



DEKALB CITY COUNCIL AGENDA MARCH 25, 2019

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

REGULAR CITY COUNCIL MEETING 6:00 P.M.

A. CALL TO ORDER AND ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF THE AGENDA

D. PUBLIC PARTICIPATION

E. PRESENTATIONS

- 1. Community Coordinated Child Care (4-C) FY2019 Human Services Funding Annual Report by Executive Director Susan Petersen.**

City Manager's Summary: Each agency that receives funding from the City for human services is required to provide an annual report to Council that describes the services they provide to the community. Community Coordinated Child Care (4-C) received \$18,000 in funding for the 2018 fiscal year and \$19,000 for the 2019 fiscal year. This is the first in a series of 13 presentations in FY2019.

F. APPOINTMENTS

None.

G. CONSENT AGENDA

- [Accounts Payable and Payroll through March 25, 2019 in the Amount of \\$5,690,784.45.](#)**
- [Investment and Bank Balance Summary through January 2019.](#)**

3. [Year-to-Date Revenues and Expenditures through January 2019.](#)
4. [Freedom of Information Act \(FOIA\) Report – February 2019.](#)
5. **Resolution 2019-055 Approving the Regulation of Traffic for the Purpose of Holding the Annual DeKalb Corn Festival on Illinois Route 38 between First Street and Fourth Street Beginning on Thursday, August 22, 2019 at 4:00 p.m., through Sunday, August 25, 2019 at 10:00 p.m.**

City Manager's Summary: The attached resolution is required to formally request permission of the Illinois Department of Transportation (IDOT) to close IL Rt. 38 between First and Fourth Streets beginning on Thursday, August 22 at 4:00 p.m. and continuing through Sunday, August 25 at 10:00 p.m. to afford protected downtown space for the annual Corn Fest celebration.

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

H. PUBLIC HEARINGS

None.

I. CONSIDERATIONS

1. **Consideration of a Request for Proposals for Transit Consulting Services.**

City Manager's Summary: Over the past 12 months, the City has employed a temporary, part-time Transit Consolidation Coordinator. This individual was particularly helpful during the year-long consolidation of the City's transit system and the Huskie Line system, which resulted in over a \$10,000,000 transit budget in 2019. The City has assumed considerable responsibilities for the management and scheduling associated with this new, consolidated system. Currently, the City has two full-time employees working in this area. Effective March 9, the employment of the Transit Consolidation Coordinator ended. In lieu of an extension of City personnel costs, the Public Works department recommends utilizing an on-call consultant to assist with current and future projects, to be paid from Downstate Operating Fund grant monies available to the City.

The attached Request for Qualifications will invite responses from qualified consultants to help the City in route scheduling, monitoring service costs, capital project planning, and soliciting grant funding. Retaining an on-call consultant will provide the City with access to skilled, technical personnel to aid in sporadic, transit-specific tasks with no budget impacts. This approach should underwrite continued success of the recently consolidated transit system within the DeKalb Urbanized Area.

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

J. RESOLUTIONS

1. **Resolution 2019-056 Authorizing a Conveyance of Real Property to Larry and Kay Berke.**

City Manager's Summary: On March 11, the City Council approved a final plat of conveyance of 2,217 square feet of public property in Palmer Court to the Egyptian Theatre without cost. The Council also approved a final development incentive agreement for the renovation of the Egyptian Theatre in the amount of \$2.5 million. The Council proceeded with these two actions because it was satisfied that a variety of issues raised in the Council meeting of February 25 had been reconciled, including the concerns of several neighboring property owners about the potential impact of the proposed Egyptian addition. These differences had been resolved in an extraordinary mediation session of the affected parties on February 26. As a result of that session, it was agreed among the parties that several fragments of public property abutting Palmer Court, but off the drivable and walkable portions of that courtyard, would be publicly transferred to Larry and Kay Berke for preservation as open-space buffers.

