



DEKALB CITY COUNCIL AGENDA MAY 28, 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. [Proclamation: General Aviation Month – June 2019.](#)
2. Recognition of Retiring Police Chief Gene Lowery.

F. APPOINTMENTS

None.

G. CONSENT AGENDA

1. [Minutes of the Committee of the Whole Meeting of May 13, 2019.](#)
2. [Minutes of the Regular City Council Meeting of May 13, 2019.](#)
3. [Accounts Payable and Payroll through May 28, 2019, in the Amount of \\$2,133,412.68.](#)
4. [Investment and Bank Balance Summary through March 2019.](#)
5. [Year-to-Date Revenues and Expenditures through March 2019.](#)

6. [Freedom of Information Act \(FOIA\) Report – April 2019.](#)
7. **Resolution 2019-080 Authorizing the Execution of the DeKalb County Emergency Services and Disaster Agency Memorandum of Understanding.**

City Manager Summary: The attached Memorandum of Understanding between the City of DeKalb and DeKalb County updates the existing M.O.U. which encourages mutual assistance in the preparation and updating of emergency plans, and also emergency responses to disasters within DeKalb County.

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

H. PUBLIC HEARINGS

1. **Public Hearing Regarding an Annexation Agreement for Property Located at 1827 Pleasant Street (ComEd).**

City Manager Summary: The petitioner, ComEd, has requested some additional time before presenting its proposal to expand its sub-station at 1827 Pleasant Street. Since public notice of this hearing has been posted, the City Manager asks the Mayor and Council to open this hearing and then take the necessary parliamentary steps to continue the public hearing until June 24. [\(Click here for further information.\)](#)

I. CONSIDERATIONS

None.

J. RESOLUTIONS

1. **Resolution 2019-081 Authorizing Initiation of an Intergovernmental Transfer of Real Property Pertaining to 164 E. Lincoln Highway, and Related Undertakings.**

City Manager Summary: The attached resolution establishes the intent of the City Council to accept the transfer of the DeKalb Park District Property (the Nehring Building) at 164 E. Lincoln Highway no later than December 31, 2019. The purpose of this transfer of property is to move “city hall” from the present location at 200 S. Fourth Street to the downtown area in order to bring significant foot traffic to the downtown core during the regular work week. The actual conveyance would occur at no cost to the City.

The Building’s History

The DeKalb National Bank built a two-story building at 164 E. Lincoln Highway in 1892. The building had a Queen Anne style with an impressive second story

turret above the corner entrance. The structure originally served the bank as well as Sheets & Knodle Hardware, which occupied the west half of the building. In 1902, the bank changed its name to First National Bank of DeKalb and embarked on a major remodeling of the structure. A limestone facade in Classical Revival style was installed to suggest strength and permanence. The hardware company relocated in the same year.

In 1917, the floor space was roughly doubled with expansion into an attached building to the west. The limestone façade was extended across the combined frontage to create the present-day appearance. In 1950, First National undertook a major remodeling of the interior of the building. In 1966, First National moved to its current main branch at 141 W. Lincoln Highway. At about that time, one of the bank directors, Paul M. Nehring, purchased the building. The structure remained in the Nehring family until 2001 when Shirley Nehring, Paul's widow, donated the property to the DeKalb Park District.

Why Move?

The need for foot traffic in the downtown business district is not disputed and is often cited by downtown businesses and not-for-profits (e.g. the Egyptian Theatre; the DeKalb Public Library) as essential to DeKalb's future. There are many routes into DeKalb and we certainly have a variety of outlying commercial strips, but DeKalb's unique identity and history is inextricably wrapped around its central business district and gateway to NIU.

The planting of City Hall employees and daily visitors at 164 E. Lincoln Highway will bring scores of people to the downtown every weekday. It will also make a loud statement of support for further private redevelopment in the downtown core.

Another significant reason to make the move is that the current 24,000 square foot city hall (with another 12,000 square feet in the basement), built in 1967-1968, is used simultaneously by only 30 employees. It was built to house three times that many employees. The building assessment completed in 2013 identified a number of deficiencies including the roof system, heating and air-cooling systems, exterior precast walls, windows, and doors. In addition, the bathrooms do not meet ADA requirements and the elevator is too small for an emergency service stretcher to lay flat. The roughly 2.35-acre site is possibly more valuable with the building razed, but a recent commercial appraisal found market comparables for the land and building ranging from \$500,000 to \$1,000,000.

