

**MINUTES
CITY OF DEKALB
REGULAR CITY COUNCIL MEETING
JULY 26, 2021**

The City Council of DeKalb, Illinois held a Regular meeting on July 26, 2021, 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.

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

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

B. PLEDGE OF ALLEGIANCE

Fire Chief McMaster lead the Pledge of Allegiance.

C. APPROVAL OF THE AGENDA

Mayor Barnes asked if the aldermen had any additions and/or deletions to make to the agenda; there were none.

MOTION

Alderman Morris moved to approve the agenda; seconded by Alderman Faivre.

VOTE

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

D. PUBLIC PARTICIPATION

There was none.

E. PRESENTATIONS

1. Presentation of a Donation in the Amount of \$6,603 from the Rotary Club to be Used Towards the Repair of the Memorial Clock at the Northeast Corner of First Street and Lincoln Highway.

Rotary Club President Brian Corr spoke to this item, stating the repair of the Soldiers and Sailors Memorial Clock is the selected project for the organization this year. He noted that

with the assistance of sponsors, the Rotary Club has raised enough funds not only for the repair of the clock, but to also get it painted.

Mayor Barnes thanked the Rotary Club for their donation, adding that the clock is a big part of DeKalb's history.

2. Proclamation: Disability Pride Month – July 2021.

Mayor Barnes read the proclamation in its entirety.

3. Proclamation: Veterans Weekend – July 30, July 31, and August 1, 2021.

Mayor Barnes read the proclamation in its entirety.

F. APPOINTMENTS

There were none.

G. CONSENT AGENDA

MOTION

Alderman Smith moved to amend the agenda by removing Item G.1. Minutes of the Regular City Council Meeting of June 28, 2021, and Item G.2. Minutes of the Regular City Council Meeting of July 12, 2021, due to missing voting results and other issues. The motion was seconded by Alderman Faivre.

VOTE

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

MOTION

Alderman Perkins moved to approve the Consent agenda as amended; seconded by Alderman Smith.

Mayor Barnes read each of the following Consent Agenda items for the record:

1. Accounts Payable and Payroll through July 26, 2021, in the Amount of \$2,483,389.21.
2. Investment and Bank Balance Summary through May 2021.
3. Year-to-Date Revenues and Expenditures through May 2021.
4. Freedom of Information Act (FOIA) Report – June 2021.
5. FY2021 Human Services Funding Second Quarter 2021 Report.

VOTE

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

H. PUBLIC HEARINGS

1. Public Hearing Regarding a Second Amendment to an Annexation Agreement for the Chicago West Business Center Located Between Illinois Route 23, Gurler Road, Crego Road, and Illinois Interstate 88 (TC Pursuit Services, Inc. and DeKalb 343, LLC).

Mayor Barnes read the title above in its entirety and opened the Public Hearing at 6:13 p.m.

There was no one present wishing to speak to this item.

City Manager Nicklas spoke briefly about the item, noting it would be heard for further action later in the meeting.

There was no further discussion.

Mayor Barnes closed the Public Hearing at 6:14 p.m.

I. CONSIDERATIONS

1. FY2022 Budget Schedule.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet, which included the following proposed schedule:

- Thursday, August 12. Publication of an Agenda for a Joint Meeting between the Council and the Finance Advisory Committee on August 16.
- Monday, August 16. Joint Meeting of the City Council and Finance Advisory Committee, 6:00 p.m. to 8:30 p.m. This joint meeting will review assumptions presented by the City Manager regarding revenue trends and possible expenditures in the following budgets:
 - General Fund
 - Motor Fuel Tax Fund (Fund 210)
 - Capital Projects Fund (Fund 400)
 - TIF #1 and TIF #3 Funds (Funds 260 and 262)
 - Pension Obligations
- August 30 – October 14. Intense Department-level budget discussions around spending targets based on general goals established on August 16.
- Thursday, October 14. Publication of an Agenda for an FAC Meeting on October 18.
- Monday, October 18. Finance Advisory Board Meeting to review proposed, detailed FY2022 Budget highlights, including annual levy assumptions.

