



**DEKALB CITY COUNCIL AGENDA
JANUARY 13, 2020
6:00 P.M.**

DeKalb Municipal Building
City Council Chambers
Second Floor
200 S. Fourth Street
DeKalb, Illinois 60115

REGULAR CITY COUNCIL MEETING

- A. CALL TO ORDER AND ROLL CALL**
- B. PLEDGE OF ALLEGIANCE**
- C. APPROVAL OF THE AGENDA**
- D. PUBLIC PARTICIPATION**
- E. PRESENTATIONS**
 - 1. [Proclamation: 2020 Census and the Complete Count Committee.](#)
- F. APPOINTMENTS**
 - 1. [Appointment of Brian Scholle to the Economic Development Commission for a Three-Year Term through December 31, 2022.](#)
 - 2. [Appointment of Trixy O’Flaherty to the Planning and Zoning Commission for a Five-Year Term through December 31, 2024.](#)
 - 3. **Appointment of Max Maxwell as Chair of the Planning and Zoning Commission for a Two-Year Term through December 31, 2021.**
 - 4. **Appointment of Jeff Richardson as Chair of the Economic Development Commission for a Three-Year Term through December 31, 2022.**
 - 5. **Appointment of Clare Kron as Chair of the Citizens’ Environmental Commission (No Term Limit).**

Assistive services available upon request.

Hearing assistance devices are available in the Information & Technology Office, which is located to the right, just before entering Council Chambers.

G. CONSENT AGENDA

1. [Minutes of the Special Joint Meeting of the City Council and Finance Advisory Committee of November 18, 2019.](#)
2. [Minutes of the Special Joint Meeting of the City Council and Finance Advisory Committee of November 20, 2019.](#)
3. [Minutes of the Regular City Council Meeting of December 9, 2019.](#)
4. [Accounts Payable and Payroll through December 23, 2019 in the Amount of \\$5,106,036.25.](#)
5. [Accounts Payable and Payroll through January 13, 2020 in the Amount of \\$4,178,143.22.](#)
6. [Investment and Bank Balance Summary through October 2019.](#)
7. [Year-to-Date Revenues and Expenditures through October 2019.](#)

H. PUBLIC HEARINGS

None.

I. CONSIDERATIONS

1. **Consideration of Proposed Transit Changes to Route 12 (Elburn Shuttle Service) and Route 19 (Park 88 and Southern DeKalb Bus Service).**

City Manager Summary: Two minor bus route changes are proposed for the Council's approval, as described below:

Route 12: On Monday, October 7, 2019, the City of DeKalb's Public Transit system began operating daily shuttle service to the Elburn train station via Route 12. Increased service to the train station has provided students and residents with additional transportation options for school, work, medical, or entertainment options. Recently, Northern Illinois University (NIU) students and residents have requested an earlier shuttle option to better accommodate class or work schedules. The estimated annual increase for this additional service is \$23,616. The Illinois Department of Transportation (IDOT) Downstate Operating Assistance Program (DOAP) funding will provide 65% of the cost; the 35% local share will be provided with NIU funds per the City and NIU intergovernmental agreement (IGA).

Route 19: On Monday, October 28, 2019, the City of DeKalb's Public Transit system started running bus service to southern DeKalb and the Park 88

industrial Park via a new Route 19. Various residents residing within the Fifth Ward have recently inquired about more frequent access to Schnucks located along Annie Glidden Road. Existing bus service to Schnucks is provided by Route 16, and is available to passengers as a deviation request which means that the bus only goes to Schnucks when a passenger requests to be picked up or dropped off at the store; otherwise, the Route 16 bus bypasses the store. To address the needs of these residents, the Transit staff propose a minor routing adjustment along Route 19 incorporating a stop at Schnucks on the outbound portion of the route. This will enable more frequent access to the store and provide eastbound travel along Taylor Street after departing Schnucks. There are no additional costs associated with the Route 19 adjustment. The anticipated start date of this service is Tuesday, January 21.

City Council approval of the two route changes is recommended. ([Click here for additional information](#))

2. Consideration of Several Suggestions for Revisions to Chapter 38, “Intoxicating Liquors”.

City Manager Summary: In recent weeks, members of the City Council have heard suggestions concerning alcohol service from local residents that have arisen in Ward meetings and through ongoing dialogue between Council members and their constituents. The City Manager has been asked to present three of the concepts for a more general public consideration. This is presumably just the first in a series of public conversations that will include local proprietors with current liquor licenses who are in a unique position to weigh their potential impacts with the Liquor Commissioner (Mayor Smith) and the Council.

