

**MINUTES
CITY OF DEKALB
CITY COUNCIL REGULAR MEETING
SEPTEMBER 26, 2016**

The City Council of DeKalb, Illinois held a Regular City Council meeting on September 26, 2016 in the City Council Chambers of the DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois.

Mayor Rey called the meeting to order at 6:32 p.m.

A. ROLL CALL

City Clerk Jennifer Jeep Johnson called the roll, and the following members of the City Council were present: Alderman Bill Finucane, Alderman Michael Marquardt, Alderman Bob Snow, Alderman Kate Noreiko, Alderman Dave Baker, Alderman Tony Faivre, and Mayor John Rey. Alderman David Jacobson arrived at 7:14 p.m.

Also present were: Assistant City Manager Patty Hoppenstedt, City Attorney Dean Frieders, Finance Director Cathy Haley, Police Chief Gene Lowery, Deputy Police Chief John Petragallo, Fire Chief Eric Hicks, Community Development Director Ellen Divita, Public Works Director Tim Holdeman, Human Resources Director Cris Randall, Principal Planner Jo Ellen Charlton, Utilities Superintendent Bryan Faivre, Transportation Planner Brian Dickson, Assistant Transportation Planner Jessica Hyink, I&T Technician Jeff Birtell, and City Clerk Jennifer Jeep Johnson.

B. PLEDGE OF ALLEGIANCE

Officer Angel Reyes led the Pledge of Allegiance.

C. APPROVAL OF THE AGENDA—ADDITIONS/DELETIONS

MOTION

Alderman Marquardt motioned to approve the agenda; seconded by Alderman Faivre.

VOTE

Motion carried on a 7-0-1 roll call vote. Aye: Finucane, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Nay: None. Absent: Jacobson. Mayor Rey declared the motion passed.

D. PUBLIC HEARINGS

There were none scheduled.

E. SPECIAL ITEMS OR PRESENTATIONS & CITIZEN'S COMMENTS

1. Presentations

DeKalb Municipal Band Annual Report.

This item was removed from the agenda.

2. Special Items

a. Proudly DeKalb

- DeKalb County Community Gardens Grant.

Mayor Rey provided background on the item, and introduced Dan Kenney.

Mr. Kenney explained that DeKalb County Community Gardens (DCCG) had received a \$15,000 grant through a very competitive process. He explained that the community partnerships DCCG has forged were cited as a reason for receiving the grant, which he thought was indicative of DeKalb's commitment to food access.

Mr. Kenney announced that DCCG also received a \$10,000 grant to pursue a project called the Grow Mobile, which is a two year project to pursue a mobile food center. He thanked the City for its support.

- b. Promotion of Steve Lekkas to Police Commander.
- c. Promotion of Craig Woodruff to Police Commander.
- d. Promotion of Paul Mott to Police Sergeant.
- e. Promotion of Tony Kwasniewski to Police Sergeant.
- f. Police Department Awards.

Chief Lowery introduced each of the Police Officers above, providing biographical information and introducing their families. City Clerk Johnson administered the oath of office.

Police Chief Lowery introduced the 2016 awards and read aloud each of the situations that led to the awards being given. The awards received were as follows:

- 1) Honorable Recognitions

Act of Kindness Award: Police Officer Jonathan Jursich for assisting a young woman whose prom dress had been stolen, by replacing the dress, providing her with a meal, and escorting her to the dance.

2) Commendations Support Bureau

Property Maintenance and Hazards Investigation: Crime Free Inspector Beasley and City Attorney Frieders for their efforts in making a neighborhood safer for residents by working diligently with a property owner to ensure compliance with City codes, resulting in the removal of 70 cubic yards of refuse and the razing of two buildings.

Property Maintenance and Hazards Investigation: Crime Free Inspector Beasley for working with City Attorney Frieders to draft 78 ordinance violations, resulting in the owner of vacant and unsightly buildings to apply for a permit to raze them.

Response to the DeKalb County Sheriff's Office 911 Communications Center Power Failure: Telecommunicators Heidi Clark and Keller Kurth for ensuring the safety of the community by swiftly implementing protocols that enabled the DeKalb Police Communications Center to become the primary provider of emergency dispatching for the county, as well as the community.

