

DEKALB CITY COUNCIL AGENDA REGULAR MEETING JULY 28, 2025 6:00 P.M.

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

Pursuant to Chapter 2 "City Council", Section 2.04 "Council Meetings", persons wishing to address the City Council during this meeting are required to register with the Recording Secretary before the start of the meeting by completing a Speaker Request form. All public comments will be limited to three (3) minutes per speaker. Further information for addressing the City Council can be found on the Speaker Request form.

- A. CALL TO ORDER AND ROLL CALL
- **B. PLEDGE OF ALLEGIANCE**
- C. APPROVAL OF THE AGENDA
- D. PRESENTATIONS
 - 1. Proclamation: Recognizing Habitat for Humanity of DeKalb County.
 - 2. Opportunity DeKalb Breakthrough Community Business Academy Report.
- **E. PUBLIC PARTICIPATION**
- F. APPOINTMENTS
 - 1. <u>Appointing Katherine McGloughlin to the Airport Advisory Board for the Completion of a Four-Year Term through December 31, 2028.</u>
 - 2. <u>Appointing Brian Ohlinger to the Finance Advisory Committee for the Completion</u> of a Four-Year Term through December 31, 2028.
 - 3. <u>Appointing Tom Fellabaum to the Planning and Zoning Commission for the Completion of a Five-Year Term through December 31, 2029.</u>

G. CONSENT AGENDA

- 1. Minutes of the Regular City Council Meeting of July 14, 2025.
- 2. Accounts Payable and Payroll through July 28, 2025, in the Amount of \$4,438,982.88.
- 3. Freedom of Information Act (FOIA) Report June 2025.
- 4. FY2025 Human Services Funding 2nd Quarter Report.

H. PUBLIC HEARINGS

1. Public Hearing to Consider Repealing Ordinance 2022-070, Which Approved a Zoning Map Amendment from the "NC" Neighborhood Commercial District to the "PD-R" Planned Development Residential District and the Preliminary Development Plan for the Property at 145 Fisk Avenue.

<u>City Manager's Summary</u>: On November 28, 2022, the City Council approved Ordinance 2022-070 (the "Ordinance"), which granted the rezoning of the property at 145 Fisk Avenue from the "NC" Neighborhood Commercial District to the "PD-R" Planned Development Residential District. The rezoning applicant was Jon Sauser, who purchased the property in March 2022. The building on the property was originally constructed in 1922 as St. Mary's Hospital, which closed in 1965. Uses over the years included a girl's dormitory and administrative offices for the DeKalb School District. Future proposed uses of medical/dental offices and luxury lofts never materialized.

The Ordinance approved the establishment of up to 32 residential apartments in the existing building. Approved accessory uses included a tenant lounge, exercise room, and outdoor patio. A Preliminary Development Plan was also approved, which showed a parking lot behind the existing building and vehicle access to Sycamore Road and Fisk Avenue. Waivers to the Unified Development Ordinance ("UDO)" were approved for buffer yard areas, parking setbacks, and certain landscape requirements. Before any construction on the site, the Ordinance required the submittal of a Final Development Plan and review by the Planning and Zoning Commission and City Council.

The owner failed to submit a Final Development Plan, request a time extension, or resubmit the Preliminary Development Plan within the time provided by the Ordinance and Article 5.13.10(5.d) of the City's Unified Development Ordinance (UDO). Furthermore, the owner failed to comply with the Ordinance's condition that compliance with the City's Municipal Code was required from the date of the Ordinance and continuing, uninterrupted, thereafter. On October 28, 2024, the owner was found guilty of failing to properly close and secure the vacant and uninhabitable existing building on the property, which was in violation of the City's Municipal Code. As of July 24, 2025, the owner had not yet properly secured the building according to an order entered by the City's administrative hearing officer.

