

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

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

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

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

**B. PLEDGE OF ALLEGIANCE**

Citizen Chuck Shepard to lead the Pledge of Allegiance.

**C. APPROVAL OF THE AGENDA**

Mayor Barnes asked for a motion to amend the agenda in order to add an Executive Session to discuss Personnel as provided for in 5 ILCS 120/2(c)(1).

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

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

MOTION: Alderman Verbic moved to approve the agenda as amended; seconded by Alderman McAdams.

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

**D. PRESENTATIONS**

1. DeKalb County Administrator Brian Gregory Will Speak to the Close Professional Collaboration Between the County and City Administrations.

DeKalb County Administrator Gregory opened his comments by introducing County board members Craig Roman and Mary Cozad, as well as Community Development Director Derek Hiland, and Management Analyst Liam Sullivan. He then commented on the good spirit of cooperation between the City of DeKalb and DeKalb County, noting that when the two work together, it maximizes resources for citizens.

Continuing, Mr. Gregory spoke to the Mayor's Forum held in the fall of 2021, where they discussed challenges DeKalb County communities were facing, one of which was water and sewer infrastructure. He then spoke to the American Rescue Plan Act (ARPA) grant the County received

(\$1.4 million), stating that \$100,000 was set aside for each of the 14 cities, villages, and towns within DeKalb County for water, sewer, and broadband infrastructure, including the City of DeKalb.

Mr. Gregory then spoke to the One County Initiative they've started, which has internal and external components. The internal component has begun within the County in order to bring more cohesiveness among their departments, which are spread over multiple campuses. The external component will look toward being a partner to all DeKalb County communities. He further stated that the County will look towards the larger communities, such as DeKalb, for leadership.

Mr. Gregory then spoke to the collaboration between DeKalb County and the City of DeKalb Fire and Police Departments, as well as the City's Transportation Division and their work with DSATS (DeKalb Sycamore Area Transportation Study). He then spoke to Planning Director Dan Olson's work with the County's Regional Plan Commission.

Mr. Gregory continued, offering praise to the City regarding the economic development in DeKalb south of I-88. He then shared a story about the DeKalb County Nursing Home expansion and how the City's Community Development Department and Building Division worked with them in a professional manner to get their occupancy permit.

Mayor Barnes stated the Mayor's Forum is a great platform for community leaders to share best practices. He reciprocated Mr. Gregory's comments by offering praise to DeKalb County for their response whenever the City reaches out for assistance, noting the County is a great partner to the City of DeKalb.

In closing, Mr. Gregory stated that while there's a lot of work to do, the City and the County have a great working foundation and he looks forward to building on that foundation for many years to come.

## **E. PUBLIC PARTICIPATION**

There was none.

## **F. APPOINTMENTS**

1. Reappointment of Jeanine Holcomb to the Citizens' Community Enhancement Commission for the Completion of a Three-Year Term through December 31, 2024.

Mayor Barnes read the title above in its entirety.

MOTION: Alderman Smith moved to approve the reappointment; seconded by Alderman Morris.

VOTE: Motion carried by a 6-0-1-1 roll call vote. Aye: Morris, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Abstain: Larson. Absent: Faivre. 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 Regular City Council Meeting of February 28, 2022.

Mayor Barnes read the title above in its entirety.

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

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

Mayor Barnes noted that City Clerk Cohen reported to Recording Secretary Scott and the Daily Chronicle that he would be out of the area for this meeting. He further noted that the City Clerk did not notify him of the absence.

**H. CONSENT AGENDA**

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

1. Accounts Payable and Payroll through March 14, 2022, in the Amount of \$4,223,523.68.
2. Resolution 2022-025 Authorizing a Workers' Compensation Lump Sum Petition and Order in the Amount of \$20,559.25.

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

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

**I. PUBLIC HEARINGS**

There were none.

**J. CONSIDERATIONS**

1. Adopting a Lead Service Line Replacement Program.

Mayor Barnes read the title above for the record.

MOTION: Alderman McAdams moved to bring this item to the floor for discussion; seconded by Alderman Smith.

Prior to his overview, City Manager Nicklas indicated that the \$100,000 in ARPA funds provided by DeKalb County will be put toward the City's lead service line replacement program.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. In the FY2022 City Budget, the Council set aside \$1,000,000 in ARPA funds in the Water Capital Fund to incentivize lead service replacement within the City. In the Fall of 2021, the City's Water Department surveyed City homes suspected of having lead services, which revealed that there were approximately 200 lead services in DeKalb, rather than 400 as originally

estimated. The purpose of this consideration is to provide an opportunity for Council to explore the possible criteria for ARPA grants to qualified homeowners.

