



**DEKALB CITY COUNCIL AGENDA
OCTOBER 26, 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 2020-56 dated October 2, 2020 (the "Executive Order"), which prohibits gatherings of more than 25 people, unless the City of DeKalb determines that it is necessary to invoke the Governmental Functions exemption contained in Section 4(c) of Executive Order 2020-43 "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/84514281793?pwd=SH0US9pb2ZoaHZORzNhZ0RhaEVvUT09>
Meeting ID: 845 1428 1793
Passcode: 795694
One Tap Mobile: +13126266799,,84514281793#,,,,,0#,,795694# 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

None.

F. APPOINTMENTS

None.

G. CONSENT AGENDA

1. [Minutes of the Regular City Council Meeting of October 12, 2020.](#)
2. [Accounts Payable and Payroll through October 26, 2020 in the Amount of \\$2,633,694.43.](#)
3. [Investment and Bank Balance Summary through August 2020.](#)
4. [Year-to-Date Revenues and Expenditures through August 2020.](#)
5. [Freedom of Information Act \(FOIA\) Report – September 2020.](#)
6. [Hospitality Recovery Program Update.](#)
7. [FY2020 Human Services Funding Third Quarter Report.](#)

H. PUBLIC HEARINGS

None.

I. CONSIDERATIONS

1. **Consideration of the Annual Property Tax Levy in the City of DeKalb.**

City Manager's Summary: On an annual basis, the City collects property taxes which are perhaps its most stable revenue source. Chapter 35, Section 200/18-60 of the Illinois Compiled Statutes requires that "not less than 20 days prior to the adoption of its aggregate levy, the City Council shall determine the amounts of money estimated to be necessary to be raised by taxation for that year upon the taxable property in its district." It is expected that the annual levy will be adopted by the Council at one of its December meetings.

The combined property tax levies of all local taxing bodies in 2019, paid in 2020, are displayed in the following table:

2019 Comparative Property Tax Rates					
Taxing Body	% Share-2019	2018 Rate	2019 Rate	Difference	% Difference
County	9.15%	1.08549	1.07428	-0.01121	-1.03%
County Pension Funds	0.01%	0.00958	0.00092	-0.00866	-90.40%
Forest Preserve	0.63%	0.07496	0.07339	-0.00157	-2.09%
Forest Preserve Pension Funds	0.01%	0.0016	0.00142	-0.00018	-11.25%
DeKalb Township	1.39%	0.16833	0.16318	-0.00515	-3.06%
DeKalb Road & Bridge	1.59%	0.19609	0.18671	-0.00938	-4.78%
City of DeKalb	0.72%	0.09019	0.08451	-0.00568	-6.30%
DeKalb Pension Funds	9.12%	1.09814	1.07042	-0.02772	-2.52%
DeKalb Library	3.30%	0.20809	0.38683	0.17874	85.90%
DeKalb Park District	5.45%	0.66124	0.63957	-0.02167	-3.28%
DeKalb Park Pension Funds	0.69%	0.0754	0.08088	0.00548	7.27%
School District 428	59.23%	7.12315	6.95061	-0.17254	-2.42%
DeKalb Schools Pension Funds	1.99%	0.26222	0.23322	-0.029	-11.06%
Kishwaukee College	5.46%	0.65582	0.64101	-0.01481	-2.26%
Kishwaukee College Soc. Sec.	0.10%	0.01252	0.01176	-0.00076	-6.07%
KWRD	1.01%	0.11858	0.11811	-0.00047	-0.40%
KWRD Pension Funds	0.15%	0.01896	0.01785	-0.00111	-5.85%
	100.00%	11.86036	11.73467	-0.12569	-1.06%

With respect to the City's rate setting EAV and corporate levies in recent years, the following table is offered for reference:

Tax Levy Year	Rate-Setting EAV: City	City Levy	City Rate
2011	582,504,715	4,196,890	0.7205
2012	533,805,903	4,244,718	0.7952
2013	485,923,623	4,270,457	0.9809
2014	464,966,381	4,270,540	1.0245
2015	468,077,742	5,094,730	1.1942
2016	503,861,829	5,565,384	1.2021
2017	529,629,464	6,004,594	1.2268
2018	547,947,687	6,017,140	1.1883
2019	585,726,839	6,269,649	1.1541

Levy Options

Of all the general revenues that fuel our City operations, the local property tax is perhaps the most familiar and the most studied by our residents and businesses. Few people scan their restaurant tabs with the same level of scrutiny that they bring to their property tax notices every spring.

