

**MINUTES
CITY OF DEKALB
CITY COUNCIL REGULAR MEETING
SEPTEMBER 11, 2023**

The City Council of DeKalb, Illinois, held a Regular meeting on September 11, 2023, 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 the City Council were present: Alderman Barb Larson, Alderman Tracy Smith, Alderman Greg Perkins, Alderman Scott McAdams, Alderman Mike Verbic, Alderman John Walker, and Mayor Cohen Barnes. Alderman Carolyn Zasada arrived at 6:08 p.m.

Others in attendance included City Manager Bill Nicklas and City Attorney Matt Rose.

Sasha Cohen was absent.

B. PLEDGE OF ALLEGIANCE

Shadow Gentry led the Pledge of Allegiance.

C. APPROVAL OF THE AGENDA

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

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

D. PRESENTATIONS

1. Proclamation: Stephan J. Bigolin Day – September 22, 2023.

Mayor Barnes read the proclamation in its entirety. City Manager Nicklas provided background on Mr. Bigolin's devotion to DeKalb's history.

E. PUBLIC PARTICIPATION

There was none.

F. APPOINTMENTS

There were none.

G. CONSENT AGENDA

Mayor Barnes read the following by title only:

1. Minutes of the Special Joint Meeting of the City Council and Finance Advisory Committee Meeting of August 21, 2023.
2. Minutes of the Regular City Council Meeting of August 28, 2023.
3. Accounts Payable and Payroll through September 11, 2023, in the Amount of \$3,416,261.05.

4. Investment and Bank Balance Summary through July 2023.
5. Year-to-Date Revenues and Expenditures through July 2023.
6. Crime Free Housing Bureau Report – August 2023.

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

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

H. PUBLIC HEARINGS

Mayor Barnes opened the public hearing at 6:08 p.m. and the following by title only:

1. Public Hearing Regarding a Proposed Annexation and Development Agreement for Approximately 130 Acres of Property that is Located at the Northeast Corner of Peace Road and E. Gurler Road (Steven Goldin).

Steve Kapitan spoke regarding his concerns that the proposed annexation will prevent Peace Road from extending further south. He also stated the background documents for this item didn't include a map of the access points. Concluding his comments, Mr. Kapitan encouraged the Council not to waive the second reading for this item as requested by the petitioner.

Mayor Barnes stated Peace Road ends at Gurler Road and there are no further plans for extension at this time. He also advised Mr. Kapitan that the map of access points was included in the background for this item, as did City Manager Nicklas.

Julie Barr stated her family farms near the property in question and expressed concern over the impact the proposed annexation may have with water drainage once the property is developed. She also requested that the Council not waive second reading of this item as some property owners near the property weren't properly notified.

Mayor Barnes closed the public hearing at 6:16 p.m.

I. CONSIDERATIONS

There were none.

J. RESOLUTIONS

1. Resolution 2023-085 Approving a Deed in Lieu of Foreclosure Agreement for 509 Davy Street.

Mayor Barnes read the resolution by title only.

MOTION: Alderman Smith moved to approve the resolution; seconded by Alderman Walker.

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

Alderman Smith asked if neighbors of the property have approached the City about purchasing it. City Manager Nicklas indicated they had.

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. Resolution 2023-086 Authorizing the Purchase of One 2023 Ford Police Interceptor from Sutton Ford of Matteson at the Illinois Central Management Services Contract Pricing in an Amount Not to Exceed \$42,556.

Mayor Barnes read the resolution by title only.

MOTION: Alderman McAdams 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.

Mayor Barnes asked about the insurance of the person who caused the accident. City Manager Nicklas replied that insurance payout is being pursued. In the meantime, the City has a liability account that contains asset seizures with enough funds to cover the purchase of the vehicle.

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 2023-035 Authorizing the Issuance of Not to Exceed \$4,265,000 General Obligation Bonds, Series 2023, of the City of DeKalb.

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.

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 Perkins 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.

2. Ordinance 2023-036 Authorizing an Annexation and Development Agreement with Steven Goldin for the Property Located at the Northeast Corner of Peace Road and E. Gurler Road.

Steve Kapitan reiterated his comments from the Public Hearing portion of this meeting concerning this item.

Mayor Barnes read the ordinance by title only.

MOTION: Alderman Walker moved to approve First Reading of the ordinance; seconded by Alderman Larson.

City Manager Nicklas provided an overview of this item based on the information provided in the agenda packet. In response to Mr. Kapitan's concerns, he added there was never a plan to extend Peace Road to the south.

Alderman Perkins pointed out that the type of business placed on the property will be consistent with other businesses in that area. He also pointed out there's nothing planned for the site at this time and the requested action is simply a planning activity to align the property for development. City Manager Nicklas agreed with both points.

