



**DEKALB CITY COUNCIL AGENDA
REGULAR MEETING
OCTOBER 9, 2023
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 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

1. [Proclamation: Fire Prevention Week, October 7 - 13, 2023.](#)

E. PUBLIC PARTICIPATION

F. APPOINTMENTS

None.

G. CONSENT AGENDA

1. [Minutes of the Regular City Council Meeting of September 25, 2023.](#)
2. [Accounts Payable and Payroll through October 9, 2023, in the Amount of \\$1,753,421.68.](#)
3. [Investment and Bank Balance Summary through August 2023.](#)
4. [Year-to-Date Revenues and Expenditures through August 2023.](#)
5. [Crime Free Housing Bureau Report – September 2023.](#)
6. [Resolution 2023-090 Approval of Executive Session Minutes.](#)

H. PUBLIC HEARINGS

None.

I. CONSIDERATIONS

None.

J. RESOLUTIONS

1. Resolution 2023-091 Authorizing Updates to the City of DeKalb Federal Transit Administration Title VI Program Policies.

City Manager's Summary: As the designated recipient of substantial federal funding for public transit in the DeKalb Urbanized Area, the City of DeKalb must maintain certain plans and programs to be eligible to receive Federal Transit Administration (FTA) funding. As part of this commitment, the FTA requires the City to submit a new Title VI Program every three years. The Title VI provisions of the federal Civil Rights Act addresses how the City and its public transit operator, Transdev Services Inc., will ensure that minority and limited English proficiency populations in the DeKalb region have equal opportunity in accessing transit services. The Title VI Program also identifies procedures that the City, Transdev, and riders must follow if a person wants to submit a discrimination complaint. Transit Manager Mike Neuenkirchen has prepared the attached policy document using the requirements set forth by the FTA and prepared the attached resolution to adopt it, as required by the FTA, to continue to receive grant funding from the FTA.

The FTA requires that the policy be in effect for three years. The current policy was approved in 2019.

Though there have been changes to the public transit services within the DeKalb region since the 2019 policy revisions, most changes to the program include updates to demographic data and its corresponding analysis. While much of the policy content addresses the rules and regulations published by the FTA and includes a demographic analysis of the DeKalb region, the implementation of this Program has the following impacts:

- Installation of signs on all transit vehicles (already installed) identifying people's rights as they relate to Title VI.
- Designation of the Transit Manager as the investigator of any alleged discrimination as it relates to public transit at City offices as well as paratransit and fixed route lines. To date there have not been any Title VI complaints filed against the City or Transdev.
- A notification that if no violation is found and the complainant wishes to appeal the decision, he or she may appeal directly to the City Manager.
- A determination that any new transit-related projects or changes to transit routes will be reviewed to identify impacts on minority and limited English populations and remedial actions will be taken to limit these impacts. All outreach to these populations should follow the processes described in the Expanded Public Participation Plan (PPP).
- When providing public transit there must be a plan to assist in communication with Limited English Proficiency (LEP) persons. The City of DeKalb utilizes language identification cards and Language Line translation services to allow transit staff to communicate with LEP persons. This service is available on an as-needed basis.

Council approval of the attached policies to ensure the City will continue to receive grant funding of transit capital and operating assistance grants is recommended. [\(click here for additional information\)](#)

2. Resolution 2023-092 Approving a Real Estate Purchase and Sale Agreement for City-Owned Property at 807 Oak Street.

City Manager's Summary: For the past four years, the City has demolished abandoned and distressed properties with Illinois Housing Development Association (IHDA) monies or federal Community Development Block Grant (CDBG) monies to remove blighting influences from older neighborhoods, and to provide an eventual opportunity for local families to purchase a bare lot on which to build an affordable home. A distressed home at 807 Oak Street was demolished on March 9, 2023, under the IHDA Strong Communities Program Grant, and the City received a deed in lieu of foreclosure under Resolution 2023-041 on March 27, 2023.

The attached agreement between the City of DeKalb and Charles O. & Felicia A. Ogundipe of 803 Oak Street provides for the sale of the property to the adjacent owner for \$1,000.

