

**MINUTES
CITY OF DEKALB
REGULAR CITY COUNCIL MEETING
FEBRUARY 14, 2022**

The City Council of DeKalb, Illinois held a Regular meeting on February 14, 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.

City Clerk Sasha Cohen 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 and City Attorney John Donahue.

B. PLEDGE OF ALLEGIANCE

Deputy Police Chief Jason Leverton lead 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

Mayor Barnes read the following appointments and reappointments in their entirety:

1. Appointment of Acting Fire Chief Mike Thomas to the Foreign Fire Insurance Tax Board and the Fire Pension Board Until No Longer Acting Fire Chief.
2. Appointment of Linda Babcock and James Briscoe to the Finance Advisory Committee, Each for the Completion of a Four-Year Term through December 31, 2025.
3. Reappointment of Max Maxwell as Chair to the Planning and Zoning Commission for the Completion of a Two-Year Term through December 31, 2023.

4. Reappointment of India Washington to the DeKalb Public Library Board for the Completion of a Three-Year Term through June 30, 2024.
5. Reappointment of Sam Finch to the Board of Fire and Police Commissioners for the Completion of a Three-Year Term through December 31, 2024.
6. Reappointment of Melissa Beck, Helen Umbdenstock, and Ellingsworth Webb to the Citizens' Community Enhancement Commission, Each for the Completion of a Three-Year Term through December 31, 2024.
7. Reappointment of Sam Walt to the Economic Development Commission for the Completion of a Three-Year Term through December 31, 2024.
8. Reappointment of Joe Gastiger to the Human Relations Commission for the Completion of a Three-Year Term through December 31, 2024.
9. Reappointment of Robert Owens as Chair and James Rhodes as a Member to the Airport Advisory Board, Each for the Completion of a Four-Year Term through December 31, 2025.

MOTION: Alderman Verbic moved to approve the appointments and reappointments; seconded by Alderman Morris.

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.

G. APPROVAL OF THE MINUTES

1. Minutes Submitted by the City Clerk

There were none.

2. Minutes Submitted by the Recording Secretary.
 - a. Minutes of the Joint Review Board Meeting of October 22, 2021.
 - b. Minutes of the Regular City Council Meeting of January 24, 2022.

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

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 14, 2022, in the Amount of \$6,504,646.49.
2. Investment and Bank Balance Summary through December 2021.
3. Year-to-Date Revenues and Expenditures through December 2021.

MOTION: Alderman Smith moved to approve the Consent Agenda; 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.

I. PUBLIC HEARINGS

There were none.

J. CONSIDERATIONS

There were none.

K. RESOLUTIONS

1. Resolution 2022-014 Approving a List of Engineering Firms as Prequalified to Provide General Engineering Services for the City of DeKalb through 2026.

Mayor Barnes read the resolution by title only.

MOTION: Alderman McAdams 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. The City relies on outside services for engineering design and supervision on several large projects each year. It's appropriate to review the current qualifications, past performance, and business structure of potential service providers on a periodic basis, which last occurred about five years ago.

The engineering firms recommended for "pre-qualification" are as follows: Baxter & Woodman, Civil Engineering Services, Inc., Engineering Enterprises Inc., Fehr Graham & Associates LLC, Hampton, Lenzini and Renwick, Inc., Kaskaskia Engineering Group LLC, Wendler Engineering Services LLC, and Willis Burke Kelsey Associates LLC.

There was no discussion among 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.

2. Resolution 2022-015 Authorizing an Agreement for Engineering Services with Fehr Graham & Associates, LLC for the 2022 General Street Maintenance Program with a Fee for FY2022 Not to Exceed ~~\$135,000~~ \$170,000.

Mayor Barnes read the resolution by title only.

City Attorney Donahue stated he had received information from City Engineer Zac Gill that the amount listed in the title should be \$170,000, not \$135,000, which was confirmed to be correct.

Mayor Barnes reread the resolution title with the correct amount.

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

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. In 2019, the Public Works department circulated a request for proposals to a list of pre-qualified engineering firms for a three-year contract associated with the City's annual street maintenance work. Fehr-Graham was chosen and performed well during the 2019, 2020 and 2021 street maintenance programs, achieving a high level of satisfaction from impacted residents and businesses. In addition, the Fehr-Graham project manager was able to complete the services under budget for each of the last two years. Assuming the scope of the 2022 street maintenance program is approximately \$2,200,000, the \$170,000 fee represents a serious savings if the City extends the contract for an additional year.

There was no discussion among 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 2022-016 Authorizing the Purchase of Two (2) Ford F-250 Super Duty Pickup Trucks through Morrow Brothers Ford for the Public Works Street Division in an Amount Not to Exceed \$79,950.

Mayor Barnes read the resolution by title only.

