



DEKALB CITY COUNCIL AGENDA MAY 13, 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. Swearing in of Newly Elected City Council Members by the Honorable Judge Philip Montgomery:**
 - a. Carolyn Morris, First Ward Alderman (2019-2023)**
 - b. Tracy Smith, Third Ward Alderman (2019-2023)**
 - c. Scott McAdams – Fifth Ward Alderman (2019-2023)**
 - d. Anthony Faivre – Seventh Ward Alderman (2019-2023)**
 - 2. [Proclamation: Declaring May 2019 as American Veterans Month in the City of DeKalb, Illinois.](#)**
 - 3. DeKalb County Youth Service Bureau FY2019 Human Services Funding Report by Executive Director Diana Hulst.**

City Manager's Summary: The DeKalb County Youth Service Bureau received \$25,000 in funding in FY2019. In FY2018, they received \$30,000 in funding. Grant amounts were adjusted this year by the review team to accommodate an expanding pool of potential grantees.

F. APPOINTMENTS

1. **Reappointment of Joyce Stuepegia to the Police Pension Board for the Completion of a Two-Year Term through May 31, 2020.**
2. [Appointment of Steve Honeywell to the Citizens' Environmental Commission for the Completion of a Two-Year Term through December 31, 2020.](#)
3. [Appointment of Grant Goltz to the Economic Development Commission for the Completion of a Three-Year Term through December 31, 2021.](#)

G. CONSENT AGENDA

1. [Minutes of the Regular City Council Meeting of April 22, 2019.](#)
2. [Accounts Payable and Payroll through May 13, 2019, in the Amount of \\$3,371,686.06.](#)
3. [Investment and Bank Balance Summary through February 2019.](#)
4. [Year-to-Date Revenues and Expenditures through February 2019.](#)
5. [Human Services Funding 1st Quarter Report.](#)
6. [Minutes of the Joint Review Board Meeting of January 25, 2019.](#)
7. [Minutes of the Joint Review Board Meeting of February 1, 2019.](#)
8. [Minutes of the Joint Review Board Meeting of February 15, 2019.](#)

H. PUBLIC HEARINGS

None.

I. CONSIDERATIONS

1. **Consideration of a Request by Barb City Manor, Inc. to Extend the Current Lease with the City of DeKalb.**

City Manager Summary: Barb City Manor, Inc. has leased the city property at 680 Haish Boulevard since 1979 and is interested in extending its lease for 20 years. The current lease was approved by the City Council on April 8, 2013 and remains effective until "the first to occur of (a) June 30, 2019; or (b) the date which is 30 days after the City receives the last payment of incremental revenue

from Tax Increment Allocation Financing District #2 from the DeKalb County Treasurer.” Such payment is expected later this year.

Background

The DeKalb Public Hospital closed in 1975 and was merged with the Sycamore Hospital to form Kishwaukee Hospital. The structure remained vacant until 1979 when Barb City manor opened. Originally, Barb City Manor was governed by the DeKalb Housing Commission, but in 1993 Barb City Manor was designated an independent, not-for-profit entity with its own volunteer governing board. Since 1993, the facility has served continuously as an affordable independent living center for persons 62 years of age and older. The facility offers affordable studio and one-bedroom apartments with small baths but no kitchens. The monthly rent includes three meals a day, weekly housekeeping and linen service, water, electricity, gas, refuse disposal, and staff who are on-duty 24 hours a day. Barb City Manor is not an assisted living facility or nursing home, but residents can contract with local agencies for homecare services as they would if living in a single-family home.

All units are rented month-to-month, and each resident must sign a residency agreement that defines the requirements and responsibilities of persons living at Barb City Manor. Reserve parking spaces are available, and carports are available for an additional monthly fee. Pets are not allowed to live at Barb City Manor, but pet visitors are encouraged. Monthly pet therapy visits are arranged through the Tails Humane Society.

The Current Lease

The current lease and operating agreement detail the following responsibilities:

Barb City Manor

- Must maintain in effect public liability insurance, personal injury insurance, theft, building contents, and worker comp coverages, with the City named as additional insured.
- Must meet all City rooming house requirements for health and safety.
- Allow the City to inspect the common areas with or without notice at any time.
- Keep the premises in good repair and hold the City harmless against any claims owing to BCM’s failure to comply with the lease conditions.