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

3. Resolution 2023-093 Authorizing the Dedication of the FY2023 Allocation in the Amount of \$50,000 to Barb City Manor for Boiler System Repairs.

City Manager's Summary: On June 24, 2019, the Council approved Resolution 2019-099 executing a 10-year lease and operating agreement with Barb City Manor (BCM). Under the agreement, the City committed \$50,000 per year for capital improvements at Barb City Manor through 2028. On July 27, 2020, the City Council approved Resolution 2020-086, which authorized BCM to use the \$50,000 commitments for 2020 and 2021 to help offset the extraordinary cost (\$716,275) for the total replacement of their two main passenger elevators. On March 14, 2022, the Council authorized \$50,000 to help offset the modernization of a third, auxiliary hydraulic elevator in the facility's east wing.

For 2023, the BCM Board of Directors would like to use the annual allocation of \$50,000 to complete needed repairs to their boiler system, including replacement of a condensation line and pump assembly by Miller Engineering, the lowest bidder on this project.

City Council approval is recommended. Sarah Davis, Executive Director, will be on hand to answer any Council questions. ([click here for additional information](#))

4. Resolution 2023-094 Authorizing the Payment for Police Academy Training Involving Five New Police Officers to Macon County Law Enforcement Training Center In an Amount Not To Exceed \$41,500.

City Manager's Summary: The Police Department continues to hire qualified candidates for the position of Police Officer to attain the authorized staffing level of 70 officers in 2023. The Illinois Law Enforcement Training & Standards Board (ILETSB) has certified a certain number of police academies throughout the state to provide basic academy training, which is required to attain initial certification as an Illinois police officer. The Macon County Law Enforcement Training Center provides an excellent program to accomplish this certification.

The City entered an agreement with the Macon County Law Enforcement Training Center to provide basic academy training for five new officers for a price not-to-exceed \$8,300 per officer. Three officers recently graduated from the academy, and two more are scheduled to complete academy training by the end of the calendar year. **City Council approval of the \$41,500 invoice attached to this Agenda is recommended.** ([click here for additional information](#))

K. ORDINANCES – SECOND READING

None.

L. ORDINANCES – FIRST READING

1. Ordinance 2023-043 Approving a Special Use Permit for a Public Elementary School at 1240 Normal Road (DeKalb Community Unit School District No. 428).

City Manager's Summary: As Planning Director Dan Olson writes in his detailed background, the DeKalb CUSD #428 (School District) has requested approval of a special use permit for an elementary school at 1240 Normal Road. The nine-acre site is currently owned by NIU and formerly housed the NIU School of Nursing. In August 2023, the School District signed a \$1.86 million lease-to-purchase agreement with NIU. The agreement is for 20 years, and the School District is in their due diligence period.

The School District is planning to renovate the existing building, which is 23,120 square feet in area, and construct a 46,700 square foot addition for a total of approximately 70,000 square feet. The existing building on the site was constructed in 1974 by the School District and served as an elementary school (Roberts School) until 1987 when it was bought by NIU. The University used the facility for its Nursing curriculum from the late 1980s through the Spring semester of 2023. The School District's plan is to open the new elementary school in 2025.

The new school will serve students from kindergarten through fifth grade as well as special education classes. There will be 11 offices accommodating teachers and support staff. The total number of non-teaching or non-office employees is anticipated to be approximately 50.

There will be a total of 28 classrooms consisting of:

- 22 – General Classrooms (K-5)
- 2 – Special Education Classrooms
- 1 – Music Classroom
- 1 – Art Classroom
- 1 – STEAM Classroom and
- 1 -- Restorative Practice Room

The proposed site layout (see attached) will create a new circle drive off Ridge Drive in the northeast portion of the site to accommodate school bus drop-off and pick-up. An existing parking lot between Ridge Drive and the existing building will remain for staff parking. A new parking lot and drop off/pick up zone is proposed at the south end of the site. Personal vehicles will enter off Normal Road and exit onto Garden Road. To the south of the drop-off/pick up zone is a proposed visitor parking area that feeds into the Garden Road exit. In addition, there will be a gated entrance off Normal Road to the north of the new parking lot entrance. This access will be for deliveries from box trucks and semi-trailers. The total number of parking spaces provided is 138 (100 spaces are required per the City's Unified Development Ordinance or UDO).

