



**DEKALB CITY COUNCIL AGENDA
REGULAR MEETING
MARCH 22, 2021
6:00 P.M.**

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

COVID-19 Notice: This meeting will be conducted in-person with a physically present quorum and open to the public. The corporate authorities of the City of DeKalb intend to conduct this meeting in compliance with all applicable social distancing and public health requirements. All persons attending this meeting in-person shall be required to wear protective face masks/coverings. Furthermore, the corporate authorities of the City of DeKalb intend to conduct this meeting pursuant to Illinois Governor JB Pritzker's Executive Order 2021-4 dated February 5, 2021 (the "Executive Order"), which prohibits meetings of more than 50 people for Phase 4 mitigations, unless the City of DeKalb determines that it is necessary to invoke the Governmental Functions exemption "to ensure the operation of government agencies or to provide for or support the health, safety and welfare of the public."

As a convenience to the public, the City of DeKalb may also provide video, audio, telephonic or internet access for the public to monitor this meeting. The provision of any such remote means of access is not intended to provide for attendance by a means other than physical presence due to the COVID-19 public health emergency, nor is it intended to provide an opportunity for the public to address public officials, make public comment or otherwise participate in the meeting.

Persons wishing to provide public comment or otherwise address public officials in person during this meeting must comply with all applicable rules governing the conduct of this meeting including, but not limited to, the aforementioned social distancing and face covering requirements.

The City of DeKalb is providing the following conveniences for the public to monitor and participate in this meeting:

- Persons wishing to view the meeting from home or elsewhere can tune in to Channel 14 or by following the link provided [here](#).
- Persons wishing to provide public comment but are unable to attend the meeting in person or remotely may forward their comments by clicking on the link provided [here](#). Note that all submissions must be received no later than 12:00 p.m. on the day of the meeting in order to ensure dissemination to the City Council before the meeting convenes.

Zoom Meeting Information

Join Zoom Meeting: <https://us02web.zoom.us/j/86700839908?pwd=dXBEZ3AxMWZCM2pCaUJodjllUnQydz09>

Meeting ID: 867 0083 9908

Passcode: 825640

One Tap Mobile: +13126266799,,86700839908#,,,,*825640# US (Chicago)

- For those participating via Zoom and wishing to comment during the public participation portion of the meeting, or prior to Council's discussion of a particular item, please click on the link provided [here](#) and add in the Comment Section that you wish to address Council verbally. Note that all submissions must be received no later than 12:00 p.m. on the day of the meeting in order to ensure your name is added to the list of remote speakers.

A. CALL TO ORDER AND ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF THE AGENDA

D. PUBLIC PARTICIPATION

E. PRESENTATIONS

1. Citizens' Environmental Commission 2020 Achievements and Activities Report.

City Manager's Summary: Chair Clare Kron will present a brief summary of the Commission's accomplishments in 2020. ([Click here for additional information](#))

F. APPOINTMENTS

1. Appointment of Kelli Meserole to the Dekalb Public Library Board for the Completion of a Three-Year Term through June 30, 2021, and a Three-Year Term from July 1, 2021 through June 30, 2024. ([Click here for additional information](#))

G. CONSENT AGENDA

1. [Minutes of the March 8, 2021 Regular City Council Meeting.](#)

2. [Approval and Release of Executive Session Minutes.](#)

3. [Accounts Payable and Payroll through March 22, 2021 in the Amount of \\$2,837,137.04.](#)

4. [Investment and Bank Balance Summary through January 2021.](#)

5. [Year-to-Date Revenues and Expenditures through January 2021.](#)

6. [Freedom of Information Act \(FOIA\) Report – February 2021.](#)

H. PUBLIC HEARINGS

None.

I. CONSIDERATIONS

1. Consideration of a Contract with Gehrke Construction for the Repair and Remodeling of Fire Station One in the Amount of \$139,205.00.

City Manager's Summary: The City's FY2021 TIF#1 budget (Fund 260) allocates up to \$150,000 for the substantial remodeling of Fire Station One on N. Seventh Street, and up to \$50,000 for the replacement of the exhaust venting system at Station One (Line Item 260-00-00-82000).

Fire Station One was built in 1972 to replace the original fire station located in the 100 block of North Fourth Street. The Seventh Street station's construction included modern building materials and finishes, the Fire Department headquarters, living quarters for a shift of seven firefighters, administrative offices, storage space for supplies and equipment, and a training classroom in the lower level. The apparatus bay was designed to house modern fire equipment including a "truck" or snorkel unit.