Alderman Perkins stated he would prefer to pass the item on First Reading only to give citizens an opportunity to voice any questions or concerns.

Mayor Barnes confirmed that this item was presented to the Planning and Zoning Commission (PZC) on September 5. City Manager Nicklas stated letters were sent to surrounding property owners regarding the proposed annexation with an invitation to attend the meeting to voice any questions or concerns.

Alderman Zasada noted that although there's no specific development in mind, there is value to getting the property on the market as soon as possible.

Alderman McAdams stated a friend who's a real estate speculator remarked that the City is making great changes, but they feel development should be slowed down. Alderman McAdams added that while he understands those feelings, he hopes that everyone will trust in the process.

Alderman Verbic stated that adding living wage jobs potential is terrific, however, he's heard that potential employees for these companies are having difficulty finding childcare in the area. He then asked if a partnership with the companies could be a possibility.

Mayor Barnes stated that Mortensen, as the largest employer in the area, may be interested in the topic of childcare, especially if the lack thereof is presenting a challenge with recruiting potential employees.

City Manager Nicklas stated in 2022 and 2023 the largest single corporate contributors to healthcare, daycare, and local social services were Meta, Ferrara, and Mortensen, adding that Northern Illinois University is also a contributor to those services.

City Manager Nicklas continued, stating the City's EAV has gone up 70% in four years from \$585 million to a projected \$998 million. Discussion ensued regarding the benefits of having these large corporations in our area.

City Manager Nicklas stated the Goldin's are concerned about being good stewards to their neighbors and have been methodical to this point, including their participation in the extension of the sewer from the west side of the road on the Kraft Heinz site to the east side of Peace Road, which is in line with the City's long term vision to open that land and land to the south.

City Manager Nicklas also stated it's easy to criticize but a lot of thought and care has been given to get to where we are in the last four years, and it requires daily consideration of issues that come up.

Mayor Barnes asked if this type of project was part of the land use plan (also known as the Comprehensive Land Use Plan). City Manager Nicklas replied that the plan was revised in 2022 and open houses and workshops were held to garner citizen input. He also noted that the plan received Council support. He added that this type of project is consistent with that.

Mayor Barnes touched on DeKalb's tax rate being higher than surrounding communities, and yet some taxing bodies claim to be concerned about affordable housing. He added that a project like this creates a shovel ready site for a large company to invest in. If all taxing bodies live up to the fiduciary responsibility they have to each taxpayer and drop their tax rate, there's a high probability of improving affordable housing in the community.

Continuing, Mayor Barnes commented on the Advancing Careers and Trades program sponsored by Meta/Mortensen to teach people about the building trade and help elevate them from a substandard wage. He noted the impact this has on some is staggering. He added that Kraft Heinz and Ferrara have both commented on how excited they are to invest in the community.

There was brief discussion between Alderman Smith and City Manager Nicklas regarding the number of large retention ponds within the area of the proposed annexation.

City Attorney Rose stated that once there is a viable concept and tenant for the subject development, all plans will have to be vetted through the PZC and the City Council.

Brief discussion ensued.

Alderman Larson thanked the Goldin Family for trying to be part of our community, noting the City wants to be welcoming and business friendly. She added there are a lot of other places for companies to choose from and offered her support for this project.

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 and approve the ordinance; seconded by Alderman Walker.

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

3. Ordinance 2023-037 Approving the Annexation of Certain Property Located at the Northeast Corner of Peace Road and E. Gurler Road to the City of DeKalb (Steven Goldin).

Mayor Barnes read the ordinance by title only.

Steve Kapitan stated he welcomes continued industrial development near I-88. He then reiterated his comments from the Public Hearing portion of this meeting concerning this item. Mr. Kapitan also asked if DeKalb County had been consulted about the possible extension of Peace Road.

MOTION: Alderman Verbic moved to approve First Reading of the ordinance; seconded by Alderman Perkins.

City Manager Nicklas replied to Mr. Kapitan's question, stating the County is one of the key members of the Enterprise Zone, as are other surrounding communities, that votes for the incentive packages for this and other developments and is in support of this project.

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 and approve the ordinance; seconded by Alderman Walker.

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

4. Ordinance 2023-038 Approving the Zoning Petition of Steven Goldin to Rezone Certain Property Located at the Northeast Corner of Peace Road and E. Gurler Road to the "PD-I" Planned Development Industrial District and to Approve a Concept Plan for the Development of Four Buildings Totaling Approximately 1,645,000 Square Feet to Accommodate Manufacturing, Packaging, Distribution and Warehouse Uses.