- [Under 21 Admittance to Bars.](#) Chapter 38, “Intoxicating Liquors,” prohibits persons under the age of 21 from bars, unless accompanied by a parent or legal guardian. Several Council members have expressed interest in modifying that prohibition, by allowing minors of 19 years of age or older to dine in designated areas for restaurant sales, separated from any area used for bar sales. This approach would require heightened vigilance by trained servers, bar management, and the DeKalb Police to restrict bar sales to anyone under the age of 21 years.
- [BYOB Liquor Licenses.](#) Chapter 38 currently permits both “stand alone” and “supplemental” BYOB sales:
 - A standalone BYOB licensee cannot engage in the sale of alcoholic beverages but can permit customers over the age of 21 years to bring their own Low ABV beverages into the premises in their original, unopened, sealed containers, for consumption on the premises. Such licenses can provide glasses and ice and may charge a corkage fee. The consumption of alcoholic beverages must be accompanied by the service of a meal.

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- A supplemental BYOB license can be issued to the holder of a restaurant liquor license. BYOB service must be incidental to the service of a meal. Again, the licensee may provide glasses and ice, and may charge a per-bottle corkage fee, but may not charge any additional fees for pouring or serving.
- Fitness Facility Liquor License. The proprietor of a local fitness center has inquired about the possibility of creating a new liquor license for fitness centers. Currently, some local fitness centers have “smoothie” bars where non-alcoholic drinks are served to customers. Such non-alcoholic bars are separated from the workout and locker room spaces.

City Council direction is requested. If the Council is interested in substantive revisions to the City’s liquor codes, the Liquor Commissioner can convene an informational give and take with the City’s license holders.

3. Consideration of a Tax Increment Financing (TIF) Funding Request from the Balli Family for the Rehabilitation of the Property at 206 E. Lincoln Highway.

City Manager Summary: The Balli family has provided a variety of dining and entertainment venues for local residents for over 47 years. In addition to Rosita’s Mexican Restaurant at 642 E. Lincoln Highway, the family has owned and operated Eduardo’s Mexican Restaurant at 214 E. Lincoln Highway since 1982. In 1994, Eduardo’s was expanded into the two-story corner building at 206 E. Lincoln Highway, which was formerly the location of Honey Girl (a women’s department store). The Balli family’s investment in DeKalb buildings since 1972 totals over \$2 million. Since the creation of TIF #1 in 1986, the family has been awarded about \$10,000 in TIF support for façade improvements.

In behalf of her family, Rosa Balli has approached the City administration with plans to remodel the second floor of the family’s two-story building at 206 E. Lincoln Highway. The second floor was gutted by the Balli family shortly after the purchase of 206 E. Lincoln Highway in the mid-1990s. Now that updated second floor apartment rentals are in demand, the family is considering an extensive remodeling of the second floor to construct four apartments: one single-bedroom apartment and three two-bedroom apartments.

The Balli family engaged an architect some months ago to present floor plans of the intended apartment uses. Based upon those plans, their architect has also prepared a conceptual cost analysis of the extensive second floor remodeling. In early December, the architect estimated the project cost for the second-floor remodeling at \$476,703 (see attached). Since then, he has filled in the projected cost of the plumbing and fixtures (\$40,000), architectural fees (\$15,000), and masonry costs (\$10,000). Of the overall project cost estimate of \$541,703, about \$464,000 (86%) is certainly TIF-eligible, based on the TIF statutory prescriptions. The exempt classifications include the estimated

general contract price, project management costs, furnishings, equipment (e.g. washers, dryers, etc.), financing, architectural fees, and minor data/phone hookups.

The City Council's most recent guidance with respect to TIF development agreements for downtown remodeling projects was shared during the July 2019 consideration of a unique proposal to remodel the Smith Building at 263 E. Lincoln Highway by Alulu Brewery and Pub of Chicago. At that time, the informal Council consensus was that a ceiling of about 30% of the estimated, overall project cost was a suitable standard for TIF funding. With regard to the Balli proposal, the 30% ceiling would be about \$162,511.

Rosa Balli will be on hand to present her family's proposed project. The "first floor commercial, second floor residential" model the Balli family will present has recently been embraced by the Council (Cornerstone; Plaza DeKalb; Agora Tower project agreements).

In evaluating the return on any TIF investment the Council will want to consider the likely sales and property tax revenues generated from the brewery and pub over the standard 20-year life of a "forgivable loan." The property taxes generated by 206 E. Lincoln Highway in 2019 totaled \$7,896.86, based on an EAV of \$71,760. The EAV of the one-story extension to Eduardo's at 214 E. Lincoln Highway in 2018 was \$51,609 which yielded total property tax revenue of \$5,955.10 in 2019.

