

**MINUTES  
CITY OF DEKALB  
CITY COUNCIL REGULAR MEETING  
JUNE 26, 2023**

**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 Zasada, Alderman Barb Larson, Alderman Tracy Smith, Alderman Greg Perkins, Alderman Scott McAdams, Alderman Mike Verbic, Alderman John Walker, and Mayor Cohen Barnes.

Others in attendance included City Manager Bill Nicklas, City Attorney Matt Rose, City Engineer Zac Gill, and Transit Manager Mike Neuenkirchen.

Sasha Cohen was absent.

**B. PLEDGE OF ALLEGIANCE**

Shadow Gentry led the Pledge of Allegiance.

**C. APPROVAL OF THE AGENDA**

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

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

**D. PRESENTATIONS**

1. Presentation of the Final Annual Comprehensive Financial Report (ACFR) for the Fiscal Year Ending December 31, 2022.

City Manager Nicklas provided a brief overview of this item and introduced Brian LeFevre of Sikich, who provided highlights of the FY2022 ACFR, Single Audit Report, Report on Compliance with Public Act 85-1142 (TIF Report), Downstate Operating Assistance Certification and Independent Auditor's Reports, Illinois Grant Accountability and Transparency Act – Consolidated Year End Financial Report (CYEFR), and Management Letter.

There were no questions or comments from the Council.

**E. PUBLIC PARTICIPATION**

Mike Baron-Jeffrey suggested that the Council implement the Annie Glidden North Revitalization Plan.

Mark Charvat asked about potential business plans for the former KFC building on Fourth Street, why work has stalled on the Lucinda Avenue bridge, and why the Finance Director resigned.

**F. APPOINTMENTS**

There were none.

**G. CONSENT AGENDA**

Mayor Barnes read the following by title only:

1. Minutes of the Regular City Council Meeting of June 12, 2023.
2. Accounts Payable and Payroll through June 26, 2023, in the Amount of \$2,267,465.03.
3. Freedom of Information Act (FOIA) Report – May 2023.

Speaking to a FOIA request filed for photos taken by the City's license plate readers, Mark Charvat expressed concern that the City is hiding information, even though the Attorney General's Office has indicated that the photos should be released.

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

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

## **H. PUBLIC HEARINGS**

Mayor Barnes opened the Public Hearing at 6:20 p.m. and read the following by title only:

1. Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 29 (April 1, 2022 - March 31, 2023).

There was no public comment.

There were no questions or comments from the Council.

City Manager Nicklas provided a brief overview of this item based on the information provided in the agenda packet.

Mayor Barnes closed the Public Hearing at 6:21 p.m.

## **I. CONSIDERATIONS**

Mayor Barnes read the following by title only:

1. Consideration of the Possible Alteration of Normal Road Functions Between Lincoln Highway and Lucinda Avenue.

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

Nancy Dougherty expressed concern about driving in the area if the proposed project moves forward. Mayor Barnes encouraged Ms. Dougherty to contact him for further discussion regarding her concerns.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet, with City Engineer Zac Gill offering additional details.

Following discussion regarding traffic calming devices, emergency vehicle access to the area, traffic congestion, parking, and access to Normal Road, there was consensus from Council to move forward.

2. Consideration of a Transit Provider Contract Extension with Transdev, Inc. from January 1, 2024, through December 31, 2025, for Fixed Route and Paratransit Services.

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

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet, with Transit Manager Mike Neuenkirchen offering additional details.

There was consensus from the Council to move forward following a brief discussion regarding future costs.

## **J. RESOLUTIONS**

1. Resolution 2023-066 Receiving and Filing the FY2022 Annual Comprehensive Financial Report (ACFR), Single Audit Report, Report on Compliance with Public Act 85-1142 (TIF Report), Downstate Operating Assistance Certification and Independent Auditor's Reports, Illinois Grant Accountability and Transparency Act – Consolidated Year End Financial Report (CYEFR), and Management Letter.

Mayor Barnes read the resolution by title only.

MOTION: Alderman Perkins 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.

There were no questions or comments from the Council.

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

## **K. ORDINANCES – SECOND READING**

There were none.

## **L. ORDINANCES – FIRST READING**

1. Ordinance 2023-024 Approving a Plat of Dedication for the Gurler Road Right-of-Way from Midland Trust Company (PIN 08-34-300-063 and PIN 08-34-300-064).

Mayor Barnes read the ordinance by title only.

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

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet.

There were no questions or comments from the Council.

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

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

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

2. Ordinance 2023-025 Amending Chapter 23 “Unified Development Ordinance” (UDO) to Add “Adult-Use Cannabis Craft Grower” as a Special Use in the “LI” Light Industrial and “HI” Heavy Industrial Districts and Other Associated Miscellaneous Amendments.

Mayor Barnes read the ordinance by title only.

Dewayne Brown spoke in favor of this item, providing the Council with additional research information.

MOTION: Alderman Zasada 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.

