTION

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

Fire Chief McMaster expressed confidence that compliance can be achieved with the deadline extension.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Morris, Finucane, Smith, McAdams, Verbic, Faivre, Mayor Smith. Nay: none. Absent: Fagan. 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 7-0-1 on roll call vote. Aye: Finucane, Smith, McAdams, Verbic, Faivre, Morris, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the ordinance passed.

M. REPORTS AND COMMUNICATIONS

1. Council Member Reports

Alderman Morris announced that she'd visited Jay's Supermarket and the fresh produce impressed her.

Alderman Finucane said he was also supportive of fresh produce.

Alderman Smith expressed gratitude for the veterans' flags on Locust Street.

Alderman McAdams announced his upcoming quarterly ward meetings.

Alderman Verbic announced upcoming construction projects.

Several Council members thanked outgoing City staff.

Mayor Smith announced the dates for the first farmers' market, Music at the Mansion, and Blues, Brews, and Balloons events coming in June.

2. City Clerk Report

City Clerk Fazekas gave no report.

3. City Manager Report

City Manager Nicklas gave no report.

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

Approval to Hold an Executive Session to Discuss:

1. Personnel as Provided for in 5 ILCS 120/2(c)(1); and
2. Executive Session Minutes as Provided for in 5 ILCS 120/2(c)(21).

Mayor Smith read each requested item to be approved for Executive Session discussion.

MOTION

Alderman Faivre moved to recess for Executive Session. Alderman Smith seconded.

VOTE

Motion carried 7-0-1 on roll call vote. Aye: Smith, McAdams, Verbic, Faivre, Morris, Finucane, Mayor Smith. Nay: none. Absent: Fagan. Mayor Smith declared the Regular Meeting recessed for Executive Session at 7:58 p.m.

O. ADJOURNMENT

Council returned to the Regular Meeting from Executive Session at 8:23 p.m.

MOTION

Alderman Verbic moved to adjourn the Regular Meeting. Alderman McAdams seconded.

VOTE

Motion was approved on majority voice vote. Mayor Smith declared the Regular Meeting adjourned at 8:23 p.m.

LYNN A. FAZEKAS, City Clerk

Approved by City Council: June 24, 2019.