



**DEKALB CITY COUNCIL AGENDA
AUGUST 24, 2020
6:00 P.M.**

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

REGULAR CITY COUNCIL MEETING

COVID-19 Notice: This meeting will be conducted in-person with a physically present quorum and open to the public. The corporate authorities of the City of DeKalb intend to conduct this meeting in compliance with all applicable social distancing and public health requirements. All persons attending this meeting in-person shall be required to wear protective face masks/coverings. Furthermore, the corporate authorities of the City of DeKalb intend to conduct this meeting pursuant to Illinois Governor JB Pritzker's Executive Order 2020-43 dated June 26, 2020 (the "Executive Order"), which prohibits gatherings of more than 50 people, unless the City of DeKalb determines that it is necessary to invoke the Governmental Functions exemption contained in Section 4(c) of the Executive Order "to ensure the operation of government agencies or to provide for or support the health, safety and welfare of the public."

As a convenience to the public, the City of DeKalb may also provide video, audio, telephonic or internet access for the public to monitor this meeting. The provision of any such remote means of access is not intended to provide for attendance by a means other than physical presence due to the COVID-19 public health emergency, nor is it intended to provide an opportunity for the public to address public officials, make public comment or otherwise participate in the meeting.

Persons wishing to provide public comment or otherwise address public officials in person during this meeting must comply with all applicable rules governing the conduct of this meeting including, but not limited to, the aforementioned social distancing and face covering requirements.

The City of DeKalb is providing the following conveniences for the public to monitor and participate in this meeting:

- Persons wishing to view the meeting from home or elsewhere can tune in to Channel 14 or by following the link provided [here](#).
- Persons wishing to provide public comment but are unable to attend the meeting in person or remotely may forward their comments by clicking on the link provided [here](#). Note that all submissions must be received no later than 12:00 p.m. on the day of the meeting in order to ensure dissemination to the City Council before the meeting convenes.
- **Zoom Meeting Information**
Join Zoom Meeting <https://us02web.zoom.us/j/89287559882?pwd=WEXXTIIJOVdjUjZ0dnRYYkV0QXdhZz09>
Meeting ID: 892 8755 9882, Passcode: 737520
One Tap Mobile: +13126266799,,89287559882#,,,,,0#,,737520# US (Chicago)
- For those participating via Zoom and wishing to comment during the public participation portion of the meeting, or prior to Council's discussion of a particular item, please click on the link provided [here](#) and add in the Comment Section that you wish to address Council verbally. Note that all submissions must be received no later than 12:00 p.m. on the day of the meeting in order to ensure your name is added to the list of remote speakers.

A. CALL TO ORDER AND ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF THE AGENDA

D. PUBLIC PARTICIPATION

E. PRESENTATIONS

1. **Downtown Flower Planting by Judy Schneider.**

F. APPOINTMENTS

1. [Appointment of Kathleen Clark to the Citizens' Community Enhancement Commission for the Completion of a Three-Year Term through December 31, 2022.](#)

G. CONSENT AGENDA

1. [Minutes of the Committee of the Whole Meeting of August 10, 2020.](#)
2. [Minutes of the Regular City Council Meeting of August 10, 2020.](#)
3. [Accounts Payable and Payroll through August 24, 2020 in the Amount of \\$2,296,205.71.](#)
4. [Investment and Bank Balance Summary through June 2020.](#)
5. [Year-to-Date Revenues and Expenditures through June 2020.](#)
6. [Hospitality Recovery Program Update.](#)
7. [Freedom of Information Act \(FOIA\) Report – July 2020.](#)
8. **Resolution 2020-091 Authorizing a Payment to the DeKalb County Community Foundation on Behalf of the DeKalb Municipal Band for Services Beginning January 1, 2020, through December 31, 2020 in the Amount \$43,250.**

City Manager's Summary: This resolution authorizes the budgeted payment to the DeKalb Municipal Band. ([Click here for additional information](#))

H. PUBLIC HEARINGS

1. **Public Hearing: Vacation of an Alley Between Oak Street and Locust Street, East of N. Fourth Street (Agora Tower).**

