

**MINUTES
CITY OF DEKALB
REGULAR CITY COUNCIL MEETING
MARCH 9, 2020**

The City Council of DeKalb, Illinois held a Regular City Council meeting on March 9, 2020, in the City Council Chambers of the DeKalb Municipal Building, 200 South Fourth Street, DeKalb, Illinois.

A. CALL TO ORDER AND ROLL CALL

Mayor Smith called the meeting to order at 6 p.m.

City Clerk Lynn Fazekas called the roll, and the following members of City Council were present: Alderman Carolyn Morris, Alderman Bill Finucane, Alderman Tracy Smith, Alderman Greg Perkins, Alderman Scott McAdams, Alderman Mike Verbic, Alderman Tony Faivre, and Mayor Jerry Smith.

Staff present included: City Manager Bill Nicklas, Assistant City Manager Ray Munch, Principal Planner Dan Olson, City Engineer Zac Gill, Management Analyst Jason Blumenthal, and City Attorney John Donahue.

B. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

Mayor Smith led the Pledge.

C. APPROVAL OF THE AGENDA

Mayor Smith asked for requests for changes to the agenda. None were offered.

MOTION

Alderman Morris moved to approve the agenda. Alderman Verbic seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: none.

D. PUBLIC PARTICIPATION

Cohen Barnes and Frank Roberts, representing the DeKalb County Economic Development Corporation executive board and members, expressed support for DeKalb's pre-development agreement with Ventus.

Gerald Blazey, representing Northern Illinois University President Lisa Freeman, expressed support for the new data center project with Ventus.

E. PRESENTATIONS

1. DeKalb County Health Department Presentation by Lisa Gonzalez, Public Health Administrator.

Administrator Gonzalez did not speak. Instead, Mayor Smith reported on his communications with Administrator Gonzalez, as well as a phone conference with the governor's office about plans to combat the infectious COVID-19 virus.

F. APPOINTMENTS

1. Appointment of Patrick Fagan to the Police Pension Board for the Completion of a Two-Year Term through May 31, 2021.

Mayor Smith read the appointment item.

MOTION

Alderman Smith moved to approve the appointment. Alderman McAdams seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Morris, Mayor Smith. Nay: none. Mayor Smith declared the motion approved.

G. CONSENT AGENDA

1. Minutes of the Regular City Council Meeting of February 24, 2020.
2. Accounts Payable and Payroll through March 9, 2020 in the Amount of \$3,179,956.76.

Mayor Smith read each item of the consent agenda.

MOTION

Alderman Faivre moved to approve the consent agenda. Alderman Perkins seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Smith, Perkins, McAdams, Verbic, Faivre, Morris, Finucane, Mayor Smith. Nay: none. Mayor Smith declared the motion approved.

H. PUBLIC HEARINGS

There were none.

I. CONSIDERATIONS

1. Consideration of Tax Increment Financing (TIF) Support for the Remodeling of Property at 260 E. Lincoln Highway.

City Manager Bill Nicklas introduced the project, which would involve transforming the former O'Leary's property to a Mexican grill restaurant.

Most council members expressed support for assisting the project in some way with TIF funding, though none completely approved of any option presented. Discussion included:

- Support for a 10-year time frame for repayment instead of 20 years.
- Opposition to covering property acquisition costs since the building is neither blighted nor has it lain vacant for long.
- Reservations about consistency and the fact the property has received TIF assistance in the past.
- Opposition to helping with remodeling at the present time because the building is usable as is and the need for extra seating capacity is not yet known.

Assistant City Manager Munch told Council the property previously received \$56,600 TIF for façade improvements and involved a 5-year payback.

Mayor Smith summarized the discussion, observing that several Council members lean against using TIF for acquisition costs in this situation, though some like "Option C" otherwise, with Alderman Morris opposing. It was decided City staff should continue talks with the developer in light of Council discussion.

J. RESOLUTIONS

1. Resolution 2020-019 Authorizing a Pre-Development Agreement with Ventus Tech Services, LLC.

Mayor Smith read the resolution by title only.

MOTION

Alderman McAdams moved to approve the resolution. Alderman Finucane seconded.

Paul Callighan of DeKalb County Economic Development Corporation (DCEDC), spoke in support of the pre-development agreement. He said it supports the DCEDC philosophy to diversify and create well-paying local jobs.

City Manager Nicklas presented a map that shows the properties the developers are trying to acquire and the general plans for the campus as well as the expected investment. The parcels are entirely contained within the existing enterprise zone, he said.

VOTE

Motion carried 8-0 on roll call vote. Aye: Perkins, McAdams, Verbic, Faivre, Morris, Finucane, Smith, Mayor Smith. Nay: none. Mayor Smith declared the resolution passed.