City Manager Nicklas provided Council with two options for assisting with the replacement of the lead service lines, both of which invite participation from the homeowner to replace the private portion of the house service.

Option 1: Replace only the public portion of the roughly 200 lead service lines from the mains to residential shut-off boxes with ARPA funds.

Option 2: Replace the public portion of the roughly 200 lead service lines from the street mains to residential shut-off boxes with ARPA funds and offer an incentive of an additional \$1,500 or 50% of the estimated cost to replace the private portion of the lead service line to the residence, whichever is less.

Alderman Larson stated that if the City is going to do the street portion to the shutoff, she would prefer a one-time offer of assistance to homeowners so that the work is completed at the same time.

City Manager Nicklas added that if the City is using ARPA funds, they have to be committed by the end of 2024 and spent by the end of 2026. Further, the Illinois Lead Service Line Notification and Replacement Act requires that the City have a program in place and begin removal no later than January 1, 2027.

Alderman Perkins asked if the City knows where the properties with lead service lines are. City Manager Nicklas replied that a list has been compiled.

Alderman Perkins then asked how the homeowners will be engaged in the process. City Manager Nicklas replied that once Council provides guidance on the cost, a program will be written, and homeowners will be notified.

Alderman Morris stated she's leaning towards option 2, adding she wants to encourage homeowners to make the valuable infrastructure change now so that it doesn't become more of a burden to the household in the future.

Alderman Smith asked if one vendor could be chosen to do all of the work in order to reduce overall cost. City Manager Nicklas replied that information will be worked up at a staff level. Most of the sites involved are scattered. He noted that the ARPA funds won't cover the entire project, but the Illinois Environmental Protection Agency (IEPA) may provide some funding assistance. City Attorney Matt Rose added that information was released just today that some federal funding will be provided.

Brief discussion ensued.

Alderman Smith stated his support towards option 2.

There was general consensus among Council to the preference of option 2.

## K. RESOLUTIONS

### 1. **Resolution 2022-026 Authorizing the Dedication of the FY2022 Allocation to Barb City Manor (BCM) to Modernize an Auxiliary Hydraulic Elevator.**

Mayor Barnes read the resolution by title only.

MOTION: Alderman McAdams 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 Council approved a resolution to execute a 10-year lease and operating agreement with BCM, which committed \$50,000 per year for capital improvements at the site through 2028. In 2020, the Council approved a resolution that authorized BCM to use the \$50,000 commitments for 2020 and 2021 to help offset the extraordinary cost (\$716,275) for the total replacement of their two main passenger elevators. The BCM board of directors would like to use the 2022 allocation of \$50,000 to help offset the modernization of a third, auxiliary hydraulic elevator in the facility's east wing. As BCM Administrator Maureen Gerrity explained in her background memorandum, the BCM board bid the repairs and has committed to spending \$166,200 for the maintenance on the auxiliary elevator.

There was no discussion among Council.

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

### 2. **Resolution 2022-027 Authorizing a Social Services Agreement for University Village Effective January 1, 2022, through December 31, 2024 (in the Amount of \$33,000 Per Year to the Family Service Agency as the Fiscal Agent).**

Mayor Barnes read the resolution by title only.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. This agreement allows the Family Service Agency to continue oversight of social service funding to University Village tenants, with services being provided by the Family Service Agency, DeKalb County Community gardens, Adventure Works, the DeKalb County Health Department, and 4-C: Community Coordinated Child Care.

There was no discussion among Council.

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

### 3. **Resolution 2022-028 Awarding a Bid to Performance Construction Engineering in the Amount of \$641,892 for 2,384 Feet of Water Main Replacement on N. Thirteenth Street Between Clark Street and Sycamore Road with Staff Authority to Approve Change Orders Up to \$664,358.**

Mayor Barnes read the resolution by title only.

MOTION: Alderman Smith 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. The existing water main along N. Thirteenth Street between Clark Street and

Sycamore Road is a combination of four-inch and eight-inch cast iron piping originally installed in 1951. The water main has had numerous breaks over recent years causing water service disruptions to residents within the affected area. During the Fall 2021 City budget process, the Utility Division recommended replacing the main with a new eight-inch ductile iron water main to insure a safe and reliable water supply with adequate fire flow. Since Thirteenth Street is scheduled to be resurfaced in 2022 as part of the City's annual street maintenance program, the advance replacement of the main was logical to reduce future street excavations.

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

## **L. ORDINANCES – SECOND READING**

### **1. Ordinance 2022-012 Amending Chapter 51 “Traffic”, Schedule C “Parking Prohibited”, Schedule E “Limited Parking”, and Schedule F “Limited Parking – Central Business District”.**

Mayor Barnes read the resolution by title only.

