

**MINUTES  
CITY OF DEKALB  
REGULAR MEETING  
FEBRUARY 13, 2017**

The City Council of DeKalb, Illinois held a Regular City Council meeting on February 13, 2017 in the City Council Chambers of the DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois.

Mayor Rey called the meeting to order at 6:24 p.m.

**A. ROLL CALL**

City Clerk Jennifer Jeep Johnson called the roll, and the following members of the City Council were present: Alderman Michael Marquardt, Alderman Bob Snow, Alderman Kate Noreiko, Alderman Dave Baker, Alderman Tony Faivre, and Mayor John Rey. Alderman David Jacobson arrived later in the meeting. Alderman Bill Finucane was absent.

Also present were: City Manager Anne Marie Gaura, Assistant City Manager Patty Hoppenstedt, City Attorney Dean Frieders, Finance Director Cathy Haley, Police Chief Gene Lowery, Fire Chief Eric Hicks, Deputy Fire Chief Jeff McMaster, Community Development Director Jo Ellen Charlton, Principal Planner Dan Olson, Human Resources Director Cris Randall, Information Technology Director Marc Thorson, City Engineer John Laskowski, Utilities Superintendent Bryan Faivre, Management Analyst Aaron Stevens, I&T Technician Jeff Birtell, and City Clerk Jennifer Jeep Johnson.

**B. PLEDGE OF ALLEGIANCE**

Police Officer Jordon Poulos led the Pledge of Allegiance.

**C. APPROVAL OF THE AGENDA—ADDITIONS/DELETIONS**

**MOTION**

Alderman Marquardt motioned to approve the agenda as amended; seconded by Alderman Snow.

**VOTE**

Motion carried on a 6-0-2 roll call vote. Aye: Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Nay: None. Absent: Jacobson, Finucane. Mayor Rey declared the motion passed.

**D. PUBLIC HEARINGS**

There were none scheduled.

**E. SPECIAL ITEMS OR PRESENTATIONS & CITIZEN'S COMMENTS**

1. Special Items

- a. Promotion of William Lynch to Fire Lieutenant.
- b. Promotion of Jason Pavlak to Fire Lieutenant.
- c. Swearing in Ceremony of Firefighter Vincent Laudicina.
- d. Swearing in Ceremony of Firefighter Coltin Phelps.

Fire Chief Hicks provided background information on those being promoted and the City Clerk swore them in.

e. Proudly DeKalb

- New DeKalb Public Library Director Emily Faulkner.

Mayor Rey introduced Ms. Faulkner, who provided her bio to the Council. She expressed that she is excited to join the DeKalb Public Library, highlighting that it is a beautiful and well thought out library.

Mayor Rey officially welcomed Ms. Faulkner.

- New Fire Department Equipment.

Fire Chief Hicks introduced Deputy Fire Chief McMaster who introduced a video that provided information on the new technology (scopes) incorporated in to ambulances that will help save lives by assisting paramedics with intubation.

Deputy Fire Chief McMaster thanked the Council.

Mayor Rey asked how many scopes the City owns, with the answer being three sets.

2. Presentations

- a. Proclamation: Engineer's Week, February 19 – 25, 2017.

Mayor Rey read aloud the proclamation and presented it to City Engineer John Laskowski.

3. Approval of the Mayor's Appointments
  - a. Appointment of Katharina Barbe to the Planning and Zoning Commission for a Five-Year Term through June 30, 2022.

**MOTION**

Alderman Noreiko moved to approve Ms. Barbe; seconded by Alderman Faivre.

**VOTE**

Motion carried on a 7-0-1 voice vote. Aye: Jacobson, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Nay: None. Absent: Finucane. Mayor Rey declared the motion passed.

4. Public Participation

There was none.

