

## **RESOLUTION 2024-108**

### **AUTHORIZING A TIF (FUND 262) ARCHITECTURAL IMPROVEMENT PROGRAM (AIP) GRANT FOR THE DUCKY'S AT 250 E. LINCOLN HIGHWAY, DEKALB, ILLINOIS IN THE AMOUNT OF \$6,283.**

**WHEREAS**, the City of DeKalb (the "City") is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

**WHEREAS**, the City provides an Architectural Improvement Program ("AIP") grant funding for the redevelopment of properties that are located in the City's Tax Increment Financing (TIF) District #3 ("TIF 3"); and

**WHEREAS**, Ducky's Formal Wear (the "Owner") is the owner of property located at 120 E. Lincoln Highway in TIF 3 (the "Property"); and

**WHEREAS**, Owner applied for a TIF 3 AIP grant of \$6,283 (the "Grant") to redevelop the Property with roof repairs and related tuck pointing (the "Project"); and

**WHEREAS**, the City's corporate authorities find that approving the Grant is in the City's best interests for the protection of the public health, safety, and welfare; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:**

**SECTION 1:** The recitals to this resolution are true, material, adopted and incorporated as Section 1 to this resolution.

**SECTION 2:** The City's corporate authorities approve an AIP Grant in the amount of \$6,283 to Owner for the Project, subject to the following terms and conditions:

1. The City waives formal compliance with the requirements of the AIP process, except as provided by this Resolution. The City also waives requirement of a promissory note or mortgage to secure the AIP Grant.
2. The City's payment of the Grant shall be as a reimbursement to Owner upon Owner providing proof of incurring costs of not less than \$50,000 for the "Project. The AIP Grant shall be in the amount which is the lesser of: (a) \$25,000; or (b) the amount which is not more than 50% of the total Project costs.
3. Owner shall provide documentation of the Project and incurred costs, inclusive of full lien waivers, invoices, and adequate evidence of payment, all in a form and content acceptable to the City Manager, before the City's payment of the reimbursement.
4. Owner shall maintain the improvements funded by the Grant for a period of not less than five (5) years. The Grant shall be considered partially forgiven by 20% each year on the anniversary of said payment to Owner until fully forgiven on the fifth anniversary of said payment. Should Owner fail to maintain the improvements for the full five-year period, then Owner shall be responsible for reimbursing the City in an amount equivalent to the then-unforgiven portion of the Grant.
5. Owner agrees to indemnify, defend, and hold harmless the City from any claims or damages arising out of or relating to the Grant and the Project. Owner agrees and acknowledges that the Grant is payable to Owner only, and Owner shall not assign or transfer the Grant. The City shall not make direct payments to any contractors or materialmen. The City's obligation to

provide funding shall not accrue until Owner provides the City with evidence of lien waivers from all contractors and materialmen providing labor or materials for the Project.

6. Owner shall complete the Project in accordance with all applicable codes and ordinances. All work shall be subject to inspection and approval by the City.
7. The Project shall be completed within one (1) calendar year of the date of approval of this Resolution, or the funding approval contemplated herein shall terminate and this Resolution shall be of no further force or effect.
8. Owner shall provide a letter to the City acknowledging and agreeing to the terms and conditions of this Resolution prior to the City's issuance of payment to Owner.
9. Owner represents and warrants that the Project would not be completed but for the Grant.
10. The City's payment of the Grant shall be expressly limited to funds available in the City's TIF 3 fund, and is contingent upon compliance with the TIF Act, the AIP, and this Resolution, as well as the City Council's approval of the FY2025 Budget line item authorization of \$100,000 for TIF 3 AIP grants.

**SECTION 3:** This resolution and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such resolution should (a) contain terms contrary to the provision of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the City's corporate authorities that to the extent that the terms of this resolution should be inconsistent with any non-preemptive state law, that this resolution shall supersede state law in that regard within its jurisdiction.