Burglary In Progress: Telecommunicators Jennifer Barnett and Christopher McMeen for supporting Police Officers and helping to locate suspects.

3) Commendations Operations Bureau

Crack Cocaine Ring Arrests: Police Officers Todd Wells, Tony Kwasniewski, Jeffrey Weese, Kris Mecca, and Sergeant Steve Lekkas, for conducting a year-long investigation that led to the dismantling of a local crack cocaine network.

Robbery: Officers Christopher Sullivan and Aaron Gates, with the Canine Team, for successfully tracking down the perpetrator of an aggravated robbery.

Homicide: Officers Jeffrey Weese, Todd Wells, Kris Mecca, Reda Reese, Lance Reinbolz, Phillip Brown, Geoffrey Guzinski, Brian Bollow, Steven Parsons, Detectives Michael Stewart, Mark Nachman, Keith Ehrke, Paul Mott, Angel Reyes, Kelly Sullivan, and Sergeants Steve Lekkas and Mark Tehan for their response to a shooting, which led to a first degree murder charge.

Attempted Murder and Aggravated Battery with a Firearm: Detectives Michael Stewart, Mark Nachman, Keith Ehrke, Paul Mott, Angel Reyes, and Kelly Sullivan for their investigation following a party where gang members erupted in a fight, which led to the arrest of a repeat violent offender.

Disorderly Conduct Narcotics, and Weapons Offense: Officer Elizabeth Fabro for her investigation of a call for assistance for unwelcomed affectionate behavior, resulting in seizure of cannabis, paraphernalia, cocaine, and weapons.

Armed Robbery: Officers Kris Mecca, Elizabeth Fabro, Detective Paul Mott, and Sergeant Steve Lekkas, for their investigation of a series of incidents, leading to the arrests of violent gang members, and their removal from the community.

Armed Robbery: Officers Jason Goodwin, Elizabeth Fabro, and Sergeant Jeffrey Weese for their arrest of a suspected drug dealer, leading to removal of drugs, weapons, and arrest of a violent offender.

Armed Violence: Officers Bryan Soderstrom, Raynaldo Hernandez, Steven Parsons, Jonathon Jursich, Phillip Brown, and Sergeant Jeffrey Weese for their response to a call for a man with a gun, leading to the arrests of drug traffickers, and an individual who threatened use of a firearm within the community.

Narcotics Ring: Officers Kris Mecca and Aaron Gates, Detective Mark Nachman, and Sergeant Steve Lekkas, Sycamore Police Officer Luke Hampmeier and DeKalb County Sheriff's Office Detective Dave Arnada, for their investigation which led to many arrests and the disbanding of a narcotics ring.

Burglary: Officers Anthony Kwasniewski, Christopher Sullivan, Lance Reinbolz, Jared Burke, Charles Verdone, and Sergeant Jon Costliow for their response to a burglary in progress at a local car dealership, resulting in the recovery of the stolen items, and the arrest of the offenders.

Alderman Jacobson arrived at 7:14 p.m.

Aggravated unlawful use of a Weapon: Officers Josef Gordon, Christopher Sullivan, Jason Watson, and Sergeant Scott Farrell for their response to a call of gunshots fired. Their investigation of the scene led to the removal of hazardous material, the discovery of a clandestine DMT (Dimethyltryptamine) lab, and removal of an assault weapon, as well as the offenders.

First Degree Murder: Officers Jonathon Jursich, and Sonny Streit, Detectives Keith Ehrke, Paul Mott, Mark Nachman, Angel Reyes, Todd Wells, and Sergeants Mark Tehan, and Craig Woodruff for their investigation of a domestic abuse situation which resulted in the discovery of a murder. Their work led to a swift arrest of a heinous crime.

Burglaries to Motor Vehicles: Detectives Keith Ehrke, Jeffrey Ackland, and Sergeant Mark Tehan for their investigation of over 60 burglaries to vehicles, leading to the arrest of the juvenile offender.

4) Life Saving Awards

Citizen Life Saving Commendation – Drowning: Citizen Joseph E. Seinitz for saving the life of a child by administering CPR.