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

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. This item, which was considered on first reading on February 28, 2022, amends language for several signage schedules in Chapter 51 “Traffic” of the City's Municipal Code. The amendments are designed to accomplish the following:

- Consistently and accurately describe field locations of various street signs.
- Remove unintended confusion that has resulted because a previous or similar section or description has not been revised. The caution of “in with the new and out with the old” has sometimes been ignored in the urgency to “get in with the new.”
- Replace sign language that no longer corresponds to conditions that may change as development has occurred. For example, speed limits have changed with higher volumes of traffic on new truck routes, but the code language is not consistent with the wording on the signage.

Mayor Barnes indicated he had not been contacted by anyone from the public regarding this item. City Council members indicated the same. There was no further discussion.

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

## **M. ORDINANCES – FIRST READING**

### **1. Ordinance 2022-013 Publishing the Official Zoning Map of the City of DeKalb.**

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

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. The Illinois Municipal Code (65 ILCS 5/11-13-19) requires municipal authorities

to annually publish an Official Zoning Map. The 2022 map reflects the changes that were reviewed and approved by the Planning and Zoning Commission (PZC) and City Council throughout the course of the past year. This is also the time that any map errors that may have been identified can be corrected.

There was no discussion among Council.

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

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

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

**2. Ordinance 2022-014 Amending Chapter 23 “Unified Development Ordinance”, Article 7 “Supplemental District Regulations”, as it Pertains to Cannabis Business Establishments within the City of DeKalb.**

Mayor Barnes read the ordinance by title only.

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

Prior to City Manager Nicklas’ overview of this item, Mayor Barnes stated he visited three dispensaries in Naperville and North Aurora over the weekend to see what the facilities are like, and spoke with a variety of people (staff, customers, security guards, etc.) to gather their impression on working with these types of companies. He further stated that he spoke with the mayor of Naperville to garner his impression on the dispensaries and what it’s been like for that community.

Continuing, Mayor Barnes stated that his overall impression was that most of the businesses are very high end, and the staff were helpful and friendly, noting that from the outside, someone would never know the type of business it is. He added that the clientele he viewed were from all walks of life. Overall, from the information he gathered, he doesn’t see why DeKalb shouldn’t have a dispensary downtown, noting that Naperville’s mayor indicated it has been a great addition to their downtown area. The dispensaries could be a way to generate additional sales tax revenue to close the financial shortfall identified in the draft 2022-2024 Financial Plan. He further noted that lines didn’t seem to be a problem, with policies set in place in to combat the issue as it arises.

City Manager Nicklas provided brief information regarding this item, noting that the Planning and Zoning Commission (PZC) approved this item at their most recent meeting.

City Attorney Rose stated that if a dispensary was added to the downtown area, it would need a special use, which could be set up at Council’s discretion.

Brief discussion ensued.

Alderman Larson stated she frequents a local dispensary due to a medical ailment. She added that there’s a large senior population that utilizes the services of these establishments as well in order to get medicinal quality aid for a variety of ailments, and she strongly recommends approval of this item.

Alderman McAdams stated that he's also a medical patient who utilizes the services of a local dispensary. This would give people an option to make their purchases discretely and do what they need to do to take care of their own health is important, and he strongly supports this item.

Alderman Verbic stated that DeKalb is an untested market, and our market is different than Naperville and Aurora. He further stated that he's been in dispensaries in various cities and saw much of what Mayor Barnes witnessed. However, his concern is from the standpoint of crime, and while he didn't see any results that would say adding a dispensary would increase crime, he wonders if it wouldn't add to the workload of the Police Department.

Police Chief Byrd stated that at this point the Police Department wouldn't look at it different than any other business. Security would be put in place by the dispensary.

Alderman Smith asked if the City has had any inquiries for the placement of dispensaries, to which City Manager Nicklas replied we had, especially for locations in the downtown area.

There was no further discussion.

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

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

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

**3. Ordinance 2022-015 Amending Chapter 38 "Intoxicating Liquors", Section 38.01 "Definitions", and Section 38.27 "Gambling Devices", as it Pertains to Video Gaming Terminal Operators.**

Mayor Barnes read the ordinance by title only.

MOTION: Alderman Smith moved to approve first reading of the ordinance; seconded by Alderman Larson. (No further action taken on this motion; see below.)

City Manager Nicklas provided a brief overview of this item, stating that the Illinois legislature recently passed Public Act 102-689, effective in December of 2021, that pre-empted home rule units from imposing any type of tax upon a video gaming terminal. The focus of this ordinance was to determine what terminal operators (those who supply the terminals to video gaming establishment owners) pay in terms of terminal fees. However, just before this meeting started, he received information that leads him to recommend that this item be postponed to a later date in order to gather more data.