During the past 50 years, Station One has seen dramatically more EMS service demands, additional and larger apparatus, and increased training activity. The station has functioned as the City's Emergency Operations Center, but much of the required space has been taken for more routine operational needs. The last major renovation undertaken at Station One was in the late 1990s with the addition of a vehicle exhaust handling system, a fire alarm system, an emergency exit from the lower or basement level; updates to the heating, ventilation, and air conditioning (HVAC) systems; and some minor bathroom and window upgrades. In recent years, the living and administrative spaces have been plagued by mechanical issues such as heavy condensation, and uneven heating and cooling. Additionally, the original plumbing waste and vent system has corroded cast iron piping which leaks behind the walls and emits unpleasant odors throughout the living spaces. Additionally, window seals are gone, the carpeting and floor tiles need replacement, and the living and business spaces all need painting and dry wall repair.

In the past year, the prospect of substantial renovation and repairs at Fire Station One has been vetted by the DeKalb TIF Joint Review Board and was referenced in an exhibit to the new intergovernmental agreement approved by all local taxing bodies in January 2021. The repairs fall into three main categories:

- The upgrading of the HVAC system;
- Replacement of the water and waste piping for the first floor shift bathroom; and
- Upgrading of the kitchen and dayroom and adjacent hallways.

By virtue of the station's location in the expiring TIF #1, the TIF funding of the highlighted repairs is possible. In fact, with no other identified source of capital funding, the TIF support is essential.

The Fire department requested bids and received pricing from two local general contracting firms: Weaver Construction and Gehrke Construction (formerly Swedberg Construction). Fire Chief Jeff McMaster and Capt. Luke Howieson led the Fire department bidding process. The results are detailed in Fire Chief McMaster's attached memorandum, and summarized in the table below:

Contractor	Bid Price
Gehrke Construction	\$139,205.00
Weaver Construction	\$152,135.55

A detailed breakdown of the two bids prepared by Chief McMaster is attached in the Council background.

City Council approval of the Gehrke Construction bid in the amount of \$139,205.00 is recommended. ([Click here for additional information](#))

2. Consideration of the Modernization of the Vehicle Exhaust Removal System at Fire Station One by Hastings Air Energy Control, Inc. in the Amount of \$42,349.00.

City Manager's Summary: The DeKalb Fire Department's fire suppression vehicles and ambulances are housed in the apparatus bays at each of the three (3) DeKalb fire stations. Storing these vehicles indoors ensures operational readiness, security, protection from cold and heat, and a clean, climate-controlled area to perform necessary vehicle and equipment maintenance. Diesel exhaust, especially upon vehicle startup, is a known carcinogen. Exposure to hazardous vehicle emissions in a fire station is historically a cause of cancer in firefighters. To help reduce this risk, vehicle exhaust removal systems (VERS) capture and remove exhaust in each of the City's fire stations. In the early 1990s, VERS were installed at Fire Stations One and Two. In 1994, when Fire Station Three was built, a VERS was part of the design.

A VERS works by attaching a large (5") hose to a vehicle's exhaust pipe. When a switch within the VERS senses the pressure change upon vehicle start-up, a large blower fan vacuums the exhaust and vents it to the exterior of the building. The hose follows the vehicle out the bay door where it automatically detaches. This series of events leaves the apparatus bay free of exhaust.

For the past 30 years, the VERS at each station has been activated to cycle every time a vehicle leaves the station. The three (3) fire apparatus and two (2) ambulances stored in Station One activate the VERS approximately 6,000 times per year. Over the past five (5) years, the VERS at Station One has experienced frequent breakdowns and rising maintenance costs. Further, newer fire apparatus and ambulances have dramatically different exhaust systems that operate at much higher temperatures and lower pressures.

In recent years, Hastings Air Energy Control, Inc. has provided maintenance for the City's VERS systems. After inspecting the current VERS at Station One, Hastings determined that two (2) of the rails are in good condition and have years of life in them, while three (3) rails need replacement due to wear. Other parts, including the control panel, blower fan, exhaust hoses, switches, retractors, boots, and tubing also need replacement. To solve a growing problem with the proper activation of the VERS upon start-up, the VERS must be repositioned away from pressure switches, and a transponder will be used to activate the system to ensure activation each time a vehicle starts.