The property tax has historically been the most reliable source of municipal revenues in difficult financial times. What is levied is collected and ultimately distributed. The extraordinary efforts taken since early 2019 to expand and diversify the City’s tax base are positive in this respect, but the continuing heavy burden placed on DeKalb and other Illinois municipalities by a rising “ramp” in Fire and Police pension obligations threatens to devour annual municipal property tax gains.

In the table below, it is evident that there is a \$1,031,368 shortfall between the City’s statutory pension obligation for 2020 and our actuary’s levy recommendations. The difference will need to be drawn from other General Fund revenues or the General Fund reserve.

	2020 Actuarial Obligation	2020 Levy Funding	Difference*	Difference as % of Overall Obligation
Fire Pension	\$4,282,230	\$3,741,046	\$541,184*	12.64%
Police Pension	\$3,614,881	\$3,124,697	\$490,184*	13.56%
Total	\$7,897,111	\$6,865,743	\$1,031,368*	13.06%
*Paid from General Fund revenues other than property taxes				

In 2014 the City dedicated 10.4% of its General Fund revenues toward Fire and Police pension contributions. The proposed FY2021 General Fund Budget dedicates 21.5%.

According to Township and County assessment officials, the projected 2020 City levy, payable in 2021, will not capture the value of the Ferrara or Facebook starts in 2020. These will become “new construction” values as buildings are occupied in 2021. State statute provides a developer exemption prior to an occupancy certificate, and that exemption includes the increased land value. Next year’s City-wide EAV may jump by \$10 million or more because of the Ferrara and Facebook construction values alone, but this benefit is a year away.

The DeKalb Township multiplier for 2020 is 4.09. In addition, the estimated 2020 City-wide EAV will include about \$2 million in new construction value (owing primarily to Home2Suites and Plaza DeKalb), versus a new property value of \$766,275 in 2019. **The estimated 2020 rate-setting EAV for DeKalb is \$611,750,000.** Final EAV numbers are not usually released by the County Assessor until November.

The City funding obligation for the Fire and Police pensions is \$7,897,111. The City also carries an additional fiduciary obligation of \$484,650 for the Library G.O. bond. The combined total is \$8,381,761.

None of the following levy options will raise property tax revenue to make up for COVID-related shortfalls in general operating revenue. Each option is designed to raise property tax revenue to pay for the City's fiduciary responsibilities for its Fire and Police Pensions and, in the case of options 1 & 2, to pay the Library GO debt service.

Each 2020 levy option assumes a 2% inflationary increase in EAV (as in 2019) and the capture of new construction values for an estimated rate-setting EAV of **\$611,750,000**. By way of reference, the City property tax rate was 1.1541 in 2019 and the City rate was 1.1883 in 2018.

Option 1		
Name	Levy Request	Calc. Rate
Corporate	\$0	0.0000%
Bonds	\$484,650	0.0792%
IMRF	\$0	0.0000%
Fire Pension	\$4,282,230	0.7000%
Police Pension	\$3,614,881	0.5909%
Social Security	\$0	0.0000%
Total	\$8,381,761	1.3701%

Option 2		
Name	Levy Request	Calc. Rate
Corporate	\$0	0.0000%
Bonds	\$484,650	0.0792%
IMRF	\$0	0.0000%
Fire Pension	\$3,741,046	0.6115%
Police Pension	\$3,124,697	0.5108%
Social Security	\$0	0.0000%
Total	\$7,350,393	1.2015%

Option 3		
Name	Levy Request	Calc. Rate
Corporate	\$194,257	0.0318%
Bonds	\$0	0.0000%
IMRF	\$0	0.0000%
Fire Pension	\$3,741,046	0.6115%
Police Pension	\$3,124,697	0.5108%
Social Security	\$0	0.0000%
Total	\$7,060,000	1.1541%

Option 4		
Name	Levy Request	Calc. Rate
Corporate	\$0	0.0000%
Bonds	\$0	0.0000%
IMRF	\$0	0.0000%
Fire Pension	\$3,741,046	0.6115%
Police Pension	\$3,124,697	0.5108%
Social Security	\$0	0.0000%
Total	\$6,865,743	1.1223%

