



## **DEKALB CITY COUNCIL AGENDA JUNE 24, 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. Hope Haven FY2019 Human Services Funding Report by Vocational Coordinator Michael Newman.**

City Manager Summary: Hope Haven was granted \$5,000 in funding in FY2018 and FY2019.

**F. APPOINTMENTS**

- 1. Reappointment of Joe Mitchell to the DeKalb Public Library Board for a Three-Year Term (July 1, 2019 – June 30, 2022).**
- 2. Reappointment of Susan Richter to the DeKalb Public Library Board for a Three-Year Term (July 1, 2019 – June 30, 2022).**
- 3. Reappointment of Gary Vander Meer to the DeKalb Public Library Board for a Three-Year Term (July 1, 2019 – June 30, 2022).**

**G. CONSENT AGENDA**

- [Minutes of the Regular City Council Meeting of May 28, 2019.](#)**

Assistive services available upon request.

Hearing assistance devices are available in the Information & Technology Office, which is located to the right, just before entering Council Chambers.

2. [Minutes of the Regular City Council Meeting of June 10, 2019.](#)
3. [Accounts Payable and Payroll through June 24, 2019 in the Amount of \\$2,689,408.63.](#)
4. [Investment and Bank Balance Summary through April 2019.](#)
5. [Year-to-Date Revenues and Expenditures through April 2019.](#)
6. [Freedom of Information Act \(FOIA\) Report – May 2019.](#)

## H. PUBLIC HEARINGS

1. **Community Development Block Grant Consolidated Annual Performance and Evaluation Report (One Year Use of Funds) for Program Year 26 (April 1, 2019 through March 31, 2020).**

City Manager Summary: This Consolidated Annual Performance and Evaluation Report (CAPER) provides the City of DeKalb an opportunity to examine the status and accomplishments of the activities which are funded through the Community Development Block Grant (CDBG) program during CDBG Program Year 2018 (April 1, 2018 through March 31, 2019) and measure the performance of the accomplishments in respect to goals in the Consolidated Plan for 2015-2019.

The Consolidated Plan: 2015–2019, adopted in 2015, reflects a citizen-based vision for housing and community development activities. This five-year plan identifies priority needs, goals and objectives, and specific community development activities necessary to achieve this vision. Among these locally identified priorities were an increase in quality affordable housing, elimination of chronic homelessness, public facilities improvements, and support of public services. Each year, using the Consolidated Plan as a base, the City prepares an Action Plan that provides proposed uses of CDBG funds for the year and a CAPER that gives an evaluation of the use of those funds.

The CAPER provides the City Council and citizens of DeKalb with a tool that can be used to examine past accomplishments of the CDBG program. It also acts as a planning document to identify future programs and opportunities. The contents of this and previous annual reports should also be used to evaluate strategies identified in the Consolidated Plan: 2015–2019 and as a basis for goals to be included in future community development documents. ([Click here for further information](#))

**2. Annexation Agreement for Property Located at 1827 Pleasant Street (ComEd).**

City Manager Summary: The applicant is requesting approval of a Zoning Map Amendment, upon annexation, from the “SFR1” Single-Family Residential District to the “PD-I” Planned Development – Industrial District for a 5.62-acre property that is currently in unincorporated DeKalb County and contains an existing ComEd electrical substation. According to the City’s Unified Development Ordinance (UDO), property annexed to the City is automatically zoned to the “SFR1” Single-Family Residential District. The petitioner has also requested the Council’s approval of a Zoning Map Amendment from the “HI” Heavy Industrial District to the “PD-I” Planned Development – Industrial District for 3.82 acres of property currently in the City of DeKalb and mostly vacant, except for four electrical transmission structures and a 20-foot wide gravel drive. Finally, the petitioner requests approval of Planned Development Preliminary and Final Plans and waivers to the UDO regarding fencing, private driveway standards, not requiring a zoning lot to abut a public street, and not requiring water service.