Life Saving Award – Heroin Overdose: Officers John Loechel and Steven Parsons for administering the opiate antidote NARCAN, which saved the life of the overdose victim.

Mayor Rey commended Chief Lowery and the entire DeKalb Police Department for their hard work and dedication to the City of DeKalb.

3. Approval of Mayor Rey's Appointments

- a. Appointment of Keith O'Higgins to the Building Code Board of Appeals for the Completion of a Six-Year Term through June 30, 2022.

Mayor Rey read aloud the appointment.

MOTION

Alderman Noreiko moved to consider Mr. O'Higgins Appointment; seconded by Alderman Faivre.

VOTE

Motion carried on an 8-0 voice vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Mayor Rey declared the motion passed.

- b. Reappointment of Mike Peddle to the Finance Advisory Committee for the Completion of a Four-Year Term through June 30, 2020.

Mayor Rey read aloud the appointment.

MOTION

Alderman Finucane moved to approve Mr. Peddle's appointment; seconded by Alderman Snow.

VOTE

Motion carried on an 8-0 voice vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Mayor Rey declared the motion passed.

4. Public Participation

Lynn Fazekas, representing the Restore the Elected Clerk campaign, explained that the petition offered a four step solution to restore the full-time City Clerk position. She asked Council to place a holder amount in the FY2017 budget in order to attract citizens to the role in the amount of \$47,500 minimum. Ms. Fazekas explained that Council could add non-statutory duties that amount to full-time hours for the City Clerk. She highlighted that a savings could occur so that clerical duties wouldn't need to be carried out by staff, such as FOIA responses. Ms. Fazekas also sought to restore the rightful duties of City Clerk as detailed by the State of Illinois. She also stated that she will not be seeking election to the office.

John Anderson sought to create a ban on burning. He seconded Ms. Fazekas' sentiments regarding the role of City Clerk.

Bessie Chronopoulos spoke to the restoration of the role of City Clerk. She stated that 60% of the voting public has spoken in terms of the elected City Clerk. She expressed her belief that the will of the people is to restore the role of the City Clerk to that of a full-time position.

Liz Peerboom expressed her belief that the role should be restored to a full time City Clerk, stating that it is only in recent history that the role has been so limited.

Steve Kapitan read a statement providing a history of the City Clerk's office and the referenda that resulted. He stated his belief that a full-time City Clerk is needed.

Alderman Baker stated there is a risk to having a full-time City Clerk, as it's the City that is responsible if the Clerk became derelict in his or her duties.

F. CONSENT AGENDA – OMNIBUS VOTE

1. Approval of City Council Minutes
 - a. Minutes of the Committee of the Whole Meeting of August 22, 2016.
 - b. Minutes of the City Council Meeting of August 22, 2016.
2. Receive & File
 - a. Accounts Payable and Payroll through September 26, 2016 in the Amount of \$3,305,034.66.
 - b. Investment and Bank Balance through August 2016.
 - c. Year-to-Date Revenues and Expenditures for the General Fund through August 2016.
3. Resolution 2016-106 Authorizing the Approval and Execution of a Contract for the Provision of Wholesale Electricity for Water Wells and Water Treatment Plants.

MOTION

Alderman Noreiko moved to approve the Consent Agenda; seconded by Alderman Faivre.

VOTE

Motion carried on an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Mayor Rey declared the motion passed.

MOTION

Alderman Snow moved to approve the items listed on the Consent Agenda; seconded by Alderman Marquardt.

VOTE

Motion carried on an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Mayor Rey declared the motion passed.

G. ITEMS FOR SEPARATE ACTION

1. Ordinance 2016-029 Adopting the Personnel Manual and Benefits Handbook and Revising Chapter 3. (*Second Reading*)

MOTION

Alderman Baker moved to consider Ordinance 2016-029; seconded by Alderman Noreiko.

Human Resources Director Randall provided background on the proposed ordinance, stating that the changes will align DeKalb with best practices and the vision laid out in the Strategic Plan. She explained that no language changes had been made since the last update given to the Council and stated that staff recommends adoption of the ordinance, upon which a training will be implemented.

VOTE

Motion carried on an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Mayor Rey declared the motion passed.

