



**DEKALB CITY COUNCIL AGENDA  
REGULAR MEETING  
JULY 25, 2022  
6:00 P.M.**

DeKalb Public Library  
Yusunas Meeting Room  
309 Oak Street  
DeKalb, Illinois 60115

Pursuant to Chapter 2 “City Council”, Section 2.04 “Council Meetings”, persons wishing to address the City Council during this meeting are required to register with the City Clerk or the Recording Secretary by filling out and submitting a Speaker Request form, copies of which are located on the table just outside the meeting room, along with copies of the agenda. Comments will be limited to three (3) minutes. Further information for addressing the City Council can be found on the Speaker Request form.

**A. CALL TO ORDER AND ROLL CALL**

**B. PLEDGE OF ALLEGIANCE**

**C. APPROVAL OF THE AGENDA**

**D. PRESENTATIONS**

None.

**E. PUBLIC PARTICIPATION**

**F. APPOINTMENTS**

None.

**G. APPROVAL OF THE MINUTES**

1. Minutes Submitted by the City Clerk – None

2. Minutes Submitted by the Recording Secretary

a. [Minutes of the Regular City Council Meeting of July 11, 2022.](#)

**H. CONSENT AGENDA**

1. [Accounts Payable and Payroll through July 25, 2022, in the Amount of \\$2,873,853.60.](#)

2. [Freedom of Information Act \(FOIA\) Report – June 2022.](#)

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

## I. PUBLIC HEARINGS

### 1. Public Hearing: Capital Assistance Grant Application, Paratransit Vehicle Acquisition for the City of DeKalb Public Transportation Program.

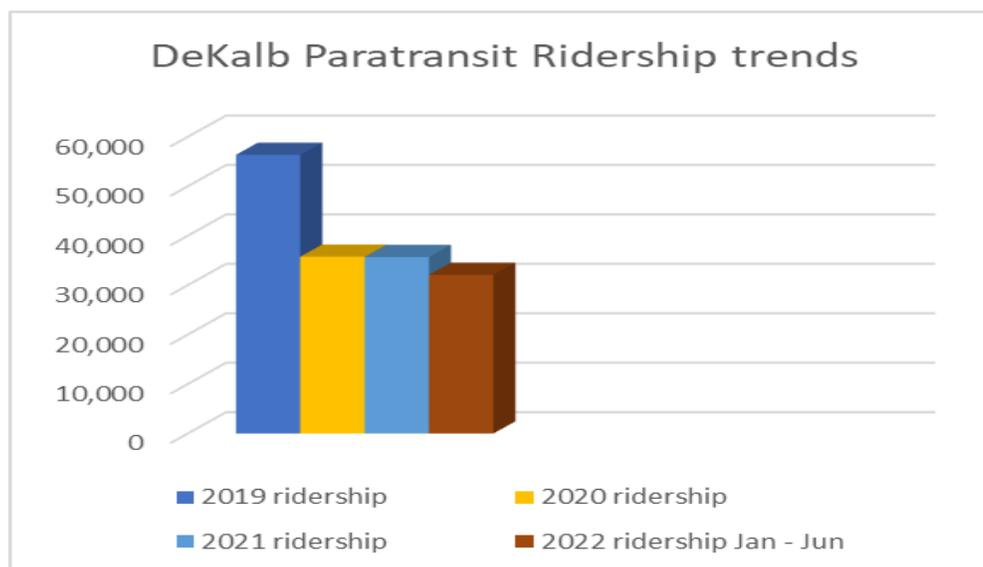
City Manager's Summary: This hearing is required by federal and state guidelines because the City of DeKalb's Transit Manager, Mike Neuenkirchen, recommends submitting an application for paratransit vehicles funded through the Illinois Department of Transportation's (IDOT) Consolidated Vehicle Procurement (CVP) program. The CVP program is 100% funded by state and federal awards and does not require local matching funds.

Specifically, the City is requesting four vehicles for a total project request of \$287,000.00, as follows:

- Procurement of Three (3) 14-Passenger Paratransit Buses: \$225,000.000
- Procurement of One (1) ADA Accessible Mini-Van: \$62,000.00

The City of DeKalb is the recipient of all federal and state supporting public transit in the DeKalb Urbanized Area. Paratransit vehicles are typically defined as ADA-accessible (ramp or lift equipped) transit vehicles accommodating anywhere between 6-28 passengers depending on vehicle type.

The City of DeKalb currently has 24 vehicles in our paratransit fleet. Of these 24, eight are out of service due to age and condition and are in the process of disposal. With only 16 vehicles currently available in our paratransit fleet, the City does not have an adequate spare ratio for paratransit operations which inevitably experience the need to remove vehicles from service for maintenance, the training of new drivers, and special trips.



