



AMENDED
CITY COUNCIL
REGULAR MEETING
AGENDA

JANUARY 8, 2024
6:00 P.M.

DeKalb Public Library
Yusunas Meeting Room
309 Oak Street
DeKalb, Illinois 60115

Pursuant to Chapter 2 “City Council”, Section 2.04 “Council Meetings”, persons wishing to address the City Council during this meeting are required to register with the Recording Secretary by filling out and submitting a Speaker Request form, copies of which are located on the table just outside the meeting room, along with copies of the agenda. Comments will be limited to three (3) minutes. Further information for addressing the City Council can be found on the Speaker Request form.

A. CALL TO ORDER AND ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF THE AGENDA

D. PRESENTATIONS

1. [Proclamation Honoring the Northern Illinois University Football Team on Their Win in the Camillia Bowl on December 23, 2023.](#)

E. PUBLIC PARTICIPATION

F. APPOINTMENTS

1. Appointing [Killian Becker](#), [Thomas Skuzinski](#), and [Rob Srygler](#) to the Citizens’ Environmental Commission, Each for a Two-Year Term through December 31, 2025.

G. CONSENT AGENDA

1. [Minutes of the Regular City Council Meeting of December 11, 2023.](#)
2. [Accounts Payable and Payroll through December 28, 2023, in the Amount of \\$3,804,574.70.](#)
3. [Accounts Payable and Payroll through January 8, 2024, in the Amount of \\$1,050,523.37.](#)
4. [Investment and Bank Balance Summary through November 2023.](#)
5. [Year-to-Date Revenues and Expenditures through November 2023.](#)
6. [Crime-Free Housing Bureau Report – December 2023.](#)

H. PUBLIC HEARINGS

None.

I. CONSIDERATIONS

None.

J. RESOLUTIONS

1. **Resolution 2024-001 Authorizing an FY2024 Funding Agreement with the DeKalb County Economic Development Corporation (DCEDC) in the Amount of \$35,000 for Economic Development Services from January 1, 2024, through December 31, 2024.**

City Manager's Summary: The FY2024 City Budget that was approved on December 11, 2023, set aside \$35,000 (Community Development: 100-40-41-63700) in support of the DeKalb County Economic Development Corporation. The City of DeKalb was a founding member of the DeKalb County Economic Development Corporation in the late 1980s and has significantly benefited from the agency's business attraction and retention efforts ever since. DCEDC is the strategic planning arm of the DeKalb County government and continues to be a vital clearinghouse for business prospects and commercial brokers interested in development sites in our community and our planning area. The DeKalb City Manager is automatically a member of the agency's executive committee, and the DeKalb Mayor is an ex-officio member of the board of directors.

The corporation's role as an initial point of contact for industrial and commercial prospects is very valuable, as in the case of the recent Ferrara, Meta, Amazon and Kraft Heinz projects. The organization's ongoing administration of the DeKalb County Enterprise Zone and its surveys of DeKalb County's labor market and business activity are also very important. Long-range planning in concert with all county communities continues (the DeKalb County Thriving and Branding initiatives) and the City substantially benefits from the comprehensive data it generates. **City Council approval is recommended.** ([click here for additional information](#))

2. **Resolution 2024-002 Authorizing an FY2024 Funding Agreement with the DeKalb County Convention and Visitors Bureau in the Amount of \$50,000 for Tourism Activities from January 1, 2024, through December 31, 2024.**

City Manager's Summary: The FY2024 City Budget that was approved on December 11, 2023, also set aside \$50,000 (Community Development: 100-40-41-63700) in support of the DeKalb County Convention and Visitors Bureau.

It should be noted that each municipal dollar is matched by a dollar from the Illinois Office of Tourism. In recent years, such events have included the biannual IHSA high school football championships and IESA state wrestling championships. The CVB markets these and other events in DeKalb County through a variety of media, including the annual DeKalb County CVB Guide.

The City of DeKalb is a key beneficiary of the CVB marketing, but at the same time contributes disproportionately as compared to the 14 municipalities in the county. From 2010 through 2023, the City of DeKalb contributed \$605,000 to the CVB. On an annual basis, the City's contribution exceeds the combined contributions of all other County political entities. **City Council approval is recommended.** ([click here for additional information](#))

3. Resolution 2024-003 Authorizing an FY2024 Funding Agreement with the DeKalb Chamber of Commerce in the Amount of \$35,000 for the Purpose of Facilitating Community Events from January 1, 2024, through December 31, 2024.