The request is to allow ComEd to expand their existing electrical substation at 1827 Pleasant St. to improve the substation’s reliability and to increase safety and security. The proposed expansion will be to the south of the existing facility and primarily in an area already in the City limits. The expansion has the primary purpose of converting the substation’s existing “straight” electrical bus layout to a more current and resilient “ring” bus system. The ring bus system will include several new transformers and equipment and the rearrangement of the substation’s electrical engineering will add reliability to the system and smooth out the electrical flows through the substation for the four 138 kV transmission lines, which terminate there. Accompanying the 138 kV improvements will be upgrades and adjustments to the 12 kV and 34 kV electrical feeders, which provide distribution level service to the DeKalb Airport and the surrounding area.

New structures will include a 13-foot tall substation control building of 3,450 sq. ft. (BLDG #4) which will be located in the eastern portion of the substation. An existing 768 sq. ft. building (BLDG #1) will be expanded to 1,056 sq. ft. Buildings #2 and #3 will have no changes but Building #2 may be demolished in a future phase. There will be nine lightning masts, each of which will be about 86 feet in height. In addition, there are six existing transmission structures, with the tallest being about 119 feet tall, but only will likely remain following the proposed improvements at a height of about 68 feet. ComEd is also proposing to update the security at the site by replacing the existing chain-link fence with a seven-foot tall chain link fence with 12” of barbed wire at the top that angles both toward the interior and exterior of the property. A stormwater detention area will be installed at the north end of the site. The existing private drive is mostly gravel and is proposed to be paved from just north of Pleasant St. to the

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southerly property line of the site. ComEd has an access easement over the drive from the owner to the south. The applicant indicates in the project explanation handout that the existing gravel drive within the site must remain gravel for safety reasons and worker protection. It should be noted there will be no public access allowed to the site. Two types of gravel surface are proposed: one intended to accommodate occasional inspection and maintenance vehicles and the other intended for the area of electrical equipment and control buildings.

The particular UDO waivers needed to expand this unique facility are noted in the attached background report from Principal Planner Dan Olson. An Ordinance concerning the substation expansion follows later in this agenda. ([Click here for further information](#))

## I. CONSIDERATIONS

1. None.

## J. RESOLUTIONS

1. **Resolution 2019-099 Authorizing the City Manager to Execute a Lease and Operating Agreement with Barb City Manor, 680 Haish Boulevard.**

City Manager Summary: At the City Council meetings of May 13 and June 10, the City Council considered a number of options regarding the possible extension of the current lease with Barb City Manor, Inc. These discussions were generally focused on the City's ability to continue a long-term obligation to provide annual assistance for capital repairs and maintenance to the city property at 680 Haish Boulevard, with the closing of TIF #2.

At the June 10 meeting, representatives of the Barb City Manor Board noted that the continuing uncertainty surrounding the lease terms has become unsettling to Barb City Manor residents who are wondering about their future, along with prospective residents who have been closely following the widening public discussion. Accordingly, the City Manager and representatives of Barb City Manor spoke on June 12 and arranged for an extended discussion on Friday, June 14 to renew the lease negotiation.

Two principal considerations guided that negotiation: (a) the length of the lease and (b) the size of the City maintenance contribution in any year of that lease. The same considerations have been the Council's focus in past weeks.

At the Council meeting on June 10, several suggestions were made regarding the possible length of the lease extension. There was general Council agreement that a 10-year lease extension was preferable. However, there were several notions about the related maintenance commitment. One thought – let's call it Option 1 – was to commit to a \$50,000 per year allocation for years 1-5,

with a possible re-opener or re-negotiation thereafter. Another suggestion – let’s call it Option 2 – was to commit to a \$50,000 per year allocation for years 1-5, with a diminishing allocation in years 6-10.