After consulting with the DeKalb Township Property Assessor, it appears the new EAV from the approximate \$542,000 investment in 206 E. Lincoln Highway is expected to be about \$45,000 to \$50,000 per apartment unit. This projection is based on the assessment formula for the costs of other new apartments in the downtown area. Accordingly, a conservative estimate of the building's new EAV after the full build-out of the four (4) new apartment units would be approximately \$180,000 and would generate property taxes at today's rate (11.86 per \$100 EAV) of about \$29,859 per year (\$71,760 plus \$180,000 times 0.1186), or \$597,175 over 20 years.

In addition, gross sales taxes at a restaurant of Eduardo's size might generate \$1,525,000 per year (average \$25 bill times 200 customers, including lunches and dinners, over 305 working days). If the gross sales are multiplied by 4.75% (1% MROT, 1.75% home rule and 2% restaurant/bar) the annual sales and use tax revenues would total \$72,438 per year. Over 20 years, the sales tax return would conservatively total \$1,448,750.

City Council direction is requested. ([Click here for additional information](#))

4. Consideration of a \$1,000 General Fund Grant to Offset Moving Expenses for the DeKalb Area Agricultural Heritage Association.

City Manager Summary: In a letter to Mayor Smith and the City Manager on the afternoon of December 9, members of the board of the DeKalb Area Agricultural Heritage Association (DAAHA) requested City financial assistance to offset some of the agency's moving costs from the Nehring Building to NIU. DAAHA has maintained a museum in the Nehring building and the greater part of the moving expenses was associated with the relocation of its collection of agricultural artifacts and paper files uniquely reflective of Dekalb County's role in the advancement of American agriculture on an international scale. The bid price for the professional relocation of this collection was \$4,100.

Neither the City nor the DeKalb Park District have assisted the DeKalb Chamber or the DeKalb County Convention and Visitors Bureau in their recent relocations. There are no contingency funds in either the City's FY2020 General Fund or capital funds for such a purpose. Additionally, this grant request is not TIF-eligible. TIF monies cannot be used to help an entity move out of the TIF district.

There is a \$10,000 line item in the Community Development Department's budget for marketing which allocates monies for such features as the annual food guide, promotions of City-wide events such as the IHSA football championships, etc. This line item was used in FY2019 to help offset the cost of the veteran's banners on Locust Street and will be used for minor expenses associated with any low-key signage and identification at the new City Hall.

In light of the extent of the DAAHA collection and the special handling costs associated with its relocation, the City Manager recommends a \$1,000 grant.

City Council approval is recommended.

5. Consideration of a Report on Plan Review Services Provided by HR Green from June 1, 2019 through December 1, 2019.

City Manager Summary: From early summer through the late fall of 2019, the City relied on contractual plan review services provided by HR Green in the absence of experienced, in-house personnel to perform commercial and industrial plan reviews. Since the hire of a new chief building official, Dawn Harper, effective November 4, the City has gained the in-house experience to perform such plan reviews going forward.

However, plan reviews for both downtown commercial projects and the "mega" projects in the Chicago West Business Center during the heart of the 2019 construction season have pushed the end-of-year obligations for HR Green services above the additional \$20,000 allowance extended to the City Manager

on October 14. As of December 1, the HR Green charges for the year totaled \$37,495 against the City Manager's authorized spending of \$40,000. It should be noted in this context that Krusinski Construction Company has already paid the City \$200,000 for ongoing plan review services for the Chicago West projects, which are now largely performed in-house.

One additional December billing from HR Green received before the December holidays totaled \$3,464.50, pushing actual costs over the \$40,000 limit by \$959.50. It is expected that an additional invoice for Project Hammer sprinkler and fire protection plan reviews in December might account for a further \$5,000. The City Manager requests Council authorization to pay HR Green for all charges incurred in December.

Typically, the City Manager would not need to return repeatedly to the Council for authority to pay routine vendor invoices anticipated by authorized Budget allocations. In this case, the City Manager asked for specific authority in June 2019 to hire HR Green for a specific cost, and if that cost is exceeded it is incumbent on the City Manager to seek further authority. The dramatic increase in commercial and industrial plan reviews from mid-2019 certainly makes the process worthwhile.

City Council approval is recommended.