- Monday, October 25. Council consideration of property tax levy options.
- Monday, November 8. Presentation of a Council resolution establishing a Truth in Taxation Hearing for November 22.
- Monday, November 15 & Wednesday, November 17. Back-to-back Special Council meetings in joint session with the Finance Advisory Committee to go over the Proposed FY2022 Budget document. The General Fund departments will be the focus on November 15, and the Capital, Enterprise, and Special Funds will be the focus on November 17.
- Monday, November 22. Truth in Taxation Hearing and FY2022 Budget Hearing. First Reading on Proposed FY2022 City Budget.
- Monday, December 13. Second Reading on Proposed FY2022 City Budget.
- December 31, 2021. Last day to file the approved FY2022 Annual Budget and Property Tax Levy with the DeKalb County Clerk.

J. RESOLUTIONS

1. Approval in Omnibus Form of Resolutions Authorizing Community Development Block Grant (CDBG) FY2021 Year Public Services Funding Agreements from April 1, 2021, through March 31, 2022, in the Amount of \$63,000 as follows: Resolution 2021-054 Children's Learning Center, \$10,000; Resolution 2021-055 Elder Care Services, \$9,000; Resolution 2021-056 Hope Haven, \$17,000; Resolution 2021-057 Safe Passage, \$15,000; and Resolution 2021-058 Voluntary Action Center, \$12,000.

Mayor Barnes read the resolution by title only.

MOTION

Alderman Verbic 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. The U.S. Department of Housing and Urban Development (HUD) allows up to 15% of the City's annual CDBG allocation to be used for Public Services Funding. The agencies referenced in the above resolution title are recommended for funding.

There was no further discussion.

VOTE

Motion carried by a 5-0-1-2 roll call vote. Aye: Morris, Perkins, Verbic, Faivre, Barnes. Nay: None. Abstain: Smith. Absent: Larson, McAdams. Mayor Barnes declared the motion passed.

2. Resolution 2021-059 Authorizing an Intergovernmental Agreement (IGA) with the Illinois Department of Transportation (IDOT) for Public Transit Funding from the

Downstate Operating Assistance Program from July 1, 2021, through June 20, 2022, in an Amount Not to Exceed \$5,621,396.

Mayor Barnes read the resolution by title only.

MOTION

Alderman Smith moved to approve the resolution; seconded by Alderman Perkins.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. The IGA provides for state funds for public transit operating costs for the DeKalb urbanized area, which includes DeKalb, Sycamore, Cortland, and access to the Elburn Metra Station. The City's transit staff hopes to enhance routes in SFY2022, with the potential of expanding transit services in future years. Further, the Illinois Downstate Operating Assistance Program (DOAP) grant allows the City to reimburse its providers for 65% of their operating expenses.

Brief discussion ensued.

VOTE

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

3. Resolution 2021-060 Authorizing a Bar Liquor License with Accessory Use Licensure for Video Gaming for Lord Stanley's of DeKalb LLC, 142 E. Lincoln Highway.

Mayor Barnes read the resolution by title only.

MOTION

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

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. The liquor license application has been reviewed and all owners have successfully passed their background checks.

Alderman Morris asked about the proposed video gaming machines. Executive Assistant Scott indicated that the former owner maintained five video gaming machines, as will the new owners, for accessory use only.

VOTE

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

4. Resolution 2021-061 Authorizing an Engineering Services Agreement with Fehr Graham for Design Engineering of 1.35 Miles of Pathway in an Amount Not to Exceed \$116,200.

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. Several local pathway projects have been scheduled to offer better and safer access for bicyclists and pedestrians. The projects include: Fairview Drive Pathway (Phase A), between S. 7th Street and Macom Drive; Fairview Drive Pathway (Phase B), Macom Drive east toward Peace Road; and Dresser Road, between Annie Glidden Road and the current terminus near Normal Road. All three pathway projects should be completed by the end of the 2022 construction season.

There was brief discussion regarding the timeline of the project.

Alderman Morris thanked everyone for working on this project, stating it's important and critical to the safety of students and citizens.

Mayor Barnes inquired about the Twombly project. City Manager Nicklas stated it should be done this year, adding that DeKalb County and DeKalb Township are the lead agencies, and the City of DeKalb is a partner in that for certain features, including sidewalks.

Brief discussion ensued.

VOTE

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

5. Resolution 2021-062 Awarding a Bid to Fischer Excavating in the Amount of \$826,307.50 for 2,800 Feet of Water Main Replacement on Joanne Lane Between Ilehamwood Drive and Tilton Park Drive with Staff Authority to Approve Change Orders Up to a Final Project Price of \$855,227.50.

Mayor Barnes read the resolution by title only.