Brief discussion ensued regarding potential sales tax generated if a business such as this were to come to DeKalb. City Manager Nicklas indicated that the City isn't in discussion with anyone at this time.

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

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

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

3. Ordinance 2023-026 Authorizing the Acquisition through Condemnation of Fee Simple Title to the Property Located at 128-140 S. Second Street (PIN 08-23-163-013).

Mayor Barnes recused himself from this item. Alderman Verbic read the ordinance by title only.

Jennifer Boddy addressed the Council regarding the space in the subject building where her business is located, stating she's invested a lot of money in the space, and she'd like to stay there. She also stated that she's never had an issue with her clients not being able to find parking. Ms. Boddy encouraged the Council not to consider destroying the building.

Dan Sears, owner of the subject building, stated he doesn't agree with the background information provided for this item and denied that the building is underperforming. He further stated that he is “tenant centric” and doesn't want Ms. Boddy's business to suffer due to the City's actions. Mr. Sears asked the Council to delay their decision until additional information can be collected.

MOTION I: Alderman Larson moved to approve first reading of the ordinance; seconded by Alderman Walker. (There was no vote on this motion.)

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet, noting his disagreement with Mr. Sears' comments.

Discussion ensued regarding appraisals, fair market value, the City's offer to purchase the building, relocation costs for the current business tenant, and good faith negotiations.

MOTION II: Alderman McAdams moved to table this item for one to two meetings so that additional information could be gathered; seconded by Alderman Walker.

Further discussion ensued regarding availability of information already collected by both parties, and issues that large trucks face when attempting to traverse the narrow alleyway next to the building in question.

Mr. Sears was asked if he wants to sell the building, to which he responded that he does want to sell it but not at this time.

Additional discussion ensued.

Alderman Smith asked if the subject property is currently on the market, to which Mr. Sears stated it was listed for sale to test the market and that he's had two walk throughs.

Alderman Zasada stated that the sale of the property is currently listed as contingent. Mr. Sears indicated that the contract to purchase wasn't going anywhere.

Brief discussion ensued.

VOTE: Alderman McAdam's motion to table this item was carried by a 4-3-1 roll call vote. Aye: Zasada, McAdams, Verbic, Walker. Nay: Larson, Smith, Perkins. Recused: Barnes. Alderman Verbic declared the motion passed.

4. Ordinance 2023-027 Amending the City of DeKalb Fiscal Year-End December 31, 2023, Budget.

Mayor Barnes read the ordinance by title only.

MOTION: Alderman Smith 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.

There were no questions or comments from the Council.

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

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

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

## **M. REPORTS AND COMMUNICATIONS**

1. Council Member Reports.

Alderman Larson reported on her viewing of the City's new fire truck and her attendance at the Pride event on June 22.

Alderman Perkins reported on the Flag Day celebration that was recently held at the at the DeKalb Elks Lodge. He also encouraged citizens to visit the Veteran's Memorial that's been placed on the DeKalb Elks Lodge property.

Alderman Verbic wished everyone a safe 4<sup>th</sup> of July. He reminded citizens that fireworks are illegal in the state of Illinois and encouraged viewing of sponsored fireworks displays only.

Alderman McAdams thanked the Public Works Department for addressing a tree issue at the corner of Bush Street and Glidden Avenue to the satisfaction of all citizens in that area.

Alderman Smith expressed positive comments regarding City's new fire truck.

Referencing a public participation comment earlier in the meeting regarding the Annie Glidden North Revitalization Plan, Alderman Zasada stated that the Tenant's Association is still active and additional information on the group can be found on Facebook.

Mayor Barnes reported on recent meetings and events he's attended, including the DeKalb Elks Memorial and the Flag Day celebration, meeting with Dan Kenney and Paul Stoddard regarding DCCG's proposal for the "L", attending the Pride event, meeting with some of the DeKalb liquor license holders to discuss potential modifications to the City's liquor code, meetings regarding the DCEDC executive director search, a meeting regarding street closures for various events within the city, a meeting with a national grocery store chain about the potential of placing a store on the "L", and attendance at the monthly meeting with NIU to discuss a variety of issues.

## 2. City Manager Report.

City Manager Nicklas had no report.

## **N. EXECUTIVE SESSION**

There was none.

## **O. ADJOURNMENT**

MOTION: Alderman Verbic moved to adjourn the meeting; seconded by Alderman Walker.

VOTE: Motion carried by an 8-0 roll call vote. Aye: Zasada, Larson, Smith, Perkins, McAdams, Verbic, Walker, Barnes. Nay: None. Mayor Barnes declared the motion passed and adjourned the meeting at 8:20 p.m.

Respectfully submitted,

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Ruth A. Scott, Recording Secretary

Minutes approved by the City Council on July 10, 2023.

Click [here](#) to view the agenda packet for the June 26, 2023, Regular City Council meeting.

Click [here](#) to view the video recording of the June 26, 2023, Regular City Council meeting.