



**DEKALB CITY COUNCIL AGENDA
REGULAR MEETING
JANUARY 22, 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. [Summary Report of the DeKalb School Resource Officer Program for the 2023 Fall Term.](#)

E. PUBLIC PARTICIPATION

F. APPOINTMENTS

1. Reappointing Julie Jesmer to the Citizens’ Environmental Commission for a Two-Year Term through December 31, 2025, and Appointing Her as Chair.
2. Reappointing Kate Noreiko and Veronica Origel to the Citizen Police Review Board, Each for a Two-Year Term through December 31, 2025.
3. Reappointing Tony Chulick to the Board of Fire and Police Commissioners for a Three-Year Term through December 31, 2026.
4. Reappointing Brad Hoey and [Appointing Al Ferris to the Citizens’ Community Enhancement Commission](#), Each for a Three-Year Term through December 31, 2026.
5. Reappointing Andre Powell to the Human Relations Commission for a Three-Year Term through December 31, 2026.

G. CONSENT AGENDA

1. [Minutes of the Special City Council Meeting of January 4, 2024.](#)
2. [Minutes of the Regular City Council Meeting of January 8, 2024.](#)

3. [Accounts Payable and Payroll through January 22, 2024, in the Amount of \\$5,602,652.37.](#)
4. Freedom of Information Act (FOIA) Report for [November](#) and [December](#) 2023.

H. PUBLIC HEARINGS

1. Public Hearing Regarding the FY2024 Community Development Block Grant (CDBG) Annual Action Plan.

City Manager's Summary: The Community Development Block Grant (CDBG) Consolidated Plan is a five-year plan that provides a unified vision for developing actions designed to address housing and community development needs. Development of the plan is a collaborative activity between the City and the local community that creates the opportunity for citizen participation in setting long-term CDBG Five-Year strategies and shorter-term annual actions to meet priority needs. On February 10, 2020, the City Council approved the CDBG Five-Year Consolidated Plan for 2020-2024, and the FY2020 Annual Action Plan. The 2020 Annual Action Plan was amended twice during the program year to add additional CDBG-CV funds that were granted to the City by the CARES Act to prevent, prepare for, and address needs that were a result of the coronavirus pandemic. In 2023, an additional \$395,328 in CDBG funds was received to fund the fourth year of the Five-Year Consolidated Plan.

For the new Program Year of April 1, 2024 – March 31, 2025, the City will receive an estimated \$375,561 in CDBG Entitlement funds. The federal Department of Housing and Urban Development (HUD) allows grantees to issue an Annual Action Plan using an estimated grant amount because the actual allocation is not known at the time the plan is created. The attached Action Plan describes the proposed uses of the new funds based on the estimated grant amount and will be updated to reflect the actual grant amount when the allocation notice is received – typically in April. Project funding will be adjusted proportionately to reflect actual increases or decreases in the funding amount.

The chart below details the proposed uses of the new CDBG Entitlement funds plus all unspent carryover funds.

	2023 Carryover	New 2024 Funds	Total Funds	Notes
Economic Development / Project Launchpad		\$125,000	\$125,000	These funds will be allocated to Opportunity DeKalb for the development of microenterprises.
2022 Public Facilities	\$105,000	\$100,337	\$205,337	These funds will be allocated to public infrastructure projects as determined by Council.
2023 Public Services	\$0	\$56,334	\$56,334	HUD caps this amount at 15% of the total grant.
2023 Owner Occupied Housing Rehab Program	\$5,000	\$18,778	\$23,778	Remaining funds from 2021 will be carried over to fund the program in 2022. Additional new funds of about \$20,000 were added to assist LMI households with lead service line replacements.
2022 Administration	\$0	\$75,112	\$75,112	HUD caps this amount at 20% of the total grant.
TOTAL	\$110,000	\$375,561	\$485,561	

[\(click here to view Public Hearing Notice\)](#)

2. Public Hearing Regarding a Proposed Annexation Agreement for Property Located at 11921 Illinois Route 38 (Maercker Properties LLC).