In order to meet the public notice requirements for the conveyance of public property, the attached resolution could not be considered by the Council on February 25. Nevertheless, it is an integral element that all parties to the February 26 mediation support. In conformance with state statute, a notice was published and posted informing any interested parties of the possible availability of the two fragmentary parcels, which are described in the attached plats and legal descriptions. Larry and Kay Berke were the only respondents (see attached letters) and offered \$1 for each of these unbuildable and unused public parcels.

City Council approval of the attached final plat and conveyance is recommended. ([Click here for further information.](#))

2. **Resolution 2019-057 Authorizing a Final Tax Increment Financing Incentive for the Rehabilitation of the Properties Located at 241-249 E. Lincoln Highway (Hometown Sports Bar & Grill).**

City Manager's Summary: On December 18, 2018 (via [Resolution 2018-167](#)), the City Council approved a preliminary development agreement with Hometown Sports Bar & Grill, at 241-249 E. Lincoln Highway, relating to the proposed redevelopment of their property. The proposed renovation is designed to expand the restaurant and bar service into the adjacent property. The property owner has since completed final plans for the property, obtained building permits for the proposed improvements, and is prepared to complete the improvements contemplated in the preliminary development agreement.

This incentive is established as a \$150,000 tax increment financing (TIF) forgivable loan towards a total project cost of \$558,935, or roughly 27% of the total project costs. The incentive will be paid at the lesser of \$150,000, 27% of total project costs, or the total of all TIF eligible costs. In the event that project costs exceed \$558,935, the City Manager is authorized to increase the development incentive to an amount not to exceed \$167,616, again limiting the incentive to not exceed 27% of total project costs, and not to exceed all TIF eligible costs. This contingency funding was included in the preliminary incentive agreement that the Council approved in December and is included in the final agreement in recognition that substantial rehabilitation work in older buildings poses a significant potential for unanticipated costs. The agreement is forgiven over the period of 10 years, with 10% forgiveness each year. The agreement is not performance-based, as per the preliminary agreement that was approved by Council in December.

The owner is still obligated to apply for a special use permit for the outdoor bar area but given the owner's interest in proceeding expeditiously on project improvements, the development agreement is not contingent upon that special use permit being approved.

The owner has requested inclusion of language in the agreement contemplating the potential that the business could, at some future date, be sold to another entity as an ongoing enterprise. The agreement includes language authorizing the City Manager to approve of such an assignment, provided that the new owner acknowledges the obligations of the agreement and provides a replacement promissory note and mortgage.

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

3. Resolution 2019-058 Authorizing an Agreement Extension with Competitive Yard Worx for Cul-de-Sac Maintenance from July 1, 2019 through December 31, 2020.

City Manager's Summary: Public Works maintains cul-de-sacs throughout the City including The Knolls and the Heritage Ridge subdivisions. The work in those subdivisions are paid from Special Service Area (SSA) funds, 223 and 224. Other rights-of-way throughout the City are paid from the General Fund.

On March 3, 2016, Public Works requested bids for cul-de-sac landscape maintenance and general mowing in the Knolls and Heritage Ridge subdivisions. Public Works received the following three bids:

Company	Hr. Rate	Not-to Exceed Price		
		2016	2017	2018
Competitive Yard Worx, DeKalb	\$60	\$24,015	\$15,300	\$19,875
Select Const., Elgin	\$55	\$35,168	\$35,168	\$35,168
Knutson Lawn, Malta	\$45	-	-	-

Based on the bids received, Public Works recommended Competitive Yard Worx. The firm has satisfied its contractual obligations and never exceeded the bid price in its total annual submittals. Pubic Works requests Council authorization for an 18-month contract extension for a not exceed amount of \$40,000. The 18-month extension will allow staff to budget \$20,000 for the 2019 and 2020 summer seasons. The \$20,000 budget amount is based on Competitive Yard Worx's 2018 bid amount of \$19,875.