The addition of four paratransit vehicles provided by IDOT's CVP program will increase the City's fleet capacity and allow for program growth, while simultaneously relieving wear on aging, high-mileage vehicles.

**Public comment is welcome.** ([click here for additional information](#))

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

**2. Public Hearing: Capital Assistance Grant Application, Fixed Route Vehicles and Equipment Acquisition for the City of DeKalb Public Transportation Program.**

City Manager’s Summary: This public hearing is prompted by the City of DeKalb Transit Manager’s recommendation to apply for a Round III Rebuild Illinois Capital Grant from the Illinois Department of Transportation (IDOT) for \$5,418,000.00 in equipment divided into five projects:

- The purchase of six (6) fixed route buses: \$4,200,000.00
- The purchase of paratransit scheduling software (five-year license): \$600,000.00
- The purchase of fixed route tracking software (five-year license): \$150,000.00
- The purchase of fleet maintenance management software (five-year license): \$18,000.00
- The purchase of bus camera systems: \$450,000.00

The City is designated as the grant recipient of all federal and state grants to support public transit in the DeKalb Urbanized Area. The State of Illinois passed a Rebuild Illinois infrastructure bill in 2019 that provides funding to transit agencies throughout the state for much needed infrastructure improvements, equipment, and new projects. This grant opportunity is provided by IDOT. It is the third and final round of Rebuild Illinois funding. The first two rounds of Rebuild Illinois grant applications resulted in \$17,000,000.00 in capital funding for the transit facility project.

For this final round of Rebuild Illinois, the City’s Transit staff recommend the use of any awarded funds for the purchase of equipment and software currently provided by Transdev, the City’s contractual transit operator. In DeKalb’s current transit program, paratransit vehicles, cameras on paratransit buses, and some shop equipment are City owned. The buses that operate on the fixed route lines, the routing and tracking software and camera systems on the fixed route vehicles are all owned by Transdev, with those costs being charged to the City’s operating grant.

This arrangement in which the contractor provides a preponderance of the capital equipment is atypical in federally funded transit programs (see tables below). DeKalb’s anomalous circumstances arise from the historical development of the City of DeKalb’s public transit system. Until three years ago, Transdev was providing services only for Northern Illinois University’s (NIU) Huskie Line. When the City consolidated the Huskie Line with Voluntary Action Center’s (VAC) community transit program in 2019, Transdev began to use its own fleet in general public service. That arrangement remains today.

Ownership of vehicles	Fixed route service Operator	
Contractor	Contracted - Transdev	DeKalb IL
Agency	Public	Bloomington IL
Agency	Public	Champaign IL
Agency	Contracted - MV Transportation	Decatur IL
Agency	Public	Ames IA
Agency	Public	Janesville WI
Agency	Public	Kenosha WI
Agency	Public	Sheboygan WI
Agency	Contracted - First Transit	Kankakee, IL

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

The City's Transit staff are concerned that continuing to require a particular contractor (e.g., Transdev) to provide the predominance of the capital would limit competitive bidding for operations of the service in the future. For instance, at the end of Transdev's contract, if a competitive bidding process results in a better price from another contractor, Transdev would depart with much of the capital equipment and the City would have to find a way to provide the essential capital for the successor contractor. Neither the City nor the generality of Transit systems would have the resources to provide such a large capital outlay. Additionally, City ownership of equipment such as vehicles, software, and camera systems will ensure that any change of transit operators will allow the city to maintain system standards and minimize impact to transit operations.

Further, when the operator owns the capital equipment it builds in costs that are borne by the City through its agreement with the contractor. Costs for Transdev-owned equipment are factored into the hourly rate paid to the company. The Rebuild Illinois III grant program offers the opportunity for the City to embrace an affordable long-term plan to replace company-owned equipment with city-owned equipment.

**Public comment is welcome.** ([click here for additional information](#))

## **J. CONSIDERATIONS**

### **1. Public Discussion Regarding Redevelopment in the Hillcrest/Blackhawk Area and Annie Glidden North Area.**

City Manager's Summary: At the last regular Council meeting of July 11, the Council agreed to hold several "listening sessions" open to the general public that would invite opinion about the next steps that might be taken to develop a consensus regarding the essential uses that can be developed in a 4.87-acre site at the corner of Hillcrest Drive and Blackhawk Road. This agenda item provides the first of those several listening sessions, which are part of a continuum covering several years of discussion between City officials and stakeholders in the Annie Glidden North (AGN) revitalization area. These stakeholders include the Opportunity DeKalb Board, NIU, NIU's Greek organizations, other local units of government, numerous not-for-profit social service agencies regularly serving residents in the area, neighborhood businesses, and residents in the variety of neighborhood housing that includes apartment complexes, townhouses, fraternity and sorority houses, and single-family homes.