**F. CONSENT AGENDA – OMNIBUS VOTE**

1. Approval of City Council Minutes
  - a. Minutes of the Committee of the Whole Meeting of January 9, 2017.
  - b. Minutes of the City Council Meeting of January 9, 2017.
2. Receive & File
  - a. Accounts Payable and Payroll through February 13, 2017 in the Amount of \$7,168,127.77.
  - b. Investment and Bank Balance Summary through December 2016.
  - c. FY2016.5 Preliminary Year-End Financial Review.
  - d. FY2016.5 Human Services Funding Second Quarter Report.
  - e. Citizens' Environmental Commission Annual Report of Progress on the Implementation and Monitoring of the City's Sustainability Plan.

3. Resolution 2017-031 Approving a Public Entity Non-Profit Liquor License for AMVETS Post 90, 421 Oak Street.
4. Resolution 2017-032 Authorizing Payments in Excess of \$20,000 to GovTemps USA for the Purpose of Employee Leasing Agreements.
5. Resolution 2017-033 Appropriating an Additional \$958.19 of Motor Fuel Tax for the Annie Glidden Road Sign Reflectivity Project.

**MOTION**

Alderman Faivre moved to approve the Consent Agenda; seconded by Alderman Marquardt.

**VOTE**

Motion carried on a 7-0-1 roll call vote. Aye: Jacobson, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Nay: None. Absent: Finucane. Mayor Rey declared the motion passed.

**MOTION**

Alderman Marquardt moved to approve the items listed on the Consent Agenda; seconded by Alderman Baker.

**VOTE**

Motion carried on a 7-0-1 roll call vote. Aye: Jacobson, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Nay: None. Absent: Finucane. Mayor Rey declared the motion passed.

**G. ITEMS FOR SEPARATE ACTION**

1. Ordinance 2017-004 Amending Chapter 23 "Unified Development Ordinance", Chapter 44 "Landmark Commission", and Chapter 48 "Design Review Committee" Regarding Design Requirements for New Residential Construction. (*Second Reading*)

**MOTION**

Alderman Marquardt moved to approve Ordinance 2017-004; seconded by Alderman Noreiko.

VOTE

Motion carried on a 7-0-1 roll call vote. Aye: Jacobson, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Nay: None. Absent: Finucane. Mayor Rey declared the motion passed.

2. Ordinance 2017-006 Authorizing an Amendment to a Special Use Permit to Allow for the Development of a Restaurant with a Drive-Through Located at 1115 W. Lincoln Highway (Boom Real Estate - Sonic Restaurant). (*First Reading*)

MOTION

Alderman Baker moved to approve Ordinance 2017-006; seconded by Alderman Jacobson.

Principal Planner Olson provided background on this item, stating that staff recommends approval of the project. The petitioner requests a waiver of second reading. He added they were great to work with.

Alderman Marquardt asked whether there would be a drive-in, with confirmation that there would be four stalls.

Dewayne Brown offered support for the project, and provided additional background on Sonic Restaurants.

VOTE

Motion carried on a 7-0-1 roll call vote. Aye: Jacobson, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Nay: None. Absent: Finucane. Mayor Rey declared the motion passed.

MOTION

Alderman Jacobson moved to waive second reading of Ordinance 2017-006 and approve; seconded by Alderman Noreiko.

VOTE

Motion carried on a 7-0-1 roll call vote. Aye: Jacobson, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Nay: None. Absent: Finucane. Mayor Rey declared the motion passed.

3. Ordinance 2017-007 Amending Chapter 1 "General Provisions", Section 1.06 "Penalties". (*First Reading*)

## MOTION

Alderman Noreiko moved to approve Ordinance 2017-007; seconded by Alderman Snow.

City Attorney Frieders explained the background on this issue, providing that ordinance violations are meant to be a lesser violation, and therefore recommends the incarceration provision from the code be removed. It is also recommended that the maximum fine be increased to \$750. Lastly, it would codify a way of dealing with court supervision, which would avoid the potential for appearing on one's background.

He briefly provided the process for court supervision.

Further discussion ensued.

## VOTE

Motion carried on a 7-0-1 roll call vote. Aye: Jacobson, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Nay: None. Absent: Finucane. Mayor Rey declared the motion passed.

