

**MINUTES
CITY OF DEKALB
REGULAR CITY COUNCIL MEETING
JANUARY 24, 2022**

The City Council of DeKalb, Illinois held a Regular meeting on January 24, 2022, in the Yusunas Meeting Room of the DeKalb Public Library, 309 Oak Street, DeKalb, Illinois.

A. CALL TO ORDER AND ROLL CALL

Mayor Barnes called the meeting to order at 6:00 p.m.

Recording Secretary Ruth Scott called the roll, and the following members of the City Council were present: Alderman Carolyn Morris, Alderman Barb Larson, Alderman Tracy Smith, Alderman Greg Perkins, Alderman Scott McAdams, and Mayor Cohen Barnes. Alderman Mike Verbic and Alderman Tony Faivre were absent.

Others in attendance included City Manager Bill Nicklas and City Attorney Matt Rose.

Mayor Barnes indicated that Alderman Verbic and Alderman Faivre provided advanced notice that they were unable to attend the meeting.

Alderman Perkins asked if City Clerk Sasha Cohen would be in attendance for the meeting, with Mayor Barnes replying he would not be due to issues with his laptop.

B. PLEDGE OF ALLEGIANCE

Alderman McAdams led the Pledge of Allegiance.

Following the Pledge of Allegiance, Mayor Barnes announced there was a problem with Comcast, and therefore this meeting would not be streamed via Channel 14. He advised that Jeff Birtell of the City's Information Technology Department, as well as Comcast, was working on the issue.

C. APPROVAL OF THE AGENDA

MOTION: Alderman Morris moved to approve the agenda; seconded by Alderman Larson.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

D. PRESENTATIONS

There were none.

E. PUBLIC PARTICIPATION

There was none.

F. APPOINTMENTS

Mayor Barnes read the following appointments in their entirety:

1. Appointment of Finance Director Carrie Dittman to the Foreign Fire Insurance Tax Board, the Fire Pension Board, and the Police Pension Board.

2. Appointment of Acting Fire Chief Mike Thomas and City Manager Bill Nicklas as Management Representatives to the Ground Emergency Medical Transportation (GEMT) Committee as per Section 6.1,G of the City and IAFF Local 1236 Collective Bargaining Agreement.

MOTION: Alderman Smith moved to approve the appointments; seconded by Alderman McAdams.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

G. APPROVAL OF THE MINUTES

Mayor Barnes read the following by title only:

1. Minutes Submitted by the City Clerk.

There were none.

2. Minutes Submitted by the Recording Secretary

- a. Minutes of the Regular City Council Meeting of January 10, 2022.

MOTION: Alderman Perkins moved to approve the minutes; seconded by Alderman McAdams.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

H. CONSENT AGENDA

Mayor Barnes read the following by title only:

1. Accounts Payable and Payroll through January 24, 2022, in the Amount of \$2,404,788.39.
2. Investment and Bank Balance Summary through November 2021.
3. Year-to-Date Revenues and Expenditures through November 2021.
4. Freedom of Information Action (FOIA) Report – December 2021.
5. FY2021 Human Services Funding Report – Fourth Quarter.

MOTION: Alderman Larson moved to approve the items listed under the Consent Agenda; seconded by Alderman Morris.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

I. PUBLIC HEARINGS

Mayor Barnes opened the Public Hearing at 6:05 p.m. and read the following title in its entirety:

1. Public Hearing Regarding the Proposed Annexation of a .68 Acre Property Located Along the North Side of Barber Greene Road, Approximately 180 Feet West of County Farm Road, Commonly Known as 2616 Barber Greene Road (Arista Residences).

There was no one from the public who wished to speak.

City Manager Nicklas stated there were two ordinances listed on the agenda that pertain to this public hearing, one an annexation and the other a zoning map amendment, as referenced in the title above. He noted both ordinances would be overviewed in more detail later in the meeting.

There was no discussion among Council.

Mayor Barnes closed the Public Hearing at 6:07 p.m.

J. CONSIDERATIONS

There were none.

K. RESOLUTIONS

1. **Resolution 2022-012 Authorizing the Waiver of Competitive Bidding and Approving the Purchase of Water Meters and Radio Transmitters from Badger Meter Inc. and Core & Main in an Amount Not to Exceed \$80,000.**

Mayor Barnes read the resolution by title only.

MOTION: Alderman Morris moved to approve the resolution; seconded by Alderman McAdams.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. This item pertains to the purchase of new water meters and some reading devices in order to maintain the replacement schedule for older equipment. Approval of this resolution was recommended.

There was no discussion among Council.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

2. **Resolution 2022-013 Authorizing the Purchase and Equipping of One Police Interceptor Vehicle through Morrow Brothers Ford for the DeKalb Police Department in an Amount Not to Exceed \$46,585.**

Mayor Barnes read the resolution by title only.