Stormwater detention areas are shown at the southeast, east, and northeast portions of the site. The detention areas will have to meet all the requirements of the UDO. There is an existing sanitary sewer that runs through the site that will need to be relocated based on the layout of the new school addition. An eight-inch water main runs along Normal Road that is available to serve the expansion, if needed.

The northeast portion of the site has some larger trees. The majority of them will have to be removed with the proposed bus loading and unloading location. The School District has indicated they will work with the adjoining residents on a landscape plan for new plantings along the east side of the site.

There is a 20-foot-wide strip of land between 1145 Fox Hollow and 1151 Fox Hollow Court where the School District would like to re-install a pedestrian path. The strip is owned by the DeKalb Park District and was deeded to the Park District in 2005 by the developer of the Meadow Ridge Subdivision. The School District has approached the Park District regarding the transfer of the property. The paved walkway was removed in 2014 in conjunction with a small playground area in the southeast portion of the property that was generating complaints from neighbors regarding vandalism and criminal activity. Since the removal of the paved path, trees and shrubs have been planted in the 20-foot-wide strip by the adjoining property owners who have also been maintaining it. The Park District constructed a gate at the west end of the 20-foot-wide strip.

Street signs on both sides of Fox Hollow indicate “No Parking” from 7:00 a.m. to 7:00 p.m., Monday through Friday, except for residents and on legal holidays. The discouragement of on-street parking is an indication of the reluctance of the residents of Fox Hollow to abide cut-through pedestrian traffic to their quiet neighborhood. This sentiment was made abundantly clear in the Planning & Zoning Commission meeting on September 18, when a number of Fox Hollow residents spoke forcefully against re-opening the grass strip that has become a grove of trees over time.

The Planning and Zoning Commission held a public hearing regarding the special use petition at their meeting on September 18, 2023. By a vote of 5 to 1 (Commissioner McMahon was absent), the Commission recommended City Council approval of a special use permit for an elementary school at 1240 Normal Road per the overall layout plan dated 9-14-23 and labeled as Exhibit A, and per the conditions listed in Exhibit B of the staff report (attached). In their action, the Commission recommended the removal of the pedestrian path between the school site and Fox Hollow.

The School District is up against a tight timeline in advance of an October 17 publication of their required Preliminary Official Statement which is circulated to potential investors and the rating agency in advance of the sale of their bonds on October 24. The City just completed a similar process in relation to the proposed bond sale to finance the construction of Fire Station #4.

City Council approval of the Planning & Zoning Commission recommendation, including the removal of the pedestrian path, on both readings is recommended. ([click here for additional information](#))

2. Ordinance 2023-044 Amending Chapter 23 “Unified Development Ordinance”, Article 5.09 “Central Business District”, as it Pertains to Automobile Sales.

City Manager’s Summary: The City staff have proposed several text amendments to the City’s Unified Development Ordinance (UDO) to amend Article 5.09 “Central Business District” (CBD). Presently, only “new automobile, truck and recreational vehicles sales” are allowed by special use in the CBD. The proposed text revision would also permit vehicle repair and service facilities, rentals, or used car sales as an accessory use only. The amendment would also add a three-acre maximum to prevent sprawling dealerships in the downtown area. The amended special use language references “automobile, truck and recreational vehicle sales on property less than three acres with vehicle repair and service facilities and rentals as an accessory use.”

The proposed amendment was prompted by a classic car dealer who wants to locate in a building at 215 N. Fourth Street, which is in the “CBD” District. The classic car dealer will have all the vehicles stored indoors with no outside storage of vehicles or any repairs. Since the cars being sold are not new, the use was not allowed in the “CBD” District as a special use. City staff indicated to the classic car owner that a text amendment would be proposed, which would remove the new vehicle requirement.