Residents of the AGN neighborhood include families, students, seniors, single professionals, renters, and homeowners. Most must travel outside the AGN neighborhoods to find services and amenities including healthy groceries, restaurants, health care, childcare, neighborhood meeting space, after-school activities, recreation other than what is offered in the newly upgraded Welsh Park, and jobs.

The Council will distill the insights from these sessions with what has been learned from years of stakeholder conversations engaged by the City, the AGN Task Force, and the Opportunity DeKalb Board. The Opportunity DeKalb Board is also holding its own listening sessions soon and will be working with NIU's Center for Governmental Studies to facilitate the sessions. The "development profile" ultimately circulated to prospective development interests will draw from the results of these various sessions.

The final disposition of the 4.87-acre development area rests with the City Council, which has invested \$4,381,652 since 2018 in the AGN area, with another \$400,000-\$500,000 expected

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

in the reconfiguration of Greek Row streets this fall. A total of \$2,508,431 in local and federal funds has been spent in assembling the Hillcrest/Blackhawk lots for revitalization. Additionally, the City Council has invested another \$1,873,221 from late 2018 until the present in ancillary improvements including, among other things, new streetlights (\$200,000), the extension of wi-fi at no cost to neighborhood residents (\$310,000), support for the University Village Collaborative (\$150,308), support of Grow Mobile food distributions (\$30,324), support for Camp Power and meals (\$70,860), Twombly Road sidewalks (\$110,000), support for the University Village summer bus shuttle (\$53,000), relocation assistance for Hunter Hillcrest tenants (\$80,000), and the purchase incentive for Hunter Ridgebrook and other Hunter properties to help supplant an ownership group that was not allied with the AGN objectives.

**Public comment is welcome.**

## **2. Consideration of a Development Agreement Between the City of DeKalb and Nehring Electrical Works Company.**

City Manager's Summary: In 1912, the Nehring Electrical Works Company was originally housed in a long, brick building running between N. Tenth Street on the east and N. Eighth Street on the west. The firm serves the utility and electrical distribution market with a wide range of stranded and solid aluminum and copper wire which is produced in DeKalb. In recent years, the Company purchased two existing office and manufacturing buildings on the south side of Locust Street, between N. Eighth Street and N. Ninth Street (2000 and 2008); built a 55,000 square foot office and manufacturing center at 1005 E. Locust Street (2009); purchased several existing buildings on the north side of the Union Pacific right-of-way for additional product storage (2009, 2022); purchased the former Horizon Display property on E. Locust Street (2018); purchased the property at the southwest corner of E. Locust Street and N. Tenth Street to build an employee parking lot, completed in 2021; and in recent weeks purchased an industrial-zoned lot at the corner of N. Eighth Street and W. Lincoln Highway for additional wire spool storage. The latter will be fenced and landscaped.

The Company's growth in and around the neighborhood where it was first housed has rubbed up against neighboring properties, which include primarily industrial or commercial-zoned properties between N. Seventh Street and N. Tenth Street, and several residential-zoned properties east of the intersection of N. Tenth Street and N. Eleventh Street. Recently, the company has made investments which promise further growth in production and greater wire storage needs.

Council member Greg Perkins and the City Manager recently met with the President of Nehring Electric, Ray Hott, and members of his staff including CFO Tom Jackowski and Operations Director Charles Dobbel. The meeting was prompted by a mutual interest in finding a "global" solution to frictions with neighboring property owners over tractor trailer conflicts with passenger vehicles, limited on-street parking, and night-time noise. In the past, the focus of City efforts has been in the enforcement of traffic and parking ordinances which do not make a lasting difference with the ever-changing pool of truck drivers delivering or picking up orders across the five-block Nehring complex. The parties were agreed that something more was needed than code enforcement.