MOTION: Alderman Smith moved to approve the resolution; seconded by Alderman Perkins.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet, stating the engine blew up in one of the Police Department's older vehicles due to a coolant system fail. Upon further inspection, it was determined that it would cost more to repair the vehicle than it was worth. The replacement vehicle will be purchased from Morrow Brothers Ford at a purchase price determined by the Illinois Central Management Services contract. Due to the concurrent arrival of both 2021 and 2022 models, Morrow Brothers Ford has stated that if the supplied vehicle ends up being a 2022 model, they will honor the 2021 price. There was no discussion among Council.

Prior to Council's vote on this item, Mayor Barnes noted the large amount of detailed information provided in the summary agenda, which is why there isn't much dialogue on some items. He added that City Manager Nicklas and his staff are very responsive to Council members when they reach out with questions regarding an item prior to Council meetings. Approval of this resolution was recommended.

Mayor Barnes commended City Manager Nicklas and his staff for the information provided prior to each Council meeting and encouraged the public to view the agenda packets, which can be found on the City's website.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

L. ORDINANCES – SECOND READING

There were none.

M. ORDINANCES – FIRST READING

1. Ordinance 2021-005 Amending Chapter 38 “Intoxicating Liquors”, Section 38.09 “Restrictions Generally Applicable”, as it Pertains to the Delivery of Liquor.

Mayor Barnes read the ordinance by title only.

MOTION: Alderman McAdams moved to approve first reading of the ordinance; seconded by Alderman Morris.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. He began by reminding Council that during the first few months of the COVID pandemic, the City extended provisional package liquor licenses for the home delivery of beer and wine to help offset the adverse impact of restaurant and bar closures imposed by the governor's office. Now that the state legislature has codified that guidance, this chapter amendment updates the City's municipal code in accordance with those enactments, which includes the delivery and carry out of “to-go” mixed drinks and/or “growlers” in containers with screw on lids and tamper-proof seals. Approval of this ordinance was recommended.

Alderman Smith asked if the change to the legislation would automatically expire or would Council have to amend the chapter again. City Attorney Rose replied that liquor delivery by a third party wouldn't but the delivery of “to go” mixed drinks is set to expire on January 3, 2024, unless the state passes legislation to extend. The City's amendment mimics that legislature so it would expire at the same unless council takes further action, which it can do under home rule.

Alderman Smith then asked if there had been issues with the delivery and carry out of alcoholic beverages, to which City Manager Nicklas replied there had been none.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

MOTION: Alderman Perkins moved to waive second reading and approve the ordinance; seconded by Alderman McAdams.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

2. Ordinance 2022-006 Authorizing a Reimbursement in the Amount of \$269,741.17 to Northern Illinois University (NIU) for the 2021 Overpayment of Annual Contributions for Integrated Transit Services.

Mayor Barnes read the ordinance by title only.

MOTION: Alderman Smith moved to approve the ordinance; seconded by Alderman Larson.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. In October 2018, the City and NIU entered into an intergovernmental agreement (IGA) to address a cost sharing understanding, where NIU was to contribute 40% of the total cost for the combined fixed route and paratransit services in DeKalb. It was agreed that the City would track this every year and a certain amount was put into our budget, with a recalculation at the end of the year to make sure the costs were what were expected. In 2021 the City expected the costs would be higher but they weren't. Therefore, NIU has an overpayment of \$269,741.17. Approval of this ordinance will reimburse NIU in that amount. Approval of the ordinance was recommended.

Alderman Smith asked for confirmation that the funds being used to reimburse NIU was grant money. City Manager Nicklas confirmed that it was, adding that the City's share comes from the federal government and not from local taxpayers.

There was brief discussion between Mayor Barnes and City Manager Nicklas regarding fixed costs.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

At this point in the meeting, City Manager Nicklas requested waiver of second reading for Ordinance 2022-005. Motion information and voting results are provided under that ordinance above.

MOTION: Alderman Smith moved to waive second reading and approve the ordinance; seconded by Alderman Morris.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

3. Ordinance 2022-007 Authorizing the Annexation of Certain Property to the City of DeKalb Located Along the North Side of Barber Greene Road, Approximately 180 Feet West of County Farm Road Commonly Known as 2616 Barber Greene Road (Arista Residences).

Mayor Barnes read the ordinance by title only.

MOTION: Alderman McAdams moved to approve first reading of the ordinance; seconded by Alderman Larson.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. Pappas Development is interested in redeveloping the former Buhr's Landscaping and Lawn Care site on Barber Greene Road. The overall site contains 1.8 acres. Of that land area, a parcel of about .68 acres is currently within unincorporated DeKalb County. The present owners of the property, Herb and Linda Buhr, note the site has been for sale for 18 years and the business has been closed for about two years.

The proposed Arista Residences by Pappas Development will include 61 one-bedroom, fully furnished apartment units with 12-plus month leases. The units will comprise about 700 square feet and the estimated monthly rent will be \$1,350. Amenities will include a hotel-style lobby, hospitality room, business center, full gym, and EV (electric vehicle) charging stations. There will be no commercial uses in the building.

Mayor Barnes asked about incentives for the developer, with City Manager Nicklas replying there would be none.

Alderman Morris stated this is an efficient use of the space and she's thrilled to see this proposal and see the land put to new and exciting use that will most likely revitalize the space and bring new energy and traffic.