City Manager's Summary: As Principal Planner Dan Olson writes in his background memorandum, the Agora Tower site plan references an abandoned, platted alley, which extends southward from Oak Street, just east of N. Fourth Street that needs to be vacated with the development of the site. The alley is 148.24 feet long x 18 feet wide and has not been used for public purposes for many decades. On the approved

site plan for the Agora Tower project, the platted alley falls within the area planned for resident and commercial customer parking. The development agreement for the site required the submittal of a Plat of Vacation for the alley prior to the issuance of a full building permit for the site. This public hearing complies with the development agreement. A hearing notice was published in the Daily Chronicle on August 8, 2020. The only utility in the alley is a sanitary sewer line which will be partially removed with the development of the Agora Tower project. A new 20-foot-wide sanitary sewer easement will be established on the final plat of subdivision and will cover a small portion of the platted alley way. The City Engineer and City Planner have reviewed and recommended the alley vacation. ([Click here for additional information](#))

I. CONSIDERATIONS

1. Consideration of the Regulation of 5G Installations.

City Manager's Summary: In the telecommunication industry, "5G" is the fifth-generation technology standard for cellular networks. Cellular phone companies began deploying 5G technology in 2019. Like their 4G and 3G predecessors, 5G networks divide service areas into geographical zones known as cells. Wireless devices operating in a cell are connected to the internet by radio waves through local antennas within the cell.

The 5G networks have greater bandwidth, giving higher download speeds, often up to 10 gigabits per second. With increased bandwidth, the new networks will not just serve cellphones but also laptops and desktop computers and compete with existing internet service providers (ISPs) such as cable internet. Eventually, the 4G cellphones which are still more numerous in the market will not be able to use the new 5G networks, which will spur further development of new cells in all geographic areas. The 5G networks can also support more devices per square mile; it is expected that 5G networks will support 8-10 times as many devices as their 4G counterparts.

As communication companies expand their 5G networks throughout established market areas, their interest in new antenna locations will explode. The City of DeKalb's Municipal Code does not anticipate such a flurry of technical installations on poles and buildings of various descriptions. Whether the City wants to regulate such installations, and for what purposes, is a matter for Council consideration. At the national and international levels, the new technology has raised concerns about whether the wave spectrum used by 5G networks will "bleed over" and cause interference with wireless communication of weather forecasting services and commercial aviation. Additionally, although no adverse impact on human health has been authoritatively proven, there is concern in some scientific circles about microwave radiation.

Federal regulation will no doubt prevail over bandwidth, but some local authority will remain over the use of public rights-of-way for 5G antenna installations, and how such installations can be safely made on buildings. The attached letter from Western Springs to a vendor looking to install 5G cells within that community's corporate limits illustrates one approach.

The City Manager recommends that the Council refer this matter to our City attorneys for further review and research. ([Click here for additional information](#))

2. Consideration of a Request for Tax Increment Financing (TIF) Assistance for Elevator Repairs at 155 N. Third Street.

City Manager's Summary: The five-story commercial office building known as "155 North" has played a role in downtown commerce since the late 1970s. Before the five-story structure was built, a one-story savings and loan company occupied the storefront facing Locust Street. Several banks and an array of smaller office uses have filled the 36,000 square foot high-rise structure since. A principal tenant since 1992 has been the DeKalb 4Cs or Community Coordinated Child Care.

One of the long-time principals in the building's management and ownership, Russell Burns, has approached the City for TIF assistance to offset a portion of the very substantial repairs required on one of the two essential elevators in the building. The TIF program's "Architectural Improvement Program" (AIP) would typically be considered for repairs on building components assuring public accessibility (see the attached program description). The AIP grant limits for accessibility projects is 50% up to \$25,000 per project, with a proviso that the Council may raise the limit to \$50,000 for extraordinary repairs. The elevator in question was manufactured and installed by KONE, Inc., one of the three or four corporations that claim most of the elevator sales in the U.S. The base bid from KONE to repair the elevator is \$297,500. Because of the proprietary rights in this industry, other elevator companies cannot participate in bidding on the repairs.

If the Council wishes to approach this potential project as a conventional TIF initiative tied to a return on investment, it will not be possible to argue that the investment will be offset over time by increasing EAV based on the elevator repair. However, notwithstanding the fact that the building has appropriate fire stairs, it is clear that two operating elevators provide handicap access and safety for the building occupants, especially the long-time not-for-profit tenants of the building. A similar challenge was recently faced by the Council regarding the city-owned Barb City Manor facility.