City Manager’s Summary: The City Manager is an ex-officio member of the Chamber Board of Directors. For almost 25 years, the City government has supported Chamber events management. In 2000 the City of DeKalb allocated \$15,000 to the Chamber for this purpose and to promote local tourism. This allocation became an annual grant and was accompanied by grants to the former Mainstreet DeKalb and Renew DeKalb as shown in the following table:

Year	Chamber Tourism	Mainstreet DeKalb	Renew DeKalb	Chamber Events Mgt.
2000	\$15,000			
2001	\$20,000			
2002	\$20,000			
2003	\$20,000	\$25,000		
2004	\$50,000	\$25,000		
2005	\$50,000	\$25,000		
2006	\$50,000		\$50,000	
2007	\$50,000		\$50,000	
2008	\$50,000		\$50,000	
2009	\$50,000		\$45,000	
2010			\$45,000	
2011			\$45,000*	
2012			\$45,000*	
2013				\$45,000
2014				\$45,000
2015				\$45,000
2016.5				\$22,500
2017				\$45,000
2018				\$45,000
2019				\$35,000
2020				\$35,000
2021				\$35,000
2022				\$35,000
2023				\$35,000
Total	\$375,000	\$75,000	\$330,000	\$422,500

*Indicates TIF funding.

In recent years, the annual grant in support of Chamber programming has included the Farmer’s Market, Santa’s arrival, and other downtown events.

City Council approval is recommended. ([click here for additional information](#))

4. Resolution 2024-004 Authorizing a Payment to the DeKalb County Community Foundation on Behalf of the DeKalb Municipal Band for Services from January 1, 2024, through December 31, 2024, in the Amount of \$41,088.

City Manager’s Summary: The Legislative budget in the City’s FY2024 Annual Budget contains an allocation of \$41,088 for the DeKalb Municipal Band, founded in 1854. The Band has performed continuously for a longer period than any other municipal band in the State of Illinois. In 2022, the Band established a pass-through fund with the DeKalb County Community Foundation to encourage private donations. This pass-through fund is the vessel for annual contributions – either public or private. The City’s FY2023 contribution will cover the expenses of the band during the summer of 2024. **City Council approval is recommended.** ([click here for additional information](#))

5. Resolution 2024-005 Authorizing the Renewal of the Microsoft Office 365 Subscription Government Cloud Community with Dell Marketing LP through the State of Illinois Joint Purchase Master Contract for a Three-Year Term in the Amount of \$66,706.65 Annually.

City Manager's Summary: The City currently maintains a subscription for the Microsoft Office 365 suite of applications in the Government Community Cloud (GCC). Office 365 includes a number of applications that are critical to City operations, including WORD, Excel, and PowerPoint as well as electronic mail (email). In addition to the traditional Office applications, the City has integrated Teams, OneDrive, and SharePoint.

The current license subscription period will expire January 31, 2024. The State of Illinois has publicly and competitively bid for a Microsoft Licensing Solutions Provider and the State has awarded Contract #CMT1176800 to Dell Marketing LP, the lowest responsible bidder, for the provision of Microsoft products as well as support services. The state contract makes the same pricing available to Illinois municipalities and other public entities.

Dell Marketing's subscription price is \$66,706.65 which is about \$10,000 less than the annual pricing proposed by the City's current provider. **City Council approval is recommended.** ([click here for additional information](#))

6. Resolution 2024-006 A Resolution in Support of Studying the Feasibility of Reviving the Twin Cities Zephyr Amtrak Route from Chicago to East Dubuque.

City Manager's Summary: The City Manager was contacted by representatives of the Coalition to Revive Twin Cities Zephyr in December. The purpose of the contact was to solicit support in the form of a **non-binding** resolution that calls for the reinstatement of passenger rail service by Amtrak to the Twin Cities. The effort does not conflict with the commuter rail study process entered by the City of DeKalb and Northern Illinois University about a year ago. In fact, if passenger rail were re-instituted over the long term on the Union Pacific line, the City's residents might be the beneficiaries.

Other municipalities in the Illinois 17th and 14th Congressional districts have been contacted as well, and Congresswoman Lauren Underwood is aware of the initiative. Letters of support in behalf of funding to evaluate the economic viability of expanding the passenger rail network in northern Illinois are meant to encourage Amtrak to set aside some of its annual targeted funding for further preliminary study.

A copy of the brief resolution is attached. **City Council approval is recommended.** ([click here for additional information](#))

7. Resolution 2024-007 Authorizing an Agreement for Preliminary Engineering Services with Fehr Graham & Associates, LLC for the 2024 General Street Maintenance Program in an Amount Not to Exceed \$75,000.