6. Consideration of a Remodeling Estimate for the New City Hall (Nehring Building).

City Manager Summary: On May 28, 2019 the City Council unanimously approved Resolution 2019-081 which established the intent of the Council to accept the transfer of the DeKalb Park District property at 164 E. Lincoln Highway (the Nehring Building) to relocate the DeKalb city hall to the downtown core. On July 22, the Council unanimously voted in favor of Ordinance 2019-053 which approved an intergovernmental agreement with the DeKalb Park District for the transfer of the property with the following terms:

- The City and Park District agreed to close on the property by December 31, 2019. In July, all three tenants still occupied the building. The DeKalb Area Agricultural Heritage Association (DAAHA) was the last tenant to vacate their tenancy in early December.
- The City agreed to take the property in its "as-is" condition.
- The purchase price was \$1.00.
- The District retained the right to re-purchase the property (for \$1.00) within thirty (30) days' notice from the City that it intends to sell the property.

- The District retained the right to re-purchase the property if the City determines it no longer wants to preserve the existing façade of the Nehring building.

The DeKalb Park Board approved the intergovernmental agreement on August 15. The City closed on the Nehring property on Friday, December 27. At the time of the Council's May decision to acquire the building, it was determined that the sale of certain city properties would help offset the cost of any interior upgrades, such as the replacement of carpeting, painting, and the replacement of bathroom fixtures. Council approved the following land sales over the summer and fall of 2019 to raise money for such minor remodeling:

- 850 N. First, sliver of unbuildable floodplain (Council authorized sale on August 26 for \$800 to Robert Carlson).
- N. First and Locust (Council authorized sale on September 9 to Plaza DeKalb, LLC for \$119,500).
- 1101 N. First Street (Council authorized the sale of this vacant fuel service station to Kumar Chaudhary on September 23 for \$80,000). A follow-on contract with the buyer regarding environmental remediation was approved on November 12.
- 822 E. Lincoln Highway (Council authorized the sale of this narrow, residentially zoned parcel to Kelly Diehl on October 28 for \$12,500).
- 402 Gurler Street (Council authorized the sale of this small, residentially-zone parcel to Tony Smith on November 12 for \$7,000).
- 1015-1017 Market Street (Council authorized the sale of this buildable residential lot on November 12 to Martin Garcia for \$10,500).
- 901 Sycamore Road (Council authorized the sale of .37-acre residential lot on November 25 to Frank Schermerhorn for \$8,500).

Revenue from the closings on these properties has been deposited in the Capital Projects Fund (Fund 400). The gross value of these properties totals \$238,800.00, less any surveys, title insurance, or other closing costs. At this writing, closings have not yet occurred for the properties at 822 E. Lincoln and 1101 N. First Street. In addition to the proceeds from scattered lot sales, the FY2020 Capital Projects Fund devotes \$186,333 from the surplus TIF 2 funds toward the Nehring renovation. Finally, proceeds from the sale of the former City Hall Annex at 213/223 S. Fourth Street, which has been listed since June 5, 2019--would be available. The property at 213/223 S. Fourth is currently listed at \$395,000.

Director of Streets and Facilities Andy Raih has been soliciting quotes from local contractors for carpet replacement, ceiling repairs, painting, the replacement of plumbing fixtures, and the location of fiber and phone ports at likely staff desk locations. pursuant to the City's financial policies. A very provisional estimate of these functional costs is listed below:

Carpet Replacement:	\$ 12,000
Hardwood floor repair (second floor):	\$ 1,500
Overall interior painting:	\$ 30,000
New suspended ceiling, main floor:	\$ 16,500
Plumbing:	\$ 7,500
Electrical, lighting:	\$ 40,000
Phone, fiber*:	\$ 40,000
Replace front door:	\$ 5,500
Misc. Carpentry:	\$ 6,500
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Total	\$159,500

* Includes fiber splicing to shift existing connections from 200 S. Fourth to new locations at the Nehring building.

By way of reference, the projected direct remodeling costs are roughly equivalent to the large single axle dump truck and plow that will be purchased from the Capital Equipment Replacement Fund in 2020.

Additional, indirect costs associated with the relocation of City Hall include professional moving (\$20,000) and the installation of a new, live video center in the Yasunas Room at the DeKalb Public Library, which is the future home of City Council meetings. In accordance with the intergovernmental agreement between the DeKalb Library and the City, unanimously approved by the Council on July 22, 2019 and by the Library Board on August 14, the City shall provide audio/visual equipment required to televise its meetings. Any AV infrastructure installed by the City shall become the property of the Library upon the termination of the IGA. The estimated cost of the start-up installation is approximately \$60,000 to \$65,000. It should be noted that the Council's franchise agreement with Comcast permits the imposition of a Public Education and Government ("PEG") fee on Comcast users to offset this cost. A PEG fee of 9 cents per month would generate about \$10,000 per year.