The attached spreadsheet, which provides a running total of TIF commitments for FY2020 and FY2021, does suggest that a one-time TIF grant of 50% of the repair costs (approximately \$150,000) could be expended from TIF #1 without compromising other commitments in the next 16 months, as TIF #1 moves toward its termination.

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

3. Consideration of Consumer Interest in Raising "Backyard Chickens" in DeKalb.

City Manager's Summary: In 2011, the DeKalb community made headlines with its very extended conversation about the possibility of raising "backyard chickens" or, more properly, urban chickens. After extended discussion before the City's Environmental Commission, Planning & Zoning Commission, and City Council, the proposal to lift the ban on urban chickens was rejected by the Council in April 2012. In late 2018, the proposal was back before the Environmental Commission. In this iteration, the proposal was expanded to include the possibility that churches and other non-residential establishments could raise urban chickens, in addition to homeowners or tenants in residential neighborhoods. The Environmental Commission's discussion extended into the late Spring of 2019. One of the Commission members, Dr. William

Olekno, a Distinguished Teaching Professor Emeritus in Public Health at NIU, finally prepared and presented a thoughtful and scientific treatise against the proposition, which led the Commission to table any further discussion. A copy of that paper is attached.

At the August 2020 meeting of the Environmental Commission, it was recommended that the matter be forwarded to the Council for review. The City Manager and City staff are familiar with the arguments for and against the proposition that residents should be permitted to raise urban chickens within the corporate limits. It is granted that the appeal of daily fresh eggs within a few paces of one's kitchen has been a motivating concept. However, the evidence-based case against urban chickens provided by Dr. Olekno is compelling. In addition, the City simply has no code enforcement staff or Police officers who have the time to devote to enforcing the hygienic, proper care of chickens in outdoor pens within the City limits. As the community wrestles with a world-wide pandemic and more pressing issues of social justice and economic dislocation, this lifestyle topic is a distraction from more appropriate organizational priorities.

The City Manager does not recommend any further Council consideration on behalf of an allowance for urban chickens within the corporate limits. ([Click here for additional information](#))

J. RESOLUTIONS

- 1. Resolution 2020-092 Authorizing the Waiver of Competitive Bidding and the Execution of an Agreement with Layne Christensen Company for Maintenance Inspection and Repair to Well No. 13 in an Amount Not to Exceed \$80,000.**

City Manager's Summary: The Council will recall that during the recent discussion of the South Water Tower painting it was reported that the pump for Well No. 13 at the base of the tower needs to be replaced. The City has worked with Layne Christensen in the past for the maintenance and repair of the City's well pumps and motors primarily due to their technical experience in working with Byron Jackson Type H mercury-sealed motors. The Byron Jackson submersible motor is used in all six of the City's deep wells. The motors are extremely reliable but due to the mercury seal, the motors require special handling. Layne is the sole representative for Byron Jackson pumps and motors in the State of Illinois. In addition, 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. For this reason, the Utility staff recommend the award of a contract to Layne Christensen to perform the required work in an amount not to exceed \$80,000. This will allow the well components to be pulled and repaired and returned to service in a timely manner without future Council deliberation. Should the repair threaten to exceed this amount, Council approval would then be required.

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

- 2. Resolution 2020-093 Approving a "Restaurant – Low Alcohol by Volume" Liquor License for DeKalb Eggsperience Café, d/b/a Los Panchos Café, Located at 1406-A Sycamore Road.**

City Manager's Summary: DeKalb Eggsperience Café, d/b/a Los Panchos Café, located at 1406-A Sycamore Road (the former Flappy's location), has submitted an application for a Low Alcohol by Volume (Low ABV) liquor license. The application has been reviewed and received positive recommendations from the Liquor Commissioner and Acting Police Chief. The liquor license will be considered "conditional" until the requirements laid out in the resolution are met. A conditional liquor license will allow the business to apply for their State of Illinois liquor license, which is required in order to purchase liquor and supplies.

Upon approval of the liquor license, the City will receive an initial issuance fee of \$3,768. The annual renewal fee for the liquor license will be \$2,422.

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

3. Resolution 2020-094 Authorizing an Agreement with DeKalb Corn Classic and Kishwaukee Sunrise Rotary Club for the 2020 DeKalb Corn Classic 5k/10k and Taste of DeKalb Events on September 27, 2020.

