



**DEKALB CITY COUNCIL AGENDA
REGULAR MEETING
MAY 8, 2023
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. Swearing in of Newly Elected Officials:

- a. Carolyn Morris, First Ward Alderman (2023-2027)**
- b. Tracy Smith, Third Ward Alderman (2023-2027)**
- c. Scott McAdams, Fifth Ward Alderman (2023-2027)**
- d. John Walker, Seventh Ward Alderman (2023-2027)**

N.B.: The newly elected officials will have a few moments after taking their oaths to offer comment for the record.

2. [Proclamation: International Firefighter’s Day – May 4, 2023.](#)

3. [Proclamation: National Police Week, May 15 – 21, 2023.](#)

4. [DeKalb Fire Department 2022 Annual Report.](#) Fire Chief Mike Thomas will present a brief power point to summarize the findings of his Department’s Annual Report for 2022.

E. PUBLIC PARTICIPATION

F. APPOINTMENTS

None.

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G. CONSENT AGENDA

1. [Minutes of the Joint Review Board Meeting of January 27, 2023.](#)
2. [Minutes of the Regular City Council Meeting of April 24, 2023.](#)
3. [Accounts Payable and Payroll through May 8, 2023, in the Amount of \\$1,455,741.65.](#)
4. [Investment and Bank Balance Summary through March 2023.](#)
5. [Year-to-Date Revenues and Expenditures through March 2023.](#)
6. [FY2022 Community Development Block Grant Fourth Quarter Report.](#)
7. [FY2023 Human Services Funding First Quarter Report.](#)
8. [Police Pension Fund Annual Treasurer's Report for the Year Ended December 31, 2022.](#)
9. **Resolution 2023-054 Authorizing a Workers' Compensation Lump Sum Petition and Order in the Amount of \$22,054.74 (Kelly Sullivan).**

City Manager's Summary: On April 23, 2021, Kelly Sullivan was injured while working as a Police Officer with the City's Police Department. Ms. Sullivan underwent medical treatment for that injury.

The City has reached a tentative agreement on a proposed settlement of the Workers' Compensation claim, which is subject to approval by the City Council, and also subject to approval by the Illinois Workers' Compensation Commission Arbitrator.

The proposed settlement contemplates all future medical treatment would be closed and the City would pay a full and final settlement payment in the amount of \$22,054.74. In the absence of settling this claim, it is likely to proceed to a contested hearing, with an uncertain outcome and in which the City would incur further defense costs. ([click here for additional information](#))

City Council approval is recommended.

H. PUBLIC HEARINGS

None.

I. CONSIDERATIONS

None.

J. RESOLUTIONS

1. **Resolution 2023-055 Authorizing a Petition to the Illinois Commerce Commission for an At-Grade Rail Crossing of Crego Road.**

City Manager's Summary: A petition to the Illinois Commerce Commission is needed to support a rail crossing at Gurler Road to serve future uses on the Supernova site (see attached graphic). The source of train traffic would be the Troy Grove rail line, which currently

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runs southwest under the Illinois Tollway and just west of Illinois Route 23 as it passes the ChicagoWest Business Center. To serve the Supernova site, a spur would be built by private parties across the north boundary of the Ferrara properties past the Illinois Tollway Oasis and eastward to the Supernova site. For a small volume rail operation, a separated crossing (such as Pearl Street) is unnecessary and an at-grade crossing type is requested by the developer.

While the developer will bear all costs of designing and constructing the rail spur, including the crossing, it is still incumbent upon the City to petition the ICC because the road being crossed is a public City street (Crego Road). The City Engineer and City Attorney will review the petition language and technical specifications, and when satisfied advise the City Manager to execute and submit the petition. Council authorization is a requirement for the authority to officially submit the petition to the ICC.

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

2. Resolution 2023-056 Authorizing the Appropriation of Motor Fuel Tax Funds for the Local Share of the Peace Road and Fairview Drive Widening Project in the Amount of \$1,000,000 and Concurring of the Illinois Department of Transportation Award of \$3,514,779.56 for the Surface Transportation Urban Project.

