

**MINUTES
CITY OF DEKALB
REGULAR MEETING
JULY 13, 2020**

The City of DeKalb, Illinois City Council held a Regular meeting on July 13, 2020 in the Yusunas Room at the DeKalb Public Library, 309 Oak Street, DeKalb, Illinois.

A. CALL TO ORDER AND ROLL CALL

Mayor Smith called the meeting to order at 6:40 p.m.

Executive Assistant Ruth Scott called the roll and the following City Council members were present: Alderman Carolyn Morris, Alderman Bill Finucane, Alderman Tracy Smith, Alderman Greg Perkins, Alderman Scott McAdams, Alderman Mike Verbic, Alderman Tony Smith, and Mayor Jerry Smith.

Others in attendance included City Manager Bill Nicklas, City Attorney John Donahue, Fire Chief Jeff McMaster, Community Services Coordinator Joanne Rouse, and Executive Assistant Ruth Scott.

B. PLEDGE OF ALLEGIANCE

Mayor Smith led all present in the Pledge of Allegiance.

C. APPROVAL OF THE AGENDA

Mayor Smith asked for a motion to remove Item F.1. "Appointment of Joyce Stuepegia to the Police Pension Board".

MOTION

Alderman Finucane moved to amend the agenda by removing Item F.1.; seconded by alderman Smith.

VOTE

Motion carried by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Mayor Smith declared the motion passed.

MOTION

Alderman Morris moved to amend the agenda by removing Item I.5. "Resolution 2020-074 Awarding a Bid to Seven Brothers Painting, Inc. in the Amount of \$710,100 for Painting and Repair of the South Water Tower with Staff Authority to Approve Change Orders for a Total Project Cost Up to \$734,954."; seconded by Alderman McAdams.

City Manager Nicklas discouraged removing Item I.5. from the agenda so that further discussion can take place.

MOTION

Alderman Morris amended her motion from removing the item from the agenda to tabling the item until the July 27, 2020 Regular meeting; seconded by Alderman McAdams.

VOTE

Motion failed by a 2-5 roll call vote. Aye: Morris, McAdams. Nay: Finucane, Smith, Perkins, Verbic, Faivre.

MOTION

Alderman Finucane moved to approve the agenda as amended; seconded by Alderman Perkins.

VOTE

Motion carried by a 7-1 roll call vote. Aye: Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: Morris.

D. PUBLIC PARTICIPATION

Mark Charvat stated that the Seven Brothers company (Item I.5) has been cited in the past for safety issues and the death of one of its employees. He also commented on the cost of the project compared to what was paid by another municipality. Mr. Charvat also provided comments regarding contact information for the City's boards, commissions and committees and asked that that information be published. Mr. Charvat further commented on the availability of Zoom meetings for better public access.

Bessie Chronopoulos complimented the Human Relations Commission (HRC) on their recommendations regarding the Black Lives Matter (BLM) movement. Ms. Chronopoulos further stated that she's a fan of the City's police and fire departments. Further, Ms. Chronopoulos asked that Zoom be made available for public access, as well as contact information for the HRC members.

Shrestha Singh and Eric Ogi spoke, asking that there be peace and justice for all in this community, noting that deep transformative change is needed.

Vivian Meade, as one of the original BLM organizers, stated this movement isn't about George Floyd, but about Elonte McDowell. She also stated that crime data shouldn't be used for budgeting purposes. She further commented that some of the landlords in DeKalb are racist.

Jeff Hallgren commended the Mayor, City Council, City Manager, and the police department for the work that's been done and encouraged them to stay the course.

Chantel Davis commented that the City isn't holding its officers accountable for their actions, noting it's terrifying that other people within the community would support keeping an officer on the force who has taken up so much time and resources from the City to keep his job even though he's a threat to this community.

Alderman Finucane read an electronically submitted comment from Derek Van Buer regarding his concerns over past use of Tax Increment Financing (TIF).