As the negotiation on June 14 ensued, the fact that the City owed **\$248,129** in “carryover” obligations was introduced as a factor in the future lease terms. A “third way” or Option 3 was conceived that created a consensus. The following table portrays the three financial options that were discussed, and the consensus option is highlighted:

Year	Option 1**	Option 2	Option 3
2019*	\$ 50,000	\$ 50,000	\$ -
2020	\$ 50,000	\$ 50,000	\$ 50,000
2021	\$ 50,000	\$ 50,000	\$ 50,000
2022	\$ 50,000	\$ 50,000	\$ 50,000
2023	\$ 50,000	\$ 50,000	\$ 50,000
2024	TBD	\$ 50,000	\$ 50,000
2025	TBD	\$ 40,000	\$ 50,000
2026	TBD	\$ 30,000	\$ 50,000
2027	TBD	\$ 20,000	\$ 50,000
2028	TBD	\$ 10,000	\$ 25,000
<b>TOTAL</b>	<b>\$250,000</b>	<b>\$400,000</b>	<b>\$425,000</b>

\* July 1, 2019 to December 31, 2019

\*\* An allocation would presumably be made in yrs. 6-10, but that would be uncertain and negotiable.

The “carryover” obligation of \$248,129 would apply in all three options.

The attached resolution makes appropriate minor revisions to update the existing, 2013-2019 lease, and adds an “Exhibit C” which defines Option 3 as portrayed above. The Barb City Manor Board met on Tuesday, June 18, and considered all three options. The Board supports Option 3.

**City Council approval of the attached resolution is recommended.** [\(Click here for further information\)](#)

**2. Resolution 2019-100 Authorizing an Architectural Improvement Program (AIP) Economic Incentive for Lincoln 311, LLC, Located at 311 E. Lincoln Highway, in the Amount of \$25,000.**

City Manager Summary: The TIF-funded Architectural Improvement Program has a budget of \$50,000 in FY2019 and supports property owners in making quality improvements in their commercial buildings within TIF 1. In 2019, the Council has made the following TIF grants:

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Carlson Oak Apts., LLC	\$15,000.00 (replace windows)
Chilton's Sporting Goods	\$ 750.00 (replace front door)
DeKalb Area Women's Center	\$ 3,250.00 (exterior painting)
	<hr/>
	<b>\$19,000.00 (Total)</b>

Once AIP funding is approved, applicants enter into a 5-year agreement to maintain the improvements. The funding is in essence a 5-year "forgivable loan" that forgives 20% of the value of the matching funds each year.

Charles and Matt Brown, the owners of 301 and 311 E. Lincoln Highway, have applied for assistance to offset some of the cost of façade improvements on all sides of their older buildings. The total estimated project cost is \$52,380 and their request is for \$25,000.00. If approved, the remaining AIP budget would be \$6,000.

The specific improvements are detailed in the attached application which contains considerable descriptive information. The applicable improvements include tuckpointing, window replacement, painting, eave repairs, etc. Renderings of the "before" and "after" views are also attached.

The Browns will also be pursuing interior remodeling to expand their law practice and integrate activities in both buildings with a pass-through connection. Their overall renovations to date have exceeded \$100,000.

**City Council approval of this AIP program application is recommended.**  
[\(Click here for further information\)](#)

**3. Resolution 2019-101 Authorizing an Architectural Improvement Program (AIP) Economic Incentive for 240 East Lincoln Highway, LLC, Located at 240 E. Lincoln Highway, in the Amount of \$4,500.**

City Manager Summary: Bill McMahan has applied for an AIP forgivable loan to perform the following façade improvements:

- Replacement of the current awning with a new canvass awning.
- Replacement of the faded "bakery" panels with new panels and LED lighting.
- Painting of the overall front facade.
- Installation of a security camera system for exterior views of the sidewalk along his Lincoln Highway frontage.

The total estimated cost of these improvements is \$9,070.00. The AIP request is for \$4,500.00 (see attached).

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

**4. Resolution 2019-102 Authorizing the Solicitation and Execution of Real Property Marketing/Listing Agreements for the City Properties Located at 1101 N. First Street and 822 E. Lincoln Highway.**

City Manager Summary: On May 28, the City Council authorized the City Manager to pursue a marketing and real estate listing for the former City Hall annex at 223 S. Fourth Street. A listing agreement was executed on June 5 with the local brokerage firm of RVG Commercial Real Estate Services, and the parcel has been listed for \$495,000.