In 2007, as City leaders considered adoption of a downtown redevelopment plan, the City approved text amendments to the “CBD” zoning district intended to prevent many undesirable uses from being established in the downtown area. One of the text amendments was to require any car dealer in the CBD District to be a “new” car dealer, with used car sales and vehicle repairs permitted only as ancillary uses.

City Planner Dan Olson and the Community Development staff support the text amendment because it will accommodate the increased use of internet car sales and provide the opportunity for a classic car dealer to occupy a building in the downtown area. The use will remain a special use, which provides the City the ability to approve or deny a request based upon its location and the special use criteria in the UDO. The amendment also includes additional language limiting these sites to three acres or less. The three-acre standard is the dividing line used in the “GC” General Commercial District between automobile sales as a permitted use or special use.

The Planning and Zoning Commission held a public hearing regarding the text amendments at their meeting on October 2, 2023. By a vote of 4 to 0 (Commissioners Maxwell, Wright and Pena Graham were absent), the Commission recommended City Council approval of text amendments to the UDO regarding automobile sales in the “CBD” Central Business District as indicated in Exhibit A attached to the staff report.

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

3. Ordinance 2023-045 Approving a Special Use Permit for Automobile Sales in the “CBD” Central Business District at 215 N. Fourth Street (Classic Auto Haus, Inc. – Steve Turner).

City Manager’s Summary: If the Council Approves Ordinance 2023-044, above, the special use petition (see attached) from Steve Turner of Classic Auto Haus, Inc. can be considered. Mr. Turner hopes to purchase the 13,600 square foot property at 215 N. Fourth Street (PIN 08-23-157-011), which has been vacant for a while, but previously housed such uses as a Northern Illinois University art gallery and, at its origin, the once popular DeKalb Lanes. Mr. Turner wants to display and trade antique cars inside the building, with no exterior sales yard and also no repair facility. The subject site is zoned “CBD,” Central Business District. The applicant currently operates a classic car dealership in Geneva, Illinois.

The applicant notes in his summary that his company’s business model focuses on trading and selling collectible, nostalgic automobiles. The applicant states he will be able to store about 35 to 40 cars inside the building and have room for offices, restrooms and storage/mechanical rooms. The applicant has also proposed the outsourcing of any mechanical work or painting needed on the vehicles he purchases prior to re-sale to local shops.

In the CBD zoning district, building owners are not required to provide off-street parking. There are approximately 340 on-street and public off-street parking spaces provided in a one block area (bounded by N. Fourth Street, Oak Street, N. Second Street, and E. Lincoln Highway).

The Planning and Zoning Commission held a public hearing regarding the special use petition at their meeting on October 2, 2023. By a vote of 4 to 0 (Commissioners Maxwell, Wright and Pena Graham were absent), the Commission recommended City Council approval of a special use permit for automobile sales at 215 N. Fourth Street subject to the following conditions.

- There shall be no outside storage of vehicles for sale, vehicle repairs, or service work.

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

4. Ordinance 2023-046 Amending Chapter 51 “Traffic”, Schedule C “Parking Prohibited”, as it Pertains to Minor Alterations of Parking Restrictions for Various Routes Impacted by Roadway Modifications.

City Manager’s Summary: Over the last 18 months several street projects have been pursued which now require tweaks to the City’s parking regulations in Chapter 51 of the Municipal Code. To preserve consistency between the built environment and what is identified and enforced by the Municipal Code and its enforcement officers, the following changes should be made:

- Recognize that Ridge Drive and Blackhawk Road have pedestrian improvements at intersections.
- Recognize that Edgebrook Drive and Kimberly Drive have both been segmented (i.e., they are no longer through streets).
- Recognize that Normal Road now has a southern portion closed to public traffic.
- Recognize that on-street parking was added to Oak Street near Sixth Street to serve a new grocery that has been recently developed.
- Recognize that N. Ninth Street has been converted to perpendicular parking on the east side with two-way travel shifted to the west.
- Recognize the City’s ownership and jurisdiction over E. Locust Street, between N. Seventh Street and N. Tenth Street, has been vacated.

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

M. REPORTS AND COMMUNICATIONS

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

N. EXECUTIVE SESSION

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

O. ADJOURNMENT