For the remodeling work at the Nehring Building, the moving costs, and the Yasunas Room AC center the City Manager requests spending authority up to **\$260,000** which is budgeted in the Capital Projects Fund (Line items 400-00-00-82000 and 400-00-00-86100). The sale of surplus City property will ultimately cover the estimated cost of this remodeling.

City Council approval is recommended.

Assistive services available upon request.

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J. RESOLUTIONS

- 1. Resolution 2020-001 Authorizing a Funding Agreement with the DeKalb County Economic Development Corporation (DCEDC) in the Amount of \$35,000 for Economic Development Services Beginning January 1, 2020 through December 31, 2020.**

City Manager Summary: The FY2020 City Budget approved on November 25 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 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 intake point or initial point of contact for industrial and commercial prospects is very valuable, as in the case of Projects Hammer and Ventus. The organization's ongoing administration of the DeKalb County Enterprise Zone and its surveys of county-wide business activity are also very important. Long-range planning in concert with all county communities is currently underway (the DeKalb County Thriving initiative) and the City will substantially benefit from the comprehensive data it generates.

The City of DeKalb's substantial funding commitment is only matched among public entities by the County of DeKalb, which contributed \$45,000 in FY2019.

The City Manager recommends an FY2019 grant of \$35,000. ([Click here for additional information](#))

- 2. Resolution 2020-002 Authorizing a FY2020 Tourism Agreement with the DeKalb County Convention and Visitors Bureau in the Amount of \$35,000 for Tourism Activities Beginning January 1, 2020 through December 31, 2020.**

City Manager Summary: The FY2020 City Budget approved on November 25 also set aside \$35,000 (Community Development: 100-40-41-63700) in support of the DeKalb County Convention and Visitors Bureau. In the context of tough budget decisions early in 2019, the Council thought it was necessary to "right size" the city government, and felt it was appropriate to reduce the funding for the CVB from \$50,000 to \$40,000. The FY2020 allocation is a further reduction from the \$40,000 grant in FY2019.

It should be noted that each municipal dollar is matched by a dollar from the Illinois Office of Tourism to support such events as the IHSA high school football championships and IESA state wrestling championships, which were successfully held at NIU in 2019. The CVB markets these and other events in DeKalb County through a variety of print media, including the annual DeKalb County CVB Guide.

The City of DeKalb is a key beneficiary of this marketing, but at the same time contributes disproportionately as compared to the 14 municipalities in the county. In the period 2010 through 2019, the City of DeKalb contributed \$465,000 to the CVB.

The City Manager recommends a grant of \$35,000 to the CVB in FY2020.
[\(Click here for additional information\)](#)

3. Resolution 2020-003 Authorizing a Funding Agreement with the DeKalb Chamber of Commerce in the Amount of \$35,000 for the Purpose of Facilitating Community Events Beginning January 1, 2020 through December 31, 2020.

City Manager Summary: In 2000 the City of DeKalb allocated \$15,000 to the Chamber 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
Total	\$375,000	\$75,000	\$330,000	\$282,500

*Indicates TIF funding.

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In 2013, the annual grant was pegged to the estimated cost of a full-time employee engaged in events management, including the Farmer's Market, Santa's House, etc. The Chamber has begun its planning for 2020 events.

The City Manager recommends an FY2019 grant of \$35,000. ([Click here for additional information](#))

4. Resolution 2020-004 Authorizing Human Services Agreements with Local Social Service Agencies for Human Services Funding Beginning January 1, 2020 through December 31, 2020.

City Manager Summary: Since 1998, the City has awarded Human Services grants as a means of supporting local non-profit agencies that provide essential social services for the most vulnerable individuals and families in the community. Grantees have traditionally been considered in order of priority:

1. Providers of services that help meet basic emergency needs, such as food, clothing, and shelter;
2. Providers of services that are preventative in nature and promote the highest degree of self- support, self-care, and self-help; and
3. Providers of services that seek to enhance the quality of life of persons whose basic needs are already met, with priority given to services that primarily benefit low- and moderate-income residents.

Targeted populations include, but are not limited to, individuals and families who are homeless or at risk of homelessness, individuals who suffer with substance abuse or mental health conditions, victims of domestic and/or sexual violence, abused and neglected children, older adults, individuals with disabilities, at-risk children and youth, and households with low- to moderate-income.

In its first year (FY 1998), HSF grants totaled \$184,000. The largest total amount distributed in HSF grants occurred in FY 2008 and FY 2009, when 13 recipients received a total of \$211,900 in each of those years. Since that time, the total amount distributed has remained at or near \$150,000.

