

**MINUTES
CITY OF DEKALB
CITY COUNCIL REGULAR MEETING
FEBRUARY 13, 2023**

The City Council of DeKalb, Illinois held a Regular meeting on February 13, 2023, 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, Alderman Mike Verbic, Alderman Tony Faivre, and Mayor Cohen Barnes.

Others in attendance included City Manager Bill Nicklas, City Attorney Matt Rose, and Police Chief David Byrd.

City Clerk Sasha Cohen was absent.

B. PLEDGE OF ALLEGIANCE

Shadow Gentry led the Pledge of Allegiance.

C. APPROVAL OF THE AGENDA

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

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

D. PRESENTATIONS

There were none.

E. PUBLIC PARTICIPATION

There was none.

F. APPOINTMENTS

There were none.

G. APPROVAL OF THE MINUTES

Mayor Barnes read the following by title only:

1. Minutes of the Regular City Council Meeting of January 23, 2022.

MOTION: Alderman Perkins moved to approve the minutes as submitted by the Recording Secretary; seconded by Alderman McAdams.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

H. CONSENT AGENDA

Mayor Barnes read the following Consent Agenda items by title only:

1. Accounts Payable and Payroll through February 13, 2023, in the Amount of \$3,144,533.44.
2. Investment and Bank Balance Summary through December 2022.
3. Year-to-Date Revenues and Expenditures through December 2022.
4. Joint Review Board Meeting Minutes of October 2022 Meeting.

MOTION: Alderman Morris moved to approve the Consent Agenda; seconded by Alderman Verbic.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

I. PUBLIC HEARINGS

There were none.

J. CONSIDERATIONS

1. Consideration of a Status Report on the Expanded School Resource Officer (SRO) Program.

Mayor Barnes read the item above by title only.

City Manager Nicklas introduced SROs Allison Remnes, Chris Sullivan, Danielle Sorenson, and Tony Densberger and provided an overview of this item based on the information provided in the agenda packet.

Kyle Gerdes, Director of Student Services for the DeKalb School District, provided highlights of the data submitted by the District regarding the program, noting the information was pulled from the District's student discipline records. Mr. Gerdes stated that across the board, the District is seeing a higher number of documented physical altercations and other incidents viewed as aggressive behavior. He also briefly reviewed actions the District might take to address the behavior.

Police Chief Byrd provided a history of the SRO program and where it stands now. He also noted the SROs must be versatile in their day-to-day work with students, stating their role is to protect students and faculty from outside threats.

SRO Sullivan spoke to the District's request for additional SROs, its new Code of Conduct, the revised Student and Parent Handbook, and the addition of more security positions. He further addressed the relationships the SROs are building with students and staff to improve conditions in order to provide safe learning.

Mayor Barnes asked SRO Sullivan his opinion of this school year compared to the last, to which SRO Sullivan replied that this year has been better.

Discussion ensued between Council and SRO Sullivan regarding the data presented, the differences seen between this school year and the last, defining types of aggressive student behavior, the method used for notifying parents or guardians of negative student behavior and their response, ordinance violations, and the types of citations issued.

Police Chief Byrd noted that the DeKalb Police Department has been sought out by state legislators regarding the City's SRO program.

Mayor Barnes asked Jose Jaquez of the District if he felt students were in a safer environment this year compared to last. Mr. Jaquez replied there's a noticeable difference between the beginning of the school year to now, noting that additional security has been added. He also noted the difference between school security and SROs, stating school security provides behavior management for students before and after school, and during passing periods.

Alderman Smith noted that the SROs have their own Facebook page.

There was brief discussion regarding talks of adding another SRO and it was clarified that two SROs were added and there was option for adding a third if the District wants to pursue.

Discussion ensued between Alderman Morris and City Attorney Rose regarding the delivery of citations, with City Attorney Rose noting that if a parent or guardian couldn't be reached, the citation would be mailed.

City Manager Nicklas stated another progress report on the SRO program would be provided later this year.

Mayor Barnes, Alderman Morris, and Alderman Perkins all thanked the SROs for their good work, team effort, and investment into the school children.

2. Consideration of the Impact of Video Gaming Establishments in the City of DeKalb.

Mayor Barnes read the item above by title only.

In response to direction received from Council at the January 23, 2023, meeting, City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. The City currently allows the existence of 10 video gaming establishments (VGEs), with a maximum of six video gaming terminals (VGTs) each. There are also a handful of other businesses with liquor licenses who have allowed VGTs as an accessory use, also with a maximum of six VGTs each. Combined, these businesses account for approximately \$500,000 in annual revenue for the City.

Mayor Barnes asked for the revenue percentages received by the State of Illinois versus the City. It was determined that the state collects 25 to 30 percent, and the City approximately five percent. Further, the City collects an application fee of \$1,000 upon initial approval and \$500 annually for each VGT in operation, not including not-for-profit organizations with PENP (Public Entity/Non-Profit) liquor licenses, which pay only \$25 per VGT annually.