City Manager's Summary: The DeKalb Corn Classic has been a popular event in the DeKalb community, and draws crowds to the downtown area. Due to the current COVID-19 constraints, event organizers have decided to go to a [virtual race](#) format this year, in which runners sign up and run virtually anytime between September 19 and September 27, 2020. However, the event sponsors have asked that the item remain on the agenda in case current health restrictions change and they are able to host the actual race in person. If current restrictions on gatherings of 50 or more persons persist, the event will not be permitted.

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

4. Resolution 2020-095 Authorizing an Intergovernmental Agreement with DeKalb County Assigning the Funds for the 2020 Edward Byrne Memorial Justice Assistance Grant Program in the Amount of \$14,422 Solely to the City of DeKalb.

City Manager's Summary: The Police Department has applied for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The grant will target gang and drug related crimes. It is a non-matching grant in the amount of \$14,422. The grant submission requires an intergovernmental agreement between the City and DeKalb County.

This grant is provided by the United States Office of Justice Programs. The DeKalb Police Department intends to purchase video equipment to identify, investigate, and prosecute those involved in weapons offenses, violent crimes, and gang-related crimes in the City of DeKalb and the surrounding area. It has been common practice in recent years for the City and DeKalb County to enter into an interagency agreement stating that the grant funds will be awarded solely to the City. This agreement is also a requirement of the grant.

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

5. Resolution 2020-096 Authorizing a Supplement to a Professional Services Agreement with Wills Burke Kelsey Associates, Ltd. for Engineering Design of Peace Road Partial Widening, Overlay, and Improvements to the Intersection with Fairview Drive for an Increased Total Amount Not to Exceed \$222,000.

City Manager's Summary: The City has received approval of state and federal funding to begin improvements to portions of the Peace Road corridor south of IL Rt. 38. In order to qualify for the release of these funds, and to help advance coordination with other agencies and developers, it is necessary for the City to complete a full Phase I and Phase II engineering design for IDOT approval. The physical scope of the project includes the upgrade to the Peace Road and Fairview Drive intersection, widening of the approach legs, and a complete surface overlay from Fairview Drive to IL Rt. 38.

Peace Road is currently comprised of a two-lane section with minimal turn lanes and its service life is dramatically waning. Financial programming for improving the section south of Rt. 38 is assisted by DSATS, which has helped secure a commitment for funding of approximately \$1.8 million for 2021 to begin widening and upgrading the roadway. In order to obtain the funding, the City must complete engineering design documents on the proposed upgrades. These include not only the physical improvements, but preparation of traffic studies, any right-of-way acquisition, and investigation of environmental impacts. Deliverables include a Phase I report approved by IDOT, and a full set of Phase II design documents for bidding and construction which will combine the intersection improvements and extended maintenance overlay into a single project. WBK Engineers is pre-qualified by the City and IDOT and will coordinate our bid work with all affected agencies.

On September 23, 2019, the Council approved an engineering services agreement with WBK for the aforementioned work in the amount of \$200,000 (Resolution 2019-137). The attached resolution would add a supplemental allocation of \$22,000 to cover the design and supervision of additional asphalt overlay work that is now required, bringing the contract total to \$222,000. The expanded scope includes testing and pavement design, combining the bid process for the intersections and extended overlay, and overseeing completion with assistance from the City's Public Works department and the City Engineer.

The revised engineering services agreement carries a cost that is about \$30,000 under the originally budgeted cost of the combined services and as such is well within the five-year projection of MFT expenditures.

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

K. ORDINANCES – SECOND READING

1. Ordinance 2020-050 Amending Chapter 4 “Police Department”, Section 4.13 “Police Pension Board,” as it Pertains to the Residency of Members of the Police Pension Board Appointed by the Mayor.

City Manager's Summary: At the August 10 Regular Council Meeting, the Council directed the City Manager to revise Ordinance 2020-050 to allow a non-resident to temporarily serve on a City pension board provided that person would establish his or

her permanent residence within the DeKalb corporate limits within the 12-month period following a Mayoral appointment.

At this writing, the non-resident candidate has indicated a willingness to “consider” the revised language.

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

2. Ordinance 2020-052 Amending Chapter 52 “Offenses Against Public Peace – Safety and Morals” by Adding Section 52.05 “Criminal Housing Management.”