City Manager's Summary: Annually, the City hires consulting services to perform construction observation and contract management as well as design and bidding to advance the asphalt street maintenance program. Typically, fees for the preliminary engineering of straightforward street maintenance projects are less than 5% of the construction costs for the industry. For the 2024 program, the proposal from Fehr-Graham came in under 5%. Advancing the preliminary engineering work during the winter gets the City to a Spring bid award in order to complete the program under ideal summer conditions.

Fehr-Graham performed the lead engineering role during the 2023 street maintenance program with a high level of satisfaction from residents. In addition, the Fehr-Graham project manager was able to complete the services under budget.

Public Works estimated \$250,000 for total engineering services from the City's MFT Fund to cover both preliminary planning and daily construction inspection. The proposed \$75,000 will cover the preliminary design and bid-letting services for approximately \$2 million of asphalt street maintenance construction activities. A follow-on agreement for construction engineering will follow the project bidding at which time the scope (including alternates) will be better defined and the Council's preferences will be known. **City Council approval is recommended.** ([click here for additional information](#))

K. ORDINANCES – SECOND READING

1. Ordinance 2024-001 Amending Chapter 51 “Traffic” of the City of DeKalb Municipal Code to Provide for the “Regulation of Unscheduled Bus Stops” in the City of DeKalb.

City Manager's Summary: At the special Council meeting of January 4, the Council approved Ordinance 2024-001 on first reading. The ordinance is up for a second reading and has been unchanged since the January 4 public discussion.

Ordinance 2024-001 would create a new Section 51.34 regulating unscheduled bus stops in the City of DeKalb. It is targeted at the owners and managers of the private carriers cynically carrying migrants from the nation's Southwest ostensibly to the Chicagoland area but then discharging their passengers at unfamiliar locations well outside any organized station within the Chicago city limits, with no plan for their housing and accommodations upon arrival. The specific terms of the attached ordinance are as follows:

- The ordinance applies to commercial motor vehicles operating as common carriers engaged in privately chartered service.
 - The service is not part of a regularly scheduled, publicly available transportation route;
 - The service in question will include the disembarking of 10 or more passengers within the City who will not reboard;
 - The service does not include arrangements for round-trip transportation.
- **The owner or manager of the chartered service shall file an application with the City's Division of Transportation within the DeKalb Public Works Department to allow passengers to disembark in the City's corporate limits. Such application shall be submitted and approved at least ten (10) calendar days prior to the date of the proposed arrival.**
 - The application shall include the full name, full address, electronic mail address, and telephone numbers of the owner and manager of the commercial motor vehicle;
 - The application shall include the full name, full address, mobile and landline telephone numbers, and electronic mail address of the person or entity that has directed, paid for, or financed the transport of persons who will disembark the vehicle upon arrival in the City;
 - The application shall include the full name(s), known address(es), and telephone number(s) of the persons who are intending to disembark from the bus in the City;

- The application shall include the name and address of the City location where the applicant proposes to allow passengers to disembark;
- The application shall include the date and time at which the applicant's passengers will disembark in the City, which shall be between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding any federal, state or City holidays;
- The application shall include the full name, full address, mobile and landline telephone numbers and electronic mail addresses of all entities or individuals that will be present to meet and receive the passengers disembarking in the City;
- **The application shall include a detailed plan identifying how the disembarking passengers will be housed and fed upon disembarking in the City for a period of not less than thirty (30) days.** The plan shall be signed by the entity or individual agreeing to be responsible for providing the action steps detailed in the plan;
- The person submitting the application shall swear or affirm that to the best of their knowledge or belief the information set forth in the application is true and correct, and such oath or affirmation shall be attested by a person authorized to administer oaths or witness affirmations within the state where the application is sworn or affirmed;
- The City's Transit Manager shall review all applications described above. Within five (5) days after receiving a complete application the Transit Manager shall inform the applicant whether or not the proposed plan is approved or denied for the stated location. Such approval shall not be unreasonably withheld unless the Transit Manager can show that the application includes materially false or incomplete information. If the Transit Manager denies an application, the applicant shall have three (3) calendar days after the denial to appeal the decision of the Transit Manager to the City Manager.
- Complaints brought by the City for any violation of this ordinance shall be heard before the City's Administrative Hearing Officer in the manner and terms outlined in Chapter 17 of the DeKalb Municipal Code. **The Administrative Hearing Officer shall impose a fine of not less than One Thousand Dollars (\$1,000) per violation, for each passenger arriving on the offending commercial motor vehicle. Additionally, for any violation of any provision of this code the DeKalb Police Department is authorized to seize and impound the commercial motor vehicle until any fines or attendant hospitality costs arising from such violation (s) shall be paid in full by the offending owner or manager. Such fines and hospitality costs as well as any related towing and storage fees shall be collected before the impounded vehicle is released.**
- Whenever a Police officer has probable cause to believe that a commercial vehicle is subject to seizure and impoundment pursuant to this code, the Officer shall order the towing according to Chapter 35 of the DeKalb Municipal Code.