The Fire Department has requested Council approval to upgrade the VERS at Station One. The FY2021 TIF #1 Budget (Fund 260) allocates \$50,000 for this purpose (260-00-00-82000). Bids were solicited by Fire Chief Jeff McMaster and are shown in the table below:

Vendor	Price
Hastings Air Energy Control, Inc.	\$42,349.00
MagneGrip Group	\$42,392.00
Midwest Air Pro, Inc.	\$75,185.00

The City Manager recommends Council approval of the lowest responsible bid from Hastings Air Energy Control, Inc. in the amount of \$42,349.00. ([Click here for additional information](#))

3. Consideration of a Public Works Recommendation to More Accurately Account for Larger Water Meter Sizes in the City’s Water Service Fee Schedule.

City Manager’s Summary: The City’s water service fee schedule does not adequately cover the fixed cost and replacement cost of larger commercial and industrial water meters based on an 8-year cycle. Currently, 118 of the City’s 11,000 metered accounts feature meters that are 3” or greater in size, including larger buildings on the NIU campus as well as the City’s business parks and industrial-zoned lots. The future Facebook accounts will also likely feature meters with orifices in larger sizes than those in the current fee schedule. However, the City’s largest industrial and institutional accounts are currently charged fees that do not match their meter sizes.

Chapter 7.18-6 of the Municipal Code, “Water Service Fees,” sets bi-monthly water service fees (flat fees) for all utility bills. The Water Service Fee provides a revenue stream to the Water Fund that is not based on water consumption alone but also accounts for fixed system costs of providing service, including fire protection.

Local homes and businesses obviously receive a substantial benefit from having a public water system, the cost of which exceeds any calculation based solely on water usage. To offset annual system costs, the water fee has historically had an embedded “capital” cost to support the replacement of a building’s water meter as well as a fractional portion of the Water division’s annual system maintenance.

Bryan Faivre, the Director of Utilities and Transportation, has recommended revisions to the City codes (particularly Chapters 7 & 24) to include the larger meter sizes that have heretofore been omitted from the schedule. The proposed revisions to the water service fee schedule in Chapter 7.18-6 of the Municipal Code are shown in the table below:

Meter Size	Current Bi-Monthly Fee	Proposed Bi-Monthly Fee
5/8”-3/4”	\$13.12	\$ 13.12
1”	\$13.12	\$ 13.12
1.5”	\$20.68	\$ 20.68
2”	\$29.41	\$ 29.41
3”	\$37.37	\$ 52.75
4”	\$54.07	\$ 63.00
6”	\$70.76	\$104.00
8”	\$83.48*	\$193.00
10”	N.A.*	\$365.00

*There are currently no 8” or 10” meters in the system.

The fee changes would be proportional to the meter’s actual replacement cost, amortized over an 8-year meter life, which is more typical of the useful life of larger meters that pass larger volumes of water on a routine operating basis.

Example:

The recommended water service fee for a 10” sized water meter, with replacement assumed over 8 years, is as follows:

\$17,500 (cost of water meter) / 8 year (replacement) = \$2,187.50 per year or a \$364 bi-monthly Water Service Fee.

In advance of the Council's consideration, Mr. Faivre and his staff mailed a letter to those 118 properties with meters in excess of 3 inches in size. A copy of that letter is attached.

The City Manager recommends the Council's support for this proposal. The dual purpose is to (a) update the true meter costs for the larger commercial meters and (b) establish a water service fee for the 10-inch metered accounts which currently does not appear on the City's schedule. If the Council supports this recommendation, ordinance revisions can be brought back to the Council at the April 12 meeting. The present ordinance language annually adjusts the bi-monthly water service fee according to the Consumer Price Index (CPI) for the Chicago, Gary and Kenosha region, which is the most applicable CPI urban reference point for DeKalb. The City staff do not recommend changing this provision. ([Click here for additional information](#))

J. RESOLUTIONS

- 1. Resolution 2021-023 Approving a Second Addendum to the Non-Exclusive License Agreement for the Installation of Underground Fiber Optic Facilities within the Public Right-of-Way (Dated June 15, 2010) for the Expansion of the Annie Glidden North Broadband Infrastructure Project.**

City Manager's Summary: The attached documents include a second addendum to an existing 2010 agreement with Syndeo for the expansion of the fiber optic facilities in the City's public right-of-way. The attached Resolution approves the addition to this agreement.

Background

This good news story deserves some background. Community Services Coordinator Joanne Rouse has provided additional detail in the Agenda background.