2. Resolution 2020-020 Authorizing a Revised Intergovernmental Cooperation Agreement for the Metropolitan Planning Organization in the DeKalb Urbanized Area of DeKalb County, Illinois.

Mayor Smith read the resolution by title only.

MOTION

Alderman Finucane moved to approve the resolution. Alderman Verbic seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: McAdams, Verbic, Faivre, Morris, Finucane, Smith, Perkins, Mayor Smith. Nay: none. Mayor Smith declared the resolution passed.

3. Resolution 2020-021 Approving a Bar Liquor License for TE & OP LLC, d/b/a Athena's Palace, 1704 Sycamore Road, with Supplemental Licensure for Video Gaming.

Mayor Smith read the resolution by title only.

MOTION

Alderman McAdams moved to approve the resolution Alderman Smith seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Verbic, Faivre, Morris, Finucane, Smith, Perkins, McAdams, Mayor Smith. Nay: none. Mayor Smith declared the resolution passed.

4. Resolution 2020-022 Approving a Restaurant/Bar Liquor License for Brinker Restaurant Corporation, d/b/a Chili's Grill & Bar, 2370 Sycamore Road.

Mayor Smith read the resolution by title only.

MOTION

Alderman Morris moved to approve the resolution. Alderman Perkins seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Faivre, Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: none. Mayor Smith declared the resolution passed.

5. Resolution 2020-023 Authorizing an 18-Month Extension to the Fuel Supply Agreement with World Fuel Services from June 29, 2020 to December 31, 2021.

Mayor Smith read the resolution by title only.

MOTION

Alderman Faivre moved to approve the resolution. Alderman Verbic seconded.

Jim Mason said he worked with the airport manager on the original agreement and that DeKalb is developing a world-class airport.

VOTE

Motion carried 8-0 on roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: none.

6. Resolution 2020-024 Authorizing the Purchase of One Chevrolet Traverse Transit Staff Support Vehicle Based on the State Bid Contract Pricing in an Amount Not to Exceed \$28,000.

Mayor Smith read the resolution by title only.

MOTION

Alderman Morris moved to approve the resolution. Alderman Smith seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Morris, Mayor Smith. Nay: none.

7. Resolution 2020-025 Approving a Collective Bargaining Agreement with the DeKalb Fraternal Order of Police, Lodge #115, Illinois Fraternal Order of Police Labor Council for the Period from January 1, 2020 through December 31, 2022.

Mayor Smith read the resolution by title only.

MOTION

Alderman McAdams moved to approve the resolution. Alderman Morris seconded.

City Manager Nicklas said Lodge #115 has ratified the agreement. He said the contract addresses inequities in some of the wage steps that are seen to be affecting retention.

VOTE

Motion carried 8-0 on roll call vote. Aye: Smith, Perkins, McAdams, Verbic, Faivre, Morris, Finucane, Mayor Smith. Nay: none. Mayor Smith declared the resolution passed.

8. Resolution 2020-026 Authorizing an Assignment of Agreement for Legal Services to Donahue & Rose, P.C.

Mayor Smith read the resolution by title only.

MOTION

Alderman Verbic moved to pass the resolution. Alderman Finucane seconded.

City Manager Nicklas told Council the contracted attorneys' original firm has been dissolved.

VOTE

Motion carried 8-0 on roll call vote. Aye: Perkins, McAdams, Verbic, Faivre, Morris, Finucane, Smith, Mayor Smith. Nay: none. Mayor Smith declared the resolution passed.

9. Resolution 2020-027 Authorizing an Agreement with Fly America for Interim Airport Manager Responsibilities.

Mayor Smith read the resolution by title only.

MOTION

Alderman Faivre moved to approve the resolution. Alderman Perkins seconded.

City Manager Nicklas said the agreement anticipates Fly America would perform as interim manager for 60 days. He said finalists in the manager search would be determined later in the week.

VOTE

Motion carried 8-0 on roll call vote. Aye: McAdams, Verbic, Faivre, Morris, Finucane, Smith, Perkins, Mayor Smith. Nay: none.

K. ORDINANCES – SECOND READING

There were none.

L. ORDINANCES – FIRST READING

1. Ordinance 2020-013 Publishing the Official Zoning Map of the City of DeKalb.

Mayor Smith read the ordinance by title only.

MOTION

Alderman Morris moved to pass first reading. Alderman Finucane seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Verbic, Faivre, Morris, Finucane, Smith, Perkins, McAdams, Mayor Smith. Nay: none.