2. Ordinance 2016-030 Approving the Final Plat of Arrowhead Lane Re-subdivision (2 and 4 Arrowhead Lane). (*First Reading*)

MOTION

Alderman Marquardt moved to consider Ordinance 2016-030; seconded by Alderman Noreiko.

Principal Planner Charlton provided background on the item, stating the Planning and Zoning Commission had unanimously approved the plat.

Alderman Baker asked whether or not the same (combination) can be achieved via the tax assessor, with Principal Planner Charlton stating that in this case, the underlying platted lots needed to be combined in order to avoid a violation, as it is prohibited in the Unified Development Ordinance (UDO).

City Attorney Frieders provided further detail on this particular matter.

Alderman Baker stated his belief that first and second reading could be passed.

Alderman Snow stated his belief that the neighborhood should be able to weigh in on these matters, as lot size contributes to the character of the neighborhood.

Further brief discussion ensued as to the best way to process such matters.

VOTE

Motion carried on an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Mayor Rey declared the motion passed.

MOTION

Alderman Baker moved to waive second reading; seconded by Alderman Jacobson.

VOTE

Motion carried on a 7-1 roll call vote. Aye: Jacobson, Finucane, Marquardt, Noreiko, Baker, Faivre, Rey. Nay: Snow. Mayor Rey declared the motion passed.

3. Resolution 2016-107 Authorizing a Professional Services Agreement with The Lakota Group for the Provision of Historic Preservation Consultant Services in an Amount Not to Exceed \$35,335.

MOTION

Alderman Noreiko moved to consider resolution 2016-107; seconded by Alderman Marquardt.

Community Development Director Divita provided background on this matter, stating that project directly relates to the 2025 Plan, particularly in the realm of place making. She stated the support and engagement of the Landmark Commission, adding that TIF funds will be utilized for this project.

Community Development Director Divita explained that the survey is to determine whether the downtown might qualify as an historic district and provided background on the Lakota Group, explaining they have great experience with preservation.

Alderman Jacobson inquired as to the study boundaries, with Community Development Director Divita explaining they will be reevaluating the final boundaries as they go, stating the consultant will work with the Landmark Commission.

Nick Callagerisus, Vice President of Lakota Group explained that a historic designation allows owners to access preservation tax credits and also has a branding component for marketing purposes, which can lead to investment.

Alderman Jacobson wondered whether renovation can become more difficult once a building is designated historic.

Mr. Callagerisus stated that it's an honorary designation that does not come with restrictions, other than if tax credits are being pursued by the owner, in which case some considerations will be made.

Alderman Faivre inquired as to how many people attended the meeting where the Landmark Commission approved this matter, with the response being 20 to 25.

Community Development Director Divita emphasized that the Council can place restrictions in whatever way they want, and offered suggestions as to what they might consider.

Alderman Jacobson inquired as to whether there are downtown façade guidelines, with Community Development Director Divita stating there are, but the designation allows them access to the tax credits.

Brief discussion ensued.

VOTE

Motion carried on a 7-1 roll call vote. Aye: Finucane, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Nay: Jacobson. Mayor Rey declared the motion passed.

4. Resolution 2016-108 Authorizing an Intergovernmental Agreement with the Illinois Department of Transportation for Public Transit funding from the Illinois Downstate Operating Assistance Program from July 1, 2016 to June 30, 2017.

MOTION

Alderman Finucane moved to consider Resolution 2016-108; seconded by Alderman Marquardt.

Transportation Planner Dickson provided background on this matter, explaining approval is being sought for Mayor Rey to sign the agreement with the Illinois Department of Transportation in order to receive funds.

VOTE

Motion carried on an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Mayor Rey declared the motion passed.

5. Resolution 2016-109 Authorizing a Transit Service Provider Agreement with the Voluntary Action Center of DeKalb County to Provide Transit Services for the DeKalb Urbanized Area from October 1, 2016 through September 30, 2017.

MOTION

Alderman Finucane motioned to consider Resolution 2016-109; seconded by Alderman Snow.

Transportation Planner Dickson provided background on this matter.

VOTE

Motion carried on an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Mayor Rey declared the motion passed.

