

**MINUTES  
CITY OF DEKALB  
CITY COUNCIL REGULAR MEETING  
APRIL 11, 2022**

The City Council of DeKalb, Illinois held a Regular meeting on April 11, 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 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 Acting Fire Chief Mike Thomas.

**B. PLEDGE OF ALLEGIANCE**

Acting Fire Chief Mike Thomas led the Pledge of Allegiance.

**C. APPROVAL OF THE AGENDA**

Mayor Barnes asked for a motion to amend the agenda in order to remove Item O. Executive Session, Approval to Hold an Executive Session in Order to Discuss the Purchase or Lease of Real Property as Provided for in 5 ILCS 120/2(c)(5) and Pending Litigation as Provided for in 5 ILCS 120/2(c)(11).

MOTION: Alderman Smith moved to amend the agenda; 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.

MOTION: Alderman Larson moved to approve the agenda as amended; 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.

**D. PRESENTATIONS**

**1. Proclamation: National Public Safety Telecommunicators Week, April 10-16, 2022.**

Mayor Barnes read the proclamation in its entirety and presented it to Communications Coordinator Sean Woyna, who then spoke on behalf the City's Telecommunicators, and expressed his appreciation to them for their hard work and dedication to their field.

**E. PUBLIC PARTICIPATION**

There was none.

## **F. APPOINTMENTS**

There were none.

## **G. APPROVAL OF THE MINUTES**

### 1. Minutes Submitted by the City Clerk

There were none.

### 2. Minutes Submitted by the Recording Secretary

Mayor Barnes read the following by title only:

- a. Minutes of the Regular City Council Meeting of March 28, 2022.

MOTION: Alderman Larson moved to approve the minutes as submitted by the Recording Secretary; 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 item by title only:

1. Accounts Payable and Payroll through April 11, 2022, in the Amount of \$2,503,272.20.

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

## **I. PUBLIC HEARINGS**

There were none.

## **J. CONSIDERATIONS**

1. Appointment of Acting Fire Chief Michael Thomas as Full-Time Fire Chief in the City of DeKalb.

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

City Manager Nicklas provided opening remarks, speaking to the career history of Acting Fire Chief Thomas, who began his employment with the City of DeKalb in 1995. He has since moved through the ranks of the Fire Department to his current role, which he's held since November of 2021 after a search for the City's next Fire Chief fell through. Since then, Acting Fire Chief Thomas has had the opportunity to address various scenarios within the Fire Department from an increase in staffing to the acquisition of large fire equipment.

City Manager Nicklas continued, stating that with the Council's blessing, he wishes to appoint Acting Fire Chief Thomas as the City's full-time Fire Chief. He then congratulated Acting Fire Chief Thomas, who received a standing ovation from City Council and those in the audience as he approached the podium.

Acting Fire Chief Thomas was then sworn in as the City's Fire Chief by Recording Secretary Scott.

Fire Chief Thomas thanked the Mayor, City Council, and the City Manager for their support, as well as his wife and family. He stated that he takes seriously the responsibility bestowed upon him and will work hard for the community and make everyone proud of the Fire Department.

## 2. Consideration of the City's Food Truck Licensing Requirements.

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

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. Between 2019 and 2021, the City has only issued four food truck licenses, even though several can be seen within the area on a daily basis. Along with the licensing requirements established by the City, food trucks are also regulated and licensed by the DeKalb County Health Department. Therefore, it is recommended that amendments to Chapter 33 "Peddlers, Solicitors and Itinerant Merchants", Section 33.13 "Food or Beverage Vending Vehicles", be made in order to streamline the City's licensing process. Those amendments would include the proof of licensure through the DeKalb County Health Department, limiting fees to one payment at the time of application, and removing the required background investigation. Vendors would still be required to adhere to other portions of the code, such as not amplifying music, noise or sound that could create a nuisance, report, and pay sales tax, and not parking within City rights-of-way where they may pose a distraction to motorists.

Alderman Larson asked if ice cream trucks would still be allowed to play music while they're driving. City Manager Nicklas stated that would be at the Council's discretion.

Brief discussion then ensued between Alderman Larson and City Manager Nicklas regarding licensing fees.

Alderman Morris commented that she was relieved that ice cream trucks would still be allowed to play music. She also thanked City Manager Nicklas for bring this item forward and recommended a more streamlined licensing process.

Alderman Smith asked about local food establishments with food trucks. City Manager Nicklas stated a license from the health department would still be required.

There was brief discussion about background investigation requirements for food truck owners and how it came to be. Alderman Morris stated that trafficking was most likely a concern.

City Manager Nicklas stated an ordinance amending Chapter 33 would be brought forward for Council review in the near future.

Mayor Barnes asked about surrounding communities and their licensing requirements for food trucks. City Manager Nicklas stated that at this time the City's requirements are probably a little more extensive than some.

There was no further discussion.

## **K. RESOLUTIONS**

### **1. Resolution 2022-035 Authorizing an Access and Remediation Agreement with Nicor Gas and Commonwealth Edison (as it Pertains to 1316 Market Street).**

Mayor Barnes read the resolution by title only.