For the past several years, the U.S. Department of Housing & Urban Development (HUD) has actively promoted access to broadband services as a means of equalizing access to opportunity for low-income populations. Broadband provides increased access to banking services, education, and job opportunities, and enhances communication, strengthens social relationships, and provides recreational opportunities for disadvantaged populations. The shut-down of both schools and businesses due to the Covid-19 pandemic has only served to bring the issues related to disparities in broadband access into much clearer focus. Individuals who had access to broadband services were better able to maintain their jobs and continue their education and that of their children by accessing services online. Working from home became more prevalent in 2020 and children attended school via on-line classes. Schools have now re-opened in a hybrid format. Access to on-line classes continues to be essential for children to complete the current school year. Many parents continue to work at home or are seeking new employment opportunities to replace those that were lost due to the pandemic. Families who do not have access or cannot afford access are being left behind. If access to employment and education continues to be limited, the gap in the level of opportunity that people without broadband services experience will continue to widen.

In January of 2019, the City submitted a request to HUD for approval of a Substantial Amendment to the 2015 – 2019 CDBG Consolidated Plan to add broadband access to the list of Public Facilities projects and a specific activity to provide broadband access in the Annie Glidden North (AGN) neighborhood to the 2018 Annual Action Plan. This was well before the Coronavirus pandemic absorbed our lives. The City Council was aware of the economic disparities that result from the digital divide and made the decision to invest CDBG funds to address the gap. At the time, no vendors were offering fiber optic connections in the residential portions of the AGN neighborhood because the residents were not viewed as likely candidates to purchase their services.

In June 2010, the City made a commitment to become a wired community by signing a non-exclusive license agreement with Syndeo Networks for the installation of underground fiber optic facilities in the public rights-of-way. In 2019, Syndeo was installing fiber optic in other areas of the City and was approached by City staff to discuss the prospect of work in the AGN neighborhood. Syndeo embraced the opportunity to expand their services and play an active part in bridging the digital divide. A project was created to provide free internet services in the most densely populated low-income area of the City. Syndeo agreed to install the fiber optic service and the City would purchase the hardware required to provide free access to the internet. The City would lease the connectivity for a total of ten years and Syndeo would manage the network including maintenance and monitoring of the system, with the understanding that Syndeo would market enhanced services to area residents as a means to make the free access system self-sustaining. The project was presented to HUD as a sole-source procurement as no other companies were working in this part of the City at that time. Further, Syndeo had future projects sited in the area that decreased the overall cost of the project. The City Council committed to a one-time contribution of \$210,000 of CDBG funds for the creation of the network and ten year's use. Syndeo agreed to contribute \$150,000 of in-kind materials and services to support the project. The City also committed to an annual fee of \$22,000 per year starting in FY 2021 for a period of no more than five years to support the system until it becomes self-sustaining.

Recommendation

By the attached Resolution, the City commits \$210,000 in CDBG "carryover" funds from Program Year 2018 to complete this project plus \$100,000 in Program Year 2020 CDBG-CV funds. Syndeo is now contributing a total of \$212,000 of in-kind services to see this project through to completion. **City Council approval is recommended.** [\(Click here for additional information\)](#)

2. Resolution 2021-024 Authorizing the Award of a Bid to Era Valdivia in the Amount of \$1,011,056 for Painting and Repair of the South Water Tower.

City Manager's Summary: At the last regular Council meeting of March 8, the Council reviewed bids opened on January 26, 2021 for the painting and repair of the City's South Water Tower. The South Tank has a capacity of 2 million gallons.

A total of 8 bids were received and they are listed in the table on the following page:

Company Name	Total Amount of Proposal January 26, 2021 Bid	1st Request for Bid June 22, 2020 Bid
V&T Painting (Michigan)	\$ 765,000	No bid submitted
Seven Brothers (Michigan)	\$ 843,550	\$ 710,100
G&L Sandblasting (Tennessee)	\$ 930,700	No bid submitted
Era Valdivia (Illinois)	\$1,064,270	No bid submitted
Viking Industrial	\$1,129,800	\$1,249,800
LC United	\$1,142,000	\$ 996,000
Maxcor	\$1,297,501	No bid submitted
TMI Coatings	\$1,356,000	No bid submitted

During his presentation to the Council, the City Manager pointed out that the City would be obligated to assure contractor compliance with the Illinois Preference Act (30 ILCS 570/1), the Illinois Prevailing Wage Act, and the IEPA's new training rules (Section 652.210 of the Illinois Administrative Code) for workers employed in "general maintenance" involving the prepping of corroded water tank surfaces prior to painting. As the Council deliberated, City Attorney Matthew Rose suggested that, based on statements in the bid documents, the City Council had the latitude to throw out all bids and negotiate with the firm the Council thought might present the best price relative to the costs attending strict compliance with the Illinois regulations noted above. This firm was identified as Era Valdivia. The City Manager was directed to contact the firm and to negotiate a price agreeable to both the contracting firm and the City.