The Finance Advisory Committee reviewed the foregoing corporate levy options at their regular meeting on October 19 and recommended Option No. 4. Option 3 theoretically levels the City’s corporate tax rate at the 2019 level of \$1.1541 but offers no “cushion” in the event that the City-wide EAV is lower than expected after Board of Review rulings are completed later this year. **Option 4 would provide an estimated 2.76% decrease in the City portion of the aggregate property tax, payable in 2021.**

The proposed corporate levy of \$6,865,743 does not include the pass-through Library levy (\$2,447,618) or the City’s portion of the Library GO debt (\$484,650), which will be included in the Council’s levy action in late November. The corporate levy also does not include the City’s levies for special service areas (SSA) and the principal and interest on the City’s GO debt. The final tax levy resolution will detail these obligations.

City Council approval of Option #4, as recommended by the Finance Advisory Committee, is requested.

J. RESOLUTIONS

1. Resolution 2020-113 Authorizing an Intergovernmental Agreement with DeKalb Township Road District Pertaining to Roadway Construction Responsibilities.

City Manager’s Summary: The attached agreement sets out the reciprocal responsibilities of the DeKalb Township Road District and the City of DeKalb with respect to the plowing and de-icing of various roadways upon which their jurisdictional authorities abut or overlap. Specifically, the proposed division of labor is as follows:

- Shared Responsibility for Snow Removal and Deicing
 - i. Fairview Road from Illinois Route 23 west to Annie Glidden Road;
 - ii. Peace Road from Fairview Road south to Gurler Road;
 - iii. Gurler Road from South First Street east to the City/Township line.

- DeKalb Township Road District Responsibility for Snow Removal and Deicing
 - i. Crego Road north to the Interstate 88 Oasis entrance;
 - ii. Fairview Drive west of Annie Glidden Road approximately 300 feet;
 - iii. John Huber Parkway from Illinois Route 38 north approximately 700 feet.

- City of DeKalb Responsibility for Snow Removal and Deicing:
 - i. Health Services Drive;
 - ii. Manor Drive;
 - iii. Kishwaukee Lane;
 - iv. DeKalb Township's portion of Greenwood Acres Drive;
 - v. Twombly Road from Annie Glidden west to Rosenow Way.

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

2. Resolution 2020-114 Authorizing a Real Estate Purchase Agreement with City Hall Suites, LLC for the Sale of Real Property Located at 200 S. Fourth Street, in the Amount of \$600,000 (Johann DeKalb Suites).

City Manager's Summary: On September 14, the City Council unanimously approved Resolution 2020-097, which approved the redevelopment proposal submitted by Pappas Development for the former city hall property at 200 S. Fourth Street. That proposal included a conceptual site layout featuring 76 rental units in four, two-story buildings (see attached renderings) with a projected market value of \$5,311,974 and an estimated EAV of \$1,770,658 upon completion. At full build-out, the project is expected to generate an aggregate property tax of \$210,000 per year.

The Pappas Development proposal also provided a purchase offer of \$600,000 for the city property.

Since the Council meeting of September 14, the conceptual development plan was reviewed by the Planning & Zoning Commission which generally supported the requested rezoning from "CBD" Central Business District to "PD-R" Planned Development – Residential, as recommended by Principal Planner Dan Olson. However, the final vote of the Planning & Zoning Commission was split 3-3 in response to concerns raised by neighboring property owners about the project density and the potential loss of open space. Following the Planning & Zoning Commission meeting on October 5, John and Fotis Pappas met with concerned neighbors and revised the preliminary development plan as described under the Ordinance section of this Agenda (see Ordinance 2020-065). **The resulting plan has 57 units (a decrease of 25% from the original 76 units) and reserves the area previously used by DeKalb County Community Gardens for community open space.**

The attached real estate agreement is straightforward. It obliges Pappas Development to deposit \$600,000 to be held by the City and credited to the buyer at closing. **The closing will not occur until or unless the City Council approves the developer's petition for the rezoning of the property (see Ordinance 2020-065, below).** At closing, the City will be obliged to provide the buyer with an ALTA statement and affidavit of title and convey the property by a good and sufficient warranty deed.