The Council's recent interest in selling the property at 223 S. Fourth Street has spiked some interest in other city-owned parcels. City officials have responded to several queries about the former Marathon Gas station at 1101 N. First Street and a vacant property at 822 E. Lincoln Highway. The former Marathon station is still contaminated but is located at a very busy intersection at Hillcrest and N. First Streets.

The property at 822 E. Lincoln Highway was a derelict multi-family structure that the City purchased and razed in the fall of 2018. The owners of the adjacent commercial property are interested in possibly using the City's lot for additional parking.

The attached resolution would authorize the City Manager to solicit marketing and listing agreements for the two properties. 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 these city-owned properties.

Resolution 2019-102 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.

The City Manager will bring forward a more comprehensive proposal for the sale of additional marketable City-owned properties at an upcoming Council meeting.

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

**5. Resolution 2019-103 Amending Section 1 of Resolution 2018-162 Revising the Process for Licensure of Food and Beverage Vending Vehicles to Extend the Effective Date to September 30, 2019.**

City Manager Summary: On May 14, 2018 and again on December 18, 2018, the City Council approved "interim licensure" resolutions that streamline the

application and license process for food trucks and similar vendors, as defined in Chapter 33.13 of the City Code. The current extension expires on June 30.

Executive Assistant Ruth Scott has thankfully flagged this threshold for the Council's consideration. It is assumed that the Council wants to continue to support food and beverage vending vehicles. The City Manager recommends one further extension of 90 days to permit the City's new legal team an opportunity to review Chapter 33 and recommend any necessary revisions to the City Council.

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

6. **Resolution 2019-104 Approving the Community Development Block Grant Consolidated Annual Performance and Evaluation Report (One Year Use of Funds) for Program Year 26 (April 1, 2019 through March 31, 2020).**

City Manager Summary: See Public Hearing, H.1., above. ([Click here for further information](#))

7. **Resolution 2019-105 Authorizing an Abandoned Residential Property Municipal Relief Program Grant from the Illinois Housing Development Authority.**

City Manager Summary: The Illinois Housing Development Authority (IHDA) issued the Round 4 Grant Application for the Abandoned Property Program in the Fall of 2018. The purpose of the program is to provide funds to municipalities and counties for the costs incurred for the securing, maintenance, and demolition of abandoned residential properties. Eligible uses include cutting of neglected weeds and tall grass; trimming and removing trees and bushes; extermination of pests; prevention of the infestation of pests; boarding up, closing off, or locking of windows or entrances; removal of garbage, debris, and graffiti; surrounding buildings with fences or walls to make properties secure; limited rehabilitation of exterior building safety concerns; and demolition. Funds can be used to qualify unoccupied one-to-six-unit residential properties. Commercial and mixed-use properties are not eligible under the program.

The maximum grant amount for areas of the State outside of the City of Chicago, Cook County, and the Collar Counties is \$75,000. Applicants had the option to apply for funds based on the projected future needs for identified properties within the jurisdiction or as reimbursement for expenses already incurred during 2017 and 2018. The City submitted a request for \$75,000 as partial reimbursement for expenses incurred during 2017 and 2018 related to the demolition of four residential properties. Total costs for the maintenance and removal of these properties were estimated as \$94,018. Demolition costs

were \$84,318 of that amount. On May 23, 2019, the City received notification of an IHDA APP grant award in the amount of \$55,000.

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

**8. Resolution 2019-106 Authorizing the Waiver of Complete Bidding and Execution of an Agreement with Layne Christensen Company for Maintenance Inspection and Repair to Well No. 10 in an Amount Not to Exceed \$90,000.**

City Manager Summary: This Agenda item deserves a more detailed explanation as it provides a useful window to the City's well system and equipment. Well No. 10, located at 1505 West Lincoln Highway, is one of nine wells the City owns and operates. The well has a pumping capacity of 950 gallons per minute and accounts for 6% of the annual overall volume to the City. The well is one of two raw water sources that supply water to the City's Lincoln Highway Water Treatment Plant. The well was last pulled for preventative maintenance in 2006.