- Perform all maintenance and repairs costing less than \$10,000 per maintenance or repair activity, and the first \$10,000 of any maintenance or repair costing more than \$10,000.
- Any maintenance or repair likely to cost more than \$10,000 may only be performed after consultation with the City.
- BCM cannot allow any mechanics liens to be recorded against the premises.

City of DeKalb

- Must maintain in effect policies of insurance through private companies or any self-insurance program covering the structures against fire and property damage.
- The maximum contribution for all annual maintenance or repair work in excess of \$10,000 is \$100,000 per year. Any portion of the \$100,000 maximum annual contribution that goes unspent may be rolled over to the following or subsequent years.

For the Council's Consideration

1. What the City Owes According to the Current Lease. Since the creation of TIF #2 in 1995, the \$100,000 annual City budget for ongoing maintenance and repair work at Barb City Manor has been found in the TIF #2 Fund. The FY2019 TIF #2 Fund budget allocates \$147,000 for BCM repair work before the formal closing of TIF #2. What the 2019 Budget does not explain is that an additional \$101,129 is owed in the way of "carryover" or unspent annual allocations, for a total of \$248,129 owed in the final year of the BCM lease (2019). The remedy for this understatement in the FY2019 TIF Fund #2 budget is a budget amendment. An accounting for what has been spent and what is owed since 2010 is attached to this agenda.
2. Lease Options
 - a) Let the current lease expire and put the obligated City funds (\$248,129) in escrow for use by BCM on TIF-eligible projects, as needed, for a defined period of 24 months. Sell the facility to the BCM Board for \$1.00.
 - b) Renew the lease for a mutually agreed term. As the owner of the property, the City will need a capital funding source for reasonable and customary repairs, but with the loss of TIF #2 monies a new capital funding source would need to be identified.
 - c) As an alternative to the all-or-nothing approaches in (a) and (b), above, work out a transition lease of 3-5 years that involves a slowly diminishing

allocation from some City capital source until the lease ends, at which time BCM will have established an annual private fund-raising campaign that replaces the allocation provided by the City for many years.

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

2. Consideration of a Joint Review Board Recommendation to Consider the Early Termination of Tax Increment Financing District #1.

City Manager Summary: During the DeKalb Joint Review Board's review of the DeKalb TIF program in the fall of 2018, the JRB discussed the advisability of a new intergovernmental revenue-sharing agreement that would involve the surplusing of 30% of annual incremental revenues from the proposed TIF #3 in years 4 through 7, and the annual surplusing of 50% of the incremental revenues in years 8 through 23. Given the considerably smaller annual incremental revenues projected for TIF #3, which comprises one-seventh of the parcels in TIF #1 (300 vs. 2,000 parcels), such a surplus arrangement would have seriously limited the City's ability to support private redevelopment projects or issue debt. The numbers were particularly compelling. The projected overall TIF #3 revenue in year one was about \$270,000 and about \$422,000 in year two. By comparison, TIF #1 is projected to generate over \$7 million in FY2019.

In special JRB meetings in January and February of this year, the new City administration introduced an alternative concept that would deliver a substantial surplus to the other taxing bodies in future years without limiting funds available in TIF #3 for projects with a reasonable return on investment. The alternative was the early termination of TIF #1 by one year.

TIF #1 will expire in FY2022. TIF #1 currently surpluses 50% of all annual property tax increment to the taxing bodies. The proposal that has gained a favorable consensus among the JRB representatives contemplates closing TIF #1 at the end of FY2021 instead of FY2022. The result is a surplus payout in FY 2022 roughly comparable to 16 years of the proposed TIF #3 IGA's annual surplus distributions. The table below illustrates this comparison:

Taxing District	TIF 3 Surplus (16 years)	FY2022 TIF 1 Revenue
DeKalb County	\$ 388,509.90	\$ 330,598.11
DeKalb Forest Preserve	\$ 27,160.92	\$ 23,112.28
DeKalb Township	\$ 58,060.78	\$ 49,406.16
DeKalb Road & Bridge	\$ 68,049.18	\$ 57,905.68
City of DeKalb	\$ 408,640.93	\$ 347,728.39
DeKalb Library	\$ 155,075.58	\$ 131,959.81

District 428	\$2,655,977.41	\$2,260,073.97
Kishwaukee College	\$ 227,750.58	\$ 193,801.79
DeKalb Park District	\$ 254,296.92	\$ 216,391.09
KWRD	\$ 47,427.64	\$ 40,358.02
TOTAL	\$4,290,949.84	\$3,651,335.30

These numbers are estimates since the FY2022 revenues for each taxing district will depend on each district's levy that is set in the initial year after the incremental EAV goes back onto the tax rolls. A net present value calculation of the money in hand versus a discounted future value shows little difference between the lump sum TIF #1 contribution and the sum of annual TIF #3 surpluses over 16 years.