Mayor Smith read an electronically submitted comment from Misty Haji-Sheikh regarding her concerns over past use of TIF.

E. PRESENTATIONS

1. Proclamation: Northern Illinois University 125th Anniversary.

Mayor Smith read the proclamation and presented it to Northern Illinois University President Lisa Freeman

F. APPOINTMENTS

1. Reappointment of Joyce Stuegia to the Police Pension Board for the Completion of a Two-Year Term Through May 31, 2022.

This item was removed from the agenda.

G. CONSENT AGENDA

MOTION

Alderman Faivre moved to approve the Consent Agenda; seconded by Alderman McAdams.

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

1. Minutes of the Committee of the Whole Meeting of June 22, 2020.
2. Minutes of the Regular City Council Meeting of June 22, 2020.
3. Accounts Payable and Payroll through July 13, 2020 in the Amount of \$3,290,896.07.
4. Hospitality Recovery Program Update.
5. Resolution 2020-065 Authorizing the Execution of a Workers' Compensation Lump Sum Petition and Order in the Amount of \$46,315.07.

VOTE

Motion carried by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, Verbic, Faivre, Mayor Smith. Nay: None.

H. PUBLIC HEARINGS

1. Public Hearing Regarding the Proposed Demolition of 912 Edgebrook Drive Using Community Development Block Grant (CDBG) Funding.

Mayor Smith opened the Public Hearing at 7:26 p.m. and read into the record a letter from Jessica Blevins regarding her support of demolishing the building due to safety concerns and declining property values.

City Manager Nicklas agreed with Ms. Blevins' comments, noting that the building remains unsuitable for rehab and is uninhabitable.

There were no further comments. Mayor Smith closed the Public Hearing at 7:30 p.m.

I. CONSIDERATIONS

1. Dekalb Fire Department 2019 Annual Report.

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

Fire Chief McMaster also commented on the report, stating that while the fire department is a proud partner in the community, it's being stretched thin. There has been a steady trend of calls over the past few years, but within the last two years there has been a big jump. Emergency Medical Service (EMS) calls are up by 25% but staffing remains in same model as it has in the past 10 to 12 years. Fire Chief McMaster also noted that substance abuse is a big issue and it's putting a strain on the fire department.

Alderman Faivre thanked Fire Chief McMaster and the firefighters for their work within the community, especially during the COVID-19 situation.

Mayor Smith thanked Fire Chief McMaster for his leadership.

J. RESOLUTIONS

1. Resolution 2020-066 Approving the Adoption of the Shared Principles Developed by the Illinois National Association for the Advancement of Colored People (INAAACP) State Conference and the Illinois Association of Chiefs of Police (ILACP) by the City of Dekalb Police Department.

Mayor Smith read the resolution by title only.

MOTION

Alderman Finucane moved to approve Resolution 2020-066; seconded by Alderman McAdams.

City Manager Nicklas provided an overview of this item based on the background information provided in the agenda packet. He noted that it's important to look at all of the shared principles, not just words.

There was no further discussion.

VOTE

Motion carried by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Mayor Smith declared the motion passed.

2. Approval in Omnibus Form of Resolutions Authorizing Community Development Block Grant (CDBG) Year 2020 Public Services Funding Agreements as follows: Resolution 2020-067 Children's Learning Center in the Amount of \$12,000; Resolution 2020-068 Elder Care Services in the Amount of \$9,000; Resolution 2020-069 Hope Haven in the Amount of \$18,000; Resolution 2020-070 Safe Passage in the Amount of \$16,000; and Resolution 2020-071 Voluntary Action Center in the Amount of \$14,000; for a Total Amount of \$69,000.

Mayor Smith read the resolutions by title only.

MOTION

Alderman Morris moved to approve Resolutions 2020-067 through 2020-071; seconded by Alderman Faivre.

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

There was brief discussion between Alderman Morris and Community Services Coordinator Rouse regarding the funds being provided for CLC's transportation.