It is very important to note that persons from any point of origin disembarking from public transportation or privately chartered services in DeKalb should have, and will have, the opportunity to get to where they intend to go safely and without harassment. If DeKalb Police officers are called to assist, they will provide the same kind of professional service they would normally offer persons in need of assistance. The Police Department will not act as surrogate officers of the federal Immigration and Naturalization Service.

What happens if an arrival does not go as planned and the private carrier is not prepared to offer the needed assistance? City staff have been engaged with other government officials, social service agencies, and hospitality businesses to temporarily work out appropriate

responses if required to do so for guests arriving outside of regular business hours or without the private means to provide for themselves or their families. However, DeKalb's resources would be quickly tapped. The last "surge" our DeKalb-area social service agencies faced was in the immediate aftermath of the extensive arson fire damage at the former Hunter Ridgebrook apartments in July 2019. At that time, 21 residents were locally housed at the expense of local social service agencies (particularly Family Service Agency) for over a month, totaling about \$28,000 in building rent and motel assistance. The total of all assistance to the Ridgebrook victims (approximately 87) was over \$37,000. In contrast to the experience awaiting migrants, most of these residents were able to retain their jobs or sources of support, and most had social or family networks in the area to fall back upon. Only a few weeks after the Hunter Ridgebrook fire, a more catastrophic fire at a large Sycamore apartment complex exhausted the remaining resources of our county-wide social service agencies.

In the upper Midwest, the City of Chicago is clearly the preeminent haven for emergency housing, emergency financial assistance, job training, emergency health care, low-cost intracity transportation, and advanced social service and mental health agencies. **City Council approval is recommended.** ([click here for additional information](#))

L. ORDINANCES – FIRST READING

1. Ordinance 2024-002 Approving the Rezoning of Property Located at 122 Cotton Avenue to the "TFR" Two-Family Residential District and Approval of a Special Use Permit to Allow Two Dwelling Units on a Lot That Does Not Meet the Minimum Lot Size Requirements (Neville Gallon).

City Manager's Summary: The applicant, OLPOA Properties LLC, represented by Neville Gallon, is requesting approval of the rezoning of the property at 122 Cotton Avenue from the "SFR-2" Single-Family Residential District to the "TFR" Two Family Residential District. In addition, the applicant is seeking a special use permit to allow two dwelling units on a lot that does not meet the minimum lot size requirements.

The structure featured two dwelling units for several years, with one unit on the ground floor and a second unit upstairs. There are still two mailboxes at the front door. From about 2018, the structure has been vacant and therefore has lost its legal non-conforming status. The applicant purchased the property in 2018.

The owner wants to re-establish a dwelling unit on the ground floor and a second unit upstairs. The owner intends to make improvements to the structure, which will include a new roof, new windows, and various interior improvements which will need to be approved by the City's Building department. A preliminary floor plan for both levels was provided by the applicant and is included in the background materials. In addition, the applicant provided photos of the interior of the structure and images of other rehab projects he has completed.

For the "TFR" District, the Unified Development Ordinance (UDO) requires a minimum lot size of 7,000 square feet for two-family dwellings. The subject lot is 4,881 square feet and is part of the Cotton's Addition Subdivision which was recorded in 1894. There are other smaller lots along the east side of Cotton Avenue including the lot to the north (3,520 square feet) and two other lots under the 6,000 square foot minimum lot size for single-family detached dwellings.

The UDO requires two parking spaces per dwelling unit for two-family attached dwellings. There is adequate room on the lot for new paved driveways on the north and south side of the structure. The new driveways would accommodate two parking spaces each, meeting the UDO requirements. The home currently has separate utilities including water and sewer meters for each unit.