Mayor Barnes read the ordinance by title only.

Steve Kapitan stated he has no objection to the proposed annexation. He then thanked Alderman Perkins for his respect for the process and principle, which is not passing an item on First Reading and waiving Second Reading if it's significant and/or controversial. He added he thinks this project fits the case.

MOTION: Alderman Perkins 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.

Alderman McAdams addressed Mr. Kapitan's comments, stating in the past when the Council hasn't waived Second Reading of an item to allow for further community comment, no one has materialized.

Alderman Smith agreed with Alderman McAdams and stated citizens from his ward are in support of the developments coming to DeKalb so we can get the tax revenue to fix the streets, as well as other underlying issues.

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 and approve the ordinance; seconded by Alderman Zasada.

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

Mayor Barnes and Alderman Perkins welcomed Mr. Goldin and thanked him for investing in DeKalb.

5. Ordinance 2023-039 Revoking Ordinance 2020-012 Approving a Special Use Permit for the Co-Location of Cell Antennas and Associated Equipment at 1500 S. Seventh (7th) Street (Verizon Wireless).

Mayor Barnes read the ordinance by title only.

MOTION: Alderman Zasada moved to approve First Reading of the ordinance; seconded by Alderman Smith.

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 Perkins moved to waive Second Reading and approve the ordinance; 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.

6. 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 due to his ownership of property in the TIF district.

Alderman Verbic read the ordinance by title only.

MOTION: Alderman Perkins moved to approve First Reading of the ordinance; seconded by Alderman Larson.

Attorney Mark Doherty, who represents the owners (D-N-J Properties) of the property in question, stated productive discussions have taken place between the two parties since the last City Council meeting. He further stated that he, nor the owners, have received the proposal mentioned in the background for this item. Attorney Doherty also encouraged the Council to not proceed with condemnation.

Steve Kapitan asked if there's an updated total cost estimate that takes into account the increased offer to purchase the property and if there's been any further investigation of the cost of utility adjustments. He also stated that a drawing of the proposed parking lot has yet to be provided. City Manager Nicklas noted the drawing has been in the public domain for some time.

A brief discussion ensued between Mr. Kapitan and City Manager Nicklas regarding the location of the drawing online.

Mr. Kapitan stated he hopes examination of the impact of the railroad right-of-way has been considered for the total cost estimate.

City Manager Nicklas stated the estimated cost for the acquisition, demolition, design, and construction of the proposed parking lot, as well as the removal of the overhead utility lines and running them underground, would be approximately \$750,000.

Alderman Larson asked if the last proposal of \$420,000 had been rejected by the owners. Attorney Doherty replied that a proposal has not been received, noting there was discussion of what the offer might look like and from that, an offer was submitted. In response, City Attorney Rose sent an email with the agenda background for this item as an attachment.

City Manager Nicklas stated the price offered is \$50,000 more than what the City considers to be a fair price based on the appraisal the City paid for (Colliers International).

Attorney Doherty stated that he and City Manager Nicklas view the discussions differently and he doesn't think what the owners are asking for is unreasonable.

Alderman McAdams provided the definition of "blight" from the Oxford Dictionary and then stated he feels the building/property in question is blighted. He added that the City is trying to build a downtown that attracts commercial business and people. While he appreciates the emotional sentiment of those wanting to keep the downtown area like it was in the 1980s, he doesn't understand the business sentiment.

Continuing, Alderman McAdams stated he believes the offer of \$420,000 for the property is too much, adding that the City has a fiduciary responsibility to the citizens of DeKalb to not just give away money. He also stated he's unhappy this topic has taken so long and he's looking forward to a resolution.

Alderman Walker stated he's also tired of talking about this topic because there are more important things happening in DeKalb he'd like to talk about. He noted that when he comes to the downtown area or goes into another city, he likes to see clean things and things that are beautiful.

Alderman Walker concluded his comments by reiterating there are more important things happening in DeKalb that need to be discussed and at some point, the egos involved in the discussion over the property in question need to be removed.

Alderman Larson stated she supports the proposed project not because she wants another parking lot, but because the Central Business District (downtown) is the heart of any city and that's what you want to look nice. She noted the City is doing a lot of good things, including the new mural on the City Hall building, but then, just across the street, there's the building in question.

Continuing her comments, Alderman Larson stated she realizes it's a lot of money but it's not just about 27 parking spaces or gaining extra money for businesses and taxes. It's about potential developers and businesses who like what they see and want to invest in DeKalb, as well as encouraging people to invest their time and settle their families in the community.

Addressing Alderman Larson's comments, Alderman Walker stated it is about 27 parking spaces and paying \$750,000 for a parking lot makes no sense to him. He noted he might feel differently if something was going to be built on the site to bring in more tax dollars, perhaps even a parking garage that would provide more parking.