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

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. The Public Works Street Division is requesting authorization to purchase two Ford F-250 Super Duty Pickup Trucks through Morrow Brothers Ford in an amount not to exceed \$79,950. The vehicles will replace a 1997 Chevrolet $\frac{3}{4}$ ton pickup and a 2001 Chevrolet $\frac{3}{4}$ ton pickup used for year-round operations within the Division.

There was no discussion among Council.

Noting the age of the vehicles being replaced, Mayor Barnes thanked Andy Raih, Public Works Director of Streets, Facilities and Airport, for the care and maintenance given to City's fleet, especially the older vehicles, making them last beyond their useful life.

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 2022-017 Authorizing the Purchase and Equipping of One Ford F-350 Super Duty Pickup Truck through Morrow Brothers Ford for the DeKalb Fire Department in an Amount Not to Exceed \$59,620.

Mayor Barnes read the resolution by title only.

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

Prior to his overview of this item, City Manager Nicklas agreed with Mayor Barnes' comment regarding the care taken with the City's fleet to keep it functioning.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. The Fire Department is requesting Council authorization for the budgeted

purchase of a 2022 Ford F-350 pick-up truck to be used as a Utility vehicle that can serve multiple purposes. The Department's current "brush truck" is a 2002 ¾ Ton Dodge Ram, which is used for field fires, plowing snow at Fire facilities, and hauling equipment to training and live fire scenes. The current brush truck is nearly 20 years old and has recently been out of service for costly repairs.

There was no discussion among 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.

5. Resolution 2022-018 Approving a Specialized Aviation Service Operation Agreement (SASO) and Community Hangar Lease (Aeromotive).

Mayor Barnes read the resolution by title only.

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

Eric Dienst, owner of Rev'd Up Motorsports, stated his business, as well as others that work out of the DeKalb Taylor Municipal Airport (DTMA), has been required to work from a specific set of standards over the years, which are spelled out in the lease agreement document. He noted that that at times working from these standards has caused financial burden, specifically as it applies to space requirements. However, it doesn't appear that Aeromotive is being required to meet those same standards and requested that this be investigated further.

Alderman Morris asked what standards may be different.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. Aeromotive Services, Inc. specializes in automotive and aviation-specific electrical products and services that include automotive connectors, wire harness remanufacturing and reconditioning, custom manufacturing of wire assemblies, the creation or origination of universal connectors, and the replacement of complex electrical products for aviation and aerospace industries. They are also an FAA Certificated Repair Station. Their initial focus will be removing existing aircraft avionics and instrument panels and replacing them with new Dynon Certified avionics and custom instrument panels. If the lease is approved and the new space is successful, the firm would consider relocating its FAA repair station to the DTMA.

Alderman Faivre stated he wants to ensure that the City is being business friendly, especially at the DTMA so it can be profitable and self-sustainable. He also wants to make sure the City is being equitable to all businesses at the DTMA.

Continuing, Alderman Faivre stated he had been contacted regarding Mr. Dienst's concerns, noting that the City is making an exception for Aeromotive that's significantly less than what's been asked of other businesses at the DTMA for 10 plus years.

City Manager Nicklas commented on the Minimum Standards document, stating it was put together by an Airport Advisory Board (AAB) of many years ago (2007), and recognized that it needs to be cleaned up, just as the hangar leases have been as they've expired over the last couple of years.

Noting his support of this item, Alderman McAdams commented that cleaning up the messes of an old regime is important.

Alderman Morris also expressed her support for this item but would like to see an update of the minimum standards prioritized so that it's fair to all tenants.

There was brief discussion between Alderman Smith and Mr. Dienst regarding space requirements listed in the document. Alderman Smith agreed that the contents of the document need to be investigated.

Alderman Larson stated if she casts a vote of approval for this item, she will have to be assured that something substantial is going to be done to assist those businesses working out of the DTMA who've had to work by the standards in question.

Alderman Verbic asked if the current agreement could be remodified now, or does it have to wait until it expires.

City Manager Nicklas stated that the former lease agreement document was anti-business, but improvements have been made. He agreed with Council, noting this is something that will take time to sort through.

Mayor Barnes suggested asking the AAB to review the 2007 minimum standards document and make revisions that are more business friendly.

Alderman Faivre stated that could be done, as well as inviting current business owners at the DTMA to provide input. He mentioned an upcoming marketing planning meeting scheduled in the near future, noting it would be great to have input from those with current leases.

Mayor Barnes stated he trusts passing this item knowing that the City will revisit what's currently happening with the businesses at the DTMA and be equitable with all of them.

Alderman Perkins stated he thinks this item should be tabled so the City can consider what its past practices have been and what they could be and determine how this fits in with that. Going forward with something that's inconsistent with past practices doesn't seem fair to him.