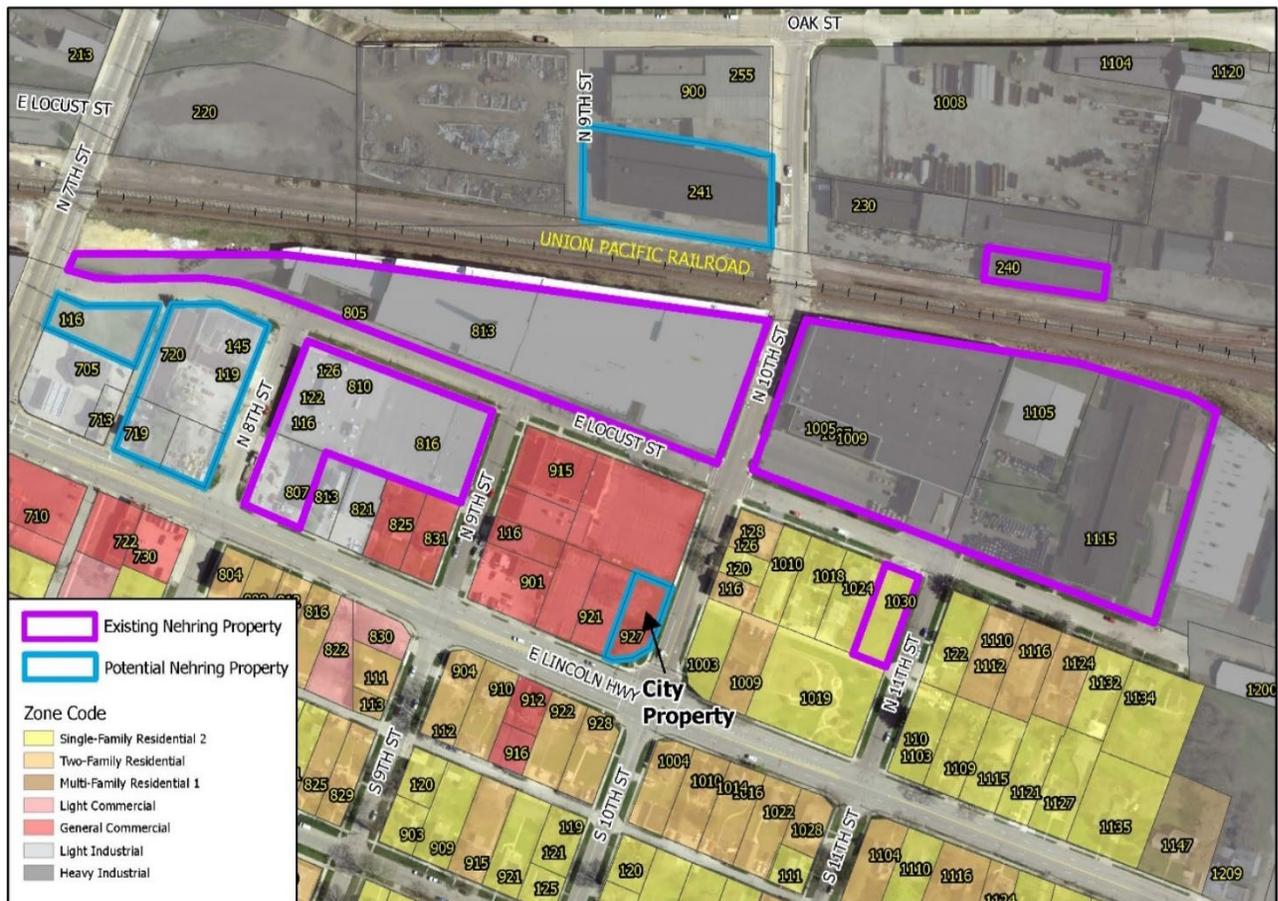
Given the Company's expanding investment in adjoining properties, the conversation turned to the prospect of the creation of a "campus" that would more effectively insulate both the Company and neighboring properties from potential conflicts. To achieve such a campus in the restricted geographic area, some creative thinking is in order. A lasting solution will require

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

additional and substantial investment by the Company. For its part, provided other adjoining properties come under the control of the Company, the City can vacate portions of its adjacent street areas to create, in effect, additional and non-conflicted parking and loading areas. The following aerial depicts what this transformation might look like:

### Nehring Properties - Existing and Potential



Put into words, the aerial shows the following:

- a) The Company's acquisition of the former Virgil Cook & Son properties at 119 N. Eighth Street;
- b) The City's construction of a cul-de-sac on N. Ninth Street stretching about 100 feet north of E. Lincoln Highway to allow access to the rental unit at 116 N. Ninth Street;
- c) The City's vacation of N. Ninth Street from the new cul-de-sac to E. Locust Street to allow for the unrestricted backing of tractor trailers into the prime loading dock area serving the original Company building;
- d) The City's vacation of E. Locust Street from N. Seventh Street to N. Tenth Street to create a private parking area where tractor trailers loading and unloading would not conflict with other vehicular traffic;

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

- e) The City's vacation of the alley immediately west of the former Virgil Cook properties.
- f) The City's vacation of N. Eighth Street from E. Lincoln Highway to E. Locust Street for unrestricted use by Nehring because the short street section would no longer serve other vehicular traffic;
- g) The City's enlargement of the storm drainage piping leaving the catch basin at N. Ninth Street and E. Locust Street to eliminate chronic ponding that restricts truck movements whenever there is a large rain event.
- h) The re-zoning of the subject parcels to "PD-I," Planned Development District, Industrial, to provide the maximum flexibility for the Company as it re-arranges vital functions within the proposed complex.