Letters were sent to Mr. Sauser and the property owners within 250 feet of the subject site notifying them of this public hearing to repeal Ordinance 2022-070. In addition, other neighbors who have previously inquired about the status or the future of the property at 145 Fisk Avenue have been notified.

Jon Sauser, the principal of Fisk DeKalb, LLC has acknowledged receipt of a certified mailing announcing this public hearing and the possibility that the ordinance (No. 2022-070) which approved a zoning map amendment to replace the former "NC" Neighborhood Commercial District with a "PD-R" Planned Development Residential District may be repealed. Council discussion and action may occur when Ordinance 2025-034 is received and filed later on this Agenda.

I. CONSIDERATIONS

None.

J. RESOLUTIONS

1. Resolution 2025-072 Authorizing a Fund 400 Architectural Improvement Program Grant for 930 Pappas Drive in the Amount of \$19,665.59 (Big O's Barbeque).

<u>City Manager's Summary</u>: In the 2023 City capital budget (Fund 400), the Council established a modest incentive program for small commercial strips outside the Central Business District TIF #3 to promote the same kind of private repairs or redevelopment envisioned in the TIF #3 "Architectural Improvement Program." This program has been successful, and an allocation of \$70,000 was made in the FY2025 Capital Projects Fund (Fund 400) budget (Line item 400-00-00-83900). To date, \$0.00 has been expended in 2025.

Several weeks ago, the City Manager was contacted by Alando ("O") and Valerie Farmer who are the proprietors of Big O's Barbeque, a new take-out only restaurant at 930 Pappas Drive, nestled in the northwest corner of a strip center that formerly housed the Starbuster's night club and restaurant. With the assistance of the building owner, John Pappas, the Farmers have remodeled the kitchen area and enclosed it from the rest of the strip center to exclusively serve their take-out services. A modest vestibule was installed at a new entrance at the rear of the building, facing north. The non-TIF AIP program was designed to give new or growing small commercial businesses some assistance in creating the kind of space that the Farmers have just completed. However, the Farmers were not aware of the opportunity to qualify for the non-TIF incentive program until the work was nearly complete, at considerable expense to their new business.

The Big-O's Barbeque offers take-out ribs, brats, chicken, catfish, shrimp, chicken wings, hamburgers, hot dogs, and Polish sausage, but their premier product is their ribs plate. The entire Farmer family is involved in the production of these tasty foods, including a son and daughter. The cooking space has been inspected and approved by the City's Building Department as well as the DeKalb County Health Department.

In the attached invoices, the Council will find a total of \$46,898.37. Of these costs, the AIP program offers the following reimbursement possibilities:

Electric/Alarm: \$25,178.87 (x 50% = \$12,589.44)

Heating/HVAC: \$6,577 (x 50% = \$3,288.50)

Carpentry: \$4,326.00 (x 25% = \$1,081.15)

Signage: \$10,826.40 (x 25% = \$2,706.50)

Total: \$19,665.59

The Farmers had no prior experience working with local contractors, so Mr. Pappas facilitated the remodeling and is the formal applicant. If approved, once final lien waivers have been presented the building owner will be reimbursed.

City Council approval of a non-TIF AIP grant of \$19,665.59 is recommended.

2. Resolution 2025-073 Granting an Easement to the Commonwealth Edison Company for the Property Located at 3001 Pleasant Street.

<u>City Manager's Summary</u>: The solar farm under construction by SunVest Solar on the Cityowned Airport property at 3100 Pleasant Street is progressing. The project is about 75% complete and construction is expected to be completed in October. Initial energizing and an "in-service" date with ComEd is expected in early-to-mid November. On May 27, 2025, the City

Council approved Resolution 2025-055 amending the land lease with SunVest Solar to extend the "Development Term" of the project to December 31, 2025. The "Operating Term" will start January 1, 2026, and the City's rent will be \$91,000 per year.