At this point, Council guidance is needed. If the Council concurs with the JRB consensus, the Council can take the necessary legal steps to amend the TIF 1 Redevelopment Plan to formalize the estimated completion date of 12/31/2021. Council support of the JRB consensus is recommended.

3. Consideration of a Request from John Pappas for Tax Increment Financing Assistance to Redevelop the Properties at 204 N. Fourth Street and 423/420 Oak Street (former Mooney Property).

City Manager Summary: On March 22, John Pappas and Heartland Real Estate Holdings entered a 90-day purchase and sale agreement for the former Mooney Properties at 204 N. Fourth Street and 423/420 Oak Street. The three-month due diligence period allows the potential buyer to determine if it is advantageous to proceed to a closing and the redevelopment of the property. Mr. Pappas has presented the Community Development department with a conceptual development plan that proposes to raze the former dealership, mitigate known environmental problems, and construct two 56,000 square foot buildings with a mix of commercial retail and residential uses. Each building will have 10,000 square feet of commercial retail space on the ground floor and 38 one- and two-bedroom executive suites on the upper floors. Each building would also include hospitality rooms, a fitness center, and outdoor terraces. The concept plan is scheduled for Planning and Zoning Commission review on May 22 and is attached to this agenda item.

Estimated Project costs: \$13,875,000

TIF request: \$3,000,000 (21.6%)

Time to Completion: 2.5 years

The possibility of redevelopment at the former Mooney dealership has been on and off Council agendas and in various downtown strategic plans for a decade. The timing of this consideration is prompted in part by Mr. Pappas's interest in

a substantial investment in DeKalb's downtown core, but also by the staff interest in an open and straightforward dialogue about the use of TIF #1 monies previously dedicated toward the 145 Fisk project, but now available for other projects. Private redevelopment is occurring in downtown DeKalb, and further Council direction is needed to spur further redevelopment on prime downtown real estate.

Project Funding Available

At the time that the City Council considered the closing of TIF #2, the legal guidance was that if any of the preliminary project commitments for the Egyptian (\$2.5 million), Hometown Restaurant (\$150,000), and 145 Fisk (\$2.5 million) failed to receive final Council approval, the respective funds would be surplused to the other taxing bodies in line with the provisions of the TIF Act. Further review of the relevant TIF Act provisions (Section 8) indicates that prior to the conclusion of a TIF the City needs to:

- pay all redevelopment project costs;
- retire all obligations;
- distribute the final surplus; and
- lose the final TIF books.

In short, there is no automatic end to a TIF at the close of a fiscal year. The City has been diligently proceeding to meet and retire its obligations but does not control all the variables noted above. Recent case law (*Devyn v City of Bloomington*) suggests the Court is aware that completion dates can be "estimated" but not necessarily final until reasonable efforts to satisfy the conditions listed above are met.

The Pappas Request

For the Council's consideration, the City Manager proposes that the "Project" monies previously committed in preliminary fashion to the 145 Fisk project be dedicated, in part, toward the Pappas proposal to redevelop the city block extending north and east from the intersection of Fourth and Locust Streets. Specifically, the City Manager proposes the preliminary dedication of **\$2,075,000** to the Mooney redevelopment project in FY2019 for the purpose of funding the following costs:

- Environmental remediation: \$300,000
- Demolition: \$400,000
- Footing removal: \$100,000
- Gas and Electrical Infrastructure: \$250,000
- Storm and Sanitary Sewer Infrastructure: \$300,000
- Engineering & Surveying: \$75,000

- Structural & Architectural Design: \$250,000
- City Sidewalks: \$150,000
- Land Acquisition: \$250,000