City Manager's Summary: This public hearing pertains to a proposed annexation agreement for the property located at 11921 Illinois Route 38 and Webster Road. The applicant, Maercker Properties LLC, represented by Craig Maercker, is interested in reaching agreement with DeKalb about the terms that will apply when his property becomes contiguous to the DeKalb corporate limits. The 14-acre property is within DeKalb's mile-and-a-half planning jurisdiction but about 500 feet east of the present corporate limits (see the attached visual in the agenda background). Mr. Maercker is the owner of C&H Plumbing, which has been located since 1982 at 332 Wurlitzer Drive in DeKalb. His long-term ambition is to develop the site at Illinois Route 38 and Webster Road into a six-lot commercial development that could include six lots. The annexation agreement provides a path for the eventual incorporation of the 14 acres into the City of DeKalb under terms that are mutually agreeable to both parties.

The draft annexation agreement will require annexation to the City once the property becomes contiguous. The owner intends to relocate his plumbing shop to a new building on the first lot in the subdivision according to DeKalb's adopted building codes and the Unified Development Ordinance (UDO). The zoning parameters will conform to the UDO's "PD-I" Planned Development – Industrial District which allows light industrial uses, including the applicant's plumbing company. The petitioner also seeks approval of a preliminary plan along with the approval of permitted and special uses and development standards.

The site is currently zoned "BC" Business Conservation District through DeKalb County. A house, barn, silo and other farm buildings were once on the site; however, those buildings have been demolished except for the home. Access to the site will be directly from Webster Road. The proposed cul-de-sac on the site serving the six lots will be a private drive due to its distance from the City's corporate limits and other City-maintained roadways. Although private, the roadway will be built to the City's construction standards. Two detention basins are shown and as each building is proposed an analysis of the stormwater requirements will be reviewed to ensure it meets the requirements of the UDO.

There is an existing water well on the property that will be used to supply water to the new C&H Plumbing building and perhaps another industrial building. There is also an existing septic system that will be used until it's not feasible to continue it. The nearest public water and sanitary service to the property are located at the intersection of Route 38 and Peace Road. Language in the annexation agreement will allow the applicant to continue to use the current water and septic facilities until annexation to the City and extension of those public facilities to within 200 feet of the subject site. The petitioner has also had discussions with the DeKalb County Health Department regarding the continued use of the septic system.

Action items including an annexation agreement and zoning petition are included under "Ordinances" on this Agenda. ([click here to view additional information and Public Hearing Notice](#))

I. CONSIDERATIONS

None.

J. RESOLUTIONS

1. Resolution 2024-008 Approving the Community Development Block Grant Annual Action Plan (One Year Use of Funds) for Program Year 31 (April 1, 2024, through March 31, 2025).

City Manager’s Summary: In the Public Hearing portion of this Agenda, the following allocation of the estimated 2024-2025 CDBG entitlement funding was proposed:

	2023 Carry-over	New 2024 Funds	Total Funds	Notes
Economic Development / Project Launchpad		\$125,000	\$125,000	These funds will be allocated to Opportunity DeKalb for the development of microenterprises.
2022 Public Facilities	\$105,000	\$100,337	\$205,337	These funds will be allocated to public infrastructure projects as determined by Council.
2023 Public Services	\$0	\$56,334	\$56,334	HUD caps this amount at 15% of the total grant.
2023 Owner Occupied Housing Rehab Program	\$5,000	\$18,778	\$23,778	Remaining funds from 2021 will be carried over to fund the program in 2022. Additional new funds of about \$20,000 were added to assist LMI households with lead service line replacements.
2022 Administration	\$0	\$75,112	\$75,112	HUD caps this amount at 20% of the total grant.
TOTAL	\$110,000	\$375,561	\$485,561	

For the “Public Services” portion of the Action Plan, the following breakdown of allocations by agency are recommended:

Agency	Program	2023 Grant Award	2024 Grant Request	Recommended
Act of Grace*	Emotional Support, education and support to families afflicted with epilepsy.	NEW	\$26,000	\$0
Children’s Learning Center**	Bus fees for low-to-moderate income children.	\$15,000	\$15,000	\$3,500
Elder Care Services	Choice of Care Program.	\$10,000	\$10,000	\$9,500
Habitat for Humanity	Assistance to build duplex in DeKalb.	NEW	\$20,000	\$0
Hope Haven	Emergency Shelter.	\$15,000	\$20,000	\$14,625
Safe Passage	Portion of Residential Director Salary.	\$17,000	\$20,000	\$16,509
Voluntary Action Center	Cold-sack, frozen meals or shelf stable meals for elderly/disabled residents.	\$0	\$12,500	\$12,200
	TOTAL	\$57,000	\$123,500	\$56,334

*No active programming or staffing has been shared.