These reciprocal actions would require a development agreement between the City and the Company.

The redevelopment outlined here redresses many inconveniences and conflicts between N. Seventh Street and N. Tenth Street. It does not yet include further steps that might be taken to address residual noise and truck conflicts that episodically create conflicts between the Company and its residential neighbors on E. Locust Street east of N. Tenth Street. Further discussion is planned to address this challenge. However, the Company is agreed that the on-street parking on the south side of E. Locust Street between N. Tenth Street and N. Eleventh Street should be restricted to residents only, with the appropriate City signage.

Nehring Electrical Works Company has been making stranded wire on Locust Street for 110 years, and before any of the other current uses were in existence. The company has a workforce of 175 including members of many underserved families in the Fourth and Third Wards. A more creative solution than the City's current approach is warranted.

**City Council direction is recommended.**

**3. Bi-Annual Review of Compensation of Elected Officials as per Chapter 2 "City Council", Section 2.15 "Elected Officials Salary Review", Preceding the April 4, 2023, Consolidated Election.**

City Manager's Summary: The Illinois Constitution prohibits an elected official's compensation from being increased or decreased during the official's term of office. Section 2 of the Local Government Officer Compensation Act (50 ILCS 145/2) specifies that compensation of elected officers "shall be fixed at least 180 days before the beginning of the terms of the officers whose compensation is to be fixed." The Illinois Municipal Code specifies that terms for municipal elected officials commence "at the first regular or special meeting of the corporate authorities after receipt of the official election results from the county clerk . . ."

**The Spring 2023 elections for Aldermanic seats in the First, Third, Fifth and Seventh Wards will be held on April 4, 2023, so the 180-day window will close sometime around October 6, 2022. An appropriate ordinance establishing the future compensation of these Council officials will need to be presented before that time.**

Upon Council direction, the City Manager can prepare the appropriate ordinance for Council action at an upcoming meeting. For reference only, the present compensation of all of the City government's elected officials is as follows:

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

- Mayor ..... \$22,500
- Council Member.. \$ 5,400
- City Clerk ..... \$ 8,000

**City Council direction is recommended.**

## **K. RESOLUTIONS**

### **1. Resolution 2022-062 Authorizing Submission of an Application for Capital Assistance Grant for Paratransit Vehicles Under the Illinois Department of Transportation's General Authority to Make Such Grants for the Purpose of Off-Setting Certain Public Transportation Facility Capital Costs the City of DeKalb.**

City Manager's Summary: A public hearing appears at the top of this agenda to invite public opinion on a City application for state grant funding to purchase four vehicles to assist paratransit needs within the DeKalb service area. The total project request of \$287,000 would help replace vehicles now out of service due to age and failed condition and will also create capacity to dedicate several vehicles at any given time to driver training, the temporary replacement of vehicles in need of maintenance, and special groups trips.

**City Council approval of this grant application to IDOT is recommended.** ([click here for additional information](#))

### **2. Resolution 2022-063 Authorizing Submission of an Application for a Public Transportation Capital Assistance Grant Under the Illinois Department of Transportation's General Authority to Make Such Grants for the Purpose of Off-Setting Eligible Public Transportation Capital Costs of the City of DeKalb.**

City Manager's Summary: The other public hearing at the top of this agenda invites public opinion about an application for a variety of capital purchases under the Rebuild Illinois III Capital grant program. If fully funded, the grants would pay for the following:

- The purchase of six (6) fixed route buses: \$4,200,000.00
- The purchase of paratransit scheduling software (five-year license): \$600,000.00
- The purchase of fixed route tracking software (five-year license): \$150,000.00
- The purchase of fleet maintenance management software (five-year license): \$18,000.00
- The purchase of bus camera systems: \$450,000.00

The current Transit operations contractor, Transdev, uses its own fleet to provide fixed route services. The purpose of these purchases is to build the City's capital capacity in the event of a change in transit providers through a future bidding process.