Alderman Larson stated everyone has their own point of view, adding if she thought all the City was going to get out of this was 27 parking spaces, she wouldn't be in support of it. She added if we don't start deciding what we want DeKalb to look like in five to ten years and start looking at what attracts businesses and people to DeKalb over another city, we're going to get passed by.

Alderman Zasada and Alderman McAdams agreed with Alderman Larson.

Alderman Verbic asked if the 27 parking spaces account for the two private parking spaces, to which City Manager Nicklas replied it does.

Alderman Verbic then asked if a business owner still intends to contribute \$75,000 to the purchase of the property. City Manager Nicklas replied that was incorrect but noted someone else might contribute.

Alderman Walker asked Attorney Doherty if the owner of the property is going to accept the \$420,000 offer. Attorney Doherty replied their offer was to accept that price with other points to the negation, one of them seeking indemnification as related to a realtor who might be seeking commission, noting the owner of the property has not hired a realtor.

Alderman Zasada asked who the property is listed by, to which someone from the audience replied Carrie Ottum.

Dan Sears, one of the owners of the property, stated he isn't surprised discussions of eminent domain are proceeding. He then spoke of a meeting between himself, the other owner, and the City where he thought progress was made. He asked the Council not to rush to a decision and to allow the progress to unfold, noting that if the City proceeds with eminent domain, it will bear additional expenses.

Alderman McAdams stated it's not about eminent domain, but about a fair price for the owner given the shape the building on the property is in. He added he still thinks the \$420,000 offer is too much.

Alderman Perkins stated his focus has been on the process, noting he's supportive of the City acquiring the property for downtown development. He further stated that he takes eminent domain seriously and he doesn't support it at this time as long as progress is being made.

City Manager Nicklas agreed that progress is being made, but for the threat eminent domain, he doesn't think this would still be a discussion. He added that he hopes the Council will vote for the ordinance but that doesn't mean the topic still can't be discussed further, stating it can't be settled in a Council meeting. City Manager Nicklas then asked for the Council's direction.

Alderman Perkins stated he supports City Manager Nicklas and the action he's taken thus far.

VOTE: Motion carried by a 4-3-1 roll call vote. Aye: Zasada, Larson, Smith, McAdams. Nay: Perkins, Verbic, Walker. Recused: Barnes. Alderman Verbic declared the motion passed.

Alderman Verbic asked if the Council was interested in waiving Second Reading for this item. There was no motion.

M. REPORTS AND COMMUNICATIONS

1. Council Member Reports.

Alderman Zasada reported she'd be postponing the First Ward meeting she had planned for September 12, but it would be rescheduled.

Alderman Smith reported on an email from Jerry and Carol Zarr about how charming they think DeKalb is becoming.

Alderman McAdams reported on a positive post he found on social media from someone on behalf of their grandfather and his search for a recipe for Swedish Limpa Bread his grandmother used to make when he lived next door to her at the corner of Franklin Street and 10th Street. Someone responded to the post stating they live in one of those homes, which happens to be a Sears kit house, and stated they'd love to speak with the grandfather to gain more knowledge of the history of the home. The responder also provided a recipe for the bread.

Continuing, Alderman McAdams stated he believes that's what DeKalb is about – a community of people who reach out to one another and share their history.

Alderman Walker thanked City Engineer Gill for doing so much good work for the Seventh Ward.

Alderman Verbic reported on an Opportunity DeKalb event with Uptown Sounds on September 12 at the Village Commons.

Alderman Larson reported on her attendance at the Patriot Day Memorial Ceremony, which took place at Fire Station #1 today. She also thanked the Fire Department for handling an emergency at a family member's home, noting they were professional and helpful.

Mayor Barnes reported he also attended the Patriot Day Memorial Ceremony, as well as the Mortensen Ceremony celebrating those who recently graduated from their Advancing Careers and Trades program.

2. City Manager Report.

City Manager Nicklas had no report.

N. EXECUTIVE SESSION

There was none.

O. ADJOURNMENT

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

VOTE: Motion carried by an 8-0 voice vote. Aye: Zasada, Larson, Smith, Perkins, McAdams, Verbic, Walker, Barnes. Nay: None. Mayor Barnes declared the motion passed and adjourned the meeting at 7:49 p.m.

Respectfully submitted,

Ruth A. Scott, Recording Secretary

Minutes approved by the City Council on September 25, 2023.

Click [here](#) to view the agenda packet for the September 11, 2023, Regular City Council Meeting.

Click [here](#) to view the video recording of the September 11, 2023, Regular City Council Meeting.