In addition, we have talked a lot about taking government smaller and in a more friendly direction. The former bank building is set up in the classic customer service style. The first-floor atrium-like layout would provide a one-stop center for finance, building, and city clerk services. This is an opportunity to take government smaller and in a more customer-friendly direction.

What About Parking?

The current City Hall has 118 parking spaces of which several dozen are routinely used by the general public, outside of Council meetings. There are 700 parking spaces within 1.5 blocks of the building at 164 E. Lincoln Highway. The Embree parking lot is immediately adjacent with 75 spaces (not counting the Cornerstone Plaza's designated spaces), which are not regularly used between 8:00 a.m. and 5:00 p.m. In addition, the Vaughn lot just south of the railroad tracks is usually wide open and can be used by city employees during weekday business hours. There are also five on-street spaces on S. Second Street adjacent to the Park District's building which could be designated as 30-minute parking, Monday through Friday, from 7:30 a.m. to 5:00 p.m., to provide quick stops for persons paying water bills, dropping off permit information, etc.

What About the Council Chambers?

The answer is possibly the most creative part of this proposal. People talk a lot about how the local taxing bodies ought to work together. In addition to the partnership with the Park District, this proposal offers an additional partnership with the DeKalb Public Library. In the lower level of the Library's new addition, the large Yasunas Room is accessible by two elevators and houses multiple ADA-compliant restrooms. It also affords more seating than our current Council Chambers. It is wired for WIFI, has a nice (and less imposing) dais at one end, and would be available at no charge on Council and Plan Commission nights. Executive Director Emily Faulkner has been consulted and is pleased with the prospect. Parking is abundant in the adjacent public lots abutting Oak Street. Further, the Council room has always been the most expensive real estate in the City's portfolio--no other space in City Hall is so seldom used (i.e. 3-4 nights a month).

What About the Tenants?

The Park District building at 164 E. Lincoln has three leases:

1. The DeKalb County Convention and Visitors Bureau. This lease expires on June 30, 2019. The lease area includes four offices on the second floor, but the actual use has been limited to two offices.
2. The DeKalb Chamber of Commerce. This lease runs to April 2024 but has a six-month notice and termination clause that can be exercised by either party.
3. DAAHA (DeKalb Area Agricultural Heritage Association). This lease runs to June 2021 but likewise may be terminated with six months written notice by either party.

The Park District has offered written notice to the tenants of their intention to convey the building to the City of DeKalb on or about December 31, 2019. The

City will work with the tenants to help them identify alternative accommodations.

What Work Will Need to be Done in the Park District Building?

In the period 2002-2004 a number of improvements were made by the Park District and financed by TIF funds. These included a two-story addition on the north side of the building that houses an elevator and stairwell reaching all floors and the basement. In addition, the Park District completed the following improvements:

- Tuckpointed the stone façade;
- Installed new metal-framed windows and did some dry-wall repairs and insulation work;
- Installed security;
- Performed roof repairs; and
- Installed a fire alarm.

The total cost of these TIF improvements was \$347,894.

On two occasions, the City Manager and Mat Emken, the superintendent of Parks and Development for the Park District, have walked through the building at 164 E. Lincoln Highway. On one of those occasions, we were accompanied by a mechanical engineer who investigated the heating and cooling systems. The roofing contractor who has maintained the roof was also consulted. Given the building's current use, the City staff could essentially move right in. However, the following upgrades are recommended prior to relocation:

- a) Restroom Upgrades. The best time to do this work is before any relocation.
- b) Replacement of the Lincoln Highway entrance door. It's a two-leaf glass door but neither door leaf is 3 feet wide. The building is fully accessible through the Second Street entrance. Nevertheless, Lincoln Highway will always be the front door. Some attention could also be given to creating an interior ramp inside the front entrance if the first-floor structure will allow.
- c) Carpet replacement and painting.
- d) IT and WIFI upgrades.

Funding

No TIF funding is recommended. The sale of a variety of City properties including the present City Hall and City Hall annex at 223 S. Fourth Street would raise more than enough to cover any upgrades and relocation.