An easement needs to be granted to ComEd for the installation of the interconnection poles to accept the power generated by the solar project. ComEd requires the easement to assure access to the poles for maintenance and in case of emergencies to shut off the flow of power. The poles and corresponding 12' x 132' easement will be located in the south-central portion of the project, just to the west of the access drive off Pleasant Street.

City Council approval is recommended.

3. Resolution 2025-074 Authorizing Participation in the Illinois Public Works Mutual Aid Network.

<u>City Manager's Summary</u>: As Public Works Director Andy Raih writes in his background memorandum, the Public Works Department has been an active member of the Illinois Public Works Mutual Aid Network (IPWMAN) since 2009. Comprising over 400 Illinois agencies, IPWMAN facilitates crucial mutual aid for disaster response and broader community needs. While DeKalb has not yet required mutual aid activation, its consistent participation ensures support from other communities in times of need. The City has actively contributed to regional disaster relief efforts, assisting in tornado responses in Fairdale, Rochelle, and Ottawa. With IPWMAN's transition to a board of directors' organization, a City Council resolution is required to formalize continued membership.

The City's participation in community mutual aid requests will remain discretionary, contingent upon the availability of resources and staffing.

City Council approval is recommended.

4. Resolution 2025-075 Supporting the Illinois American 250 Commemoration.

<u>City Manager's Summary</u>: This resolution demonstrates the City's support of the State of Illinois' commemoration of the 250th anniversary of the approval of the Declaration of Independence by the Second Continental Congress on July 4, 1776. The City will further support this initiative by planning local programs and events.

America250 is a nonpartisan initiative of the US Semiquincentennial Commission to engage Americans in the celebration of next year's 250th anniversary of the signing of the Declaration of Independence. At the state level, the Illinois American250 Commission has been created, as the resolution explains, to encourage communities to develop commemorations reflecting the role of Illinois in the nation's history. To kick off DeKalb's participation, the City Council is asked to pass the Illinois American250 resolution.

The Citizens' Community Enhancement Commission (CCEC) has begun incorporating the theme into its programming. This spring, the CCEC released a Call for Artists for a new Lincoln Highway mural to replace the one at Lincoln Highway and Seventh Street that fell and was damaged beyond repair. Along with the imagery on Lincoln Highway, a significant contribution to the nation's commemoration itself, artists were to incorporate imagery of President Lincoln, one of Illinois' greatest contributions to the nation, and the Declaration of Independence, which Lincoln relied heavily on in his arguments to end slavery. The CCEC has recommended an artist who successfully incorporated the three themes into a draft design. The CCEC is also encouraging Paint-A-Plug artists to incorporate the Illinois America250 initiative in their

designs to paint fire hydrants. If the Council supports the Illinois America250 initiative, the CCEC will continue to plan activities and events surrounding the anniversary.

The CCEC discussed the Illinois America250 initiative at its March and May meetings and supports DeKalb's participation. Additionally, the DeKalb County History Museum has requested that the City approve the resolution.

With less than a year to plan for the actual anniversary on July 4, 2026, wider participation will be invited by the CCEC, including attention to the rich meaning of this historic juncture, beyond the opportunity to engage in celebration. It is literally true that before the statement of the "unalienable rights" of all people, every human being around the world was a subject to a king or emperor or other lordly being, and not a citizen. The reach of the Declaration has since extended beyond the propertied men who approved it: to women, persons of color, and persons of other cultures and lands who have become citizens. The "liberty" they can claim under law, and which informs their "happiness," cannot be taken for granted. The opportunity exists for our community to come together in word and deed to embrace, in the words of Abraham Lincoln, a connection with "the father of all moral principle in them." It is the "electric cord in that Declaration" that links the hearts of liberty-loving people together and will link them "as long as the love of freedom exists in the minds of people throughout the world."