MOTION: Alderman Smith 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. Public Works was approached in November of 2020 by Nicor Gas and ComEd to work out a remediation agreement whereby the two utilities would remediate ground contamination, at their expense, left by fuel gas manufactured at the site between 1901 and 1941 for lighting, heating, and cooking, which has now encroached on the City's Street Department footprint. This agreement, which has been vetted by the City Attorney and the respective legal counsels of the utilities, would grant access to City property located at 1316 Market Street for the remediation, which will include the removal and rebuilding of the Street Division's salt storage shed and liquid deicer island. The removal and rebuilding of these structures would also be at the utilities' sole expense.

Mayor Barnes recognized those in the audience representing Nicor and ComEd and asked if they had any comments; there were none.

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 2022-036 Authorizing the Purchase of Structural Firefighting Gear from Air One Equipment, Inc. in an Amount Not to Exceed \$40,366.**

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. The National Fire Protection Association standards require that fire turnout gear be replaced every 10 years. Typically, the DeKalb Fire Department has sufficient gear on hand to outfit new firefighters. However, the 10 newly hired firefighters all need new gear, and the turnout gear for four other firefighters will expire in 2022. As a result, the Fire Department solicited bids on 14 new sets of "structural" fire pants and coats, with the lowest price tendered by Air One Equipment with a quote of \$2,869 per set, plus \$200 for shipping, or a total of \$40,366. This price doesn't include helmets, gloves, hoods, or boots, but the department should have an adequate supply of these types of gear on hand. The gear will be purchased from Fund 130 (Ground Emergency Medical Transport (GEMT) Fund).

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.

## **L. ORDINANCES – SECOND READING**

There were none.

## M. ORDINANCES – FIRST READING

1. Ordinance 2022-017 Amending Chapter 7 “Water Service”, Section 7.18 “Water Rates”, and Section 7.18-6 “Water Service Fee”.

Mayor Barnes read the ordinance by title only.

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

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. The City’s water rate and water service fee are components of the billed user rate for City water service. The water rate is specifically tied to water consumption; the water service fee is a minimum flat fee that is billed bi-monthly and varies based on water meter size. The meter size is in turn related to the building use. The working assumption has historically been that larger and more complicated building designs invite higher capital costs for the City in terms of fire protection and tributary mains.

Chapter 7 “Water Service”, Section 7.18 “Water Rates”, of the City’s Municipal Code states that the Water Rate and Water Service Fee shall be “subject to a positive adjustment annually using the increase, if any, in the most recent Consumer Price Index (CPI).” The most recent CPI (February 2021 to February 2022) would result in a water rate increase of 7.1%. This adjustment would be effective April 1, 2022, for bills issued on the July 1 bill cycle. A 7.1% CPI water rate and water service fee increase would result in the average single-family home paying approximately \$32.64 more per year in water cost and would generate an estimated \$447,724 annually in revenue to the Water Fund, assuming water sales remain flat.

Due to COVID-19, in addition to rising inflation, many businesses and individuals continue to struggle with the negative economic impacts of COVID-19 and the City’s Water Fund is no exception. Increased commodity, shipping, and labor costs have adversely impacted all aspects of the Water Fund’s budget. Because 95% of the Water Fund’s revenues are generated through water sales and water service fees, a thoughtful consideration of water rates is a prudent fiscal exercise. At the same time, any fiscal determination must be balanced with the impact on our customers.

For this reason, the following water rate options were provided for the Council’s consideration:

1. Water Rate increase of 7.1% (based on CPI)
2. Water Rate increase of 3.5% (one-half of CPI)
3. Water Rate increase of 2.6% (same increase as 2021)
4. No water rate increase.

City Manager Nicklas recommended the 3.5% rate increase, which would be an increase of approximately \$1.34 a month, or \$2.68 each billing cycle. This would still allow the City to keep pace with the rising cost of capital improvements and capital maintenance.

Alderman Larson asked about the breakdown of the water meter rate and the water usage rate. City Manager Nicklas replied that breaking it down helps explain to residents how the money is used.

Alderman Perkins asked if the 3.5% rate increase would align with how the funds were budgeted in FY2022. City Manager Nicklas stated it was half a percent above.

Noting that DeKalb's residents are financially pinched at this time with inflationary pressures on everything, Alderman McAdams stated he'd like to see no rate increase this year. He further stated that the CPI is a wonderful tool when everything is balanced, but at this time they are not.

Alderman Faivre stated that while he agrees with Alderman McAdams' statement regarding the CPI, he would be in agreement to the 3.5% increase at this time.

Alderman Verbic stated he supports the recommended 3.5% increase. He further stated that he appreciates the review presented and he would like to see this type of review annually in order to be flexible to the needs of the community.

Alderman Morris asked for clarification regarding Alderman McAdams' recommendation. Alderman McAdams replied that his first choice would be for no increase, but he'd be willing to come up to the 2.6% increase.