Recommendation

The City Manager recommends the Council's approval. ([Click here for further information.](#))

2. Resolution 2019-082 Authorizing the Solicitation and Execution of Real Property Marketing/Listing Agreements for that Property Located at 200 S. Fourth Street and 223 S. Fourth Street.

City Manager's Summary: If the City Council authorizes Resolution 2019-081, which expresses the intention of the City to accept the transfer of the Park District property at 164 E. Lincoln Highway, the solicitation of marketing and listing agreements for the property at 200 S. Fourth Street, known as "city hall," and other city properties is in order. Specifically, the attached resolution would authorize the City Manager to enter into an agreement with a properly licensed real estate broker based on a contingency fee agreement for the marketing and listing of the city-owned properties at 200 S. Fourth Street and 223 S. Fourth Street.

Resolution 2019-082 further restricts any contingency fee agreement to a fee not exceeding five percent (5%) if any city property is sold through the broker without another real estate broker involved, or not exceeding six percent (6%) if sold with the involvement of a second brokerage firm.

If approved, the City staff will take any necessary steps to make the vacant city property at 223 S. Fourth Street presentable for showing and will also take the necessary steps to prepare the property at 200 S. Fourth Street for showing.

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

3. Resolution No. 2019-083 Authorizing the Appointment of John Petragallo as Interim Police Chief, Effective June 1, 2019.

City Manager's Summary: John Petragallo has served as Deputy Police Chief since June 2015. His career with the DeKalb Police Department began in February 1994 when he was hired as a certified Patrol Officer. His successive promotions included his assignment to the State Police's Drug Task Force (4/1996-12/1997); Detective (8/1997-3/2006); Patrol Sergeant (1/2006-2/2013); and Operations Commander (2/2013-6/2015). John holds a Bachelor of Science degree in Sociology/Criminology from NIU and is completing his Master of Science degree in Public Administration at NIU. John is also a graduate of the FBI Academy (2007). He holds many certifications in law enforcement and is affiliated with a number of professional organizations such as the International Association of Chiefs of Police, the DeKalb County Law Enforcement Executives Association, and the Northern Illinois Training and Standards Board Executive Committee.

The City Manager recommends an indeterminate appointment as interim police chief so Mr. Petragallo's performance can be thoroughly and thoughtfully assessed as he faces the many challenges of the position. The recommended interim salary is \$141,244 which is a 5% increase over his current salary. ([Click here for further information.](#))

4. Resolution 2019-084 Authorizing a 17-Month Purchasing Agreement Extension with Petroleum Traders Corporation for the Purchase of Vehicle Fuel for the Period of August 1, 2019 to December 31, 2020.

City Manager Summary: The Public Works staff request approval of a seventeen-month contract extension to the City's purchasing agreement with Petroleum Traders Corporation (PTC) for the purchase of vehicle fuel for the period of August 1, 2019 through December 31, 2020. The original term of the agreement was for two years; however, the contract allows for three additional one-year contract extensions upon mutual consent. The 17-month extension will align the contract with the City's fiscal year.

Fuel is currently purchased by the Public Works Department and is used by all City departments as well as Voluntary Action Center (VAC), Children's Learning Center (CLC), and the Park District. Petroleum Traders Corporation (PTC) has been the supplier of fuel to the City since being awarded a bid in 2016. The original term of the contract was for two years but allowed for three additional one-year extensions with mutual consent of both parties. The contract also allowed for a one-time economic adjustment for each one-year extension not to exceed the Chicago Area Consumer Price Index (CPI).

The fuel contract price paid by the City is essentially made up of three components:

- A floating price governed by the Oil Price Information Service (OPIS). This price changes daily and is essentially the wholesale price that the vendor pays for fuel. This price currently is \$1.5800 per gallon for unleaded gasoline and \$1.8785 per gallon for diesel. This component of the fuel price however does not vary regardless of the vendor. The OPIS price makes up approximately 88% of the total fuel cost.
- Taxes paid by the City for fuel are \$0.204 per gallon for unleaded and \$0.2291 for diesel and make up approximately 10% of the total fuel cost. The City is exempt from paying certain taxes on fuel but not all. Like the OPIS value, this component of the fuel price does not vary regardless of the vendor.
- **The vendor's margin/delivery price is the only variable as it relates to the City's current fuel costs.** By contract, this price is currently \$0.0254 per gallon for unleaded and \$0.0385 per gallon for diesel. This value accounts for less than 2% of the remaining total fuel cost. In 2018, the total margin/delivery cost was only \$4,169.46.