Mayor Barnes asked Council for their thoughts on the use of VGTs within the City.

Alderman Faivre stated he's not in favor of VGEs, adding he would like to see them disappear through attrition, noting he finds VGTs as an accessory more palatable.

Alderman Verbic agreed with Alderman Faivre's comments, stating he doesn't feel this activity is what's best for the community, but some residents feel differently.

Alderman Larson stated she'd like to see all VGEs disappear, nor does she want to see them in gas stations or convenience stores. Mayor Barnes agreed, stating he's heard the same from residents.

Lengthy discussion ensued regarding attrition, licensing, capping the number of allowed VGEs and VGTs within DeKalb, business obligations of the VGE owners, revocation, raising initial fees and annual renewal fees, donating a portion of the City's VGT revenue to human service organizations, and initiating a moratorium for existing VGEs.

Alderman Perkins stated he's comfortable capping the number of allowed VGEs and VGTs, but he's not comfortable with attrition and feels business owners with VGTs should be allowed to speak for themselves on this topic.

Lengthy discussion continued, followed by Mayor Barnes indicating this topic would be tabled until he, City Manager Nicklas, Alderman Perkins, and City Attorney Rose could discuss all avenues.

K. RESOLUTIONS

1. Resolution 2023-018 Approving a Retail Tobacco Store License for Dina 5 Inc., d/b/a Smoker's Choice, 1180 W. Lincoln Highway.

Mayor Barnes read the resolution by title only.

MOTION: Alderman Verbic 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. Dina 5 Inc., in care of owner Marguerite Jumah, was approved for a special use permit for a retail tobacco store on November 14, 2022, on recommendation from the Planning and Zoning Commission (PZC).

In reference to recent discussions about limiting the number of retail tobacco stores in DeKalb, Alderman Verbic suggested that the local market should determine the number of retail tobacco stores in DeKalb.

Mayor Barnes agreed with Alderman Verbic but stated that Council can determine the types of businesses it allows in DeKalb to prevent negative behaviors.

Much like Alderman Perkins' comments during discussion of the previous item, Alderman Verbic stated he would like to hear from DeKalb residents about what their feelings are regarding retail tobacco stores, as well as VGEs and VGTs as an accessory use.

Brief discussion ensued.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

2. Resolution 2023-019 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 Smith moved to approve the resolution; seconded by Alderman Morris.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. The purchase of water meters and radio transmitters is typically budgeted on an annual basis by the Public Works Department to serve as replacements to those water meters that have decreased accuracy and radio transmitters that have expended their battery life, which is every 15 to 20 years.

There were no questions or comments from Council.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

3. Resolution 2023-020 Approving a Limited Solar Farm Lease for Northern Tier Farm Partnership.

Mayor Barnes read the resolution by title only.

MOTION: Alderman Verbic moved to approve the resolution; seconded by Alderman Faivre.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. Approval of this resolution would amend the development agreement with DeKalb Taylor Solar, LLC, which allowed a development period for DeKalb Taylor Solar through December 31, 2023. However, the construction period will not begin until the latter part of 2023, at the earliest. Therefore, the City would like to take advantage of leasing the 48-acre site to Northern Tier Farm Partnership for the farmland around the DeKalb Taylor Municipal Airport in the amount of \$382.165 per acre.

Alderman Morris asked if the pricing is per acre per month or per acre per year, with City Manager Nicklas responding it's per acre per year.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

4. Resolution 2023-021 Approving the Transportation Improvement Program (TIP) for Federal Fiscal Years 2024-2028 at the DeKalb Taylor Municipal Airport.

Mayor Barnes read the resolution by title only.

MOTION: Alderman Perkins 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. Each year, the Public Works Department submits a revised five-year plan for airport capital projects to the Illinois Department of Transportation, Division of Aeronautics (IDOT-DOA) for review and approval; the current plan is for the FY2024–2028 TIP.

One project on previous TIP documents was the replacement of perimeter fencing to keep wildlife out of the airport runway areas and to enhance airport security. Although the project had fallen off the federal priority list for the airport in favor of larger paving projects, it is still an essential task to enforce the City's current airport rating. U.S. Representative Lauren Underwood was aware of the fencing project and, after several years of dedicated negotiation in Congress, she was able to deliver a federal commitment for \$1,125,000 to replace a large part of the fencing. The City will be able to afford the local share when required at the end of this year or the beginning of 2024.

With respect to the projects that IDOT-DOA has identified on the City's TIP, further aircraft parking apron work is planned in the next few years, but the highest priority is the milling and re-surfacing

of the “short” east-west Runway 9/27, which is showing significant wear. The substantial local share for these paving projects has not been identified yet. With the termination of TIF #1 at the end of 2021, a reliable funding source for airport improvements was lost, and airport capital projects have competed with other City capital projects, including street paving, for limited, recurring general capital dollars.