MOTION

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

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. Bids were recently opened for 2,800 feet of water main replacement on Joanne Lane between Ilehamwood Drive and Tilton Park Drive. The existing water main is very old and has had numerous breaks over the years causing water service disruptions to residents within the affected area. Further, the Utility Department recommends replacing the main with a new eight-inch ductile iron water main to insure a safe and reliable water supply with adequate fire flow.

There was no further discussion.

VOTE

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

6. Resolution 2021-063 Amending an Agreement with Era Valdivia for Painting and Repair of the South Water Tower in the Amount of \$440,000.

Mayor Barnes read the resolution by title only.

MOTION

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

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. Era Valdivia was hired in March of this year to paint the south water tower. However, during inspection prior to painting, it was discovered that the poor adhesion of the tower's exterior overcoat was causing the paint to peel, and therefore power washing would be inadequate to correctly prepare the surface for overcoating. As such, Era Valdivia has provided two options to remedy the issue. They are:

Option #1 Overcoat – \$394,000: This option would require vapor-blasting the exterior of the south tower to (a) fully remove the delaminating coating down to the dark red (primer) coating (profile of 2.0 mils minimum on remaining coating); (b) perform spot repair on failed or rusted areas; and (c) apply a tie coat, and a final coat as specified.

Option #2 Full Removal - \$440,000: This option would (a) provide a full containment system with negative air and top bonnet; (b) perform a full removal of the coatings and an exterior surface prep to an SSPC SP-6; and (c) apply the exterior coating.

Brief discussion ensued. There was general consensus from Council that the City move forward with option #2.

VOTE

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

Mayor Barnes recused himself at this point in the meeting due to a conflict of interest concerning the next item and asked Alderman Faivre to conduct proceedings on his behalf.

7. Resolution 2021-064 Amending Resolution 2020-072 to Extend the Deadline for the Architectural Improvement Program (AIP) Economic Incentive for the Hillside Restaurant, Located at 121 N. Second Street, in the Amount of \$18,075.50.

Alderman Faivre read the resolution by title only.

MOTION

Alderman Smith moved to approve the resolution; seconded by Alderman Morris.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. The owners of the Hillside restaurant have requested an extension to the deadline provided in Resolution 2020-072, which approved an Architectural Improvement Program (AIP) grant for electrical repairs, façade improvement, floor leveling, and other repairs. However, due to COVID-related financial constraints on hospitality businesses, the owners have requested an extension through November 30, 2021, in order to complete the project.

There was no further discussion.

VOTE

Motion carried by a 5-0-2-1 roll call vote. Aye: Morris, Smith, Perkins, Verbic, Faivre. Nay: None. Absent: Larson, McAdams. Recused: Barnes. Alderman Faivre declared the motion passed.

Mayor Barnes returned to his seat at this point in the meeting.

K. ORDINANCES – SECOND READING

There were none.

L. ORDINANCES – FIRST READING

1. Ordinance 2021-027 Authorizing Amendments to Ordinance 2006-107 and Ordinance 2006-109 to Accommodate an Approximately 700,000 Square Foot Warehouse and Distribution Center for the Chicago West Business Center Located Between Illinois Route 23, Gurler Road, Crego Road, and Illinois Interstate 88 (TC Pursuit Services, Inc. and DeKalb 343, LLC).

Mayor Barnes read the ordinance by title only.

MOTION

Alderman Faivre moved to approve the ordinance on first reading; seconded by Alderman Verbic.

Paul Borek, Executive Director of the DeKalb County Economic Development Corporation (DCEDC) spoke regarding this item, stating that DCEDC's board voted unanimously to provide a letter of approval for the proposed project. He noted the project would be located within the enterprise zone and encouraged Council's approval.

City Manager Nicklas provided additional information regarding this item based on the information provided in the agenda packet. A warehouse and distribution company (Project Barb) is interested in constructing a warehouse and distribution center on a portion of the Chicago West Business Center property located between Illinois Route 23, Gurler Road, Crego Road, and Illinois Interstate 88. If approved, Project Barb would begin mass grading on the site by early August. The intent of the applicant is to amend the ordinances that annexed and zoned the Chicago West Business Center site in 2006 to accommodate the footprint and site layout of the proposed project.

City Manager Nicklas and Alderman Faivre thanked Jerry Krusinski, owner of the Chicago West Business Center, for his investment in the DeKalb community.

Alderman Faivre stated that the City needs to start thinking about preparations for what's coming in the next few years to DeKalb.

Mr. Krusinski thanked the City of DeKalb and DeKalb County for their partnership on this development and others, noting he's looking forward to additional opportunities down the road.