The table below details the City's annual expenditures for fuel across all City departments and participating outside agencies. VAC, CLC, and the DeKalb Park District obtain fuel from the City fuel farm and, by intergovernmental agreement, pay an additional \$0.10 per gallon administrative fee.

FY18	Diesel			Regular Unleaded		
Description	Gallons	Cost	Avg/Gal	Gallons	Cost	Avg/Gal
Police	8	\$17.01	\$2.13	36,345	\$74,452.55	\$2.04
Fire	8,804	\$21,237.13	\$2.41	9,248	\$19,034.90	\$2.05
Water	2,759	\$6,643.88	\$2.41	7,185	\$14,855.24	\$2.06
CLC BUS				1,444	\$2,948.25	\$2.04
Airport	149	\$357.14	\$2.40	1,518	\$3,119.88	\$2.05
DSATS				140	\$293.56	\$2.09
I&T				99	\$197.93	\$1.99
Streets	15,918	\$38,125.83	\$2.40	8,101	\$16,720.69	\$2.06
Support Services				1,171	\$2,404.04	\$2.05
City Hall Pool				379	\$783.24	\$2.06
Code Compliance				426	\$878.79	\$2.06
Park District Admin				740	\$1,520.05	\$2.05
Park District Maint	343	\$822.33	\$2.40	5,439	\$11,369.96	\$2.09
Spec. Rec.				93	\$190.28	\$2.04
VAC	32,599	\$78,250.19	\$2.40			
FY18 Totals	60,580	\$145,453.51	\$2.40	72,328	\$148,769.36	\$2.05
FY17 Totals	55,396	\$111,211.31	\$2.01	72,718	\$129,596.37	\$1.78
FY16 Totals	63,400	\$110,268.32	\$1.74	72,066	\$120,562.18	\$1.67
FY15 Totals	72,792	\$184,755.76	\$2.54	71,293	\$164,365.99	\$2.31
FY14 Totals	79,861	\$263,900.98	\$3.30	74,984	\$220,444.74	\$2.94

A contract extension requires a 90-day written notice of the City's intent to exercise this option, and consent from PTC. PTC has indicated they are agreeable to a seventeen-month contract extension under the same terms with no CPI increase. Given the vendor's current low margin/delivery costs coupled with their agreement to not increase the price, the Public Works staff recommend Council approval.

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

- Resolution 2019-085 Authorizing the Award of a Bid to Curran Contracting Company in the Amount of \$536,000 for 1.88 Lane Miles of Street Resurfacing on Joanne Lane, Golfview Place, Ilehamwood Drive, Wineberry Court, and Manning Drive, with Staff Authority to Approve Change Orders Up to a Combined Total of \$552,080.**

City Manager Summary: On February 25 the City Council authorized \$743,500 in Water Funds to replace 4,100 feet of water main on Joanne Lane, Golfview Place, and Ilehamwood Drive. That work has progressed well and is reasonably on time, considering the wet weather of the past month. In anticipation of the re-surfacing of this project area, the Public Works department invited bids on April 26 and received two paving bids on May 10, as shown in the table below:

Company Name	Base Bid
Curran Contracting Company	\$536,000.00
William Charles Construction	\$552,512.64

The low responsible bid by Curran in the amount of \$536,000 is less than the engineering estimate of \$650,000. Curran successfully completed the 2018 Street Maintenance project at good value and quality.

The Public Works department requests authority to approve change orders up to \$16,080, for a combined total of up to \$552,080, an increase of 3% over the bid amount. The 3% contingency request is to address any minor costs or adjustments and should be adequate for the scope of this project.