** Number of children served has diminished from 26 in 2022 to 0 in the fourth quarter of 2023.

City Council approval of the recommended staff allocations is requested. ([click here for additional information](#))

2. Resolution 2024-009 Authorizing Human Services Funding Agreements in the Amount of \$225,000 with Local Social Service Agencies Beginning January 1, 2024, through December 31, 2024.

City Manager's 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:

- Providers of services that help meet basic emergency needs, such as food, clothing, and shelter.
- Providers of services that are preventative in nature and promote the highest degree of self-support, self-care, and self-help; and
- 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 have 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 (FY1998), HSF grants totaled \$184,000. The total budgeted amount was increased to \$200,000 in FY2022 and to \$225,000 in FY2024. Over time, the highest average annual agency grant has been \$10,526.

The City utilizes a scoring rubric that employs a numeric scale and standards to establish eligibility. Several factors are considered including, but not limited to, the following:

- What targeted population will be served?
- How many DeKalb residents will be served?
- Does the agency have demonstrated experience providing services?
- Are the proposed services a duplication of another agency's services?
- Does the agency leverage financial support from sources other than the City?
- If the applicant is a past grant recipient, does the agency have a history of submitting quarterly reports in a timely and complete fashion?

The 2024 funding applications were individually reviewed and scored by each member of a seven-member City review team led by Jennifer Yochem, the City's Community Services Coordinator. The grant requests and the review group's consensus recommendations were then considered by the City Manager in advance of bringing them to the Council for final action.

Recommended FY2024 HSF recipients in alphabetical order:

- Adventure Works of DeKalb County
- Barb City Manor, Inc
- Barb Food Mart
- Barb Food Mart-Barb City Shop *(New Application)*
- Barb Food Mart-Mustang Mart *(New Application)*
- Building Leaders Advocating for Change, Inc
- Court Appointed Special Advocates – CASA
- Community Coordinated Childcare - 4-C
- DeKalb Area Alano Club *(New Application)*
- DeKalb County Community Gardens
- Elder Care Services
- Family Service Agency - Club 55 (Senior Programing)
- Family Service Agency- (Youth Programing)
- Habitat for Humanity of DeKalb County *(New Application)*
- Hope Haven of DeKalb County
- Kishwaukee Family YMCA – Camp Power
- Kishwaukee Family YMCA -Before & After School Program *(New Application)*
- Nguzo Saba Men’s Club
- Opportunity DeKalb
- Project H.O.P.E.-Back to School Bash *(New Application)*
- RAMP
- Safe Passage
- St Vincent de Paul
- Voluntary Action Center – VAC

The amounts recommended for these agencies were adjusted in consideration of the funds available in the FY2024 Budget, the agency’s qualifications according to the aforementioned criteria, and past compliance with grant reporting requirements.

The chart below details the 20 agencies that received funding in 2023, the amount of FY 2023 HSF funding (if received), new agencies and their funding requests, and the City Manager’s recommendations for FY2024 funding.

Agency	Program Description	FY2023	FY2024	
		Funding Provided	Funding Requested	Recommended
Adventure Works of DeKalb County, Inc.	Adventure-based therapy for at-risk children/youth.	\$10,000	\$11,000	\$7,500
Barb City Manor	Rental subsidy payments for low-income residents while waiting for approval of Housing Choice Voucher housing subsidies.	\$3,600	\$5,280	\$5,000
Barb Food Mart	School-based food pantry serving students and families in DeKalb School District 428.	\$16,000	\$22,000	\$18,000
Barb Food Mart-Barb City Shop	Satellite school-based food pantry serving students at DeKalb High School.	NEW	\$9,000	\$6,500