**SECTION 4:** This resolution shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_ 2024 and approved by me as Mayor on the same day.



\_\_\_\_\_  
**COHEN BARNES**, Mayor

ATTEST:

\_\_\_\_\_  
Ruth A. Scott, Executive Assistant

Architectural Improvement Program  
Application

Name:

Diane Hosey

Home Address:

404 S 5<sup>th</sup> St. DeKalb, IL 60115

Property Identification Number (PIN):

0823163016

Location of Property:

250 E Lincoln Hwy DeKalb IL

Phone Number: 815-754-7703 Email:

duckysdekalb@gmail.com

Proposed Use of Funding:

**Major Capital Improvements – 50% Reimbursement**

- ☐ ADA Compliance
- ☐ Façade Renovations
- ☒ Tuckpointing
- ☐ Life Safety Equipment
- ☐ Electrical, Mechanical, and Plumbing Upgrades
- ☐ Architectural Design Fees
- ☐ Restoration of Historic Architectural Features
- ☐ Fire Alarm and Suppression Systems

**Minor Capital Improvements – 25% Reimbursement**

- ☐ Exterior Lighting & Signage
- ☒ Window & Door Replacement
- ☐ Screening of Unsightly Utilities
- ☐ Exterior Painting

**Deferred Maintenance – 10% Reimbursement**

- ☒ Roof Repair or Replacement
- ☒ Gutter Replacement
- ☐ Stair and Handrail Replacement
- ☐ Floor Surface Repair

\_\_\_\_\_ Water Damage Repair

Have you consulted with the City about your project? X Yes \_\_\_\_\_ No

If yes, with whom did you speak? Bill Nicklas

Total cost estimate of Project: \$ 30,650

Matching funds requested: \$6283.00  
(up to a maximum of \$25,000)

How long has the property been owned by you? 10 years

### Project Description

In 250 words or less, please describe the scope of the project improvement and the need.

Based on the wall deterioration, the roof & tuck pointing / windows, must be  
Completed at same time to stop water from leaking behind the new roof system  
where it ties into brick wall. This work needs to be completed before winter to negate  
water from entering the building, which is a safety hazard for customers & employees  
If this project is pushed off until spring there is a potential risk of damage to the roof  
deck or substructure from water infiltration.

Applicant(s) Divine Housing



## Nicklas, Bill

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**From:** Nicklas, Bill  
**Sent:** Friday, September 27, 2024 4:43 PM  
**To:** Dan Ritchason  
**Subject:** RE: Questions about TIF

Will do.

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**From:** Dan Ritchason <danr@ptroofs.com>  
**Sent:** Friday, September 27, 2024 4:26 PM  
**To:** Nicklas, Bill <bill.nicklas@CITYOFDEKALB.com>; 'Diane Hosey' <duckysdekalb@gmail.com>  
**Cc:** Scott, Ruth <Ruth.Scott@CITYOFDEKALB.com>; Hauman, Susan <Susan.Hauman@CITYOFDEKALB.com>  
**Subject:** RE: Questions about TIF

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Sounds good, Bill. Let me know if you have any questions or need anything else on my end.

Have a good weekend,

Dan Ritchason | Secretary-Treasurer  
Pinkston-Tadd, Inc.  
407 Industrial Drive  
DeKalb, IL 60115  
815-756-9700

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**From:** Nicklas, Bill <[bill.nicklas@CITYOFDEKALB.com](mailto:bill.nicklas@CITYOFDEKALB.com)>  
**Sent:** Friday, September 27, 2024 3:56 PM  
**To:** Dan Ritchason <danr@ptroofs.com>; 'Diane Hosey' <duckysdekalb@gmail.com>  
**Cc:** Scott, Ruth <[Ruth.Scott@CITYOFDEKALB.com](mailto:Ruth.Scott@CITYOFDEKALB.com)>; Hauman, Susan <[Susan.Hauman@CITYOFDEKALB.com](mailto:Susan.Hauman@CITYOFDEKALB.com)>  
**Subject:** RE: Questions about TIF

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Thanks, Dan. None of this was explained in the application I received from the building owner. I appreciate the explanation. I plan to have this on the October 28 Council agenda. As I explained to Diane, I can bring the proposed grant to the Council for advanced approval on October 28, but—if approved—the City funding is not available until after January 1 (this year’s fund is exhausted). How you carry Diane’s bill for the several months left in 2024 is for negotiation between you both.