MOTION

Alderman Finucane moved to waive second reading and approve the ordinance. Alderman Verbic seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Faivre, Morris, Finucane, Smith, Perkins, McAdams, Verbic, Mayor Smith. Nay: none. Mayor Smith declared the ordinance passed.

2. Ordinance 2020-014 Approving a Special Use Permit to Allow for a Drive Through in Conjunction with a Coffee and Ice Cream Shop to be Located at 1406 Sycamore Road (Jim Mason- JLAR, LLC).

Mayor Smith read the ordinance by title only.

MOTION

Alderman Morris moved to approve first reading. Alderman Smith seconded.

Council discussed with Principal Planner Olson the traffic flow, access from Oakland Drive, and how this would work with the Secretary of State's Office on Oakland.

VOTE

Motion carried 8-0 on roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: none.

MOTION

Alderman Finucane moved to waive second reading and approve the ordinance. Alderman Smith seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Morris, Mayor Smith. Nay: none.

3. Ordinance 2020-015 Approving a Special Use Permit to Allow for a Private Therapeutic Day School to Locate in the Former Chesebro Elementary School Located at 900 E. Garden Street (DeKalb Community Unit School District #428).

Mayor Smith read the ordinance by title only.

MOTION

Alderman Morris moved to pass first reading. Alderman Verbic seconded.

City Manager Nicklas noted Planning & Zoning voted 5-0 in support of the permit.

VOTE

Motion carried 8-0 on roll call vote. Aye: Smith, Perkins, McAdams, Verbic, Faivre, Morris, Finucane, Mayor Smith. Nay: none.

MOTION

Alderman Verbic moved to waive second reading and approve the ordinance. Alderman McAdams seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Perkins, McAdams, Verbic, Faivre, Morris, Finucane, Smith, Mayor Smith. Nay: none. Mayor Smith declared the ordinance passed.

4. Ordinance 2020-016 Authorizing Comprehensive Amendments to Chapter 14 "Rooming Houses".

Mayor Smith read the ordinance by title only.

MOTION

Alderman Faivre moved to approve first reading. Alderman McAdams seconded.

Jerry Wahlstrom, identified as a license holder, said changing the timing of inspections might signal a shift from policing students and more toward safety; however, some safety issues might then be missed (e.g., use of extension cords). Mr. Wahlstrom called for clarification and more time allowed to make repairs. He also noted seeming contradictions in numbers of unrelated persons in the rooming house definition, as well as the number of fraternity members in a house that would trigger the requirement of a sprinkler system.

Council and staff discussed the change in timing of inspections and reducing the need for multiple re-inspections. The city manager said a dozen or more of the 65 rooming houses have required re-inspections into spring. It was also observed that the sprinkler requirement for Greek houses is probably statutory.

Council decided to receive and file the ordinance but agreed that in doing so was also authorizing comprehensive amendments.

VOTE

Motion carried 8-0 on roll call vote. Aye: McAdams, Verbic, Faivre, Morris, Finucane, Smith, Perkins, Mayor Smith. Nay: none.

M. REPORTS AND COMMUNICATIONS

1. Council Member Reports

Alderman Morris announced a ward meeting March 20, 6 p.m., at New Hope Missionary Baptist Church, and a survey of tenant data that she will also share on social media.

Alderman Smith announced a ward meeting March 19 at Fire Station One that will include news about street projects.

Alderman Verbic talked about his ward's enjoying increased business thanks to the Mid-America Conference Wrestling Championships.

Mayor Smith talked about invitations to the 2020 U.S. Census, online or by phone. He said he will keep all informed about the City's move to the new city hall.

2. City Clerk Report

City Clerk Fazekas made no report.

3. City Manager Report

City Manager Nicklas made no report.

N. EXECUTIVE SESSION PURSUANT TO 5 ILCS (120/2)

1. Approval to Hold an Executive Session to Discuss Pending or Imminent Litigation as Provided for in 5 ILCS 120/2(c)(11).

Mayor Smith read the item to be authorized for executive session.

MOTION

Alderman Faivre moved to recess for executive session. Alderman Smith seconded.

VOTE

Motion carried 8-0 on roll call vote. Aye: Verbic, Faivre, Morris, Finucane, Smith, Perkins, McAdams, Mayor Smith. Nay: none. Mayor Smith declared the meeting recessed for executive session at 7:44 p.m.

O. ADJOURNMENT

Council returned from executive session at 8:26 p.m.

MOTION

Alderman Smith moved to adjourn the regular meeting. Alderman Faivre seconded.

VOTE

Motion carried on majority voice vote. Mayor Smith declared the meeting adjourned at 8:26 p.m.

LYNN A. FAZEKAS, City Clerk

Approved by City Council: March 23, 2020.