6. Resolution 2016-110 Authorizing a Transit Lease Agreement with the Voluntary Action Center of DeKalb County for Leasing City Owned Transit Vehicles and Equipment to Provide Transit Services for the DeKalb Urbanized Area from October 1, 2016 through September 30, 2017.

MOTION

Alderman Finucane moved to consider Resolution 2016-110; seconded by Alderman Faivre.

Transportation Planner Dickson provided background on this matter.

VOTE

Motion carried on an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Mayor Rey declared the motion passed.

7. Resolution 2016-111 Authorizing a Contract with SRF Consulting Group, Inc. for the Development of the DeKalb Region Transit Development Plan in an Amount Not to Exceed \$102,131.

MOTION

Alderman Marquardt moved to consider Resolution 2016-112; seconded by Alderman Finucane.

Assistant Transportation Planner Hyink provided background on this matter, explaining that a plan on how to make services more efficient, would provide a savings to the City. She stated that staff recommends SRF Consulting Group, Inc., and confirmed that this funding does not impact the General Fund of the City.

VOTE

Motion carried on an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Mayor Rey declared the motion passed.

8. Resolution 2016-112 Authorizing a Communications Site Lease Agreement with GTE Wireless of the Midwest Incorporated d/b/a Verizon Wireless for Space on the North Water Tower Located at 900 West Dresser Road Including Land for Equipment, Rights-Of-Way for Ingress,

Egress and the Installation and Maintenance of Utility Wires, Poles, Cables and Conduits.

MOTION

Alderman Marquardt motioned to consider Resolution 2016-112; seconded by Alderman Finucane.

Utilities Superintendent Faivre provided background on this matter.

Alderman Finucane inquired as to whether the City has a right to terminate the lease, with explanation that the lease can be terminated under certain circumstances, but not for convenience.

Brief discussion ensued as to how this agreement compares to other agreements.

VOTE

Motion carried on an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Faivre, Rey. Mayor Rey declared the motion passed.

H. NEW OR UNFINISHED BUSINESS

There was none.

I. REPORTS—COMMUNICATIONS

Alderman Snow reminded everyone of the Ward 4 meeting regarding TIF on Tuesday, September 27, 2016.

Alderman Noreiko stated there is a Ward 5 meeting on Thursday, September 29, 2016 at 6pm. She added that she attended the Illinois Municipal League conference, sharing a statement of Former Governor Edgar.

Alderman Faivre stated that he attended the Illinois Municipal League conference as well, and that he looks forward to implementing the ideas.

Mayor Rey stated that he will be looking to incorporate notes from the Illinois Municipal League conference into practices.

Assistance City Manager Hoppenstedt announced that the City Manager is at a conference learning best practices. She offered that she is honored to work with the Police Department and other departments as well, commending their professionalism.

City Attorney Frieders echoed the sentiments of Assistant City Manager Hoppenstedt.

City Clerk Johnson announced that there would be a meeting to receive input from the community regarding the role of City Clerk at City Hall on Saturday, October 1, 2016, at 10:00 a.m.

Police Chief Lowery announced that "Coffee with the Chief" would take place tomorrow morning (Tuesday, September 27, 2016).

Community Development Director Divita announced that TIF information was revised on the City's website.

J. RECESS FOR EXECUTIVE SESSION

1. Approval to Hold an Executive Session to Discuss Personnel as Provided for in 5 ILCS 120/2(c)(1).
2. Approval to Hold an Executive Session to Discuss Purchase or Lease of Real Property as Provided for in 5 ILCS 120/2(c)(5).

MOTION

Alderman Jacobson moved to hold executive session; seconded by Alderman Marquardt.

VOTE

Motion carried on a 7-1 roll call vote. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Faivre, Rey. Nay: Baker. Mayor Rey declared the motion passed, and closed the meeting to the public at 8:34 p.m.

Mayor Rey opened the meeting to the public at 9:13 p.m.

K. ADJOURNMENT

MOTION

Alderman Jacobson motioned to adjourn; seconded by Alderman Faivre.

VOTE

Motion carried on an 8-0 voice vote. Mayor Rey declared the meeting adjourned at 9:13 p.m.

JENNIFER JEEP JOHNSON, City Clerk