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

### **3. Resolution 2022-064 Authorizing the Purchase of Two Ford E-450 Type III Osage Ambulances from North Central Emergency Vehicles Plus Upfitting Expenses Necessary to Place the Ambulances in Service in an Amount Not to Exceed \$431,084.**

City Manager's Summary: Since the City pursued supplemental funding for Fire services in collaboration with DeKalb IAFF Local 1236 in the late summer of 2020, the federal Ground

Emergency Medical Transportation (GEMT) program has provided gap funding between what the City might receive in Medicaid reimbursements for ambulance transports, and the actual cost of the ambulance service. That “gap” has been more than \$1,600 per ambulance trip but with GEMT support the Fire department now has funds for capital expenditures that previously competed with the capital needs of other City operational departments.

GEMT funds are now separately accounted in the GEMT Fund (Fund 130). In FY2022, the fund targeted several large capital expenditures that would have otherwise exhausted all of the City’s general capital monies for vehicle and equipment purchases. Specifically, in the current fiscal year, the GEMT Fund will be able to shoulder the purchase of two replacement fire engines (approved on January 10, 2022, via Resolution 2022-011) and two replacement ambulances in FY2023.

As Chief Thomas writes in his background memorandum, the Fire Department recently evaluated its ambulance fleet and determined that the chassis and “box” model purchased since 2017 is most flexible for the Department’s requirements. Quotations for these Type III, Ford E-450 “Wheeled Coach” models were requested of three vendors that could provide comparable models. The quotes for two (2) ambulances are as follows:

Fire Service, Inc. ....	\$450,220
North Central Emergency Vehicles .....	\$401,084
Foster Coach .....	\$425,920.

North Central Emergency Vehicles was the lowest responsible bidder. It should be noted that the lead time for ambulances could be as much as 1.5 to 2 years. Since the vehicles would not be charged against the budget until their receipt, the Council is asked to commit to the North Central purchases so their manufacture can be put in process, and they can be purchased in FY2023.

There are six ambulances in the emergency response fleet: three front line and three reserves. In 2021, these ambulances responded to over 6,004 EMS calls for service and provided EMS stand-by at NIU and DeKalb High School special events. In the Department’s reserve fleet, there are two ambulances that are due for replacement. One is a 2006 Ford E-450 with 106,673 miles and the other is a 2005 International with 98,011 miles.

The 2005 International and the 2006 Ford will be either be re-purposed or sold.

**City Council approval of the North Central bid is recommended, with authorization for spending up to \$431,084 for necessary upfitting. ([click here for additional information](#))**

**4. Resolution 2022-065 Authorizing the Waiver of Competitive Bidding and the Execution of an Agreement with Layne Christensen Company for a Maintenance Inspection and Repair to Well #14 in an Amount Not to Exceed \$60,000.**

City Manager’s Summary: Bryan Faivre, Director of Utilities, Transportation and Engineering, has reported that the well motor to Well #14 failed to operate on July 6 and has resisted all attempts to re-start it. A representative from Layne Christensen Company (Layne) was contacted early in the process and determined that the motor needs to be pulled to be inspected and, if necessary, replaced. The motor is a submersible motor, meaning it is located within the well several hundred feet under water. The only way to repair the motor and related cabling is to have the components removed from the well.

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

Well #14, located at 900 W. Dresser Road, is one of nine wells the City owns and operates. The well has a pumping capacity of 1,200 gallons per minute and accounts for 13% of the annual overall volume to the City. The well is one of three raw water sources that supply water to the City's Dresser Road Water Treatment Plant.

Well #14 was scheduled to be "pulled" this year for routine preventative maintenance. The FY2022 Water Capital Fund budget (Fund 620) included \$165,000 for this purpose. The Water Capital Plan includes routine scheduled preventative maintenance inspections of each of the City's nine wells.

Mr. Faivre received a base quote of \$55,000 from Layne for pulling the column pipe, pump and motor and reinstalling the component parts after the necessary repairs have been made. The quote contains additional repair cost estimates based on the type of repairs that might be needed. Unfortunately, a total cost estimate cannot be produced until such time as the well components are pulled and evaluated to determine what additional repairs may be necessary. It should be noted that the City maintains a spare motor, well pump and several hundred feet of column piping in inventory. This should allow the contractor the ability to repair the well without delay.

With Well #14 out of service the Utility Department is meeting daily water demands by relying more heavily on the City's other remaining eight wells. Increased water demand is expected in August, especially with the return of NIU students to the community. Well #14 has the second highest pumping capacity and is a critical source of water supply to the City. An unforeseen loss of another well or water treatment plant could place the City in a more precarious position to meet routine demands.

Accordingly, Mr. Faivre is requesting Council approval to waive competitive bidding and accept a quote by Layne Christensen Company at the base amount of \$55,000 for the purpose of performing the inspection and repair of Well #14 with subsequent staff authority to approve any expenses for required repairs in an amount not to exceed \$60,000 in total project cost.