Mayor Barnes stated that the City does one offs quite a bit with certain projects if it's felt that it's beneficial to the community.

Alderman Perkins stated his concern is for the business owner who's followed the rules as written and now the City has a one off with a business who's not being asked to follow those same rules.

Alderman Morris asked if Council were to pass this item, could it be considered a new precedence and recognized as the new standard.

Alderman McAdams stated when he was elected, he was notified of a large group of people working behind the scenes to stifle growth in DeKalb and this has brought to light just another example of ways growth can be stifled in a stealthy way. He stated he likes Alderman Morris' idea of setting this as the new standard and moving forward.

City Manager Nicklas suggested approval of this item, followed up by a review of the leases of those working out of the DTMA to see if there are inordinate inconsistencies and unfair practices that have continued over the years. Alderman Faivre agreed with City Manager Nicklas.

Alderman Verbic asked for a timeframe for the review to be completed, suggesting 60 days. City Manager Nicklas stated he felt that would be more than enough.

Alderman Perkins asked Mr. Dienst if that would be fair. Mr. Dienst replied that the SASO document directly calls out having to stay in compliance with the Minimum Standards document. The requirements on what business owners must do to run the business is what's changing.

Brief discussion ensued regarding the type of documents involved. City Manager Nicklas stated the City Attorneys will be brought into the discussion.

Mayor Barnes stated for him it's the spirit of the document and knowing what needs to be accomplished.

Alderman Larson asked about the space needs of Aeromotive. City Manager Nicklas explained that Aeromotive described the type of space they would need during a conversation with Airport Manager Renee Riani. It was negotiated and arrived at with mutual agreement.

Alderman Larson commented that the City was negotiating without following its own rules. City Manager Nicklas stated the Minimum Standards document has no tether. Council can decide that this is the rule for this tenant.

Alderman Faivre stated he loves that the City wants to be business friendly and attract new business to the DTMA, but if this was actually codified and such drastic measures were being asked for, he'd vote against it. He then advised Mr. Dienst that the document will be updated and the City will do what's equitable for all involved.

Carl Dumele, the CEO of Aeromotive, stated he's sympathetic to Mr. Dienst and he's glad this topic is being discussed because in five years he'll be in the same situation. He added that the services his business offers will bring a good element to the City and the DTMA.

Alderman Perkins asked Alderman Faivre if he sees going back and aligning the agreement with the other businesses in the short term. Alderman Faivre replied that Mr. Dienst could take his agreement to the City Manager for review and perhaps find an opportunity to reduce the required space.

Alderman Perkins stated he also wants to be business friendly, but it's important to be respectful of those existing businesses and take care of them too. Mayor Barnes agreed.

Alderman Morris stated we can go along and change the agreement for Mr. Dienst whether he needs it now or not and she thinks in that context acknowledge that he may not need it now and it may not be helpful at this point. However, recognizing that the changes in the future that his business may experience may prove useful in the future for him. She thinks it's important to acknowledge that we can't go back and right past differences, but she thinks it's important to acknowledge we're making a change now although we're sorry we cannot make everything perfect all at once.

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.

Speaking to Mr. Dienst, Mayor Barnes stated he will make sure that we live up to his expectations and do as much as we can to be equitable during this process.

6. Resolution 2022-019 Approving a Compensation Increase for the City Manager in FY2022.

Mayor Barnes read the resolution by title only.

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

Mayor Barnes stated that the proposed 2.5% cost of living adjustment is an increase that all staff were given for FY2022. Since the City Manager reports directly to the City Council, the City Council needs to approve the adjustment on his behalf.

Alderman Faivre stated it's a pleasure working with City Manager Nicklas, and he absolutely feels that he is deserving of this increase in pay. He added that City Manager Nicklas has done a fantastic job over the past few years, and it's been great for the City of DeKalb.

Mayor Barnes stated he agrees with Alderman Faivre's comments 100%, adding that City Manager Nicklas has been great so far. He also added that he feels the City is getting off cheap in this process and he appreciates the hard work, diligence, and energy City Manager Nicklas puts into the job.

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 2022-009 Partially Abating the 2021 Tax Levy in the Amount of the Recapture Revenue of \$24,691 from the Adjustments for Certificates of Error, Certain Court Orders, or Final Administrative Decisions of the Property Tax Appeal Board Made Pursuant to 35 ILCS 200/18-233.

Mayor Barnes read the ordinance by title only.