Barb Food Mart- Mustang Mart	Satellite school-based food pantry serving <i>DeKalb</i> based students at Malta Elementary School.	NEW	\$6,500	\$5,000
Building Leaders Advocating for Change, Inc.	Teen Talk	No application in 2023. Previous recipient.	\$20,000	\$7,500
Court Appointed Special Advocates (CASA)	Training for advocates for abused/neglected children in the justice system.	\$5,000	\$7,000	\$6,000
Community Coordinated Childcare (4-C)	Program support for social work and nursing services in childcare settings.	\$19,000	\$19,000	\$15,000
DeKalb Area Alano Club	Security System	NEW	\$4,235.70	\$4,200
DeKalb County Community Gardens	Fresh and healthy food access for food insecure and low-income populations.	\$6,500	\$7,500	\$7,000
Elder Care Services	Support for the Vulnerable Adults Program.	\$11,000	\$20,000	\$12,000
Family Service Agency of DeKalb County	Club 55 - Programs and activities for senior citizens.	\$13,000	\$20,000	\$15,000
Family Service Agency of DeKalb County	Youth Programming	\$20,000	\$20,000	\$15,000
Habitat for Humanity of DeKalb County	Housing Rehab Loan Program	NEW	\$10,000	\$1,500
Hope Haven	Operations support for emergency food and shelter for homeless individuals and families with children.	\$9,000	\$10,000	\$10,000
Kishwaukee YMCA – Camp Power	Summer camp for at-risk children at University Village.	\$14,000	\$16,000	\$15,000
Kishwaukee YMCA – Before & After School Program	Busing low to moderate income children from childcare to and from school.	NEW	\$15,000	\$4,500
Nguzo Saba Men’s Club	Summer basketball and mentoring program.	\$6,000	\$6,000	\$6,000
Opportunity DeKalb	Uptown Sounds	\$5,000	\$18,300	\$5,000
RAMP	Employment services for people with disabilities.	\$6,000	\$6,000	\$5,000
Safe Passage	Services for victims of domestic and sexual violence.	\$16,000	\$20,000	\$20,000
St. Vincent de Paul	Funding for the Neighbors in Need Program.	\$9,000	\$10,000	\$6,800
Voluntary Action Center	Funding for nutrition services for the elderly and people with disabilities through the Meals-On-Wheels Program.	\$20,000	\$22,000	\$22,500
Total			\$304,816	\$225,000

Careful consideration was given to all the applicants for funding. Funding amounts were adjusted to reflect, among other things, the number of DeKalb residents to be served, the agency’s stated need, whether the agency was 501 c3 eligible, and the agency’s depth and breadth of experience in meeting the needs of its defined population. The recommended funding focuses on residents of the City in particular and the Grant Review Committee

requested specific details on how DeKalb residents would be served. Thorough application narratives provided the specific information needed to make thoughtful recommendations. Awarded amounts were also adjusted to reflect the percentage of DeKalb residents to be served as compared to total individuals served.

A total of \$21,700 is recommended for new programs (about 9.6% of the total funding available). For new programs, future requests will be evaluated based on the outcomes of the initial funding, along with conformance with grant requirements. Once the Council has determined its grant rewards, any new recipients will be invited to an orientation session to better understand the expectations and requirements of the funding.

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

3. Resolution 2024-010 Authorizing a Permanent Easement Agreement for Railroad Right-of-Way for a Rail Spur and At-Grade Crossing at Crego Road.

City Manager's Summary: A rail spur serving the ChicagoWest Business Center including the Ferrara sites and the new Kraft Heinz site will traverse the City-owned Crego Road (see attachments). Lawyers and engineers working for ChicagoWest, Union Pacific, and the City have been working on the design of various easement documents and exhibits since June 2023 to assure the safe travel of rail cars along the spur, as well as the low level of traffic on Crego that would cross the projected rail crossing.

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

4. Resolution 2024-011 Authorizing Agreements for Aviation and Storage Tank Liability Insurance Coverage Effective January 1, 2024, through January 1, 2025, in the Amount of \$41,068.

City Manager's Summary: At the November 27, 2023, Council meeting, the Council approved the core elements of the City's annual liability and worker compensation coverages. The attached resolution deals with Airport and underground storage tank liabilities that grow out of the City's airport and fueling operations. In 2012, the City moved from a position of full self-funding to pursuing outside insurance coverage. After receiving competitive proposals from a number of insurance companies, the City settled on a comprehensive package of insurance that provided coverage for a wide array of conditions but maintained some City responsibility for self-insured retention and deductibles. This insurance package has been very successful for the City in terms of managing potential liabilities and costs for the past several years.

Crum-Halsted has prepared a renewal for Aviation and Storage Tank Liability insurance.

Summary of Aviation and Storage Tank Coverage:

Coverage Period January 1, 2024 – January 1, 2025

Type of Coverage	Annual Premium
Aviation Policy	\$31,560
Storage Tank Liability Policy	\$ 9,508
Total Annual Premium	\$41,068

City Council approval of the Crum-Halsted proposals is recommended. ([click here for additional information](#))

5. Resolution 2024-012 Authorizing the Purchase of a 2024 Kubota M5-091HDC12-1 Utility Tractor with a 7-Foot Mowing Deck from DeKane Equipment Corporation in an Amount Not to Exceed \$71,112.57 (Fund 420).