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

- 6. Resolution 2019-086 Authorizing the Award of a Bid to Curran Contracting Company in the Amount of \$691,151.42 for 3.45 Lane Miles of Street Resurfacing and Crack Mitigation on North First Street from West Dresser Road North to Bethany Road with Staff Authority to Approve Change Orders Up to a Combined Total of \$715,341.**

City Manager Summary: North First Street is a major collector route with significant deterioration impacting over 10 thousand trips each day within our community. Accordingly, it was targeted for resurfacing in 2019 with an allocation from the City's MFT fund balance.

In order to obtain some funding flexibility, the project was bid in three parts:

- a Base Bid (Resurfacing of N. First from Dresser to Stoney Creek);
- an Alternate 1 (Resurfacing of N. First from Stoney Creek to Bethany); and
- an Alternate 2 which incorporated crack control from Dresser Road north to Bethany to improve the longevity of this substantial infrastructure investment. This Alternate was added in the event the asphalt pricing for the Base Bid and Alternate 1 was aggressive, and the opportunity was presented to add the additional fabric and crack control to the resurfacing project from Dresser to Bethany.

A Request for Bids was released on April 26, 2019, and two responsible contractors submitted proposals by May 10, 2019. The bids are shown in the table below:

	Base Bid	Alternate 1	Alternate 2
Engineer's Estimate	\$465,657.00	\$378,216.00	\$175,248.00
Curran Contracting Company	\$282,971.73	\$240,233.69	\$167,946.00
William Charles Construction	\$329,849.57	\$272,718.43	\$161,812.32

The total low bid by Curran in the amount of \$523,205.42 for the combined Base Bid and Alternate 1 is \$320,667.58 lower than the Engineer's estimate of \$843,873. If the Council is agreeable, this savings can be poured into better crack control beneath the resurfacing from Dresser to Bethany in 2019.

Given the favorable asphalt pricing, the Public Works staff recommends committing additional funds from the MFT fund balance to complete the entire resurfacing of North First Street from West Dresser Road to Bethany Road with a fabric underlayment that helps prevent cracks afflicting new asphalt. This is an appropriate application given the high traffic volume of the road, and the increased life cycle of a route which creates much disruption to maintain. The total bid price of resurfacing N. First Street from Dresser Road to Bethany including crack control is \$691,151.42. In addition, authority is requested to authorize change orders up to \$24,190 (3.5% of the proposed \$691,151.42 project amount), for a combined total of up to \$715,341.

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

- 7. Resolution 2019-087 Authorizing the City Manager to Amend the Professional Service Agreements with Wills Burke Kelsey Associates, Ltd for Engineering Services Relating to Annie Glidden Road Intersection Improvements for an Additional \$9,600, for a Not to Exceed Total of \$149,600.**

City Manager Summary: The IDOT project at the intersection of Annie Glidden Road and Fairview Drive is almost entirely complete after nearly a year of setbacks partially owing to the early onset of extremely cold weather before Thanksgiving in 2018 and very wet weather this spring. In addition to weather issues, a number of unforeseen underground utility conflicts have extended the project timeline and significantly increased the hours devoted to on-site engineering which have been assumed as part of the local share by the City of DeKalb. A federal pass-through grant from IDOT has covered 80% of the overall project costs.

WBK Engineering of St. Charles has provided the construction engineering for the City and has dutifully and professionally braved the weather and underground utility conflicts on almost a daily basis. Although the delays have added nearly thirty days to their work schedule, they have asked for

reimbursement for a fraction of their cost--\$9,600--recognizing that the City has had no control over these delays. IDOT has approved this additional request in their project accounting.

The proposed fee adjustment is \$9,600, bringing the total construction engineering on this project to \$149,600 which is within the allowance suggested by industry standards.

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

8. Resolution 2019-088 Authorizing a Tax Increment Financing Grant in the Amount of \$21,308 to Dekalb Iron and Metal Company, Located at 900 Oak Street, for the Repair and Replacement of a Screening Fence.

City Manager Summary: The new owner of DeKalb Iron & Metal, Inc. at 900 Oak Street – Chad Schwebke – has made significant improvements to the appearance of the outdoor salvage operation on his property. He is interested in some City assistance to repair and, in most areas, replace the extra-tall screening fence that surrounds much of his outdoor operation. The current fencing is damaged along much of its perimeter and the privacy slats in the cyclone fence are mostly missing or in disrepair.