Subject to Council approval, as each of the two proposed buildings receives a final occupancy certificate, an additional \$462,500 would be paid. This additional \$925,000 could be paid from FY2020 and FY2021 TIF #3 funds or ported from TIF #1 in FY2020 and FY2021. **The total preliminary commitment would be \$3,000,000 or 21.6% of the projected project cost.**

In addition to the attached conceptual elevations and floor plans, Mr. Pappas has also presented his financials for the City's review. The City expects certain assurances in the event that the local economy sags or the developer fails to perform according to terms ultimately defined in a development agreement. One surety in our most recent development agreements is the framework of a promissory note and mortgage to ensure that any monies committed by the Council are spent as intended. If this project is eventually funded by the Council, such sureties would presumably be required.

However, a foreclosure right does not provide as much comfort as a reasonable expectation that the developer has the development experience and the financial capacity to complete a project as represented. Mr. Pappas's financials present a pro forma that has been steered in local experience we have had the opportunity to observe.

As of May 6, Cornerstone was fully leased. Although the project was not completed before DeKalb's prime leasing period of May - July 2018, it is now flowing rents in all units in less than a year from the issuance of a final occupancy certificate. The key lender ratios of the Cornerstone project are now known:

- The operating margin is 64%. This means that after expenses and bank debt are calculated, 64% of the project revenue is available to offset unforeseen vacancy issues. Or, the ratio of operating cash to expenses is nearly 2:1.
- The debt service coverage is 1.63%. This ratio is determined by dividing net operating income by debt service. Banks prefer a ratio of 1.25% or higher.
- When fully assessed, Cornerstone will return about \$200,000 in annual property taxes.

This is useful background in evaluating what is expected to develop on the former Mooney site. Compared to the 0.78-acre Cornerstone site (including parking), the Mooney parcels altogether comprise 3 acres. The total leasable space in Cornerstone is 50,000 square feet; the total proposed leasable space in the two Mooney buildings is 112,000 square feet.

The pro-forma for the Mooney project presents the following ratios:

- Operating margin: 62%
- Debt service coverage: 1.48%

The Mooney pro-forma projects a full build-out in 2.5 years. If the accelerated build-out at Cornerstone is a guide, the completion will be sooner, and this will favorably affect the operating cash and debt service ratios.

What is the estimated benefit to the City?

The current EAV – land and buildings – of the combined Mooney buildings in 2018 was \$299,857. Based on that EAV, **a total of \$35,563 in property taxes were generated in 2018 for all taxing bodies combined (@\$11.86/\$100 EAV).**

All of the proposed \$13,875,000 project costs will not fall onto the tax rolls. Some of those expenses are obviously attributable to “soft costs” such as architectural and engineering expenses. Some are for environmental remediation and public infrastructure. In addition, not all of the land acquisition costs will fall into the land EAV if the proposed redevelopment occurs. Conservatively, the new EAV (one-third market value of \$5,070,000/building) upon full buildout is estimated to be about \$1,690,000 per building. **The projected EAV will generate a total property tax of \$200,434 per building or about \$400,868 per year.**

The City Manager requests the Council’s direction and recommends that the City staff and legal counsel proceed to prepare a preliminary development agreement for the Council’s review. [\(Click here for further information.\)](#)

4. Consideration of a Request from Safe Passage for Tax Increment Financing Assistance to Demolish the Former DeKalb Clinic at 217 Franklin Street and Relocate a Neighborhood Sewer Main.

City Manager Summary: In April, Safe Passage purchased the former DeKalb Clinic site at 217 Franklin Street. The agency intends to raze the existing facility and relocate a sanitary sewer main that currently runs north and south through the middle of the property to allow more flexibility in siting a new facility. Safe Passage is requesting assistance with these project costs.

Background

Safe Passage is a not-for-profit, 501(c)3 corporation located at 312 S. Fourth Street. Its mission is to reduce or prevent domestic violence and sexual assault in DeKalb County. Safe Passage provides a 24-hour hotline for support,

information and referrals, and serves as an adjunct to the first responder system.

All services are free and confidential, and professional and volunteer staff respond to needs 24 hours a day, seven days a week. Safe Passage has medical advocates that meet victims at the hospital for support and assistance. They offer legal advocacy services that can help victims obtain orders of protection and support through any court proceedings. Residential advocates can help victims navigate social services like public aid, housing, and childcare. Safe Passage also offers emergency shelter, transitional housing and counseling for victims of sexual and domestic violence who need to flee for safety, need help becoming self-sufficient or need to process the difficult emotions that surface.