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

3. Resolution 2020-115 Authorizing a Redevelopment Agreement with City Hall Suites, LLC for the Redevelopment of Property Located at 200 S. Fourth Street (Johann DeKalb Suites).

City Manager's Summary: The RFP process that generated the three redevelopment proposals for the former city hall property also required each respondent to identify any TIF assistance which in the firm's judgment would be necessary to advance the redevelopment proposal. The Pappas Development proposal that was approved by the Council on September 14 included a TIF funding request of \$750,000 to cover TIF-eligible expenses such as demolition, underground utility work, sidewalk improvements, etc. No TIF funds were requested for land acquisition.

The attached redevelopment agreement is the standard understanding that the City has been using since late 2018 in defining the reciprocal responsibilities of the developer and the City with respect to TIF incentives. In this case, the particulars are as follows:

The Developer:

- Shall provide the City with appropriate records and certifications relating to the TIF-eligible expenses claimed.
- Shall enter a 20-year forgivable loan and promissory note requiring that the value of the City's TIF allocation shall be reimbursed through the TIF property tax increment generated by the redevelopment.
- Shall, at the end of 20 years, repay the City for any balance owing between the value of the City's TIF incentive and the actual TIF increment received.

The City:

- Shall approve the Developer's written request for TIF reimbursement within 30 days, provided the filing meets all documentary requirements.
- Shall permit the subordination of the City's "loan" to other, commercially reasonable mortgages that are reasonably necessary for the project completion.

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

4. Resolution 2020-116 Authorizing a Purchase Agreement with Midwest Salt Company for the Purchase of Clear Southern Rock Salt for a Period of One Year from January 1, 2021 through December 31, 2021 for the Purpose of Treating the City's Drinking Water.

City Manager's Summary: Clear Southern rock salt is used for softening the City's potable water supply to ensure compliance with state and federal drinking water standards. Clear Southern rock salt is a purer form of salt than regular road salt and is specifically designed for the treatment of drinking water.

On October 6, 2020, the City of DeKalb publicly opened and read aloud the bids received for the purchase and delivery of Clear Southern rock salt for the City's five water treatment plants. The City annually uses about 1,450 tons of rock salt for treatment purposes and paid \$118 per ton for salt from Midwest Salt Company under the current contract.

The following bids were received:

Company Name	Bid Price (per ton)
Midwest Salt Company	\$110.00
Taza Supplies	\$217.00

The low bid from Midwest Salt Company in the amount of \$110 per ton will result in a decrease in cost of approximately \$11,600 annually when compared with the current cost of Clear Southern rock salt.

City Council approval of the Midwest Salt Company bid is recommended. ([Click here for additional information](#))

5. Resolution 2020-117 Authorizing a Purchase Agreement with Carus Corporation for the Purchase of Phosphate for a Period of Three Years from January 1, 2021 through December 31, 2023 for the Purpose of Treating the City's Drinking Water.

City Manager's Summary: As Bryan Faivre, Director of Utilities and Transportation, writes in the attached memorandum, ortho/poly blended phosphate is added to water supplies to improve water quality by sequestering iron and thereby preventing rusty water complaints. In addition, phosphates produce a microscopic coating on the interior surface of water pipes to help prevent metals from leaching into the water supply.

The City annually uses about 65,000 pounds of phosphate and the current contract with Carus Corporation prices the product at \$0.41 per pound. On October 6, 2020, the City of DeKalb publicly opened and read aloud the bids received for the purchase and delivery of ortho/poly blended phosphate for the City's five water treatment plants. The following two bids were received:

Company Name	Bid Price (per pound)
Carus Corporation	\$0.42
Shannon Chemical Company	\$0.674

Accepting the low bid by Carus in the amount of \$0.42 per pound will result in an increase in cost of approximately \$650 annually when compared to the current price of ortho/poly blended phosphate.

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

6. Resolution 2020-118 Authorizing the Waiver of Competitive Bidding and the Execution of an Agreement with Layne Christensen Company for the Repair and Replacement of Well Parts and Equipment in an Amount Not to Exceed \$61,162.

City Manager's Summary: Well No. 13, located at 2851 Corporate Drive, is one of nine wells the City owns and operates. The well has a pumping capacity of 950 gallons per minute and accounts for 8% of the annual overall volume to the City. The well is one of two raw water sources that supply water to the City's Corporate Drive Water Treatment Plant.