Mr. Schwebke proposes to install a 528 feet of 10-foot high aluminum chain-link fencing with a 34-foot cantilevered gate and several strands of barbed wire on top to discourage pilfering of the metals within the enclosed compound.

The DeKalb Iron & Metal operation is within TIF #1. The TIF program's Architectural Improvement Program (AIP) would normally be the choice for smaller projects, but this particular use is not identified in the AIP program guidelines. In this unique instance, the industrial operation is principally conducted out-of-doors and the fence becomes more of a security and safety concern than an architectural feature. Although tied to an industrial history that is mostly gone from DeKalb's scene, this operation continues to provide decent jobs, a useful service to small local shops, and a responsible outlet for discarded metals that might not otherwise be recycled locally. Further, the productive operation spares the City the prospect of an underutilized or abandoned industrial complex like others in the City's east railroad neighborhood.

Mr. Schwebke was asked to solicit several estimates for the fence replacement. The bids are shown in the table below:

Company Name	Bid Price
Fence Sales of Sycamore	\$21,308.00
Northern Illinois Fence	\$25,136.00

The City Manager recommends a TIF grant of \$21,308.00. ([Click here for further information.](#))

K. ORDINANCES – SECOND READING

None.

L. ORDINANCES – FIRST READING

- 1. Ordinance 2019-040 Authorizing a Zoning Map Amendment for the “CBD” Central Business District to the “PD-C” Planned Development – Commercial District; Authorizing a Planned Development Preliminary and Final Plan; and Authorizing Waivers to the Unified Development Ordinance (Lovell’s Discount Tire – 424 E. Lincoln Highway.**

City Manager Summary: The applicant is requesting a Zoning Map Amendment from the “CBD” Central Business District to the “PD-C” Planned Development – Commercial District and approval of a Planned Development Preliminary and Final Plan for a .54 acre site located at 424 E. Lincoln Highway in order to expand the existing legal non-conforming tire service (Lovells Discount Tire) to include additional vehicle repair services. The petition also requests approval of waivers to the Unified Development Ordinance for parking setbacks, landscaping requirements, maximum site coverage, and a Planned Development of less than two acres.

Lovell’s Discount Tire started in 1987 on the site and the current building was constructed in 1998. The petitioner is requesting a rezoning in order to allow for the existing tire service business to include additional vehicle repair services currently not allowed under the “CBD” regulations. The “CBD” District prohibits “Vehicle Repair and/or Service Facilities.” Per the UDO, vehicle repair facilities involve both minor and major repairs of vehicles including mechanical overhauling and paint and body work. Vehicle service facilities involve minor repairs and services such as oil changes. The applicant desires to just add the services allowed under the definition for “Vehicle Service Facility”, which will include the existing tire service, oil changes, and minor repairs such as brake, muffler, exhaust and shocks services.

The applicant is also proposing to have an occasional indoor car wash operation located in the building. Given that the existing business pre-dates the current UDO (adopted in 1993), Lovell’s is considered a legal non-conforming use, and subject to restrictions. The applicant is also requesting that the uses currently permitted in the “CBD” District be allowed on the site. There is an existing body art establishment (Proton Tattoo) at the west end of the building that is currently a permitted use in the “CBD” District and will be remaining. Restrictions will be placed on the site regarding where vehicle repair work can occur, limitations will be placed on inoperable vehicles, and no outside storage or display of materials is allowed.

In 2013, the applicant applied for a similar request and was recommended for approval by the Planning and Zoning Commission; however, the petition was withdrawn by the applicant prior to City Council consideration. Since that time, the owner has acquired and demolished a small building that used to be on the corner in front of the main building and has continued to investigate costs for finalizing site improvements. On July 23, 2018, the City Council authorized a tax increment financing incentive agreement for planned improvements for Lovell's. The planned improvements included the complete resurfacing of the parking lot, IDOT-required improvements in the right-of-way of E. Lincoln Highway and S. 4th St. and the continuation of the streetscape along the frontage of the project (i.e. paver blocks). The agreement provided that the incentive was contingent upon the applicant applying for and receiving PD-C zoning designation within six months of approval of the agreement. A six-month extension was granted by the City in January to July 23, 2019.