4. Resolution 2017-034 Authorizing the City Manager to Negotiate an Engineering Services Agreement with Baxter and Woodman in an Amount Not to Exceed \$120,000 for Design Engineering Services for the Construction of Approximately 5,000 Linear Feet of Water Main.

## MOTION

Alderman Marquardt moved to approve Resolution 2017-034; seconded by Alderman Noreiko.

Utilities Superintendent Faivre provided background on this issue. He explained that the City has applied for the loan, and put the design process out to bid. He explained that approval is sought to move forward with the design process, and that staff is under a time crunch given the State's change in fiscal year.

Alderman Noreiko asked whether the State is still lending money given its continued lack of budget, with Utilities Superintendent Faivre confirming that this program has continued.

City Attorney Frieders added there is a supplement before Council that seeks an amended amount of \$112,000, and the resolution before them reflects the change. He also explained that any additional monies would be back before Council for approval.

## VOTE

Motion carried on a 7-0-1 roll call vote. Aye: Jacobson, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Nay: None. Absent: Finucane. Mayor Rey declared the motion passed.

## H. NEW OR UNFINISHED BUSINESS

### 1. Overview of Cornerstone Development.

Community Development Director Charlton provided an overview of the presentation, and explained that staff is bringing this item before Council in advance of Planning and Zoning Commission (PZC) recommendation. She explained that the community has made it very clear that they want development in DeKalb, and that staff has been working hard on this issue.

Community Development Director Charlton stated that conversations with Mr. John Pappas began regarding the Otto's Building, and grew into the current project due to structural integrity issues. She highlighted that no application has been submitted at this point.

City Attorney Frieders provided background information on the Otto's building. The City got a search warrant in July of last year, revealing that the building was in such a state of disrepair that it would cost several hundred thousand dollars just to address environmental concerns. A structural analysis revealed severely unsafe conditions. He provided photographs that conveyed the uninhabitable condition of the building.

City Attorney Frieders provided additional information on the City's procedural process in arriving to court. He added that the City has attempted to avoid a demolition of the building, and instead has engaged in a collaborative partnership, resulting in the project before Council.

Community Development Director Charlton gave an overview of the building that would be impacted by the project, and highlighted the additional parking that would be included. She provided a brief overview of how demolition and building would proceed.

Community Development Director Charlton added that floors two through four of the building would be for residential purposes, with commercial components on the first floor. Additionally, it is anticipated that a restaurant similar to Ellwood's would be included. She highlighted that the design of the building is in a U-shape. She provided additional overview of the building.

Community Development Director Charlton briefly provided an overview of the residential designs of the apartments, with two different one bedroom models. She highlighted that they would all be fully furnished, and include stacked washer/dryer units in each apartment.

Community Development Director Charlton provided additional information on the zoning components of the building projects, including current and future parking considerations.

Economic Planner Michnick provided some of the anticipated economic impacts, and provided a general overview of TIF. He went through an analysis of property and sales tax projections. He added that the TIF amount requested is \$3 million.

City Attorney Frieders provided an overview of how the plans would proceed forward, and what would come back before Council. He also detailed how the funding would proceed as well as the repayment plan.

John Pappas introduced himself and thanked the City for being so pro-business and easy to work with. He provided information on his background in the community, and his vision for the redevelopment.

Alderman Noreiko thanked Mr. Pappas for his confidence in the City, and his diligence in working with City staff. She offered her gratitude that Barb City Bagel will not be displaced. She looks forward to seeing the development.

Alderman Faivre thanked Mr. Pappas as well, and offered that this project will be a catalyst for positive change downtown, and encourages other investment.

Bessie Chronopoulos spoke in terms of due diligence, and encouraged the Council not to rush the project.

Michael Embrey offered that that he doesn't question the merit of the project, but looks at the timing.

Omar Musfi, owner of the Mediterraneo Restaurant, thanked the City and Mr. Pappas for the help he's received. He offered support for the project.

Timothy Hays, owner of Barb City Bagel, thanked Mr. Pappas, stating he's answered all of their questions, and has been great to work with. They are excited to stay downtown, and are excited about a new location. He said they are 100% behind the project, and thinks it's a great project.