City Manager’s Summary: At the regular City Council meeting on August 10, the Council approved Ordinance 2020-052 on first reading, and directed the City Manager to revise certain language to clarify the following:

- a) What distinguishes “reckless” conduct that constitutes a violation of the criminal housing management ordinance from conduct that does not violate the ordinance?
- b) What distinguishes “a violation of any building code” from a physical condition that “endangers the health or safety” of any person?
- c) What distinguishes a properly secured, vacant building from an unoccupied structure that is subject to a criminal housing management offense?

The attached ordinance highlights clarifying language in Section (a), as shown below:

- a) A person acts “recklessly” within the meaning of this Section when s/he engages in any act or omission which shows an actual or deliberate intention to endanger the health or safety of any person or which, if not intentional, shows an utter indifference to or conscious disregard for the health or safety of any person. *For example, a person may act “recklessly” within the meaning of this Section where s/he: (1) knows of a dangerous condition, or prior injuries caused by a condition, yet took no action to correct the condition; (2) intentionally removes a safety feature from the property despite the known danger of doing so; or (3) fails to take reasonable precautions when s/he knew or should have known of an extraordinary, impending, inherent, or unusual danger to the health or safety of any person.*

A person does not act “recklessly” within the meaning of this Section when s/he is merely negligent, inadvertent, or unskillful. For example, a person may not act “recklessly” within the meaning of this Section where s/he: (1) maintains an inspection or tenant complaint system with due care, yet fails to discover the condition in a reasonable period of time to prevent or correct the condition; (2) exercises some precautions to protect the health and safety of any person, even though those precautions were insufficient; or (3) took reasonably prompt corrective action to remedy a condition, even though such action might have been ineffective.

- b) A violation of any building code is evidence of a dangerous condition, but the condition must “*constitute an actual, extraordinary, impending, inherent, or unusual danger to the health or safety of any person.*” However, the City does not have to prove that the condition actually caused an injury to any person. This should help prevent an injury from occurring and reduce the possibility of a tragic injury.
- c) It is not be a defense to the violation that the real estate is vacant, unoccupied, condemned, boarded, or enclosed *unless a person boards, encloses, or otherwise secures the real estate pursuant to the approval, direction, or permission of the City’s Chief Building Official. Any action to enforce this Section shall be stayed and dismissed pending the respondent’s satisfactory compliance with a permit for demolition or rehabilitation issued by the City’s Chief Building Official.* This represents the legislative judgment that dangerous conditions should be promptly remedied to promote public safety and prevent the occurrence of attractive nuisances or other dangers related to the property.

City Council approval of the revised ordinance is recommended. ([Click here for additional information](#))

L. ORDINANCES – FIRST READING

1. Ordinance 2020-051 Amending Chapter 8 “City Officials and Employees Ethics Act” as it Pertains to the Workplace Transparency Act.

During the August 10, 2020 regular meeting of the City Council, this agenda item was tabled to consider additional processes for an elected official to report sexual harassment by another elected official.

The attached document provides that such reports may be made to the Ethics Advisor (the City Manager), the Mayor, the City Attorney, or the City’s Human Resources Department. The law firm currently serving as the City Attorney has both male and female attorneys who may be contacted to receive an elected official’s report of sexual harassment by another elected official.

Upon receipt of such a report, the City Attorney shall retain a qualified individual or entity (e.g., City Labor Attorney Benjamin Gehrt) to conduct an independent review. The City Attorney shall report the final outcome of the independent review to the City’s Corporate Authorities. The report and persons identified therein shall be kept confidential to the extent allowed by law.

To move this agenda item from the table, the following motion should be made:

“I move to take from the table the motion to approve Ordinance 2020-051 Amending Chapter 8 “City Officials and Employees Ethics Act” as it Pertains to the Workplace Transparency Act.”

This motion to move from the table may be approved by a simple majority. Then, a motion may be made for approval of the agenda item.

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

2. Ordinance 2020-054 Amending Chapter 9 “Establishment of Fees” as it Pertains to Modifying the Filing Fees for Annexation, Zoning, and Plat Petitions.

City Manager’s Summary: The City’s schedule of filing fees for one or another type of development steps is included in Chapter 9 of the Municipal Code, Section 9.02. The schedule was revised upward in 2016 to address fiscal challenges but in practice it has become especially unfriendly where small amendments or variances are needed to foster redevelopment. In several other respects the fee schedule might be adjusted upward to reflect extraordinary staff time on larger annexations and preliminary plan reviews.