VOTE

Motion carried by 7-0-1 roll call vote. Aye: Morris, Finucane, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Abstain: Smith. Mayor Smith declared the motion passed.

3. Resolution 2020-072 Authorizing an Architectural Improvement Program (AIP) Economic Incentive for the Hillside Restaurant, Located at 121 N. Second Street, in the Amount of \$18,075.50.

Mayor Smith read the resolution by title only.

MOTION

Alderman Finucane moved to approve Resolution 2020-072; seconded by Alderman Smith.

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

There was no further discussion.

VOTE

Motion carried by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Mayor Smith declared the motion passed.

4. Resolution 2020-073 Authorizing an Intergovernmental Agreement with the Illinois Department of Transportation for Public Transit Funding from the Illinois Downstate Operating Assistance Program from July 1, 2020 through June 30, 2021 in an Amount Not to Exceed \$6,154,536.

Mayor Smith read the resolution by title only.

MOTION

Alderman Faivre moved to approve Resolution 2020-073; seconded by Alderman McAdams.

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

There was no further discussion.

VOTE

Motion carried by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Mayor Smith declared the motion passed.

5. Resolution 2020-074 Awarding a Bid to Seven Brothers Painting, Inc. in the Amount of \$710,100 for Painting and Repair of the South Water Tower with Staff Authority to Approve Change Orders for a Total Project Cost Up to \$734,954.

Mayor Smith read the resolution by title only.

MOTION

Alderman Finucane moved to approve Resolution 2020-074; seconded by Alderman Faivre.

Mark Guethle, representing the Painter's Union, encouraged Council to investigate the background of Seven Brothers Painting due to safety issues they've encountered in the past, as well as the exploitation of its workers.

Mayor Smith read an electronically submitted comment from J.J. Wett regarding his concerns over safety issues within Seven Brothers Painting.

City Manager Nicklas provided an overview of this item based on the background information provided in the agenda packet, noting that all three bidders were out of state companies. He further noted that the City isn't allowed to solicit bids and does the best it can to provide a package that will provide a competitive price.

City Manager Nicklas further stated that while the City could give the job to the second lowest bidder, budgeted funds are not allocated at that price.

Discussion ensued among Council concerning the bidding process and the time it takes to paint a water tower of this size, and the cost of the project.

MOTION

Alderman Verbic moved to postpone this item to the July 27, 2020 Regular Council meeting; seconded by Alderman Morris.

VOTE

Motion carried by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Mayor Smith declared the motion passed.

6. Resolution 2020-075 Authorizing an Engineering Services Agreement with Dixon Engineering, Inc. for Coating Inspection and Construction Engineering for Painting and Repair to the South Water Tower in an Amount Not to Exceed \$51,500.

Mayor Smith read the resolution by title only.

MOTION

Alderman Finucane moved to postpone this item to the July 27, 2020 Regular Council meeting; seconded by Alderman Morris.

VOTE

Motion carried by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Mayor Smith declared the motion passed.

7. Resolution 2020-076 Awarding a Bid to West Side Tractor Sales for the Purchase of a John Deere 624L Series 4WD Loader in the Amount of \$189,960.

Mayor Smith read the resolution by title only.

MOTION

Alderman Faivre moved to approve Resolution 2020-076; seconded by Alderman Perkins.

City Manager Nicklas provided an overview of this item based on the information provided in agenda packet, noting that although Sargents was the low bidder, the Doosan DL280 loader included 24 deviations from the bid specifications.

VOTE

Motion carried by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Mayor Smith declared the motion passed.

8. Resolution 2020-077 Approving a Law Enforcement Embedded Social Worker Agreement with Northwestern Medicine Ben Gordon Center.

Mayor Smith read the resolution by title only.

MOTION

Alderman Morris moved to approve Resolution 2020-077; seconded by Alderman McAdams.

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

VOTE

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

K. ORDINANCES – SECOND READING

There were none.