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

## **L. ORDINANCES – SECOND READING**

None.

## **M. ORDINANCES – FIRST READING**

### **1. Ordinance 2022-030 Amending Chapter 2 "City Council", Section 2.12 "Rules of Order and Procedure" to Permit Attendance by a Means Other Than Physical Presence.**

City Manager's Summary: The City's Municipal Code is silent about the remote attendance of members of the corporate authority. This agenda item brings the Municipal Code up to date with a simple ordinance amending Section 2.12 of the City's Municipal Code to expressly allow remote attendance for Council meetings as permitted under the Open Meetings Act (5 ILCS 140/7), which provides in pertinent part as follows:

*Sec. 7. Attendance by a means other than physical presence.*

*(a) If a quorum of the members of the public body is physically present as required by Section 2.01, a majority of the public body may allow a member of that body to attend the meeting by other means if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency. "Other means" is by video or audio conference.*

*(b) If a member wishes to attend a meeting by other means, the member must notify the recording secretary or clerk of the public body before the meeting unless advance notice is impractical.*

**City Council approval of the attached ordinance is recommended.** ([click here for additional information](#))

**2. Ordinance 2022-031 Amending Chapter 59 "Economic Development Commission", Section 59.01 "Commission Created" to Change the Annual Minimum Meetings Requirements.**

City Manager's Summary: The Economic Development Commission (EDC) was created in April of 1978. At the July 8 regular meeting of the EDC, a quorum of the Commission voted to suspend its regular meeting schedule in favor of an "as-needed" schedule at the Mayor's call.

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

**3. Ordinance 2022-032 Approving an Amendment to the Final Plan of The Bridges of Rivermist, Phase 2, Approved by Ordinance 1997-110, to Allow a Modular Classroom at Gwendolyn Brooks Elementary School, 3225 Sangamon Road (DeKalb Community Unity School District No. 428).**

City Manager's Summary: As Planning Director Dan Olson writes in his background memorandum, School District #428 has requested an amendment to the Phase 2 Final Plan for the Rivermist subdivision to permit a modular classroom at the Gwendolyn Brooks Elementary School at 3225 Sangamon Road.

The background material from the School District explains that the Brooks elementary school needs additional classroom space inside the building for an "intensive" instructional space. The District want to place a modular classroom on the site to provide space for the current music room which will be converted to the intensive classroom. The School District expects that the modular classroom will be needed for about three (3) years.

The proposed modular classroom will be 23.3' x 68' and will be located directly south of the school building on a portion of the hard-surfaced play area. There are currently 106 parking spaces including 5 handicap spaces at the school. Based on the parking formula for elementary schools in the Unified Development Ordinance, 64 parking spaces are required. The proposed modular classroom will not take up any parking spaces. At this time, no additional lighting is proposed.

The classroom will feature a wood-based siding product and is light tan in color. An image of the modular classroom is provided in the packet and is similar to the one used at Littlejohn Elementary School. The District has applied for a Temporary Facility Permit from the DeKalb

County Regional Office of Education. There will be an annual inspection of the modular classroom by the School District Architect.

The City has approved modular classrooms at the Tyler, Clinton Rosette, and Littlejohn Schools in the past. Most recently, a special use permit was issued in 2020 for Littlejohn Elementary School to extend the time frame for a modular classroom to remain on the site for another three years.

The Planning and Zoning Commission considered the School District's request at their regular meeting on Monday, July 18. By a vote of 5-0 (Commissioners Maxwell and Wright were absent), the Commission recommended Council approval. **City Council approval of the Planning and Zoning Commission recommendation is requested.** ([click here for additional information](#))

#### **4. Ordinance 2022-033 Approving a Special Use Permit for a Drive-Through Restaurant at 922 S. Fourth Street (Proper Hospitality Group, LLC – Peter Panagakis).**

City Manager's Summary: The petitioner, Proper Hospitality Group, LLC represented by local restauranter Peter Panagakis, is requesting approval of a special use permit for a drive-through restaurant. The subject site was the previous location of the KFC Restaurant on S. Fourth Street, which closed in 2009. The proposed restaurant will be called Anna's Sandwich Shoppe and will contain 40 inside seats with a limited drive-thru consisting of a mobile order pick-up window. Outside seating will also be provided. The proposed hours of operation will be 11:00 a.m. to 8:00 p.m., Monday through Saturday. The restaurant will be closed on Sundays and holidays.