MOTION: Alderman Verbic moved to postpone this item to a later date; seconded by Alderman Smith.

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

**4. Ordinance 2022-016 Approving a Water Service Agreement with Todd and Molly Green for 131 Greenwood Acres Drive.**

Mayor Barnes read the ordinance by title only.

MOTION: Alderman Verbic 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. The owners of 131 Greenwood Acres Drive, Todd and Molly Green, are seeking the connection of their County-zoned property to the City's water system. The impetus for this request is the interest of the family in expanding their garage over the spot where their well head is established. Although the lot is unincorporated, a City water main was installed on this street section many years ago to serve future growth. The owners are also requesting a future water connection to an adjoining vacant lot (Lot #6) they own, immediately south of their home. City staff are not recommending the inclusion of the vacant lot at this time due to 1) the County will not permit a septic system because the lot is not large enough to meet the County's septic requirements. As a result, the construction of a new home on the lot would require connection to a public sanitary sewer, which is not available in the immediate area; and 2) the County has indicated they would not support residential construction on the vacant lot without utility service from the City and the Kishwaukee Water Reclamation District (KWRD).

There was no discussion among Council.

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

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

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed.

**N. REPORTS AND COMMUNICATIONS**

1. Council Member Reports.

Alderman Verbic referenced an [article](#) from the Norther Star regarding a new health center on the Northern Illinois University (NIU) campus at the former Lincoln Hall site, noting this will be an exciting addition to the Sixth Ward.

Alderman McAdams reported that he was invited to the NIU campus for a press conference by Governor J.B. Pritzker recently where Mayor Barnes spoke about economic development, and noticed that while the Mayor was speaking, Governor Pritzker seemed quite impressed.

Alderman Smith thanked all of those responsible for their work on the upcoming water and street work on Thirteenth Street and Fourteenth Street, noting that he and City Engineer Zac Gill will meet with the residents affected. He noted this is a good way to spend City money and get all the projects done at one time.

Alderman Morris reported on the sidewalk work being done on Dresser Road and thanked staff for making it come together. This will be a great safety feature addition.

Alderman Larson thanked Assistant Public Works Director Bryan Faivre for the information he provided on the City's wells and pumping station 101.

Alderman Perkins encouraged Fourth Ward residents to reach out to him with ideas for a future ward meeting.

Mayor Barnes reported the following:

- He attended a recent Human Relations Commission (HRC) meeting.
- He was able to briefly meet with Governor Pritzker to advise him of a couple of issues he'd like to discuss and received contact information to set up a meeting.
- He attended a recent Economic Development Commission (EDC) meeting that included conversations regarding the future, liability, and economic development in general.
- He attended a recent Citizen Police Review Board (CPRB) meeting, noting to Police Chief Byrd that his staff did a great job with the information they provided. He also noted that the CPRB members were highly engaged.
- He, City Manager Nicklas, and Planning Director Olson met with PZC Chair Max Maxwell to talk about the Comprehensive Plan.
- He met with the DeKalb Public Library Board (DPLB) Chair Susan Richter to discuss next year.
- He met with NIU Trustee Bob Pritchard to discuss NIU's strategic plan.
- He met with the City's firework vendor about how we can improve our display.
- And lastly, he was invited to welcome attendees to the IESA Wrestling Tournament, and it was very exciting.

## 2. City Manager Report.

City Manager Nicklas Bill reported that he and City staff will be working on completing a draft of the City's Comprehensive Land Use Plan. Discussions will be held with the PZC, as well as DeKalb residents.

City Manager Nicklas thanked Alderman Morris for her comments regarding the Dresser Road sidewalk. He also thanked City Engineer Gill for his work on seeing the project through. There will also be a sidewalk placed on Annie Glidden Road from Twombly Road in the future.

## **O. EXECUTIVE SESSION**

Mayor Barnes read the following Executive Session exemption title in its entirety:

1. Approval to Hold an Executive Session in Order to Discuss Personnel as Provided for in 5 ILCS 120/2(c)(1).

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

VOTE: Motion carried by a 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed and recessed the meeting at 7:08 p.m.

Following adjournment of the Executive Session, Mayor Barnes opened the meeting to the public at 8:05 p.m.

**P. ADJOURNMENT**

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

VOTE: Motion carried by a 7-0-1 voice vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Verbic, Barnes. Nay: None. Absent: Faivre. Mayor Barnes declared the motion passed and adjourned the meeting at 8:05 p.m.

Respectfully submitted,

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Ruth A. Scott, Recording Secretary

Minutes approved by the City Council on March 28, 2022.

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

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