L. ORDINANCES – FIRST READING

1. Ordinance 2020-045 Amending the Fiscal Year-End December 31, 2020 Budget (Motor Fuel Tax Fund 210).

Mayor Smith read the ordinance by title only.

MOTION

Alderman Verbic moved to approve Ordinance 2020-045 on First Reading; seconded by Alderman Faivre.

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

Alderman Finucane noted that the Kishwaukee Kiwanis organization has donated \$20,000 towards the bike path project.

VOTE

Motion carried by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Mayor Smith declared the motion passed.

MOTION

Alderman Verbic moved to waive Second Reading and approve Ordinance 2020-045; seconded by Alderman Faivre.

VOTE

Motion carried by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Mayor Smith declared the motion passed.

M. REPORTS AND COMMUNICATIONS

1. Council Member Reports

Alderman Morris reported that she will be hosting a First Ward meeting via Zoom on July 21, 2020. She also reported that evictions are a problem within the city and inquired about a “common lease” that would offer more protection for renters. Alderman Morris continued, stating that Zoom should be offered for all meetings.

Alderman Morris then addressed the issue of Officer Weese and inquired why he wasn't terminated for his actions in August of 2019. City Manager Nicklas indicated that while no charges were brought against Officer Weese, he received a 30-day suspension without pay, mandatory cultural competency training, and was prohibited from being promoted for a year. City Attorney Donahue added that Officer Weese has already been disciplined for his conduct and it would be difficult to terminate him now. However, if it were necessary to discipline him again, his actions in 2019 would be an aggravating factor.

Alderman Finucane reminded everyone to wear their masks properly and maintain social distancing. He added that the COVID-19 situation isn't going away any time soon and CDC recommendations need to be followed to avoid going back in phases.

Alderman Smith reported on some of the positive things happening in DeKalb, such as the return of the Old Navy store, the addition of a Raising Canes restaurant, the Pappas project at the corner of Sycamore Road and Oakland Drive (Issac Suites), the remodeling of the former Eduardo's restaurant at the corner of 2nd Street and Lincoln Highway, and the remodeling of the former O'Leary's restaurant at 3rd Street and Lincoln Highway.

Alderman Perkins commended all for the great discussion at this meeting, adding he hopes that all the energy will keep us keep moving forward in a positive direction.

Alderman McAdams announced that the Hometown Association of REALTORS will be funding a public mural painting under the Lincoln Highway Bridge to replace graffiti. The mural will be a celebration of unity and community.

Alderman Verbic reported that he will be hosting a Sixth Ward meeting on July 22, 2020.

Alderman Faivre suggested holding additional meetings to discuss opportunities and ideas.

Mayor Smith read a statement regarding comments made by a local blogger indicating that he and the Council have done nothing to alleviate shootings and murders within DeKalb. Mayor Smith stated that while he seldom responds to social media posts – positive or negative – he's a bit tired of claims that this is a “do nothing” Council. Mayor Smith continued, stating that he believes this Council is a topnotch collection of citizens and he's proud to be Mayor and serve with them.

2. City Clerk Report

The City Clerk was absent.

3. City Manager Report

City Manager Nicklas had no report.

N. EXECUTIVE SESSION

1. Approval to Hold an Executive Session to Discuss Collective Bargaining as Provided for in 5 ILCS 120/2(C)(2).

MOTION

Alderman Perkins moved to recess for Executive Session; seconded by Alderman Smith.

VOTE

Motion carried by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Mayor Smith declared the motion passed and recessed the meeting at 8:36 p.m.

O. ADJOURNMENT

MOTION

Following the completion of the Executive Session, Alderman Verbic moved to adjourn the Regular meeting; seconded by Alderman Finucane.

VOTE

Motion carried by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None. Mayor Smith declared the motion passed and adjourned the meeting at 9:25 p.m.

Respectfully submitted,

RUTH A. SCOTT, Executive Assistant

Approved by City Council: July 27, 2020.