In collaboration with all of DeKalb County's law enforcement agencies, Safe Passage is party to protocols which join first responders to domestic violence calls with trained advocates who will help create safety plans for victims and, if necessary, orders of protection. In 2018, Safe Passage served 1158 victims of domestic violence and sexual violence. Of those clients, 83% were residents of DeKalb County, and of those 47% were residents of DeKalb. If not for Safe Passage, local law enforcement would be mandated to work with similar agencies in other counties to provide similar services.

TIF and Not-for-Profits

The TIF Act does not prevent cities from contemplating assistance to not-for-profits provided the request generally conforms to the expectation that projects will address the blighting characteristics within the prescribed TIF area. The property's former operating clinic was closed in 2009, and the building has not attracted a profitable re-use since that time. The 2018 EAV for the building and parking lots was \$84,446 and the total 2018 taxes generated for all taxing bodies combined were \$10,016. The City share was about \$900.

One of the blighting characteristics of the TIF #1 neighborhoods has been their aging underground infrastructure. In this instance, there is an old sanitary sewer main that runs through the middle of the parcel at 217 Franklin and underneath the former clinic, making repair practically impossible.

In terms of TIF grants to tax-exempt entities, since 2011 the City's TIF #1 has surplused 50% of all its annual increment to tax-exempt taxing bodies that have used the monies for a variety of building repairs, debt retirement, etc. outside the City's TIF districts. More recently, the Council considered and approved a commitment of \$2.5 million to the Egyptian Theatre.

In the TIF discussions that began in the late summer of 2018, the Council established its strong preference for investing TIF funds which are not

surplused into private redevelopment projects to capture future tax increment that can be used to spur further private redevelopment. This remains the Council's purposeful intent and thoughtful approach to TIF management. The City Manager strongly supports this policy.

The new owner is tax-exempt. Additionally, Safe Passage will not generate sales tax revenue. The "value" of this redevelopment proposal for the Council's consideration is unique, however:

- It will remove a blighting influence from the TIF district. Since 2009, the for-profit market has not demonstrated the interest or capacity to redevelop the property at 217 Franklin to meet local needs.
- Safe Passage has strong credibility with local law enforcement agencies and fills a void that would exist in serving victims of the fastest rising Part I crimes in our city, namely criminal sexual assault and aggravated battery/assault. For some time, the agency has spread its various services into former residences on S. Fourth Street which have been repeatedly remodeled but lack the privacy, security, and accessibility that victims often need.
- The five current properties owned by Safe Passage at S. Fourth and Prospect Streets will be sold upon the relocation and consolidation of Safe Passage facilities at 217 Franklin Street and will be returned to the tax rolls.

Safe Passage is working on its pro forma and project design. At this time, the Council is not asked for a recommendation regarding a possible preliminary development agreement. However, the Council is asked to set aside \$300,000 in TIF #1 for a "due diligence" period of up to 90 days, by which time a detailed proposal might be prepared by Safe Passage for Council consideration. During such a period, the community can also be heard on this topic.

5. Downtown Pianos.

City Manager Summary: Mike Embrey is seeking the Council's permission for an "encroachment permit" to allow for the random placement of two multi-colored upright pianos on sidewalks near the intersections of Lincoln Highway and Second Street and Lincoln Highway and Third Street. The proposed permit would extend approximately from mid-May to October. Mr. Embrey will be present to detail his proposal and field any Council questions.

The pianos would be unattended and available to anyone wishing to sit down and play them. Mr. Embrey has explained that he borrowed the idea from Fort Collins, Colorado.

Among the considerations for Council review are:

- How will the pianos be anchored so they are not moved into pedestrian paths or into the street?
- How will the pianos be protected from the elements? We are informed that the pianos will have coats of polyurethane, but the hinged keyboard covers and the upright tops will not be weather-tight. Tarped pianos during extended rains are more likely to present an unattractive image to visitors and passersby in a small downtown area than they might in a city with thousands of daytime pedestrian shoppers.
- Who will be liable for damage to the pianos?