The City Manager contacted ERA Valdivia and spoke with president Greg Bairaktaris. Mr. Bairaktaris discussed the City's interest in a negotiated price with the company's owner, Mr. Jose Valdivia. On Friday, March 12, Mr. Bairaktaris informed the City Manager that the company was willing to reduce their bid for the South Water Tower painting and corrosion control work by five percent, or \$53,214.00, for a total bid of \$1,011,056.00 (see the attached letter). In a subsequent phone call, Mr. Bairaktaris explained that his employees are graduates of certified training in the field application of paint coating as specified for the South Water Tower (SSPC-QP1), and also certified in "industrial hazardous paint removal" (SSPC-QP2). His company also participates in the apprenticeship program of the Painters and Allied Trades Union.

The City Manager recommends the Council's approval of the attached resolution (revised) and the award of the contract to Era Valdivia in the amount of \$1,011,056.00. It is likely that the material costs on this project do not vary significantly in price from contractor to contractor. The labor costs associated with the prevailing wage requirements and the special training requirements would also presumably fall within a tight range, but the bid results were otherwise. It is the City Manager's judgment that Era Valdivia will abide by the state requirements for training and prevailing wage payments. It is also clear that the company is headquartered in Illinois. ([Click here for additional information](#))

- 3. Resolution 2021-025 Authorizing the Award of a Contract to Curran Contracting, Inc. in the Amount of \$1,251,009.56 for Resurfacing and Concrete Repairs on First Street and Taylor Street, Including Alternates 1 and 2, with Staff Authority to Approve Change Orders Up to a Combined Project Total Not to Exceed \$1,283.673.**

City Manager's Summary: The attached resolution authorizes an agreement with Curran Contracting, Inc. in the amount of \$1,251,009.56 for significant asphalt resurfacing and concrete sidewalk repairs on First Street and Taylor Street, including various other minor road sections on South Seventh and South Sixth Streets, with staff authority to approve change orders up to a combined project total of \$1,283,673.

The annual street maintenance program undertakes street pavement removal and replacement to improve local streets and, typically, associated sidewalk maintenance and curb and gutter repairs. The 2021 street maintenance program is principally funded by State motor fuel tax allocations, and targets First Street from Augusta to Taylor, and Taylor from S. First Street westward across the bridge adjacent to Lyons Park.

City Engineer Zachary Gill advertised for bids and three bidders responded as follows:

Company Name	Base Bid	Alternate 1	Alternate 2
Curran Contracting Inc	\$ 946,560.50	\$148,063.50	\$156,385.41
William Charles Const.	\$1,029,516.20	\$138,832.86	\$155,348.72
Builders Paving Inc.	\$1,170,000.00	\$176,800.00	\$175,800.00

The two alternates included resurfacing on S. Sixth and S. Seventh Streets, which was dropped from the scope in 2020. The City Engineer recommends awarding both alternates. Additionally, Mr. Gill recommends spending authority in the amount of \$32,663 for any change orders needed to address unforeseen issues requiring additional aggregate, asphalt, and related labor. Oftentimes, such change orders are focused on the feathering of the new surface to adjacent streets with uneven surfaces. With the contingency of \$32,663 the lowest bid (including the two alternates) would total \$1,283,673.

The FY2021 Capital Improvement budget included \$1,200,000 in the Motor Fuel Tax Fund (Fund 210) to complete the targeted asphalt resurfacing and concrete repairs. The bidders took into account a variety of specified repairs of sanitary manholes within the limits of the project on behalf of the Kishwaukee Water Reclamation District. The District will fully reimburse the City. The sanitary system repairs this year total \$83,673. As a result, the actual City "out of pocket" expenditure with the requested contingency will be no greater than \$1,200,000, matching the budgeted amount.

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

4. Resolution 2021-026 Authorizing an Agreement with the DeKalb Community Unit School District No. 428 to Provide Emergency Medical Services for DeKalb High School Home Football Games for the 2020-2021 School Year.