The Utility Division of our Public Works department maintains a 10-year Capital Plan which highlights the ongoing need for routine scheduled preventative maintenance inspections of each of the City's nine wells. Inspections are typically performed on a 10 to 15-year cycle. The FY2019 approved budget includes \$170,000 under line item 600-00-00-85500 (Well Pumps and Motors) for the purpose of pulling Well No. 10 and Well No. 13 for general preventative maintenance. Well No. 10 had originally been scheduled to be pulled as part of the FY2018 budget, however, the money was reallocated to Well No. 11 after problems arose requiring emergency repairs to be made.

Utility Division staff routinely monitor the performance of each of the City's nine wells. Our staff had noted on recent tests that the "drawdown" water level within the aquifer was becoming critically close to the depth of the pump when the well was running. This can cause the pump to draw in air as opposed to water causing damage to well equipment or the distribution system. For this reason, our staff have limited the use of Well 10 in recent months until the well components could be pulled and inspected.

It should be added that the Utility Division is currently able to meet daily water demands despite the limited use of the well by relying more heavily on the City's other eight wells. However, Well No. 10 is a critical source of water supply to the west side of the City and limiting the use of the well places additional demands on the system. An unforeseen loss of another well or water treatment plant will place the City in a more precarious position. For this reason, the Public Works staff have asked the Council to expedite the repair of Well No.10.

Public Works received a base quote of \$31,000 from Layne Christensen Company as an estimate for pulling the column pipe, pump and motor and reinstallation after the necessary repairs have been made. Unfortunately, a total cost estimate cannot be produced until the Well 10 pump can be pulled and evaluated to determine what additional repairs may be necessary to bring the well back to full production. The City maintains one motor and a well pump in inventory along with several hundred feet of column piping. This will allow the contractor the ability to repair the well without delay. The City can then purchase a new motor, pump or column piping without a markup.

Layne field service crews have received both factory and field training in the proper handling of Byron Jackson well pumps and the Byron Jackson Type H mercury-sealed motors which are common in our system. For this reason, the Public Works staff have requested that we contract with Layne to perform the required work on this well in a not to exceed amount of \$90,000.

**City Council approval is recommended. A two-thirds vote is required to waive the bidding on this item. ([Click here for further information](#))**

**9. Resolution 2019-107 Authorizing an Agreement with Tip Top Roofing for Replacement of a Roof at the City's Seventh Street Water Treatment Plant in an Amount of \$19,220 with Staff Authority to Approve Change Orders up to \$19,872.**

City Manager Summary: The Public Works department requested bids for replacement of the roof at the City's Seventh Street water treatment plant, located at 1202 South Seventh Street. This plant is one of five water treatment plants the City owns and operates. All five plants were constructed around the same time in the year 2000. The shingle roof on the Seventh Street plant is the original roof and shows excessive wear.

To address this issue, staff requested quotes from qualified local roofing contractors. Two contractors responded with the following quotes:

<b>Contractor</b>	<b>Amount</b>
Tip Top Roofing	\$19,220
Theisen Roofing	\$21,673

The low quote was submitted by Tip Top Roofing in the amount of \$19,220. The Public Works staff recommends approval of the low bid with staff authority to approve change orders for an additional \$652, an increase of 3.5%, for a total not-to-exceed amount of \$19,872. Prevailing wages are required, and certified payroll reports must be submitted before any contractor payout(s).

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

**10. Resolution 2019-108 Authorizing the Transfer of Two Rolling Stock Public Transit Vehicles from the City of DeKalb to Pace.**

City Manager Summary: The approval of this Resolution authorizes the transfer of two public transit vehicles from the City of DeKalb to Pace Suburban Bus in Arlington Heights, IL. This includes one 2012 40-foot Eldorado Axess Heavy Duty Bus and one 2012 35-foot Eldorado Axess Heavy Duty Bus.