Creativity is at the heart of a successful downtown business district, as is steady foot-traffic. This idea promises both. **Council direction is requested.**

J. RESOLUTIONS

1. **Resolution 2019-075 Approving a Liquor Production Liquor License for Byer's Brewing LLC, 230 E. Lincoln Highway.**

City Manager Summary: The City has completed the initial review process relating to the proposed issuance of a liquor production license for Byers Brewing, proposed to be located at 230 E. Lincoln Highway. The proposed floorplan for the facility is depicted in the attached liquor license application packet. The applicant plans to brew beer on-site, and to sell both package liquors and liquor for consumption on site. The applicant will also engage in on-site tasting of the beers produced by the applicant.

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

2. **Resolution 2019-076 Approving a Hospitality Liquor License for Family Fun Center LLC, d/b/a Mason Indoor Golf, 1500 Sycamore Road, with Supplemental Licensure for Video Gaming.**

City Manager Summary: The City has completed the initial review process relating to the proposed issuance of a hospitality liquor license for Family Fun Center, LLC, dba Mason Indoor Golf, proposed to be located at 1500 Sycamore Road. The proposed floorplan for the facility is depicted in the attached liquor license application packet. This establishment would be approved as an indoor sports simulation facility under amendments to the City Code passed by the Council in February 2019. Those provisions permit indoor sports simulation facilities to operate under a hospitality license akin to bowling alley operation.

There will be a designated bar area (for persons 21 or more years of age), an area for not more than 5 video gaming terminals (also for persons 21 or more years of age), and a sports simulation area open to all ages. Within the sports

simulation area, alcohol may be consumed by those 21 or older. The bar and video gaming areas would be locked and inaccessible during hours when sale of alcohol is not permitted, but the balance of the facility may remain open 24 hours a day. The establishment is also expected to have a pizza kitchen for take-out or eat-in customers

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

3. Resolution 2019-077 Authorizing an Architectural Improvement Program Grant to the DeKalb Area Women’s Center in the Amount of \$3,250.

City Manager Summary: The DeKalb Area Women’s Center has submitted an application for assistance under the City’s Architectural Improvement Program (AIP), which is funded by the TIF #1 Fund. The AIP program is designed to assist commercial property owners in making investments that add to the value and extend the longevity of qualifying properties. The program also assists property owners in addressing deficiencies such as entrances and other building features that create barriers to users of the facility.

The AIP program has three tiers of funding:

- Major Capital Improvements: 50% Reimbursement Rate – any improvements that significantly improve the building.
- Minor Capital Improvements: 25% Reimbursement Rate – any improvements that improve the quality and appearance of the building without making substantial improvements to value or longevity.
- Deferred Maintenance: 10% Reimbursement Rate – any improvements that would bring the building up to, or closer to, code compliance.

The DeKalb Area Women’s Center has applied for assistance with the re-painting of its three-story exterior to preserve the historic character of the center. Exterior painting falls under the category of “Minor Capital Improvements” and can qualify for a 25% reimbursement. The Center has received bids for the painting and created a small contingency for minor cedar siding repair and front door repair before the painting would begin. The lowest painting bid, along with the siding repair contingency of about \$1,500 places the lowest project price at \$13,000. A reimbursement of 25% would total \$3,250.00.

The City Manager recommends Council approval of the \$3,250 AIP grant request. If approved, the allocation for the AIP program funding to date will total \$19,000 (out of a total 2019 budget of \$50,000). [\(Click here for further information.\)](#)

4. Resolution 2019-078 Authorizing an Online Agreement with Google Transit for Trip Planning Capabilities.

City Manager Summary: The approval of this Resolution authorizes the Transit Manager to sign an Online Agreement with Google Transit to provide public transit trip planning capabilities. Google Transit, a division of Google, allows users to view and plan public transportation opportunities within Google Maps. Public access to Google Transit is free of charge on computer and mobile devices, making trip planning easy for riders. Incorporation of DeKalb Public Transit data into Google Maps will provide additional, complementary opportunity to reach new and experienced riders by working with existing software to aid in trip planning opportunities.

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

5. Resolution 2019-079 Approving a Non-Profit Special Event Liquor License for the 2019 Corn Fest.

City Manager Summary: The attached resolution seeks authorization for the Corn Fest committee to sell alcoholic beverages within prescribed parameters during the Corn Fest festival. This resolution is identical with those approved for many decades. **City Council approval is recommended. ([Click here for further information.](#))**

K. ORDINANCES – SECOND READING

None.