City Manager's Summary: The FY2024 City Budget includes an allocation of \$75,000 for a replacement utility tractor. The Street Division has performed the due diligence to find a competitively priced replacement through the state purchasing system. A 2024 tractor is available through the DeKane Equipment Corporation in an amount not exceeding \$72,000. The utility tractor will replace a 1988 John Deere 2155 utility tractor. DeKane Equipment Corporation has included pricing for both the vehicle and the mowing accessory.

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

6. Resolution 2024-013 Authorizing the Purchase of Two Ford Escapes and Two F350 Pickups with Snowplows through Morrow Brothers Ford to be Utilized in Various Divisions within the City of DeKalb in an Amount Not to Exceed \$208,824 (Fund 420).

City Manager's Summary: The FY2024 City Budget also includes the following allocations for non-Police vehicles in 2024:

- A replacement Building Department inspection vehicle.
- A Crime-Free Housing Bureau vehicle.
- Two F350 replacement pickups with plow packages.

The total budgeted allocation for these four vehicles was \$211,210. Andy Raih, Public Works Director of Streets, Facilities & Airport, has tested the state purchasing market for all four vehicles and is requesting authorization for the following:

- Two new 2023 Ford Escapes (for Building and Crime Free vehicles) from Morrow Brothers Ford (replacing a 2002 Chevy Blazer and a 2008 Chevy Impala).
- Two new 2022 F-350 pickups with plow packages from Morrow Brothers Ford (replacing 2001 and 2006 pickups in the Street Division).

The total cost of the four vehicles and accessories is \$208,824.

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

7. Resolution 2024-014 Authorizing the Purchase and Equipping of Two 2023 Ford F-150 Trucks Through Morrow Brothers Ford for the DeKalb Fire Department in an Amount Not to Exceed \$120,000 Using Ground Emergency Medical Transportation (GEMT) Funding (Fund 130).

City Manager's Summary: The Fire Department has requested authorization to proceed with a budgeted initiative to replace two staff vehicles.

These trucks will replace two staff vehicles--a 2001 Chevy Suburban and a 2007 Chevy Tahoe--that have exceeded their life expectancy and are deemed inoperable and too costly to repair by the fleet mechanic. The 2001 Chevy Suburban was removed from the fleet during 2023 after the 23-year-old vehicle was no longer drivable. The 2007 Tahoe was removed in December 2023 after breaking down on the interstate leaving staff stranded while returning

from training in Glenview. The projected cost of the repairs necessary to restore the 16-year old vehicle to routine use is considered excessive.

The Fire Department has found a commitment from Morrow Brothers Ford of Greenfield, Illinois to provide two 2023 Ford F150 Trucks (Exhibit A). Morrow Brothers is listed under the Illinois State Purchasing Contract as a certified vendor. The Ford dealer can supply vehicles that meet the Fire Department’s specifications for use as a staff vehicle, including upfitting (Exhibit A). The FY2024 GEMT budget (130-00-00-87000) includes funding for the purchase of two upfitted staff vehicles among other vehicle purchases. Upfitting includes spray-on bedliners, caps, and striping/lettering decals.

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

8. Resolution 2024-015 Authorizing an Architectural Improvement Program (AIP) Economic Incentive for Martin Garcia, Owner of DeKalb Fresh Market at 304 N. Sixth Street, in the Amount of \$25,000.

City Manager’s Summary: On September 12, 2022, the Council unanimously approved the rezoning of the site at 304 N. Sixth Street from “LI” Light Industrial to “LC” Light Commercial to afford the opportunity for Martin Garcia to create a grocery store and small restaurant (taqueria). The rezoning extended to the 48-stall parking lot immediately south of the building. For many years, the former telemarketing building had been vacant, and it was Mr. Garcia’s hope to transform the complex to better serve the current customers of his Paraiso Minimarket on N. Tenth Street and also to serve the entire DeKalb community.

Mr. Garcia more than achieved these goals. The market was completed at a total cost of about \$130,000, which does not include the “sweat equity” that Mr. Garcia and his family invested for over six months. The opening of the market just before the December holidays was all-consuming for Mr. Garcia and his final application for a TIF “Architectural Improvement Program” (AIP) grant was submitted on December 8, 2023, as subcontractors were starting to submit final bills for the evolving project that was bid in the spring of 2023 (see attachments). Given the post-project timing, the TIF eligibility falls to the City’s AIP program rather than the pre-project program tied to EAV creation.