City Manager's Summary: For many years the Fire Department has collaborated with the DeKalb Community Unit School District No. 428 to provide emergency medical services for all home football games through a contract with D428. The attached Resolution describes a contract for the 2020-2021 football games at DeKalb High School. District No. 428 will reimburse the City \$550 per day in exchange for one (1) ambulance staffed with two (2) off-duty paramedics. According to the collective bargaining agreement with IAFF Local 1236, Fire personnel working the event are paid

at the 7(g) hourly rate (an overtime rate that is less than the rate established for the regular work normally performed by IAFF members). Fire Chief McMaster requests authorization to contract with D428 to provide EMS support at their home football games this spring and next fall.

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

K. ORDINANCES – SECOND READING

None.

L. ORDINANCES – FIRST READING

- 1. Ordinance 2021-013 Amending Chapter 24 “Building Code”, Article 3 “International Fire Code”, Section 307.1.2 “Burning of Leaves and Garden Debris” to Prohibit the Burning of Leaves.**

City Manager’s Summary: At the last regular City Council meeting of March 8, the City Council considered a recommendation from the Citizen’s Environmental Commission in behalf of a prohibition of the burning of leaves and yard waste in the City of DeKalb. After some discussion, the Council consensus was to prohibit leaf burning but to allow reasonable amounts of yard waste to be periodically burned in backyard fire pits or enclosures so long as the burning was not offensive or objectionable because of smoke or odor. The City Manager had recommended the prohibition of leaf burning and the burning of yard waste, with the proviso that there be no misunderstanding about the right of homeowners to engage in the grilling of food or the enjoyment of backyard fire pits for purely recreational purposes.

If amended as the Council directed on March 8, the current regulation would be revised as follows:

307.1.2 Burning of leaves and garden debris. The burning of leaves ~~and garden debris~~ within the corporate limits of the City of DeKalb shall be ~~allowed within the following regulations~~: prohibited. The burning of garden debris within the corporate limits of the City of DeKalb shall be allowed within the following regulations:

- 1. The burning ~~of leaves and~~ garden debris shall be kept to a minimum of thirty (30) feet from any house, fence, accumulations of combustibles, other buildings, or lot line.*
- 2. Only small amounts are permitted to be burned at one time and shall be supervised by at least one responsible adult at all times until the fire is extinguished.*
- 3. A garden hose or other suitable fire-fighting equipment is required near the site for immediate use.*
- 4. ~~Leaves and~~ Garden debris ~~are~~ is prohibited from being burned on a public right-of-way. ~~Leaf and~~ Garden debris burning is prohibited after sunset.*
- 5. Open burning of ~~leaves or~~ garden debris that will be offensive or objectionable because of smoke or odor emissions when atmospheric conditions or local*

circumstances make such leaf or garden debris burning hazardous or objectionable shall be prohibited.

6. *The fire code official is authorized to order the extinguishment of such fires.*
7. *A citation may be issued by a code enforcement official for repeated violations, starting with the second offense within one week.*

If revised as the Citizens Environmental Commission has proposed, the current regulation would read as follows:

*307.1.2 Burning of leaves and garden debris. The burning of leaves and garden debris within the corporate limits of the City of DeKalb shall be allowed within the following regulations: **prohibited.***

- ~~1. The burning of leaves and garden debris shall be kept to a minimum of thirty (30) feet from any house, fence, accumulations of combustibles, other buildings, or lot line.~~
- ~~2. Only small amounts are permitted to be burned at one time and shall be supervised by at least one responsible adult at all times until the fire is extinguished.~~
- ~~3. A garden hose or other suitable fire-fighting equipment is required near the site for immediate use.~~
- ~~4. Leaves and garden debris are prohibited from being burned on a public right-of-way. Leaf and garden debris burning is prohibited after sunset.~~
- ~~5. Open burning of leaves or garden debris that will be offensive or objectionable because of smoke or odor emissions when atmospheric conditions or local circumstances make such leaf or garden debris burning hazardous or objectionable shall be prohibited.~~
- ~~6. The fire code official is authorized to order the extinguishment of such fires.~~

1. A citation may be issued by a code enforcement official for repeated violations, starting with the second offense within one week.

2. This regulation does not apply to the outdoor grilling of food or burning in fire pits for recreational purposes.

The Citizens Environmental Commission has requested that the Council reconsider their direction of March 8. Chairperson Clare Kron will be present to answer any questions that the Council may have about the Commission's request and their concerns.

The attached ordinance reflects the Council's direction of March 8. The City Manager respectfully supports the modest recommendation of the Citizens Environmental Commission, as represented in the redlined language above. ([Click here for additional information](#))

M. REPORTS AND COMMUNICATIONS

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

N. EXECUTIVE SESSION

None.

O. ADJOURNMENT

[FULL AGENDA PACKET](#)