At its August 24, 2020 Regular meeting, Council approved Resolution 2020-092 authorizing Layne Christensen Company (Layne) to perform repairs to the City's Well No. 13 for the first time since 2005. The contract price was not to exceed \$80,000. Layne completed the repairs to the well on September 29 at a cost of \$69,994. During the repairs to Well No. 13, spare components were used from the City's inventory allowing the well to be repaired and placed back in service in a timely manner. The Utility Division historically keeps an inventory of spare well parts and equipment for emergency purposes. These components include a spare motor, well pump and over 700 feet of column piping. The motor, pump and column piping removed from Well No. 13 after the repair were subsequently taken back to Layne's shop in Aurora for inspection. A summary of their findings is provided below:

Well Motor. The motor, which is the most expensive component of the well, was inspected and serviced and found to be in good condition. It was reinstalled in Well No. 13 without additional costs.

Well Pump. The well pump was found to be in poor condition. The pump had previously been rebuilt and had been in the City's inventory prior to being installed at Well No. 13 in 2005. Layne's inspection of the pump indicated it could not be rebuilt again. The cost to purchase a new Byron Jackson pump is \$38,550.

Column Piping. The inspection of the column pipe resulted in several recommendations. Eight sections of pipe needed cutting and rethreading. One new coupling and a surge control valve were recommended along with complete recoating of the interior and exterior pipe with epoxy to prevent corrosion.

Layne estimates the total cost of repairs and replacement of the City's spare inventory parts at \$61,162. This price includes the purchase of a new Byron Jackson 8 stage pump at a cost of \$38,550. Having a full inventory of spare parts enables the City to make timely well repairs. Without the spare components, the expected turnaround for a well repair would be six to eight weeks, during which time the City would be without the services of the well. It should be noted that the City's six deep wells all contain Byron Jackson motors and pumps. Standardization of well equipment allows the motor, pump and column pipe to be used at any deep well site, eliminating the need for multiple spare components.

The Utility Division had budgeted \$165,000 in its FY2020 budget under line item 620-00-00-85500 for well pump and associated repairs. The total cost of repair for Well No. 13, along with the replacement of well components used from inventory, is estimated to be \$131,156 or \$33,844 under budget.

City Council approval of the Layne Western proposal is recommended. ([Click here for additional information](#))

7. Resolution 2020-119 Authorizing a Standard Agreement for with Crawford, Murphy and Tilly, Inc. for Construction Services at Illinois Airports for Design/Special Services and Construction Phase Engineering to Resurface Runway 2/20 at the DeKalb Taylor Municipal Airport.

City Manager's Summary: In consideration of federal protocols regarding airport grants, this resolution has several parts. After consultation with IDOT's Division of Aeronautics and our consulting engineers, Crawford, Murphy, and Tilly, Airport Manager Renee Riani and Director of Streets and Facilities, Andy Raih, jointly recommend the following:

- a) Authorization for the Mayor to execute a contract for Federal Project DKB-4800 to resurface Runway 2/20 at DeKalb Taylor Municipal Airport;
- b) Authorization for the Mayor to enter into a standard agreement for construction services with Crawford, Murphy and Tilly, Inc. for design and construction supervision associated with the combined crack-filling and re-surfacing of Runway 2/20 (the newer, longer runway).

This project has been in the City's Transportation Improvement Program (TIP) for the Airport for many years, and this construction priority was re-affirmed when the Council approved the FY2020-FY2024 TIF on January 28, 2019. The projected cost of the construction and engineering is \$4,897,778 and is typically funded 90% from the federal government, 5% from IDOT, and 5% from the City (i.e. the TIF #1 Fund). However, the City's share will be paid from federal CARES Act funding related to the COVID-19 response. The Airport Advisory Board has been routinely informed of this and other TIP projects, and most recently received a report from Airport Manager Renee Riani on August 25, 2020.

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

8. Resolution 2020-120 Approving a First Amendment to the Water Agreement Between the City of DeKalb and Goldframe LLC to Correct a Scrivener's Error (Project Ventus – Facebook Data Center).