Alderman Smith stated that if lead service line repair expenses are being pulled from this fund, he doesn't want the City to get caught in a position where it has to levy higher to meet the deadline for those repairs. An increase would help offset those costs if funding runs short.

City Manager Nicklas stated that since the last discussion regarding lead service line repairs and replacement, the Illinois Environmental Protection Agency (IEPA) has stated if public money is put into the service, which starts at the main, the City owns it. So now we have to go all the way to the house, which will cost extra. He further stated that while there could be IEPA monies provided at a later date, it can't be counted on. A rate increase between 2.6% and 3.5% will provide a little cushion.

Alderman Morris stated she's in favor of 3.5% increase, recognizing that the City is making some big infrastructure repairs that are long overdue. She further stated it's important that increases are made at the appropriate rate so that next year's increase isn't larger.

Alderman Smith asked if the City was ahead of its lead service line repairs compared to other communities. City Manager Nicklas replied we were.

Mayor clarified that the motion on the floor would be for the recommended 3.5% rate increase.

VOTE: Motion carried by a 7-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, Verbic, Faivre, Barnes. Nay: McAdams. Mayor Barnes declared the motion passed.

There was consensus among Council that this item be held over to the next meeting for second reading.

## **N. REPORTS AND COMMUNICATIONS**

### **1. Council Member Reports**

Alderman McAdams reported that he attended today's Citizens' Community Enhancement Commission (CCEC) meeting, where they discussed ways to spend the \$50,000 grant from T-Mobile. One of those ways would be to allow murals on the City's utility boxes, of which there are three. Applications will be accepted from local artists and money will be made available to compensate for materials. Alderman McAdams also encouraged residents to come before the CCEC if they have other art project ideas they'd like to discuss.

Alderman Faivre reported he would be holding a Ward 7 meeting on Monday, April 18, 2022, where Loren/Hedge neighborhood parking issues, Devonaire Farms traffic issues, and the new DeKalb County Community Gardens project would be discussed.

Alderman Verbic welcomed Save Market Place Marathon at 125 N. Annie Glidden Road to Ward 6, as well as La Salsa, which relocated from the Hillcrest Shopping Center to the Village Commons Book Store Center on Lucinda Avenue. He also reported that a Ward 6 meeting would be held on Wednesday, April 14, 2022.

Alderman Perkins reported that he will be holding a Ward 4 meeting in mid-May and encouraged residents to forward agenda item topics to his attention.

Alderman Larson stated she was excited about Fire Chief Thomas' new role. She also thanked the Public Works Department for their quick handling recently of a downed tree in a roadway.

Alderman Morris reported she would be scheduling a Ward 1 meeting and encouraged residents to forward agenda item topics to her attention.

There was brief discussion between Mayor Barnes and City Attorney Rose regarding OMA requirements if aldermen wanted to attend each other's ward meetings, with City Attorney Rose clarifying that ideally those meetings should have less than a majority of the quorum. Mayor Barnes asked Council to communicate with each other about which ward meetings they might be attending to avoid OMA violations.

Alderman Smith congratulated Fire Chief Thomas on his new role. He also thanked City Engineer Zac Gill for the progress being made on the work being done on N. Thirteenth Street and N. Fourteenth Street.

Alderman Smith further reported that he's planning a Ward 3 meeting in July and encouraged residents to reach out to him with topics of discussion. He also mentioned the Paint-a-Plug project being sponsored by the CCEC.

Mayor Barnes thanked City Engineer Gill and other members of City staff for their participation in the Northern Illinois University (NIU) Art Program's recent attempt at creating the largest paper snowflake, which will be submitted to the Guinness Book of World Records.

Mayor Barnes also thanked NIU for including City Manager Nicklas, Police Chief Byrd and himself in the interview process for their new Vice President of Student Affairs.

Mayor Barnes also encouraged local artists to contact the CCEC with ideas for art projects, noting this is the time for us to start bringing art to the community that residents and visitors can enjoy.

Closing out his report, Mayor Barnes congratulated Fire Chief Thomas on his new role, stating it was well deserved.

## 2. City Manager Report.

City Manager Nicklas thanked Mayor Barnes and Council members for their continued support of City staff, particularly Alderman Larson who has been graciously providing meals to various City departments over the past few weeks.

City Manager Nicklas also mentioned City Engineer Gill, noting he's currently in the middle of some significant infrastructure projects and is anticipating some Ward 1 and Ward 4 design projects as it relates to speeding issues.

## **O. EXECUTIVE SESSION**

1. Approval to Hold an Executive Session in Order to Discuss the Purchase or Lease of Real Property as Provided for in 5 ILCS 120/2(c)(5) and Pending Litigation as Provided for in 5 ILCS 120/2(c)(11).

Not acted on as per the agenda amendment at the top of the meeting.

## **P. ADJOURNMENT**

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

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 6:57 p.m.

Respectfully Submitted,

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Ruth A. Scott, Recording Secretary

Minutes approved by the City Council on April 25, 2022.

Click [here](#) to view the agenda packet for the April 11, 2022, Regular City Council meeting.

Click [here](#) to view the video recording of the April 11, 2022, Regular City Council meeting.