It is fiscally prudent to adopt the proposed FY2024-2028 TIP with the expectation that the rehabilitation of Runway 9/27 will be started in 2024. The overall budget is \$2,640,000 with a federal share of \$2,376,000, a state share of \$132,000, and a local share of \$132,000 (90% federal, 5% state, 5% local).

There were no questions or comments from Council.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

L. ORDINANCES – SECOND READING

There were none.

M. ORDINANCES – FIRST READING

1. Ordinance 2023-010 Approving a Special Use Permit for a Cannabis Business Establishment (Cannabis Dispensary) at 305 E. Locust St. (Canndid Spirit Too, LLC).

Mayor Barnes read the ordinance by title only.

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

Dwayne Brown spoke in favor of the new business, noting it’s wonderful news for medical cannabis users and it will provide increased tax revenue for DeKalb.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. The petitioner, Canndid Spirit Too, LLC, is requesting approval of a special use permit for a cannabis business establishment/dispensary at 305 E. Locust Street. The subject site is zoned “CBD” Central Business District where cannabis dispensaries are a special use.

Alderman Verbic noted the background information for this item mentioned the applicant applying for TIF funding for accessibility improvements to the property and asked if that was a requirement. City Manager Nicklas replied it wasn’t, noting the funding would most likely be provided through the City’s Architectural Improvement Program (AIP).

Alderman McAdams noted his approval of this item.

Mayor Barnes asked about signage for the business. City Manager Nicklas replied that signage is allowed and will have to conform to the City’s requirements.

Mayor Barnes continued, stating someone had reached out to him with concerns about the type of signage that will be allowed.

Nakia McAdoo, one of the managers of the business, stated they are bound by State requirements to provide certain signage.

Crystal Anderson, agent and manager of the business, stated the signage will be tastefully done.

City Attorney Rose added that State law regulates signage for such businesses, and it's also a condition of the special use.

Mayor Barnes stated he's excited for the new business and welcomed them to the community.

Ms. Anderson stated they hope to be open by Corn Fest 2023.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

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

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

2. Ordinance 2023-011 Amending Chapter 23 "Unified Development Ordinance", Article 12 "Off-Street Parking, Loading, and Storage Requirements".

Mayor Barnes read the ordinance by title only.

MOTION: Alderman Faivre 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. The proposed amendments reflect the 2022 Comprehensive Plan, which called for review of the City's parking standards to ensure the parking requirements align more closely with actual parking demands. The plan also called for more flexibility in the placement of required landscaping around a parking lot.

Alderman Faivre thanked Principal Director Olson for working on this item, noting the City has received many requests for parking variances at public buildings and it's a waste of space if no one is uses them.

Brief discussion ensued.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

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

VOTE: Motion carried by an 8-0 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed.

N. REPORTS AND COMMUNICATIONS

1. Council Member Reports.

Alderman Verbic reported that a much anticipated second dispensary, New Era, which will be in the Junction Shopping Center, is getting ready to start its build out of the location.

Alderman Larson praised City staff for the amount of effort and energy put into the background information provided to Council for each meeting.

Alderman Morris reported that she met with the DeKalb branch of Birth to Five Illinois, a department of the nonprofit organization INCRA (Illinois Network of Childcare Resource and Referral Agencies), which is funded by grants through the Illinois State Board of Education and the Illinois Department of Human Services. INCRA has been tasked with completing a needs assessment for each of the 39 regions of Illinois in an effort to improve the early childhood education care system. She encouraged citizens to look up INCRA's Facebook page for more information.

Mayor Barnes reported on recent meetings and events he's attended, which included being a guest on the WLBK radio show, attending an event with other City staff where the City was awarded a large grant by Congresswoman Lauren Underwood for the DeKalb Taylor Municipal Airport, meeting with State Representative Jeff Keicher to discuss economic development, meeting with State Representative Lance Yednock who is looking for office space in DeKalb, attending the monthly NIU meeting with City Manager Nicklas, attending the DeKalb Chamber of Commerce annual dinner, meeting with a developer for a potential residential development, and meeting with resident Matthew Beamsley to discuss local Fourth of July fireworks and making the annual event more accessible to the community.

2. City Manager Report.

City Manager Nicklas had no report.

O. EXECUTIVE SESSION

There was none.

P. ADJOURNMENT

MOTION: Alderman Morris moved to adjourn the meeting; seconded by Alderman Faivre.

VOTE: Motion carried by an 8-0 voice vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Mayor Barnes declared the motion passed and adjourned the meeting at 8:13 p.m.

Respectfully submitted,

Ruth A. Scott, Recording Secretary

Minutes approved by the City Council on February 27, 2023.

Click [here](#) to view the agenda packet for the February 13, 2023, Regular City Council meeting.

Click [here](#) to view the video recording of the February 13, 2023, Regular City Council meeting.