City Manager's Summary: The attached resolution repairs a scrivener's error in the water services agreement approved on April 27, 2020 (Ordinance 2020-023) as part of the Annexation, Rezoning, and Development Agreements between the City of DeKalb and Ventus Tech Services. Exhibit B of the Water Agreement contains a table that reserves a certain capacity of the City's water pumping system to assure adequate water for the heating, cooling and potable water needs of the phased Facebook development. In the detailed review of the nearly 100-page packet of documents that were the legal corpus of these transactions, neither party noticed that the explanatory table mis-stated the peak daily and monthly capacity reservations. The attached, revised "Exhibit B" has been reviewed by Bryan Faivre, Director of Utilities and Transportation, and Facebook officials and it is agreed that the revised table accurately reflects the intended commitment of capacity.

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

K. ORDINANCES – SECOND READING

1. Ordinance 2020-064 Establishing Revised Compensation and Benefits for the Elected Officials of the City of DeKalb.

City Manager's Summary: At the regular City Council meeting of October 12, the City Council voted 4-2 on first reading in favor of an amended ordinance that would establish new levels of compensation for the City of DeKalb's elected officials that were 10% lower than those currently in place. The proposed levels of compensation for those offices that may change at the first regular meeting after the official election results are announced in early April 2021 are as follows:

Mayor: \$20,250 (down 10% from \$22,500)
Council Member: \$4,860 (down 10% from \$5,400)
City Clerk: \$7,200 (down 10% from \$8,000)

Since two-thirds of the corporate authorities are required to waive second reading, the vote on second reading comes before the Council on October 26.

City Council action is requested. The Illinois Constitution and the Local Government Officer Compensation Act (50 ILCS 145/2) prohibit an elected official's compensation from being increased or decreased during the official's term of office, or within 180 days of the beginning of the terms of the officers whose compensation is to be fixed. If the City Council does not act on a change in compensation at this meeting, the deadline will have passed for such action before the next regular meeting in November. ([Click here for additional information](#))

L. ORDINANCES – FIRST READING

1. Ordinance 2020-066 Approving the Rezoning of 200 S. Fourth Street from the "CBD" Central Business District to the "PD-R" Planned Development – Residential District and the Planned Development Preliminary Plan (Johann DeKalb Suites).

City Manager's Summary: Each of the three proposals received in July for the redevelopment of the former city hall block at 200 S. Fourth Street required a rezoning to permit their elaborate and distinctly different uses in that location. For the Pappas Development proposal, there were several reasons that a rezoning was necessary. First, dwelling units are not permitted above the ground floor in the current "CBD" Central Business zoning district. Second, the 2005 Comprehensive Plan showed the future uses of the site as primarily "institutional" with about 40% of the land area (the entire southeast portion) being re-zoned to "Commercial" zoning at a future time. This guidance was clearly not favored by the adjoining property owners or the developer, and further prompted a rezoning petition.

By ordinance, rezoning proposals are accompanied by preliminary plans and go through a review by the Planning & Zoning Commission before being reviewed by the Council. Such a review occurred on October 5. By a split vote of 3-3, the Commission passed the matter forward to the Council, but recommended further discussion

between some concerned neighbors and the developer regarding density and open space issues in particular.

Such meetings occurred in the days following the Planning & Zoning Commission meeting of October 5 and resulted in the revised site layout and elevations attached to this Agenda. The overall density of the project has been reduced from 76 units to 57 units, and the southeast portion of the site where the DeKalb County Community Gardens previously maintained a green space has been dedicated to similar uses. Several of the adjacent neighbors are expected to speak to the Council in support of the revised proposal.

As Principal Planner Dan Olson writes in his background memorandum, the parking formula for the proposed development includes 1.5 parking spaces for every one-bedroom dwelling unit or efficiency unit (49 units), and 2.5 spaces for every two-bedroom apartment (8 units). Since the meeting space, exercise and recreational facilities are for residents only, there is no additional parking required for those uses. There is a total of 94 parking spaces required and the plan shows 123 total parking spaces.

The recommended development standards require the submittal of a Final Development Plan prior to the issuance of a building permit that will show all utilities, stormwater management, landscaping and lighting, and will need to be in compliance with the UDO regulations. A Final Plat will also be needed to meet the UDO requirements as well as a Plat of Vacation for the alley through the site.

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](#)