City Manager's Summary: The attached resolution authorizes the appropriation of \$1,000,000 from the City's Motor Fuel Tax (MFT) Fund (line item #210-00-00-83000) to fund the local share of the civil contract advancing the construction of intersection improvements at Peace Road and Fairview Drive for an estimated project total of \$3,514,779.56.

The intersection improvements at Peace Road and Fairview Drive are a significant and long-planned community transportation investment. The project will create multiple through lanes and turn lanes for the intersection as the first step in upgrading the corridor of Peace Road; a primary gateway for the City's prime industrial zone and regular daily traffic. The project is part of a federal Surface Transportation Urban ("STU") program administered by the State of Illinois (IDOT), which has overseen the bidding and contract letting. The table below shows the bids received by IDOT:

Company Name	Base Bid
Curran Contracting	\$3,577,777.77
William Charles Construction	\$3,514,779.56

IDOT recommends accepting and awarding the contract to the low bidder, William Charles Construction Co., LLC. The City Engineer recommends concurrence. The local city share (\$1,000,000) will be combined with funds from DeKalb County and the developer of Park 88 (Mark Goode of Venture One Real Estate) totaling about \$1,000,000 and about \$1,500,000 from STU (federal) and state sources.

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

3. Approval in Omnibus Form of Resolution 2023-057 Authorizing an Agreement with DeKalb Corn Fest, Inc. to Hold the 2023 Corn Fest; Resolution 2023-058 Approving a Non-Profit Special Event Liquor License for the 2023 Corn Fest; and Resolution 2023-059 Approving the Regulation of Traffic on Illinois Route 38 (Lincoln Highway) for the 2023 Corn Fest.

City Manager's Summary: These resolutions approve a special event agreement, liquor license, and traffic regulations for the 2023 Corn Fest, similar to those approved by the Council for many years.

The agreement permits DeKalb Corn Fest, Inc. to conduct their event in the Central Business District and obtain a street closure on Lincoln Highway. The agreement also defines hours of operation, insurance coverage, etc.

The liquor license authorizes the Corn Fest committee to sell alcoholic beverages within prescribed areas during the festival. Approving the liquor license now allows the DeKalb Corn Fest board to apply for the required State of Illinois liquor license for the event.

The resolution regarding traffic regulation is required in seeking permission from the Illinois Department of Transportation (IDOT) to close Illinois Route 38 between First Street and Fourth Street beginning Thursday, August 24 at 4:00 p.m. and continuing through Sunday, August 27 at 10:00 p.m. to afford protected downtown space for the annual Corn Fest celebration.

City Council approval of these three resolutions in omnibus fashion is recommended.
[\(click here for additional information – Res 2023-057, Res 2023-058, Res 2023-059\)](#)

K. ORDINANCES – SECOND READING

None.

L. ORDINANCES – FIRST READING

1. Ordinance 2023-019 Approving the Rezoning of the Site at 902 Peace Road from the “HI” Heavy Industrial District to the “PD-I” Planned Development Industrial District and Approval of a Preliminary Development Plan (EO5 Hotels).

City Manager's Summary: As Planning Director Dan Olson writes in his background memorandum, the City received a petition from EO5 Hotels represented by Pramit Patel for approval of the rezoning of a 2.5-acre site at 902 Peace Road from “HI” Heavy Industrial District to “PD-I” Planned Development Industrial District. The intent is to accommodate the development of a 4-story, 121 room Marriott-branded hotel. Approval is also requested for a preliminary development plan and waivers to the Unified Development Ordinance for site coverage and parking setbacks. The subject property is Lot 2 in the Airport North Industrial Park, Unit Four. The lot lies between the Bumper to Bumper auto parts store and the Fast Stop Express gas station along the east side of Peace Road, north of Pleasant Street.

Mr. Patel owns and operates the Hampton Inn and Home2 Suites Hotels on S. Annie Glidden Road. The applicant has the property under contract, pending approval of the zoning entitlements. Sixty rooms will be branded as Fairfield Inn and Suites by Marriott (standard stay) and the other 61 rooms will be branded as TownePlace Suites by Marriott (extended stay). Both places will share the same building, parking lot, lobby, front desk, meeting room and swimming pool.