There was brief discussion between Alderman Morris and one of the developers, Foti Pappas, regarding the furnishing of the apartments, the length of the leases, and parking needs. The apartments will be fully furnished, with leases from 12 to 24 months. As for the parking, Mr. Pappas indicated that the amount of parking (92 spaces – 56 covered and 36 uncovered) is a requirement set by the City, but it's not needed.

There was brief discussion regarding parking requirements, which is 1.5 spaces per unit.

Noting environmental needs, Alderman Morris stated it's worth considering and assessing whether or not the parking ordinances needs to be reduced. She also suggested doubling the EV charging stations.

Mr. Pappas stated that the demand for EV charging stations has increased.

Alderman Morris added that the EV stations could also be a draw for those passing through.

City Manager Nicklas stated that a list of considerations and amendments will be brought forward to Council in the near future from the City's Unified Development Ordinance (UDO), one of which includes parking requirements around town.

Alderman Morris stated we may want to consider that before taking significant action.

Brief discussion ensued.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

MOTION: Alderman Morris moved to waive second reading of the ordinance; seconded by Alderman McAdams.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

4. Ordinance 2022-008 Authorizing a Zoning Map Amendment from the "SFR1" Single Family Residential District to the "PD-C" Planned Development – Residential District and a Zoning Map Amendment from the "GC" General Commercial District to the "PD-R" Planned Development – Residential District, and Approval of a Preliminary Plan (2616 Barber Greene Road and 1383 Barber Greene Road (Arista Residences)).

Mayor Barnes read the ordinance by title only.

MOTION: Alderman Larson moved to approve first reading of the ordinance; seconded by Alderman McAdams.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. With the approval of the previous ordinance, the property needs to be rezoned to legally support the fully furnished apartment uses contemplated. According to the City's UDO, property annexed to the City is automatically zoned "SFR1" Single-Family Residential upon annexation, therefore, the applicant has requested rezoning of the .68 acres from the "SFR1" District to "PD-R" Planned Development-Residential District. The eastern 1.1 acres is zoned "GC" General Commercial District, so the applicant is further requesting a rezoning of that parcel to "PD-R" District to unify the site under a common zoning.

Alderman Smith asked if the parking requirements were reduced, would the amendment still have to be made. City Manager Nicklas replied that the extra space could be used to increase the amount of open space, however, the current code requires 92 parking spaces. In order to change that, this item would have to be taken back to the Planning and Zoning Commission and then back to Council. At this point the petitioners are prepared to accept the parking requirement.

Brief discussion ensued regarding future proposals in reduction of the parking requirement.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

MOTION: Alderman Morris moved to waive second reading and approve the ordinance; seconded by Alderman McAdams.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed.

Speaking to John Pappas, Mayor Barnes thanked him for the time and years of investment he's put into this community, noting that John grew up here and raised his family here.

N. REPORTS AND COMMUNICATIONS

1. Council Member Reports.

Noting the continuing rise of COVID cases, Alderman Morris encouraged residents to get their children vaccinated.

Alderman Smith encouraged residents to move their vehicles during snow event, especially those located on snow routes. He also encouraged helping neighbors shovel their sidewalks.

Mayor Barnes added that Management Analyst Scott Zak recently posted online information regarding snowplowing, noting that the dialogue has been great. He also thanked Andy Raih, Director of Streets, Facilities and Airport, for all the hard work he and his crew have put into clear DeKalb's streets after two recent snowfalls.

Alderman Larson stated that it's important to keep mailboxes clear of snow for those who deliver the mail.

Alderman Perkins also thanked Andy Raih and his crew for clearing away the recent snowfall from city streets.

Mayor Barnes also encouraged residents to do their part for the community and get vaccinated.

2. City Manager Report.

City Manager Nicklas had no report.

O. EXECUTIVE SESSION

Mayor Barnes read the following Executive Session exemption titles in their entirety:

Approval to Hold an Executive Session in Order to Discuss the following:

1. Workers Compensation as Provided for in 5 ILCS 120/2(c)(12).
2. Personnel as Provided for in 5 ILCS 120/2(c)(1).
3. The Appointment, Discipline, Performance or Removal of a Public Officer as Provided in 5 ILCS 120/2(c)(3).

MOTION: Alderman Perkins moved to recess for Executive Session; seconded by Alderman McAdams.

VOTE: Motion carried by a 6-0-2 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed and recessed the meeting at 6:46 p.m.

Following adjournment of the Executive Session, Mayor Barnes opened the meeting to the public at 7:47 p.m.

P. ADJOURNMENT

MOTION: Alderman Larson moved to adjourn the Regular meeting; seconded by Alderman Smith.

VOTE: Motion carried by a 6-0-2 voice vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Barnes. Nay: None. Absent: Verbic, Faivre. Mayor Barnes declared the motion passed and adjourned the meeting at 7:48 p.m.

Respectfully submitted,

Ruth A. Scott, Recording Secretary

Minutes approved by the City Council on February 14, 2022.

Click [here](#) to view the agenda packet for the January 24, 2022, Regular City Council meeting.

Click [here](#) to view the video recording of the January 24, 2022, Regular City Council meeting.