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

4. Resolution 2019-059 Authorizing an Agreement with the State of Illinois for the Cooperative Purchase of 4,000 Tons of Road Salt for the 2019-2020 Snow Season.

City Manager's Summary: The City routinely purchases rock salt through the State of Illinois Joint Purchasing Program. On an annual basis, the State competitively bids rock salt purchases that secure more effective pricing for all members of the consortium than individual purchases of rock salt on the open market.

The Public Works Department typically orders 3,500 tons of salt for seasonal road de-icing applications. This amount has proven sufficient in the most years. The 2018-2019 winter has been an exception, with its weeks of temperatures hanging at or about freezing, and daily precipitation producing unusual icing conditions. The Public Works staff recommends purchasing 4,000 tons this season to replenish the City's salt reserves which were depleted due to the severity of the past winter.

The City has received notification from the Department of Central Management Services for the 2019-2020 rock salt contract. If the City wishes to continue purchasing rock salt though the State of Illinois, the City must commit in writing by the April 1, 2019 deadline. Under the City's current contract with the State (PSD4018284), a renewal option exists allowing the City to continue under the existing terms of the agreement.

The Public Works Department recommends continuing participation in the state purchase system, and authorization for the Mayor to sign the state purchase contract for 4,000 tons of rock salt at the current renewal price of \$65.58 per

ton for the 2019-2020 snow season. The City will be required to purchase a minimum of 80% of this quantity, with the ability to purchase a maximum of 120% of the contracted amount. The Public Works Department has budgeted \$220,000 for this purpose as part of the City's FY2019 Budget. It should be noted that salt prices have increased substantially over the past year. The current State bid price of \$65.58 per ton is 32% higher than last year's price of \$49.64 per ton. Due to the need to replenish the City's depleted salt reserves before next year's snow season, coupled with the substantial price increase, staff respectfully requests an increase to the road salt budget line item as part of Council's FY2020 Budget considerations. If the City were to purchase the total requested amount next year of 4,000 tons at a contracted price of \$65.58 per ton, the total costs would be \$262,320. Most of this amount would fall under the FY2020 budget.

City Council approval is recommended for the following:

- **Continuing participation in the state purchase program.**
- **Authorization to commit to a contract for 4,000 tons of rock salt for the 2019-2020 season.**
- **A projected commitment of approximately \$196,740 in the FY2020 Public Works budget for rock salt.**

[\(Click here for further information.\)](#)

5. Resolution 2019-060 Authorizing the Staffing of One Administrative Associate Position, One Full-Time Management Analyst Position, and One Part-Time Management Intern Position.

City Manager's Summary: The FY2019 Annual Budget Ordinance included a provision prohibiting the filling of certain staff vacancies without prior approval from the City Council. Pursuant to that provision, staff seeks authorization to fill several current and anticipated vacancies over the next 90 days.

The City recently took significant steps toward "right-sizing" City government through the elimination of several management positions. These moves represented an important step in addressing the City's fiscal health. As remaining management and support staff employees "step up" to assume additional duties, it will naturally be important that the City fill certain vacant positions in an expeditious manner to avoid disruptions that ultimately impact service delivery.

The City Manager seeks Council authorization to fill the following positions which are presently vacant or will become vacant in April-May: Administrative Associate, Public Works; Management Analyst, City Manager's Office, and Management Intern (an NIU graduate student), City Manager's Office. Details

of each position are provided in the attached memorandum from Assistant City Manager Ray Munch. Funding for all positions is included in the FY2019 Annual Budget and all positions will be filled at or below budgeted amounts as we continue to seek cost savings wherever possible. If the Council concurs, the City's Human Resources personnel will take the appropriate steps to advertise the positions as they become open.

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

6. Resolution 2019-061 Authorizing an Agreement Between the City of DeKalb and the DeKalb International Association of Firefighters, Local 1236 AFL-CIO.