The changes in the attached ordinance are identified in the table below:

Planning or Zoning Action	Current Fee	Proposed Fee
UDO Text Amendments	\$500	\$250
Variances	\$500	\$100 residential \$250 commercial
Annexation	\$300	\$300 plus \$50 per acre
Planned Development Preliminary Plan Review	\$500	\$500 plus \$50 per acre
Planned Development Final Plan Review	\$500	\$500 plus \$50 per acre

Explanation:

- UDO Text Revisions. These are typically initiated by the City to clean up outdated text that is hampering development or redevelopment. A case in point was the absence of the term “data center” in our UDO. In this case, the staff time is minimal.
- Variances. Residents and smaller businesses are discouraged from applying for a variance that may be justified. In this case the staff time is also minimal.
- Annexation. Larger sites certainly demand more review time in technical terms and as we have adopted a more responsive approach. Most communities apply a per acre fee for annexation. Sycamore’s per acre annexation fee is \$2,000 for industrial and commercial uses. The modest proposed increase can be tested against the market for the next year or so.
- Preliminary Plan Review. These are the most detailed of development plans and require extended review by the City Planner and City Engineer. In terms of small projects, if this fee had been applied to the recent plan reviews for the First Methodist Church, the cost would have increased from \$500 to \$1,300. In terms of the Ferrara reviews, the pricing might have been \$5,800 instead of \$500. Again, compared with other northern Illinois communities, DeKalb is a loss leader.
- Final Plan Review. Final engineering site plans incorporate much of the technical reviews of the preliminary plans, but uniquely offer surveyed lot dimensions and other features to enable lot sales. In the case of smaller projects, the preliminary and final plans are combined and, in that event, only the fee for the final plan would be charged.

City Council approval is recommended. The proposed fee reductions should be well-received and the slight increases on staff-intensive projects should not adversely impact our competitive advantages. ([Click here for additional information](#))

3. Ordinance 2020-055 Amending Chapter 38 “Intoxicating Liquors”, Section 38.07 “Classifications of Liquor Licenses”, by Adding New Classification “Laundromats”.

City Manager’s Summary: At the August 10 City Council meeting, there was discussion regarding the possible amendment of Chapter 38, “Intoxicating Liquors,” of the Municipal Code to allow liquor sales in laundromats. Jim Mason of Mason Properties approached the Council about his interest in opening a video gaming establishment in the Mega Grande Laundromat he owns at 1387 S. Fourth Street. The liquor sales would occur in the video gaming area he proposed for a small portion of the laundromat. The video gaming and liquor sales would be accessory to the laundromat use. There would be no separate entrance or exit to the video gaming and liquor sales area from outside the building. Presently, there is no liquor license classification in the City’s Municipal Code that would allow liquor sales in laundromats.

The consensus from the City Council at the August 10 meeting was to proceed with an ordinance creating a new liquor license classification for laundromats. The attached ordinance creates a separate liquor license classification for laundromats, and requires the liquor licensee to have a video gaming license for the premises. In addition, the ordinance limits the number of licenses City-wide to three. There are currently five laundromats in the City.

The Mega Grande Laundromat is within 100 feet of Huntley Middle School. Pursuant to Section 38.24(m) of the City’s Liquor Code, the Liquor Commissioner may waive or alter this setback requirement to allow the license. The City had previously checked with the DeKalb School District about the proposed liquor sales in the laundromat and former Superintendent Jamie Craven did not object, indicating the school board did not object either.

In approving the future laundromat liquor license application for Mega Grande, the Council may want to consider restricting the hours or sales during school hours. The problem with restricting hours is that the video gaming can only take place during the same hours that liquor sales are allowed.

City Council direction is recommended. ([Click here for additional information](#))

4. Ordinance 2020-056 Vacating an Alley Between Oak Street and Locust Street, East of N. Fourth Street (Agora Tower).

City Manager’s Summary: In the Public Hearing portion of this Agenda, the purpose of this action item is explained. Briefly, the development agreement between the City and Pappas Development references the abandonment of the platted but abandoned alley once a Plat of Vacation has been approved. City Engineer Zac Gill and Principal Planner Dan Olson have reviewed and recommended the alley vacation.

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

M. REPORTS AND COMMUNICATIONS

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

N. EXECUTIVE SESSION

None.

O. ADJOURNMENT

[FULL AGENDA PACKET](#)