Alderman Verbic stated he enthusiastically approves of this project and thanked everyone for their hard work

Alderman Verbic then asked about the widening of Crego Road. City Engineer Gill stated that Crego Road would be brought up to a modern two-lane standard road. There's no anticipation of turn lanes onto Crego Road other than a turn lane on the westbound lane. At this point no signalization is planned.

Mayor Barnes thanked Mr. Krusinski for his hard work and investment in the community.

VOTE

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

MOTION

Alderman Smith moved to waive second reading of this ordinance and approve; seconded by Alderman Morris.

VOTE

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

2. Ordinance 2021-028 Authorizing Amendments to Ordinance 2002-045 and Ordinance 2019-004 to Amend Sign Regulations for the Northland Plaza Shopping Center – Sycamore Road (B33 Northland Plaza, LLC).

Mayor Barnes read the ordinance by title only.

MOTION

Alderman Smith moved to approve the ordinance; seconded by Alderman Verbic.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. The City has received a petition from the owners of the Northland Plaza Shopping Center along Sycamore Road to amend the wall sign regulations for the building at the easterly end of the property. TJ Maxx is planning to relocate to a new 27,000

square foot space just north of the Aldi and would like a wall sign larger than what is allowed according to the planned development ordinance for Northland Plaza.

There was no further discussion.

VOTE

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

MOTION

Alderman Morris moved to waive second reading of this ordinance and approve; seconded by Alderman Faivre.

VOTE

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

3. Ordinance 2021-029 Authorizing the Distribution of American Rescue Plan Act (ARP) 2021 Funds to the Kishwaukee Water Reclamation District (KWRD) in the Amount of \$241,644.00 from Fund 110 (110-00-00-63800).

Mayor Barnes read the ordinance by title only.

MOTION

Alderman Verbic moved to approve the ordinance; seconded by Alderman Perkins.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. This ordinance approves the ARP allocation to the KWRD that was presented at the City Council meetings of June 28 and July 12 and authorized with the creation of Fund 110 under Ordinance 2021-023 on July 12. This allocation is permitted under the provisions of the federal ARP to assist Non-Entitlement Units that suffered significant revenue losses due to the COVID-19 pandemic and were not eligible for direct 2020 Cares Act reimbursements. The KWRD has specifically requested ARP support to cover losses in system revenues associated with the sharp decline in NIU services in 2020.

VOTE

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

MOTION

Alderman Morris moved to waive second reading of this ordinance and approve; seconded by Alderman Verbic.

VOTE

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

M. REPORTS AND COMMUNICATIONS

1. Council Member Reports.

Alderman Morris thanked Mayor Barnes for his presentation of the Disability Pride Month proclamation.

Mayor Barnes encouraged everyone to get their COVID vaccination for the sake of the community. He further reported on his meeting with District 2 of IDOT regarding the Gurler Road signal project and the downtown lane reconfiguration, and thanked City Engineer Gill for his assistance. Mayor Barnes continued, reporting about his radio appearance on WLBK on the third Thursday of every month, the Sir Donald Foundation Father's Day event, attending a sporting event where he was part of the coin toss, and his attendance at a recent Citizens Community Enhancement Commission. Closing his report, Mayor Barnes thanked Fire Chief McMaster for 26 years of dedication to the DeKalb Fire Department and the community.

N. EXECUTIVE SESSION

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

Mayor Barnes read the Executive Session exemption by title only.

MOTION

Alderman Faivre moved to recess for Executive Session; seconded by Alderman Verbic.

VOTE

Motion carried by a 6-0-2 roll call vote. Aye: Morris, Smith, Perkins, Verbic, Faivre, Barnes. Nay: None. Absent: Larson, McAdams. Mayor Barnes declared the meeting in recess at 7:14 p.m.

Mayor Barnes closed the meeting to the public at 7:21 p.m. for Executive Session.

Following adjournment of the Executive Session, Mayor Barnes opened the meeting to the public at 7:48 p.m.

O. ADJOURNMENT

MOTION

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

VOTE

Motion carried by a 6-0-2 roll call vote. Aye: Morris, Smith, Perkins, Verbic, Faivre, Barnes. Nay: None. Absent: Larson, McAdams. Mayor Barnes declared the motion passed and adjourned the meeting at 7:49 p.m.

Respectfully submitted,

Ruth A. Scott, Executive Assistant

Minutes approved by the City Council on August 9, 2021.