City Manager's Summary: The attached resolution and agreement together affirm a collaborative understanding negotiated between IAFF Local 1236 and the City Manager that addresses the ongoing need for the coordination of training in the Fire Department. The agreement also confirms Local 1236's support for the City's suspension of commercial building inspections involving shift personnel according to the provisions of the collective bargaining agreement. The City agrees that if such inspection activity is resumed, it will conform to Section 2.3, Subsection D (7g) of the collective bargaining agreement.

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

K. ORDINANCES – SECOND READING

None.

L. ORDINANCES – FIRST READING

1. Ordinance 2019-031 Amending Chapter 5 “Fire Department”, Chapter 16 “Fire and Life Safety”, Chapter 27 “Gas Station Licenses”, and Chapter 55 “Hotels and Motels”. *(First Reading)*

City Manager's Summary: At the City Council meeting of February 25, the City Manager proposed a number of adjustments in the scope of City business regulation, partly to recognize practical limitations in terms of the availability of City personnel, and partly to acknowledge that in some instances the City's limited inspection activity had veered from the important pre-planning purposes of the commercial inspection program. With the Council's support, the City staff and Local 1236 have collaborated on the attached ordinance draft which would implement the following changes in the City's business inspection programs:

1. Commercial Building Inspections (Chapter 5).

The program will be focused on Fire department pre-planning inspections. Annual registration of commercial buildings will continue in order to maintain emergency contact information for the properties. Once all known locations have been inspected, repeat inspections to update pre-plan information will be performed on a three-year cycle. The City Building department will continue to respond to citizen complaints or staff referrals regarding poor property maintenance.

The pre-plan program provides emergency responders with vital building knowledge and floor plans identifying ingress/egress points, utility connections, fire alarm or sprinkler panel locations, bulk flammables storage areas and other similar information. Currently, 846 pre-plans have been completed. There are approximately 77 business locations remaining to be inspected.

Such changes require a grievance settlement agreement between IAFF Local 1236 and the City, which is presented under Resolution 2019-061.

2. Fire and Life Safety Inspections (Chapter 16).

In most respects, these inspections will move from an annual inspection schedule to every other year starting in 2019. These inspections pertain to restaurants, grocery stores, banquet halls, taverns and bars, pool halls, and amusement centers (including theaters, bowling alleys, bounce houses, and designated gaming areas in local businesses). Registration and licensing fees will remain on an annual, recurring basis to maintain key contact information.

In the case of businesses (e.g. restaurants, grocery stores, some gas stations) that fry foods or require Ansul hood systems, such hood systems and fry stations shall be inspected on an annual basis.

The Fire Chief or a designee will be authorized to schedule the inspections, establish inspection cycles and, if necessary, assign inspections for properties upon complaint. Amusement Facilities would still be licensed under Chapter 36 of the Municipal Code.

3. Gas Station Licenses (Chapter 27).

Repealed.

4. Hotels and Motels (Chapter 55).

Inspections will occur every other year starting in 2020 and every other year thereafter. The registration and licensing fees will remain on an annual recurring basis. As with Fire and Life Safety licenses, the Fire Chief or designee would have the authority to require more frequent inspections for properties if significant code violations are observed.

5. Rooming Houses.

Rooming Houses will continue to be inspected and licensed annually, per Chapter 14 of the Municipal Code.

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

M. REPORTS AND COMMUNICATIONS

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

N. EXECUTIVE SESSION PURSUANT TO 5 ILCS (120/2)

1. **Approval to Hold an Executive Session to Discuss the Purchase or Lease of Real Property as Provided for in 5 ILCS (120/2)(c)(5).**
2. **Approval to Hold an Executive Session to Discuss Pending or Imminent Litigation as Provided for in 5 ILCS (120/2)(c)(11).**
3. **Approval to Hold an Executive Session to Discuss Personnel as Provided for in 5 ILCS (120/2)(c)(1).**

O. ADJOURNMENT

[FULL AGENDA PACKET](#)