The City, with assistance from the FTA, purchased four (4) 2012 Eldorado heavy duty buses in 2011 to be utilized for fixed route service in the DeKalb Urbanized Area (UZA). The Voluntary Action Center of DeKalb County (VAC) leases all four of the vehicles from the City. Due to recent transit service adjustments, including the incorporation of Transdev Services Inc. as the primary fixed route provider, two of the four buses have been underutilized and are no longer required for public transit services in the DeKalb UZA. The vehicles are unable to be transferred to Huskie Line as Transdev operates their own fleet of Gillig buses. Additionally, the 40-foot Eldorado bus is too big to fit in their maintenance garage.

The two vehicles presently take up space in the VAC facility—a space that could be used for housing smaller VAC vans that are parked outside because of space limitations. Additionally, if the vehicles continue to sit for extended periods of time, mechanical components of the buses will begin to experience problems, many of which could lead to costly repairs.

Part of the City's agreement with the FTA to purchase transit buses requires that all vehicles purchased with FTA funds meet a useful life balance (ULB) either in years or in mileage. As of this date, the minimum mileage and minimum year thresholds of the two buses have not been met. If neither of the ULB benchmarks are met, and the vehicle is disposed of or sold, the City is responsible to pay the FTA the remaining federal share of the vehicles which amounts to \$259,407.32. However, if another FTA-funded recipient is in need of additional vehicles for revenue service, and is willing to absorb the remaining federal interest, a transfer can occur with no obligation to the City to reimburse the FTA. The City has identified Pace in Arlington Heights, IL, which is also an FTA-funded agency, as a candidate in need of fixed route vehicles and willing to absorb the remaining federal interest of both buses.

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

**11. Resolution 2019-109 Approving a Grocery Store - Small Liquor License for the New Aldi Inc., d/b/a Aldi, Location at 2540 Sycamore Road.**

City Manager Summary: Aldi currently operates their facility at 2569 Sycamore Road with a Grocery Store – Medium liquor license. Accordingly, the company has applied for the issuance of their local liquor license for their new location at

2540 Sycamore Road. They have requested a change in the license from Grocery Store – Medium to Grocery Store – Small. There is no change in the management, operation or the nature of the facility

Sales of liquor for consumption on the premises are subject to the City's Restaurant and Bar tax, and would be a source of that tax, as well as sales tax, for the City of DeKalb. The facility would be subject to the payment of a new license issuance fee of \$6,384, payable at the time of issuance.

Because the new liquor license is being issued in the last six months of the current term for the type of license sought, the facility will be eligible for a discount on the next-due renewal fee of up to 50%, which would be \$1,755.50.

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

#### **K. ORDINANCES – SECOND READING**

1. **None.**

#### **L. ORDINANCES – FIRST READING**

1. **Ordinance 2019-046 Authorizing an Annexation and Development Agreement, Annexing Certain Property, Rezoning to PD-I “Planned Development Industrial”, and Approving Plans for the Property Located at 1827 Pleasant Street (Commonwealth Edison Company).**

City Manager Summary: See “Public Hearing” above for background on this item.

On March 20, by a vote of 6-0 (Commissioner Barbe was absent), the Planning and Zoning Commission recommended City Council approval of a Zoning Map Amendment, upon annexation, from the “SFR1” Single-Family Residential District to the “PD-I” Planned Development – Industrial District for the property described in Legal A in the staff report, and approval of a Zoning Map Amendment from the “HI” Heavy Industrial District to the “PD-I” Planned Development – Industrial District for the property described in Legal B in the staff report, and approval of the Planned Development Preliminary and Final Plans, Development Standards and Waivers to the UDO as listed in Exhibit A of the staff report. The plans and development standards have been added to the Ordinance approving the annexation and development agreement.

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

**M. REPORTS AND COMMUNICATIONS**

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

**N. EXECUTIVE SESSION**

- 1. Approval to Hold an Executive Session to Discuss Executive Session Minutes as Provided for in 5 ILCS 120/2(c)(21).**

**O. ADJOURNMENT**

**[FULL AGENDA PACKET](#)**