MOTION: Alderman Smith 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. In late January, the DeKalb County Tax Extension Clerk notified local taxing bodies that a new Illinois law signed by the Governor last fall may have an impact on the levies that are annually extended by the County Clerk and Recorder. Specifically, the law automatically adjusts taxing bodies' levies by the amount of revenue lost due to property tax refunds for certificates of error, Property Tax Appeal Board final administrative decisions, and qualified court

orders. Although Cook County and other Illinois counties have reasoned that the new law does not apply to home rule units of government, the DeKalb County State's Attorney's Office has interpreted the law to apply to home rule governments too. If unabated, the potential "recapture" revenues would be added to the City's corporate levy and some special service area levies. Impacts as determined by the County Extension office were provided in the agenda packet summary.

Approval of this item on both readings was recommended.

There was no discussion among 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.

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

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 2022-010 Approving the Final Development Plan for the First United Methodist Church, 2501 N. Annie Glidden Road.

Mayor Barnes read the ordinance by title only.

MOTION: Alderman Verbic moved to approve first reading of the ordinance; seconded by Alderman Faivre.

Sherry Uhrich, Chair of the Executive Building Team for First United Methodist Church, stated that the current church building they occupy is 114 years old, and while beautiful, it isn't safe. If approved, the new church would be built on the north side of town, where they hope to provide a lot of outreach to the community.

In response, Pastor Crail of the First United Methodist Church said "amen".

Alderman Morris stated she supports this project and she's thrilled that they're getting involved in the Annie Glidden north area.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. The City Council passed Ordinance 2020-046, which approved an annexation and development agreement to allow for a new DeKalb First United Methodist Church facility on the west side of N. Annie Glidden Road across from the DeKalb County Health Facility Campus. The church intends to relocate from their present location at the corner of N. Fourth Street and Oak Street. The new church site comprises 15.87 acres, 6.54 acres of which were annexed into the City as part of the rezoning process in 2020. The site is zoned PD-R, Planned Development Residential. The proposed church building and parking lot will be located at the eastern portion of the property. The annexation and development agreement required the submittal of a Final Development Plan prior to construction of the facility.

There was no discussion among 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.

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

Mayor Barnes offered congratulations, stating he was looking forward to the project being completed.

N. REPORTS AND COMMUNICATIONS

1. Council Member Reports.

Alderman McAdams reported his attendance at a recent Human Relations Commission (HRC) meeting where they discussed license plate readers (LPRs) and learned there are three towing businesses in DeKalb that have private contracts to check license plates with LPRs. Information received from those reads, whether an Amber Alert or the location of a felon within DeKalb goes to the Police Department.

Alderman Morris reported she's been receiving complaints the entire time she's been on Council about the speed on Ridge Road. The most recent complaint was from someone whose car was side swiped by a hit-and-run driver. She stated she will begin working harder with City Manager Nicklas and City Engineer Gill in order to put this issue to rest. Mayor Barnes asked Alderman Morris to keep him informed about the situation.

Alderman Larson reported that she had breakfast with the staff at the Public Works Department. She also reported she was impressed with how clean the shop was and how hard the employees are working to keep the City's older fleet vehicles in good working condition. Alderman Larson also reported that she attended today's swearing in and pinning ceremony at Fire Station #1 of nine SAFER Grant recruits.

Mayor Barnes asked Alderman Larson why she was at breakfast with the Public Works Department. She responded that she brought them breakfast because she wants them to know they're appreciated. Alderman Larson further stated that most times employees get calls with complaints and rarely do they receive calls of thanks. So, she wanted to let them know that as a Council person and a resident she really appreciates all the work they do.

Alderman Perkins congratulated the DeKalb High School wrestling team for sending 12 players to the state competition.

Alderman Verbic stated it looks like COVID data is improving, and if that continues, he's hoping to have an in-person Ward 6 meeting in March. He encouraged Ward 6 residents and business owners to forward agenda item ideas or topics of discussion to his attention. Mayor Barnes expressed that he'd like to attend that meeting.

Alderman Faivre congratulated the new firefighters who were sworn in today. He also offered his appreciation to the Public Works Department for the work they do.

Mayor Barnes reported that he and City manager Nicklas participated on a new initiative called the Criminal Justice and Reentry Collaboration Program, which focuses on restored citizens that are from DeKalb and how we can help them make a smooth transition. He also reported that he attended the DeKalb Public Library Board meeting last week and happy to see them pass the abatement.

In closing, Mayor Barnes stated there was great discussion and input at this meeting.

2. City Manager Report.

City Manager Nicklas stated that tomorrow morning he will be asking for copies of commercial leases at the DTMA for further review.

O. EXECUTIVE SESSION

There was none.

P. ADJOURNMENT

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

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 and adjourned the meeting at 7:20 p.m.

Respectfully submitted,

Ruth A. Scott, Recording Secretary

Minutes approved by City Council on February 28, 2022.

Click [here](#) to view the agenda packet for the February 14, 2022, Regular City Council meeting.

Click [here](#) to view the video recording of the February 14, 2022, Regular City Council meeting.