The AIP program is a tiered program reimbursing expenditures as follows:

Property owners whose properties fall within the TIF #3 district boundaries may apply for limited incentives up to a maximum of \$25,000 based on a three-tiered list of reimbursable expenses. The tiers are shown in the following table:

Major Capital Improvements – 50% Reimbursement:

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

Minor Capital Improvements – 25% Reimbursement:

Exterior Lighting	Exterior Painting	Window & Door Replacement
Screening of Unsightly Utilities		

Deferred Maintenance – 10% Reimbursement:

Roof Repair or Replacement	Gutter Replacement	Stair and Handrail Replacement
Floor Surface Repair	Water Damage Repair	

According to the terms of the AIP program, the City “forgives” 20% of the value of the matching funds each year for five years. In FY2024, the AIP budget is \$100,000 for qualified projects on a first-come, first-served basis.

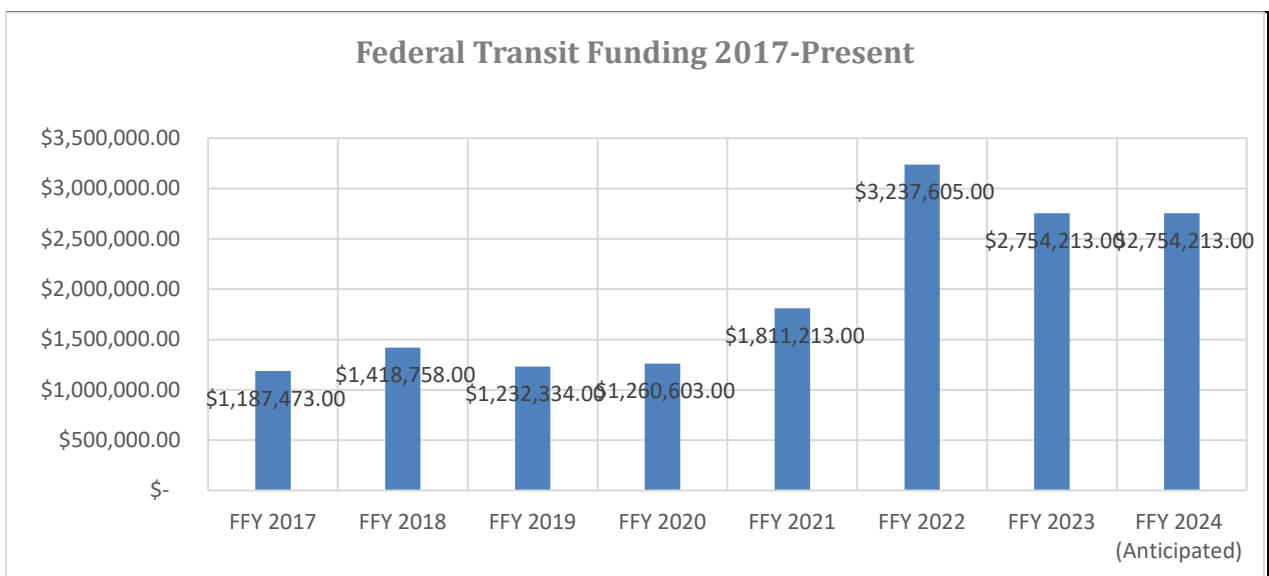
The greater portion of Mr. Garcia’s electrical, plumbing and mechanical expenses would fall within the 50% tier and his overall outlay far exceeds the \$25,000 City grant maximum to qualify for a maximum AIP grant.

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

9. Resolution 2024-016 Authorizing an Amendment to the Intergovernmental Agreement with Northern Illinois University for the Coordination of Integrated Transit Services.

City Manager’s Summary: On October 22, 2018, the City of DeKalb and Northern Illinois University (NIU) entered into an intergovernmental agreement (IGA) for integrated transit services. The terms of the original agreement were for five years, ending in 2023. Transit Manager Mike Neuenkirchen and NIU officials have negotiated a five-year extension for this IGA, with NIU agreeing to contribute a minimum of 35% of the total costs associated with fixed route transit expenses on an annual basis.