The applicant intends to resurface the entire parking lot and redesign it by adding additional parking spaces, landscaping, streetscape improvements and adding a new ground sign. Streetscape improvements include paver bricks in the sidewalk along E. Lincoln Highway to match areas to the east and west and removing the access at the corner with a barrier curb and gutter. These changes are at the direction of IDOT and the City and will improve the appearance of the intersection. The existing access to E. Lincoln Highway at the far east end of the site will remain as will the full access to S. 4th St. Access to the alley at the southeast portion of the site will also be maintained. The parking lot will be resurfaced and striped per the construction and design standards of the UDO. There are about 19 parking spaces on-site now and with the proposed improvements there will be a total of 23 parking spaces provided. The number of required parking spaces per the UDO requirements was added to the plans and falls within the number of spaces provided on the site.

A landscape plan is provided which shows the planting of deciduous shrubs, ornamental grasses, shrubs and perennials and three new shade trees along the E. Lincoln Highway/S. 4th St, frontage, which will almost double the amount of plantings that currently exist. Finally, a new ground sign is proposed along E. Lincoln Highway and the trash dumpster will be relocated to the southeast portion of the site and screened per the UDO standards.

The applicant is requesting plan approval on a preliminary and final level. The plans have been reviewed by staff and all comments have been addressed. A final plat of resubdivision was also submitted creating one lot over the entire property.

The Planning and Zoning Commission held a public hearing regarding the petition at their meeting on May 8, 2019. By a vote of 6 to 0 (Commissioner Wright was absent) the Commission recommended City Council approval of a Zoning Map Amendment from the "CBD" Central Business District to the "PD-

C” Planned Development Commercial District. The approval of a Planned Development Preliminary and Final Plan will permit expansion of the existing legal non-conforming tire service to include uses allowed under “Vehicle Service Facility” as defined in the UDO, as well as an indoor car wash operation and all permitted uses in the “CBD” Central Business District.

City Council approval of the Commission’s recommendation is requested. ([Click here for further information.](#))

2. Ordinance 2019-041 Authorizing an Amendment to Ordinance 1998-075 to Accommodate a New Landscape Plan Along S. 4th Street for the DeKalb Park District Sports and Recreation Center, Located at 1765 S. 4th Street.

City Manager Summary: The DeKalb Park District is proposing to amend Ordinance No. 98-75 to allow for a new landscape berm and plantings along S. 4th Street in front of the District’s Sports and Recreation Center located at 1765 S. 4th Street.

On June 22, 1998, the City Council approved a special use permit for a 67,200 square foot indoor recreational facility on the subject site. The Ordinance approving the special use permit required that a 50-foot-wide buffer yard be established along S. 4th St. and that a six (6) foot high earthen berm be established in the buffer yard. The Ordinance also required that for every 50 feet of lineal frontage along S. 4th St., the District was required to plant one (1) deciduous tree (min. 2 ½” caliper), one (1) evergreen tree (min. 6 foot high) and four (4) shrubs, not less than two (2) feet high at the time of planting in the buffer yard.

Since the construction of the berm and installation of the required plantings, the Park District has had maintenance issues with the berm due to its extreme slope. The District has also received multiple complaints over the years from residents that the berm is an “eyesore” and causes a visibility issue for motorists leaving the facility. In addition, the vegetation has grown to a point that it will soon be interfering with the overhead power lines along S. 4th St. and regularly blocks a portion of the sidewalk.

Updating the entry berm and landscaping to the Sports and Recreation Center was listed as a high priority in the District’s recently completed Strategic Plan. An updated landscape plan was developed for the site by Upland Design for the Park District as a portion of their Master Plan for DeKalb Kiwanis Park. The Plan included reduction of the existing berm height along S. 4th St. and enhanced landscaping. The updated landscape plan by Upland Design was approved by the Park District’s Board of Commissioners at their March 21, 2019 meeting. The new plan removes the current six (6) foot high berm and replaces it with one that is 18” in height and moves it back five feet from the sidewalk along S. 4th St. The new landscaping plan will consist of 202

individual plants, including 32 ornamental trees, 30 evergreen shrubs, and 140 deciduous shrubs along the S. 4th St. frontage. The number of plantings proposed is twice as much as the number required in the UDO for yards abutting a street. The proposed landscaping will provide year-round interest, with different species blooming throughout the year and includes plantings that will not interfere with traffic sight lines and powerlines. In addition, a high percentage of the proposed plant material is native, which will make for easier maintenance, and the density of the vegetation will still provide a visual barrier to the homeowners on the east side of S. 4th Street.