Mayor Rey thanked staff for their work on these and other projects.



Alderman Snow offered that he likes the vision of the project and believes it will attract residents. He agreed that numbers need to be examined but it is a great project for DeKalb.

Alderman Baker stated he's happy to see Mr. Pappas happy, and thanked the staff for working with Mr. Pappas. He offered that a project of this caliber will spur development, and spill over into other areas as well. He offered that when someone wants to invest money in DeKalb, the Council should look to see what they can do to make it happen.

Alderman Jacobson offered that caution should be exercised in calling it a transformational project. He offered that this project is fundamentally good, but worries about the City's financial liability, and thinks the public's money should be protected.

Alderman Noreiko highlighted that a project of this scale can be called transformational, and there are several indications that make this a worthwhile investment based on the information available. She offered strong support, pending the final numbers and plans.

Alderman Baker offered strong support for the project.

City Manager Gaura addressed some earlier points from prior speakers. She reiterated the potential impact this project could have. She highlighted the risk that Mr. Pappas is willing to take, and what it means he is willing to invest in the community.

Mr. Pappas stated there are no banks waiting to make any investments downtown or at Northern Illinois University (NIU).

Alderman Jacobson expressed concern on a flip sale.

Alderman Snow stated the City's return is not based on ownership of the property, but on future returns, where the value of the project is.

Alderman Faivre thanked Alderman Snow for his comments, and sought verification that the City's investment is protected. He added that the vision was to have a vibrant downtown DeKalb, which is going to require investment.

Mayor Rey stated that the project will be going to the PZC this week, and be back before Council at their next meeting.

2. 2016 Media Annual Report.

Information Technology Director Thorson provided an overview of the media assets of the City. He thanked Management Intern Tipps and Management Analyst Stott for their work on the report.

Mayor Rey stated that residents can register for an e-newsletter in March.

Assistant City Manager Hoppenstedt added there is information on how to register for the e-newsletter on the City's website.

Information and Technology Director Thorson provided information on Facebook engagement.

**I. REPORTS—COMMUNICATIONS**

Alderman Jacobson remembered the victims of the NIU campus shooting, and encouraged people to seek assistance with mental health issues.

Alderman Noreiko reminded all that a Beloved Community dinner was upcoming at the Newman Catholic Center. She encouraged citizens to attend.

Alderman Baker thanked Council for helping the 6th Ward by putting up the digital speed signs, declaring them a success.

City Attorney Frieders wanted to provide a history of the Otto's building in order to clear up misconceptions about City involvement in building maintenance. The goal of the City is compliance, utilizing demolition as a last resort, and uses it very conservatively.

Community Development Director Charlton reported that in addition to the Cornerstone project, the PZC will be discussing video gaming establishments.

Information Technology Director Thorson reported that IRS scams are quite prevalent, and reminded people to be aware of the scams that occur. He encouraged everyone to go to the IRS site for more info.

**J. RECESS FOR EXECUTIVE SESSION**

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

3. Approval to Hold an Executive Session to Discuss Pending or Imminent Litigation as Provided for in 5 ILCS 120/2(c)(11).

**MOTION**

Alderman Noreiko motion to hold an executive session; seconded by Alderman Faivre.

**VOTE**

Motion carried on a 7-0-1 roll call vote. Aye: Jacobson, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Nay: None. Absent: Finucane. Mayor Rey declared the motion passed.

Mayor Rey closed the meeting to the public at 9:07 p.m.

Mayor Rey opened the meeting to the public at 9:41 p.m.

**K. ADJOURNMENT**

**MOTION**

Alderman Jacobson motioned to adjourn; seconded by Alderman Faivre.

**VOTE**

Motion carried on a 7-0-1 voice vote. Aye: Jacobson, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Nay: None. Absent: Finucane. Mayor Rey declared the meeting adjourned at 9:41 p.m.

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**JENNIFER JEEP JOHNSON, City Clerk**

Approved by City Council: March 13, 2017.