During the FY 2020 budget process, \$150,000 was included in the Community Development Departmental budget for Human Services Funding. Applications were provided to the social service agencies that received funding in FY2019. The application process was also open to additional agencies within the community. Staff posted the application on the City's website and issued a press release to all local media. The application information was also posted on the City's Facebook page. A total of 16 applications were received, of which thirteen applications were received from agencies funded in 2019. Requests totaled \$221,540.

The following chart details the 14 agencies recommended for funding, the amount of the FY2019 HSF funding (if received), and the Community Development staff's recommendation for a FY 2020 funding amount:

Agency	Program Description	FY2019	FY2020	
		Funding Provided	Funding Requested	Recommended Funding
Adventure Works of DeKalb County, Inc.	Adventure-based therapy for at-risk children/youth.	\$9,200	\$15,000	\$10,000
Court Appointed Special Advocates (CASA)	Advocates for abused/neglected children in the justice system.	\$5,000	\$6,000	\$5,000
Community Coordinated Child Care (4-C)	Advocates for quality, affordable, accessible childcare.	\$19,000	\$19,000	\$19,000
DeKalb County Community Gardens	Fresh and healthy food access for food insecure and low-income populations.	\$5,000	\$7,000	\$5,000
DeKalb County Youth Services Bureau	Youth and family counseling along with substance abuse early intervention.	\$25,000	\$30,000	\$24,000
Elder Care Services	Assists low-income senior citizens and people with disabilities to maintain independence.	\$9,300	\$15,000	\$9,000
Family Service Agency of DeKalb County	Club 55 - Programs and activities for senior citizens.	\$12,000	\$15,000	\$10,000
Friends of DeKalb Regional Office of Education	Funding to promote the BASICS – a community initiative to ensure children start Kindergarten with the skills they need to succeed.	New Request	\$15,000	\$2,000
Hope Haven	Emergency food and shelter for homeless individuals and families with children.	\$5,000	\$8,000	\$7,000
Kishwaukee YMCA – Camp Power	Summer camp for at-risk children at University Village.	\$12,000	\$17,000	\$11,000
Nguzo Saba Men's Club	Summer basketball and mentoring program.	\$4,000	\$6,000	\$5,000
RAMP	Employment services for people with disabilities.	\$5,000	\$6,000	\$5,000

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Safe Passage	Services for victims of domestic and sexual violence.	\$9,000	\$15,000	\$10,000
Voluntary Action Center	Transportation and nutrition services for the elderly, people with disabilities and transit-dependent populations.	\$25,000	\$45,000	\$28,000
TOTAL				\$150,000

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

5. Resolution 2020-005 Authorizing the Waiver of Competitive Bidding and Payment to LiftOff for the Renewal of the City of DeKalb Microsoft Office 365 Subscription in an Amount Not to Exceed \$40,956.

City Manager Summary: The City currently maintains a subscription for the Microsoft Office 365 suite of applications through LiftOff, a third-party service provider. Office 365 includes a number of applications that are critical to City operations, including the ability to send and receive electronic mail (email). The current license subscription period expires on January 20 and is due for annual renewal in the amount of \$40,956, which is within the budgeted amount for this expense. This is the third year under the agreement with LiftOff, which locked pricing for the three-year period (Resolution 2017-130). However, the initial authorization by the City Council in 2017 did not include the renewal of annual costs. In this last year of the three-year agreement, the remedy is for the Council to waive competitive bidding and renew the City’s subscription for 2020 in the amount of \$40,956. This software subscription will be re-bid in 2020.

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

6. Resolution 2020-006 Adopting a Public Mural Policy for the City of DeKalb.

City Manager Summary: At the regular City Council meeting of December 9, 2019 the City Council considered a public mural policy drafted by the Citizens Community Enhancement Commission. The Council supported the draft and bringing the matter back as an action item. Since the meeting of December 9, the City Attorney has reviewed the draft policy and recommended a few changes which will bring it in line with the most recent federal case law regarding First Amendment rights of private property owners to express themselves through art work on their private buildings. This private prerogative is more limited if the artist working on private property is receiving City grant support.

The attached resolution will implement a public mural policy which includes the following features:

- a. If implemented, the Commission and Administration would review the possibility of an annual grant program as part of the City's budget preparation each Fall. Because the proposed policy was not ready for Council review during the FY2020 Budget process, FY2020 will be a pilot year seeking interest from individuals and groups who would possibly secure funding from private sources or other public grant sources.
- b. Individuals, businesses, and community groups seeking to create public murals would provide a 1:1 match for any City funds that might become available.
- c. All murals proposed for public buildings must be approved by the City Council.
- d. The design "context" or content for murals on public properties—or private properties receiving public grant support--must be defined as part of the approval process.
- e. No operating costs, equipment costs, or administrative costs may be included in any grant proposal.
- f. The artist(s) must carry insurance that holds the City harmless for work that requires set ups on public property.
- g. Any eventual City grants would be extended through a contract between the artist(s) and the City, identifying an estimated timeline for completion.