John Dos Passos, a writer whose most memorable works were penned during the trial of America's Great Depression and the tragedy of World War II, wrote that to understand and make progress in our own day "we need to know what kind of firm ground others, belonging to generations before us, have found to stand on. In spite of other conditions of life, they were not so different from ourselves, and they managed to meet situations as difficult as those we face, and to meet those challenges with hope. He wrote: "In times of change and danger when there is a quicksand of fear under men's reasoning, a sense of continuity with generations gone before can stretch like a lifeline across the scary present and get us past that idiot delusion of the exceptional. That is why, in times like ours, when old institutions are caving in and being replaced by new institutions not necessarily in accord with most men's preconceived hopes, political thought has to look backwards as well as forwards."

City Council approval is recommended.

5. Resolution 2025-076 Approving Human Services Supplemental Assistance for Various Social Service Agencies Beginning August 1, 2025, through December 31, 2025, in an Amount Not to Exceed \$75,000.

<u>City Manager's Summary</u>: On June 9, the City Council approved Resolution 2025-065 authorizing \$75,000 in supplemental human services funding targeted at programing meeting basic needs such as housing, food, and care for the elderly and disabled. The supplemental funding was further restricted to 501c3 agencies that were granted some level of funding as part of the annual human services funding package in January 2025.

As with the core grants in January, the supplemental round was reviewed and scored by members of a seven-member City review team led by Community Services Coordinator Jennifer Yochem. The grant requests and the review group's consensus recommendations were then considered by the City Manager in advance of bringing them to the Council for final action.

A total of 15 agencies applied for the supplemental funding and the total amount of the additional requests was \$231,966. A detailed spreadsheet that breaks down the funding, by agency for the regular annual round as well as the supplemental round of human service funding is attached.

The recommended grants are as follows:

- Barb City Manor, \$6,000 (Emergency rental assistance for seniors struggling to pay rents on time due to delays in receiving federal assistance)
- Elder Care Services, \$15,000 (Nutritional Programming)
- Habitat for Humanity, \$25,000 (Home Rehab Program)
- Hope Haven, \$10,000 (Emergency Shelter)
- Rooted for Good, \$9,000 (Mobile Pantries)
- Safe Passage, \$10,000 (Small Stipends for Victims Without Means at Intake)
- Total: \$75,000

City Council approval of the supplemental funding recommendations is requested.

6. Resolution 2025-077 Approving the Regulation of Traffic for the Purpose of Holding the Northern Illinois University Homecoming Block Party on Illinois Route 38 (Lincoln Highway) Between First Street and Fourth Street on October 2, 2025, Beginning at 10:00 a.m. through October 3, 2025, at 6:00 a.m.

<u>City Manager's Summary</u>: The Northern Illinois University (NIU) Homecoming Community Committee has requested the closure of Illinois Route 38 (E. Lincoln Highway) between First Street and Fourth Street from Thursday, October 2, 2025, at 10:00 a.m. through Friday, October 3, 2025, at 6:00 a.m. for their Homecoming Block Party.

The Homecoming Block Party, including a March of the Huskies parade, began in 2022 as NIU reinvigorated its homecoming celebrations for its 115th anniversary. The Block Party is planned by a committee made up of representatives from NIU, the City of DeKalb, Downtown Merchants and other community organizations including the DeKalb County Convention and Visitors Bureau, DeKalb Chamber of Commerce, and Egyptian Theatre.

The Lincoln Highway location makes it easy for downtown businesses to participate in the event with sidewalk sales and outdoor dining. Use of the downtown's main thoroughfare also provides a picturesque background for the parade. The Block Party, from 5:00 p.m. to 8:00 p.m. on October 2, will feature a car show, food truck vendors, spirit photos in the Egyptian Theater and a fun zone, including a zip line. At 6:00 p.m., the March of the Huskies will step off at Third Street and Locust Street, go south on Third Street and then west on Lincoln Highway before ending at First Street. The March will be followed by a pep rally. The pep rally stage will be moved from Lincoln Highway at the end of the parade route to Second Street to make it easier for parade vehicles to exit. An extra block has also been provided for parade staging.

City Council approval is recommended.