Based on these terms, the anticipated NIU contribution amount for FY2024 would be \$2,415,155. According to the original terms in 2018, the NIU responsibility was for \$2,500,000 with the eligible costs determined by a formula taking into account both the City’s level of funding from state sources, actual annual costs, and related ridership. The amended IGA renews the relationship from January 1, 2023, through December 31, 2029, with a 35% reimbursement rate (in contrast to the current 40% rate). In recent years, higher annual federal support through the state’s Downstate Operating Assistance Program has increased the City’s grant revenue baseline, creating a plausible justification for such a reduction. The following chart reflects this trend:



However, higher unit costs owing to recent increases in the TransDev reimbursements limits any “trimming” of the NIU reimbursement:

Year	Total Service Cost	Contribution %	NIU Amount	% increase
2023	\$ 5,162,633.00	40%	\$ 2,065,053.00	-
2024	\$ 7,162,116.00	35%	\$ 2,415,155.00	17%

The net NIU contribution after taking into account the higher grant revenues as well as the higher subcontractor costs is broken down in the table below:

Public Transit Service Type:	Total Cost	NIU Cost
Contracted Fixed Route w/Fuel:	\$5,608,741	\$1,963,059
Contracted Paratransit Service w/Fuel:	\$100,798	\$35,279
Contracted Elburn Bus Service w/Fuel:	\$500,456	\$175,160
Contracted Park 88 Bus Service w/Fuel:	\$610,573	\$122,115
Contracted Late Night Ride Service w/Fuel:	\$341,548	\$119,542
Total Cost of Services	\$7,162,116	\$2,415,155

For Route 19, which operates to south DeKalb, Park 88, and Gurler Road, NIU’s local match is reduced to 20%. Route 19 is meant to provide residents and students with access to employment and other available resources in an area of DeKalb that has limited public transit services. However, the Route 19 ridership consists primarily of residents of DeKalb and not full-time or part-time students. Accordingly, NIU’s match for that route has been reduced in the proposal before the Council.

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

K. ORDINANCES – SECOND READING

None.

L. ORDINANCES – FIRST READING

1. Ordinance 2024-004 Authorizing an Annexation Agreement with Maercker Properties LLC for the Property Located at 11921 Illinois Route 38.

City Manager’s Summary: At the top of this Agenda a public hearing was held on a proposed annexation agreement defining terms for the future annexation and rezoning of a 14-acre belonging to Maercker Properties, which also owns C&H Plumbing – a longstanding DeKalb business. The 14-acre property is within DeKalb’s mile-and-a-half planning jurisdiction but about 500 feet east of the present corporate limits. The draft annexation agreement will require annexation to the City once the property becomes contiguous.

The owner intends to relocate his plumbing shop to a new building on the first lot in the subdivision according to DeKalb’s adopted building codes and the UDO. The zoning parameters will conform to the UDO’s “PD-I” Planned Development – Industrial District which allows light industrial uses, including the applicant’s plumbing company. The petitioner also seeks approval of a preliminary plan along with the approval of permitted and special uses and development standards.

The site is currently zoned “BC” Business Conservation District through DeKalb County. There was once a house, barn, silo and other farm buildings on the site; however, those buildings

have been demolished except for the home. Access to the site will be directly from Webster Road. The proposed cul-de-sac on the site serving the six lots will be a private drive due to its distance from the City's corporate limits and other City-maintained roadways. Although private, the roadway will be built to the City's construction standards. Two detention basins are shown and as each building is proposed an analysis of the stormwater requirements will be reviewed to ensure it meets the requirements of the UDO.

There is an existing water well on the property that will be used to supply water to the new C&H Plumbing building and perhaps another industrial building. There is also an existing septic system that is planned to be used until it's not feasible to continue it. The nearest public water and sanitary service to the property are located at the intersection of Illinois Route 38 and Peace Road. Language in the annexation agreement will allow the applicant to continue to use the current water and septic facilities until annexation to the City and extension of those public facilities to within 200 feet of the subject site. The petitioner has also had discussions with the DeKalb County Health Department regarding the continued use of the septic system.

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

2. Ordinance 2024-005 Approving the Zoning Petition of Maercker Properties LLC to Rezone Certain Property Located at 11921 Illinois Route 38 to the "PD-I" Planned Development Industrial District to Allow Light Industrial Uses, Including a Plumbing Company, in a Proposed Six Lot Subdivision.