L. ORDINANCES – FIRST READING

1. Ordinance 2019-038 Amending Chapter 38 “Intoxicating Liquors”, Section 38.27(c)8 “Gambling Devices”, by Revising the Fixed Number of Liquor Licenses for Establishments that Qualify as Video Gaming Establishments to Include the Properties Located at 110-124 E. Hillcrest Drive and 1704 Sycamore Road.

City Manager Summary: At the City Council meeting on March 12, 2018, the Council discussed the issue of expanding the number of liquor licenses for establishments that qualify as video gaming establishments. The consensus was that each request should be brought forward for consideration on a case-by-case basis, with the understanding that if the Council agreed to increase the number of supplemental video gaming establishment licenses, such licenses would only be valid after the applicant obtained the required special use permit and complied with all other conditions of approval for such a license.

On March 1, 2018 the existing number of liquor licenses for gaming establishments was seven, but within two months, three Council actions were taken to expand that number to 10, including the following:

- Maisy's at 854 S. Fourth Street
- Fatty's at 1221 W. Lincoln Highway, and
- Fanatico's at 110-124 E. Hillcrest Drive.

Each of these three vendors needed to file a license application within 30 days and had six months to obtain the licenses and a special use permit. Two vendors – Maisy's and Fatty's – eventually satisfied all of the City's requirements and are open for business. Fanatico's was unable to follow through within the required timeline and so its application became null and void. One of the original 7 licensees – Lacey's – has closed, and a new owner is now applying for the license and special use permit. If the Council were to approve the two applications, the total number of authorized vendors would be 10, which is the same number as a year ago.

City Council approval will authorize the owners of Fanatico's and Lacey's to work through the approval process and ultimately return to the Council for final approval of the required special use permits and licenses.

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

2. Ordinance 2019-039 Amending Chapter 51 "Traffic", Schedule C "Parking Prohibited", Schedule E "Limited Parking", Schedule F "Limited Parking – Central Business District", and Repealing Schedule K "Reserved Parking Stalls", as they Pertain to On-Street and Public Lot Parking in Downtown DeKalb.

City Manager Summary: For over a year, the Council, the downtown stakeholders, and the City staff have been discussing possibly changes to the City's downtown parking regulations. A number of public meetings with downtown businesses and residents have been held to invite thoughts and suggestions. Most recently, at the Committee of the Whole meeting on March 25, the City Manager presented a summary of the opinions and recommendations gathered from this thorough process and public participation. At the March 25 meeting, the Council consensus was to proceed with the following general changes:

- a) Change nearly all on-street parking, and parking in the Embree, Pond, and Van Buer lots, to three-hour parking between 6:00 a.m. and 6:00 p.m., with No Parking between 2:00 a.m. and 6:00 a.m. A few on-street and public parking lot parking spaces would be designated as 15-minute loading spaces.

- b) Except for the Embree, Pond and Van Buer lots, the remaining nine public parking lots would provide unrestricted daytime parking. Overnight parking in these lots would continue to have alternating No Parking restrictions from 2:00 a.m. to 6:00 a.m. for cleaning and maintenance.
- c) In each of the nine public parking lots mentioned above, a limited number of designated spaces will be available only to residents by permit. The cost of the resident permit would continue at the current annual rate of \$75, which would guarantee residents unrestricted access to those spaces. The permits will be available at a pro-rated cost of \$7 per month to finish the registration year. Alternatively, residents may still choose to park in unrestricted parking spaces in these nine lots on a first-come, first served basis but will need to adhere to the overnight parking restrictions.

A table is included in the Agenda background that shows the proposed amendments to Schedules C, E, and F to accomplish what has been summarized above. Many hands have been at work on the proposed ordinance changes, but none have been more productive than those of Commander Craig Woodruff.

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

Approval to Hold an Executive Session to Discuss:

- 1. Personnel as Provided for in 5 ILCS (120/2)(c)(1);**
- 2. Purchase or Lease of Real Property as Provided for in 5 ILCS (120/2)(c)(5);
and**
- 3. Pending or Imminent Litigation as Provided for in 5 ILCS (120/2)(c)(11).**

O. ADJOURNMENT

[FULL AGENDA PACKET](#)