The existing building on site is approximately 2,100 square feet in area. The access and parking area will be designed and striped to reflect one-way traffic around the site. The drive-through area will be expanded to include a by-pass lane north of the building. The existing access to the alley to the east side of the site will be removed and a six (6) foot sight-proof fence will be installed along the east property line. An outdoor patio area will be added to the south and east of the building. The trash dumpster on-site will be screened per the requirements of the UDO. Additional landscaping will be added around the perimeter of the site and the majority of the trees along the northern portion of the property will be saved.

A total of 24 parking spaces are proposed with 20 standard spaces and four handicap spaces. The number of parking spaces required for the restaurant, per the UDO, is one (1) parking space for every three (3) seats plus one (1) space for every employee on the maximum shift. With 39 seats and 8 projected employees, a total of 21 parking spaces are required. The drive-through has adequate space for the stacking of vehicles and meets the UDO requirement.

The existing brick on the building will be cleaned and new wood grain panels will be added to the top portion of the exterior walls. The former KFC cupola will be removed, and a small vestibule and tower will be added at the southwest corner of the building. An architectural rendering is included in the back up material.

Due to the proximity of residential uses to the east and south, it's recommended that the hours of operation for the restaurant be limited between 6:00 a.m. and 8:00 p.m. (allowing for a future breakfast service).

The Planning and Zoning Commission reviewed the special use application at its last regular meeting on July 18. By a vote of 5-0, the Commission recommended Council approval. **City Council approval of the Planning and Zoning Commission recommendation is requested.** ([click here for additional information](#))

**5. Ordinance 2022-034 Approving a Final Plat for the SV CSG DeKalb County Subdivision Along Gurler Road (Midland Trust Company – James Planey).**

City Manager's Summary: The applicant, James Planey, is requesting approval of a Minor Subdivision Plat for a one-lot subdivision consisting of 23.6 acres along the north side of Gurler Road, just east of S. First Street. The proposed lot is part of a larger 36.3-acre parcel owned by the applicant.

On February 22, 2021, the City approved a development agreement and the rezoning of the 36.3 parcel from the "HI" District to the "PD-I" District to accommodate a solar energy generation facility on the 23.6-acre site. When a development project comes forward for the remaining 12.7 acres, the applicant will subdivide the entire parcel to create two lots. At that time the appropriate public improvements (e.g., water and sewer) will be extended to the property.

The Plat has been reviewed by staff. City All the easements, setbacks and roadway dedications are shown on the Plat. There are a few minor matters to resolve with the owner, so the recommendation is to approve the Plat subject to all staff comments being addressed prior to the recording of the Plat.

The Planning and Zoning Commission reviewed the plat at their regular meeting on July 18 and recommended Council approval by a vote of 5-0. **City Council approval of the Plan Commission recommendation is requested.** ([click here for additional information](#))

**6. Ordinance 2022-035 Amending Chapter 51 "Traffic", Schedule B "Through Streets, Stop Intersections and Yield Intersections", to Establish a Stop Condition for Both Fifth Street and Sixth Street as they Intersect Culver Street.**

City Manager's Summary: This ordinance would convert the approach onto Culver Street to a stop-controlled intersection at both Fifth Street and Sixth Street. Currently, S. Fifth Street and S. Sixth Street terminate in T-intersections at Culver Street but there are no controlling traffic signs to assure safety at pedestrian crossings. The attached ordinance creates full stop signs to provide additional safety along the roadway. Contributing factors for the request are the proximity of the intersections to Founder's Elementary School, as well as the absence of any traffic control signs at the intersections. The City Engineer supports this change which has been strongly recommended by nearby residents. This will not impede through traffic on the primary street (Culver) and will increase traffic control and safety near the school. **City Council approval is recommended.** ([click here for additional information](#))

**N. REPORTS AND COMMUNICATIONS**

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

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.

**O. EXECUTIVE SESSION**

**Approval to Hold an Executive Session in Order to Discuss:**

- 1. Collective Bargaining as Provided for in 5 ILCS 120/2(c)(2);**
- 2. The Sale or Lease of Real Property as Provided for in 5 ILCS 120/2(c)(6); and**
- 3. Executive Session Minutes as Provided for in 5 ILCS 120/2(c)(21).**

**P. ADJOURNMENT**

**[REGULAR AGENDA PACKET – JULY 25, 2022](#)**

Assistive services, including hearing assistance devices, available upon request.

COVID-19 Notice: The corporate authorities of the City of DeKalb intend to conduct this meeting in-person with a physically present quorum that is open to the public and in compliance with all applicable public health requirements. Pursuant to current public health guidelines, persons attending this meeting are not required to wear protective face masks/coverings.