City Manager's Summary: The attached ordinance pertains to the proposed future annexation of the 14-acre Maercker property at Illinois Route 38 and Webster Road. The property is not contiguous to the City's Corporate limits, however it's within the City's 1-½ mile planning jurisdiction. A draft annexation agreement has been prepared that will require annexation to the City once the property becomes contiguous. There is one parcel between the subject site and the City's boundary that is about 500 feet away. The agreement will allow the owner to develop the property prior to the annexation under the City's development regulations in the UDO and locally adopted building codes. The proposed zoning is the "PD-I" Planned Development – Industrial District which will allow light industrial uses, including the applicant's plumbing company. The petitioner also seeks approval of a preliminary plan along with the approval of permitted and special uses and development standards.

The site is currently zoned "BC" Business Conservation District through DeKalb County. There was a house, barn, silo and other farm buildings on the site, however those have been demolished except for the home. Access to the site will be directly from Webster Road. The proposed cul-de-sac into the site serving the six lots will be a private drive due to its distance from the City's corporate limits and other City maintained roadways. Although private, the roadway will be built to the City's construction standards. Two detention basins are shown and as each building is proposed an analysis of the stormwater requirements will be reviewed to ensure it meets the requirements of the UDO.

There is an existing water well on the property that will be used to supply water to the new C&H Plumbing building and perhaps another industrial building. There is also an existing septic system that is planned to be used until it's not feasible to continue it. The nearest public water and sanitary service to the property is located at the intersection of Illinois Route 38 and Peace Road. Language in the annexation agreement will allow the applicant to continue to use the current water and septic facilities until annexation to the City and extension of those public facilities to within 200 feet of the subject site. The petitioner has also had discussions with the DeKalb County Health Department regarding the continued use of the septic system.

The Planning and Zoning Commission held a public hearing regarding the rezoning petition at their meeting on January 16, 2024. By a vote of 4 to 0 (Commissioners Maxwell, Stoker and Pena-Graham were absent) the Commission recommended City Council approval of the rezoning to the "PD-I" Planned Development Industrial District for the property located at 11921 Rt. 38 per the Preliminary Plan labeled as Exhibit A in the staff report and subject to the Planned Development Standards listed in Exhibit B of the staff report.

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

3. Ordinance 2024-006 Approving a Special Use Permit to Allow a Retail Tobacco Store at 830-834 W. Lincoln Highway (Mohammad Majid).

City Manager's Summary: The attached ordinance concerns a special use petition from Mohammad Majid who plans to relocate his retail tobacco store (The Smoke Shop) from 818 W. Lincoln Highway, Unit #4, in the Junction Shopping Center to 830-834 W. Lincoln Highway in the Junction Shopping Center. The move will increase their square footage from about 1,350 square feet to 2,427 square feet. The shopping center is located in an "LC" Light Commercial District in which retail tobacco stores are a special use. The current store is a legal non-conforming use since it was established prior to the creation of the UDO regulations for retail tobacco stores in 2015.

The Smoke Shop has been in their current location for approximately 15 years. They are a full-service store and carry a large variety of products including cigarettes, cigars, tobacco bags, pipes, e-cigarettes, vaporizers, and accessories. The applicant is looking for a new location in order to carry a larger variety of products and provide customers with more room to view their products. They are also proposing a larger cigar humidor in the new tenant space. The applicant plans to place a café in their current space at 818 W. Lincoln Highway, Unit #4, when they move out.

In 2015, the City amended the UDO to create regulations for retail tobacco stores. Another amendment in early 2023 further defined and clarified the regulations. Retail tobacco stores are defined as a business that either has 30% or more of its revenue or more than 25% of its floor area devoted to tobacco products and accessories. Retail tobacco stores are required to be set back at least 200 feet from a residentially zoned property, school, or day care center. In addition, no retail tobacco store can be located within 200 feet of another retail tobacco store. The proposed new tenant space location meets all the setback regulations in the UDO. The Planning and Zoning Commission held a public hearing regarding the special use petition at their meeting on January 16, 2024. By a vote of 4 to 0 (Commissioners Maxwell, Stoker and Pena-Graham were absent) the Commission recommended City Council approval of a special use permit for a retail tobacco store for the subject tenant space at 830-834 W. Lincoln Highway as shown on Exhibit A of the staff report and subject to the following:

1. The applicant shall obtain a tobacco license from the City of DeKalb prior to the selling of tobacco products.
2. There shall be no smoking in the approved tenant space.

City Council approval of the Planning & 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

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

O. ADJOURNMENT

REGULAR AGENDA PACKET
JANUARY 22, 2024