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

7. Resolution 2020-007 Authorizing an Amendment to Resolution 2019-108 for the Transfer of Two Rolling Stock Public Transit Vehicles from the City of DeKalb to Pace.

City Manager Summary: The Staff requests authorization to amend [Resolution 2019-108](#) for the transfer of two rolling stock Public Transit Vehicles from the City of DeKalb to Pace to accurately reflect the remaining Federal Transit Administration (FTA) interest in the vehicles. These buses are known by the following VIN numbers:

- 2012 40-Foot Eldorado Axess VIN: 1N9APACL3CC084071; and
- 2012 35-Foot Eldorado Axess VIN: 1N9AMACL6CC084073)

On June 24, 2019, the City Council approved [Resolution 2019-108](#) authorizing the transfer of two rolling stock transit vehicles from the City of DeKalb to Pace in Arlington Heights, IL. As required by the Federal transit Authority, Resolution 2019-108 detailed the remaining federal share based upon the vehicle's useful

life balance (ULB) in years. At that time, the Transit staff determined that between the two vehicles there remained a total federal share in the amount of \$259,407.32, based upon the assumption that the FTA provided 80% of the total funding for each vehicle. The City Transit staff's end-of-the-year review revealed that of the four buses purchased, including the two vehicles listed above, all were purchased through 100% FTA funding rather than the 80% originally assumed. Additionally, the years of service for depreciation purposes were inaccurately calculated at 7.5 years rather than 6.5 years.

Based upon this information, the revised total remaining Federal Interest in both vehicles equals \$384,307.11. Detailed information about this estimation can be found in the background to this Agenda item.

City Council approval of the attached Resolution is recommended. ([Click here for additional information](#))

8. Resolution 2020-008 Authorizing the Sale of Real Property Located at 315 N. Tenth Street (PIN 08-23-258-011) in the Amount of \$6,000.

City Manager Summary: This narrow, residential-zoned City property is vacant. The City has received an offer of \$6,000 from Mr. Frank Schermerhorn for the parcel. A copy of the commercial contract is attached.

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

K. ORDINANCES – SECOND READING

None.

L. ORDINANCES – FIRST READING

1. Ordinance 2020-001 Authorizing Boundary Modifications to the Area Known as the DeKalb County Enterprise Zone, Vacant Ground Addition, Option 2.

City Manager Summary: On October 28, 2019, the Council approved Resolution 2019-146 which amended the original designating ordinance approved by the seven founding communities that, along with the State of Illinois, created the DeKalb County Enterprise Zone in December 2014. At the regular City Council meeting of December 9, 2019, the Council further approved an amendment to the intergovernmental agreement that officially organized the DeKalb County Enterprise Zone (Resolution 2019-164) as of January 1, 2016. These actions together achieved the following purposes:

- The definition of “Knowledge-based Companies” was broadened to include “Data Centers.”

- The West Campus area of Northern Illinois University became eligible for the Zone's incentive package where private investment results in an increase in assessed valuation.
- In the event an industrial-based, logistics or knowledge-based company locates in a building developed as a speculative venture, the employment thresholds may be extended from two to four years, if approved by the Enterprise Zone Advisory Board.

The City of DeKalb joined all the other signatory communities (DeKalb County, Sycamore, Cortland, Genoa, Sandwich, and Waterman) in approving these amendments.

Now, as attention shifts to the interest of a major knowledge-based company, Project Ventus, in roughly 505 acres south of the Project Hammer site, the Enterprise Zone advisory committee composed of the DCEDC Executive Committee together with representatives of the seven (7) signatory communities has recommended further amendments to the Enterprise Zone area to include the acreage portrayed on the attached Exhibit "B." Two ordinances are required to make the boundary extension. The first, Ordinance 2020-001, amends the Initial Designating Ordinance approved by the seven communities that, along with the State of Illinois, created the DeKalb County Enterprise Zone in the period December 5, 2014 through January 1, 2016. The second, Ordinance 2020-002, amends the intergovernmental agreement approved by the seven designating communities that established the legal description of the territory within the original Enterprise Zone.