Areas to the north and west are zoned “SFR-2” Single-Family Residential. The property to the south is zoned “GC” General Commercial District and is the business address for CSR Bobcat. The lot to the east of the subject site is also zoned “GC” District and contains outside storage of equipment. The proposed “TFR” classification is appropriate for the site and provides a zoning transition from the intense commercial uses to the south and east and the single-family areas to the north and west.

The Planning and Zoning Commission held a public hearing regarding the rezoning request and special use petition at their meeting on December 18, 2023. By a vote 7 to 0 the Commission recommended City Council approval of the rezoning of the subject site at 122 Cotton Avenue from the “SFR-2” Single-Family Residential District to the “TFR” Two Family Residential District and approval of a special use permit to allow two dwelling units on a lot that does not meet the minimum lot size requirements, subject to the conditions outlined in the attached memorandum from Planning Director Dan Olson.

City Council approval of the Planning and Zoning Commission recommendation is requested. ([click here for additional information](#))

2. Ordinance 2024-003 Approving the Rezoning of Property Located at 1209 Pleasant Street to the “RC-1” Residential Conservation District, Approval of a Special Use Permit to Allow a Two-Family Dwelling Unit (Duplex), and Approval of a Minor Subdivision Plat (Habitat for Humanity of DeKalb County).

City Manager’s Summary: The applicant, Habitat for Humanity of DeKalb County represented by Kim McIver, is requesting approval of the rezoning of the property at 1209 Pleasant Street from the “LC” Light Commercial District to the “RC-1” Residential Conservation District. The applicant is also requesting approval of a special use permit to allow a two-family dwelling unit (duplex) to be constructed on the lot. Finally, the approval of a minor subdivision plat is requested.

The lot previously contained a single-family home that was demolished in 2016. Habitat for Humanity bought the lot in September 2023. The proposed subdivision has two lots with each lot comprising 3,600 square feet (30’ by 20’). For a two-family dwelling unit, the “RC-1” District requires a minimum lot size of 7,000 square feet. The subject lot is 7,201 square feet. The proposed duplex will have a building footprint of 2,880 square feet (48’ x 60’). The large trees on the site can be saved and accommodate the proposed footprint of the duplex. The “RC-1” District requires a minimum front yard setback of 25 feet, a side yard setback of five feet, and a rear yard setback of 30 feet. The site layout submitted by the applicant meets all required building setbacks, which tends to offset the deficiencies in lot size since the adjacent properties will be assured the minimum setbacks for the zoning district. The construction of the duplex on the subject lot will help preserve and protect the surrounding residential neighborhood and will be consistent with the purpose and intent of the “RC-1” Residential Conservation District.

Owing to its commercial past in the late nineteenth and early twentieth centuries, Pleasant Street has several properties that are zoned “LC” Light Commercial but contain residential uses. The “LC” zoning extends along both sides of Pleasant Street from N. Fourteenth Street westward past N. Eleventh Street. The 2022 Comprehensive Plan recommends Medium Density Residential (4-8 du/ac) for the site. The proposed density is consistent with the other two-family and multi-family homes in the surrounding neighborhood. In addition, the new duplex meets the goals of the 2001 Pleasant Street Neighborhood Revitalization Plan, particularly the neighborhood appearance objectives.

The applicant presented two building elevation options with both duplex units having a one-car garage. The UDO requires two off-street parking spaces per dwelling unit for single-family attached units (duplex). There is adequate room for a car to be parked in the garage and one in the driveway. Public services and utilities are adjacent to the subject property. The duplex will have separate water and sanitary sewer service for each dwelling unit. In addition, the drainage for the lot will be directed to the front yard and will meet all UDO requirements.

The Planning and Zoning Commission held a public hearing regarding the rezoning, special use and plat at their meeting on December 18, 2023. By a vote 7 to 0 the Commission recommended City Council approval of the rezoning of the subject site at 1209 Pleasant Street from the "LC" Light Commercial District to the "RC-1" Residential Conservation District, a special use permit to allow a two-family dwelling unit (duplex), and approval of a minor subdivision plat dated 11-6-23 labeled as Exhibit A (see attached). Further, the Commission recommended the following condition:

- That the exterior appearance of the two dwelling units shall remain compatible in relation to the colors, materials, and architecture of the immediate surrounding neighborhood.

City Council approval of the Planning and Zoning Commission recommendation is requested. ([click here for additional information](#))

M. REPORTS AND COMMUNICATIONS

- 1. Council Member Reports.**
- 2. City Manager Report.**

N. EXECUTIVE SESSION

None.

O. ADJOURNMENT

REGULAR AGENDA PACKET - AMENDED
JANUARY 8, 2024