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**From:** Dan Ritchason <danr@ptroofs.com>  
**Sent:** Friday, September 27, 2024 12:56 PM

To: 'Diane Hosey' <[duckysdekalb@gmail.com](mailto:duckysdekalb@gmail.com)>; Nicklas, Bill <[bill.nicklas@CITYOFDEKALB.com](mailto:bill.nicklas@CITYOFDEKALB.com)>

Subject: RE: Questions about TIF

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Hello Bill & Diane,

The cost proposal that Pinkston-Tadd, Inc. issued to Ducky's Formal Wear is for roofing, windows, and tuckpointing, so the total price is \$30,650. Of the total: \$6,625.00 is for tuckpointing, \$3,793.00 is for windows, and the remaining \$20,233.00 is for the roof work.

Based on the wall deterioration, the roof and the tuckpointing/windows, must be completed at the same time to stop water from leaking behind the new roof system where it ties into the brickwork. Pinkston-Tadd, Inc. recommends that this work be completed before Winter to negate water from entering the facility, which is a safety hazard for customers and employees. If this project is pushed off until the Spring of 2025, there is a potential risk for damage to the roof deck or substructure from water infiltration, which can be negated if it is taken care of this year. Additionally, many suppliers are forecasting a price increase Q1 of 2025, which means that it is more economical for Diane if the work is performed this year.

Thank you,

Dan

Dan Ritchason | Secretary-Treasurer  
Pinkston-Tadd, Inc.  
407 Industrial Drive  
DeKalb, IL 60115  
815-756-9700

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**From:** Diane Hosey <[duckysdekalb@gmail.com](mailto:duckysdekalb@gmail.com)>

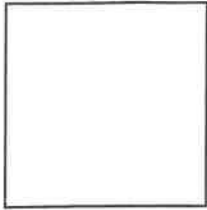
**Sent:** Friday, September 27, 2024 12:33 PM

**To:** Dan Ritchason <[danr@ptroofs.com](mailto:danr@ptroofs.com)>

**Subject:** Fwd: Questions about TIF

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Diane Hosey  
Ducky's Formal Wear  
250 E. Lincoln Hwy.  
DeKalb, IL 60115  
Office: 815.754.7703



----- Forwarded message -----

**From:** Nicklas, Bill <[bill.nicklas@cityofdekalb.com](mailto:bill.nicklas@cityofdekalb.com)>  
**Date:** Fri, Sep 27, 2024 at 11:13 AM  
**Subject:** RE: Questions about TIF  
**To:** Diane Hosey <[duckysdekalb@gmail.com](mailto:duckysdekalb@gmail.com)>

Thanks, Diane. The 10% reimbursement for the roof repair is about \$3,065. If you plan to do the tuckpointing etc. in the spring we could include that in the overall request but I'll need some numbers from contractors for that as well. The Council likes to package all the pieces for one approval, and understands some work (e.g. the roof) may come first with the rest to follow by the end of next year. Just a thought.

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**From:** Diane Hosey <[duckysdekalb@gmail.com](mailto:duckysdekalb@gmail.com)>  
**Sent:** Friday, September 27, 2024 10:29 AM  
**To:** Nicklas, Bill <[bill.nicklas@CITYOFDEKALB.com](mailto:bill.nicklas@CITYOFDEKALB.com)>  
**Subject:** Re: Questions about TIF

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I have attached the paperwork