Currently, the DeKalb Enterprise Zone contains 13.1 square miles. Approval of these two ordinances will add an additional 505.329 acres (0.7896 square miles). The Enterprise Zone has a maximum allowable area of 15 square miles. The proposed boundary amendment pertains to land within Afton Township, south of Gurler Road, between IL Route 23 and the property line just east of Peace Road extended. By separate action, this land area will be annexed in the future to the City of DeKalb to provide for utilities and the upgrade of Gurler Road.

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

2. Ordinance 2020-002 Approving a Second Amendment to the DeKalb County Enterprise Zone Intergovernmental Agreement.

City Manager Summary: See the notes to Ordinance 2020-001, above.

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

3. Ordinance 2020-003 Amending the Property Tax Abatement Qualifying Criteria and Definitions in the DeKalb County Enterprise Zone.

City Manager Summary: The extension of the boundary limits south of Gurler Road requires the extension of the Enterprise Zone incentive benefits to this land area. Ordinance 2020-003 and Ordinance 2020-004, together, effect this extension. Ordinance 2020-003 amends the Initial Designating Ordinance approved by the seven communities that, along with the State of Illinois, created the DeKalb County Enterprise Zone through several enactments in the period December 5, 2014 through January 1, 2016. Specifically, to accommodate extraordinary developments in the “Interstate Commerce Market” which lies within 3.5 miles of the centerline of Interstate 88, the following Enterprise Zone tax abatements are proposed:

- 15 years at 50% for projects with a minimum of \$100 million investment, 400 jobs, and 900,000 square feet of development area, such as Project Hammer; and
- 20 years of up to 55% per year for projects with a minimum of \$800 million of investment, 50 jobs, and 900,000 square feet of development area.

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

4. Ordinance 2020-004 Approving a Third Amendment to the DeKalb County Enterprise Zone Intergovernmental Agreement.

City Manager Summary: This Ordinance amends the intergovernmental agreement approved by the seven designating communities that established the original Enterprise Zone. The IGA identified the specific tax abatement benefits that might be realized by industrial projects within the Zone. The attached ordinance amends the specific terms to align with the tax abatement criteria for extraordinary projects within the Interstate Commerce Market area, as described above.

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

5. Ordinance 2020-005 Amending Chapter 35 “Towing”, Chapter 52 “Offenses Against Public Peace – Safety and Morals”, and Chapter 64 “Smoking Regulations” to Conform to New Cannabis and Tobacco Laws.

City Manager Summary: On November 25, the City Council unanimously approved a “Municipal Cannabis Retailers’ Occupation Tax” of 3% on all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program Act. The 3% tax falls on the gross receipts of retail sales in licensed retail businesses. References to cannabis are appear in other existing City codes

and these references need to be revised in accordance with recent state and local enactments. The omnibus ordinance that is attached updates cannabis references in Chapter 35 (Towing), Chapter 52 (Offenses Against the Public Peace), and Chapter 64 (Smoking Regulations). The specific changes are generally described below:

- no person who is under 21 years of age shall use or possess tobacco or any substance containing cannabis;
- no person who is 21 years of age or older shall possess (a) more than 30 grams of cannabis flower, (b) 5 grams of cannabis concentrate, (c) cannabis-infused product(s) containing a total of more than 500 milligrams of tetrahydrocannabinol (THC);
- no person shall possess any amount of cannabis in any form (a) in a school bus, (b) on the grounds of any preschool or primary or secondary school, (c) in a vehicle not open to the public unless the cannabis is in a reasonably secured, sealed container and reasonably inaccessible while the vehicle is moving, or (d) in a private residence that is used at any time to provide licensed child care or other similar social service care on the premises;
- no person shall use cannabis (a) in a school bus, (b) on the grounds of any preschool or primary or secondary school, (c) in any motor vehicle, (d) in a private residence that is used at any time to provide licensed child care or other similar social service care on the premises, (e) in any public place where a person could reasonably be expected to be observed by others, (f) knowingly in close physical proximity to anyone under 21 years of age who is not a registered medical cannabis patient, or (g) while operating a motor vehicle, aircraft, or motorboat;
- no cannabis smoking in any public place, including tobacco smoke shops (State law would allow cannabis smoking in a smoke shop, but it allows the City to prohibit it); and
- no person under 21 may possess cannabis paraphernalia (State law no longer prohibits cannabis paraphernalia).

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

M. REPORTS AND COMMUNICATIONS

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

Assistive services available upon request.

Hearing assistance devices are available in the Information & Technology Office, which is located to the right, just before entering Council Chambers.

N. EXECUTIVE SESSION

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

O. ADJOURNMENT

[FULL AGENDA PACKET](#)