The Planning and Zoning Commission held a public hearing regarding the petition at their meeting on May 8, 2019. By a vote of 6 to 0 (Commissioner Wright was absent) the Commission recommended to the City Council approval of an amendment to Ordinance No. 98-75 to approve the new landscape plan proposed by the DeKalb Park District.

City Council approval of the Commission's recommendation is requested. ([Click here for further information.](#))

3. Ordinance 2019-042 Authorizing a Special Use Permit for an Outdoor Patio/Deck at 241 and 249 E. Lincoln Highway (Hometown Sports Bar & Grill).

City Manager Summary: The applicant is requesting approval of a special use permit for an outdoor patio/deck at the rear of the Hometown Sport Bar and Grill located 241 and 249 E. Lincoln Highway (the former My Favorite Things Shop). Hometown Sports Bar and Grill was established at 241 E. Lincoln Highway in 2011. On December 18, 2018, the City Council approved a preliminary development incentive agreement with Hometown Sports Bar and Grill relating to the proposed redevelopment of their property. On March 25, 2019, the Council approved a final tax increment financing incentive agreement with Hometown to allow for the expansion of the restaurant/bar into the building at 249 E. Lincoln Highway, which would also include an outdoor patio/deck at the back of the building. Both the preliminary and final agreement acknowledged that a special use permit for an outdoor patio/deck would be required.

The current Hometown Sports Bar and Grill is approximately 2,800 square feet and the expansion into 249 E. Lincoln Highway is approximately 2,068 square feet, resulting in a combined space of 4,868 square feet. The proposed patio/deck will be elevated and will be approximately 500 square feet and is proposed at the back of the building at 249 E. Lincoln Highway. The patio/deck will include tables and chairs and areas to stand for patrons and will accommodate approximately 25 people. There will be one door leading from the restaurant/bar to the patio/deck. The outdoor patio/deck will stay open to match the hours allowed for bar use per the City's liquor regulations, which will

be from 6:00 a.m. to 1:00 a.m. Monday through Wednesday, 6:00 a.m. to 2:00 a.m. Thursday through Saturday, and 10:00 a.m. to 1:00 a.m. on Sundays.

The Planning and Zoning Commission held a public hearing regarding the petition at their meeting on May 8, 2019. By a vote of 6 to 0 (Commissioner Wright was absent) the Commission recommended City Council approval of a special use permit for an Outdoor/Patio Deck on the subject site located at 241 and 249 E. Lincoln Highway.

City Council approval of the Commission's recommendation is requested. ([Click here for further information.](#))

4. Ordinance 2019-043 Amending Ordinance 2018-019 and Authorizing a Change to the Implementation Date for Compliance with the Greek Housing Fire Safety Act for Specified Properties to August 1, 2019.

City Manager Summary: On May 14, 2018, the City Council passed Ordinance 2018-019 allowing property owners who own Greek Organization housing to complete installation of a fire sprinkler suppression system by June 30, 2019, in compliance with the Greek Housing Fire Safety Act, 110 ILCS 130/1. The Ordinance allowed for an extension to complete the installation of fire sprinkler systems only if approved by the City Council. The Fire Chief has taken the position that a property housing a Greek Organization as defined in Municipal Code Chapter 14, "Rooming Houses," will not be licensed as a rooming house, after August 1, 2019 without a fully operational and inspected fire sprinkler suppression system. The rooming house application period ends July 31, 2019. The property owners of 1300 Blackhawk Road, 823 Greenbrier Road, 919 Greenbrier Road, and 920 W. Hillcrest Drive have requested an extension until August 1, 2019 to complete the installation of their fire sprinkler suppression systems. Each property owner has submitted the required documentation and provided enough evidence to indicate that their fire sprinkler suppression system installation can be completed by August 1.

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); and**
- 2. Executive Session Minutes as Provided for in 5 ILCS 120/2(c)(21).**

O. ADJOURNMENT

[FULL AGENDA PACKET](#)