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Hotels are not permitted in the “HI” District so rezoning the site to the “PD-I” Planned Development Industrial District is the best possible option and the most compatible with the surrounding neighborhood. The proposed “PD-I” District fits with “HI” zoning that exists to the south, east, north and west and along both sides of Peace Road.

The principal access at Peace Road has been modified to allow for a safer and more efficient entrance into the hotel property. A marked-up re-design of the entrance was provided by the City Engineer and can be found in the background materials. The number of required parking spaces is 127 based upon the UDO parking requirement of one space for every hotel room (121) and one space for every employee on the maximum shift (6). A total of 136 parking spaces are provided on the plan including six handicap accessible spaces.

A copy of the proposed architectural renderings is attached as well as a preliminary development plan. The Marriott prototypical architectural rendering shows 137 rooms; however, this project has 121 rooms so one bay of windows from each side of the building will be removed when the final development plan is submitted (see rendering marked up in red). A final development plan including final engineering, landscaping, lighting and final architectural elevations will be provided after the rezoning and preliminary development plan are approved. The final plan will be reviewed by the Commission and City Council prior to the issuance of a building permit for the hotel.

The proposed hotel meets many of the commercial development goals and objectives found in the 2022 Comprehensive Plan. The hotel will provide diversity in commercial services and will be the first Marriott-branded hotel in DeKalb County. The hotel will also provide a new option for visitors to the area and bring Marriott loyal guests to DeKalb. The development will also increase hotel/motel and property tax revenue for the City and other local taxing bodies. The project also meets the goals of clustering new commercial development at strategic arterial and collector crossroads.

Additionally, the hotel should be a catalyst for further commercial development along the Peace Road corridor. The hotel will be the only one along Peace Road in DeKalb and will help serve the growing ChicagoWest Business Center and Meta Data Center to the south. Further, the site is located within 3 miles of I-88 and will be able to have a sign along the Tollway capturing additional customers. The hotel also meets the recommendations of the Urban Design Guidelines in the Comprehensive Plan promoting buildings with a variation of wall planes and a variety of building materials.

The following waivers to the UDO have been requested:

- Increasing the maximum site coverage from 70% to 77% (Article 5.13.07.4.a.) In the PD-I District, a site coverage bonus up to 90% is allowed if the site meets certain performance criteria. The subject site meets many of those criteria including underground storm water detention, shared access with other properties, and conformance with the goals and objectives of the Comprehensive Plan.
- Decreasing the parking setback along the north property line (Article 12.03.6). The minimum parking setback along interior lot lines is five feet. The preliminary development plan shows a parking setback of 4.5 feet along the north property line. City Planning Director Dan Olson recommends approval of the slight reduction of the setback. There is adequate green space to the north of the subject site with the adjacent building located almost 150 feet away. Landscaping that meets the UDO requirements can still be planted in the reduced setback area.

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The Planning and Zoning Commission held a public hearing regarding the rezoning petition at their meeting on May 1, 2023. By a vote of 6 to 0, the Commission recommended City Council approval of the rezoning of the subject site at 902 Peace Road from the “HI” Heavy Industrial District to the “PD-I” Planned Development Industrial District for a 121-room Marriott-branded motel to be located on the subject property according to the Preliminary Development Plans and Development Standards listed in Exhibit A of the staff report, with the condition that the access to the subject site will be slightly revised on the Final Development Plan per the approval of the City Engineer.

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

M. REPORTS AND COMMUNICATIONS

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

N. EXECUTIVE SESSION

- 1. Approval to Hold an Executive Session in Order to Discuss:**
 - a. The Purchase or Lease of Real Property as Provided for In 5 ILCS 120/2(c)(5); and**
 - b. The Sale or Lease of Real Property as Provided for In 5 ILCS 120/2(c)(6).**

O. ADJOURNMENT

MAY 8, 2023
REGULAR AGENDA PACKET