K. ORDINANCES - SECOND READING

None.

L. ORDINANCES - FIRST READING

1. Ordinance 2025-034 Repealing Ordinance 2022-070, Which Approved a Zoning Map Amendment from the "NC" Neighborhood Commercial District to the "PD-R" Planned Development Residential District and the Preliminary Development Plan for the Property at 145 Fisk Avenue.

<u>City Manager's Summary</u>: As noted in the Public Hearing portion of this agenda, the City Council approved Ordinance 2022-070 (the "Ordinance"), which granted the rezoning of the property at 145 Fisk Avenue from the "NC" Neighborhood Commercial District to the "PD-R" Planned Development Residential District on November 28, 2022. The rezoning applicant was Jon Sauser, who purchased the property in March 2022. The building on the property was originally constructed in 1922 as St. Mary's Hospital, which closed in 1965. Uses over the years included a girl's dormitory and administrative offices for the DeKalb School District. Future proposed uses of medical/dental offices and luxury lofts never materialized.

The Ordinance approved the establishment of up to 32 residential apartments in the existing building. Approved accessory uses included a tenant lounge, exercise room, and outdoor patio. A Preliminary Development Plan was also approved, which showed a parking lot behind the existing building and vehicle access to Sycamore Road and Fisk Avenue. Waivers to the Unified Development Ordinance ("UDO)" were approved for buffer yard areas, parking setbacks, and certain landscape requirements. Before any construction on the site, the Ordinance required the submittal of a Final Development Plan and review by the Planning and Zoning Commission and City Council.

The owner failed to submit a Final Development Plan, request a time extension, or resubmit the Preliminary Development Plan within the time provided by the Ordinance and Article 5.13.10(5.d) of the City's Unified Development Ordinance (UDO). Furthermore, the owner failed to comply with the Ordinance's condition that compliance with the City's Municipal Code was required from the date of the Ordinance and continuing, uninterrupted, thereafter. On October 28, 2024, the owner was found guilty of failing to properly close and secure the vacant and uninhabitable existing building on the property, which was in violation of the City's Municipal Code. As of July 24, 2025, the owner had not yet properly secured the building according to an order entered by the City's administrative hearing officer.

Mr. Sauser has offered a number of reasons for not proceeding with the project in the two years and eight months since Ordinance 2022-070 was approved. In early 2023, he cited the post-COVID supply chain issues and the inflation in material costs as the principal reason. During this time, he had to be prodded to do the right thing by his neighbors and keep the property secure against the elements and trespassers, and presentable in terms of the yard areas. After a period of grace in which City officials were reluctant to issue citations and instead pressed for better stewardship in email and phone calls, Mr. Sauser was cited on a number of occasions for his neglect of the property. In September 2024 an effort was made to enclose the open window areas and better secure the doors, but such temporary expedients have since deteriorated, as the following photo from July 21, 2025, shows:



On June 9, 2023, the corporation known as Fisk DeKalb LLC was involuntarily dissolved. Although the entity could be reinstated, this fact provides further evidence of a lack of serious intention to initiate the development. Additionally, Mr. Sauser is responsible for outstanding fines totaling \$1,147.50 which have gone to collection, and an additional \$850 in fines, which are in adjudication.

The property has remained largely unusable for several decades and has continually deteriorated in this period. It is no longer in an active TIF District (TIF #1 was terminated on 12/31/2021), so no established incentive program has been identified for either the redevelopment or the razing of the structure. At the same time, the abandonment of any routine maintenance responsibility by the current owner does not inspire the confidence that a private remedy is at hand. Further public discussion of the future of this property and the funding sources available for its redevelopment should ensue, but with respect to the attached ordinance, City Council approval is strongly recommended.

M. REPORTS AND COMMUNICATIONS

- 1. Council Member Reports.
- 2. City Manager Report.
- N. EXECUTIVE SESSION

None.

O. ADJOURNMENT