

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
November 25, 2019**

The Rochelle City Council met in Regular Session at 6:30 p.m. on Monday, November 25, 2019 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

PLEDGE TO THE FLAG & PRAYER: Prayer was said by City Clerk Sue Messer.

ROLL CALL: Present on Roll Call were Councilmembers Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. A quorum of seven were present. Absent. None. Also present were City Manager Jeff Fiegenschuh, City Clerk Sue Messer, and City Attorney Dominick Lanzito.

PROCLAMATIONS, COMMENDATIONS, ETC: Daughters of the American Revolution.

REPORTS AND COMMUNICATIONS:

- Mayor – Thanked the RMU for assistance in putting up the Christmas Décor.
 - Accept the resignation of Dr. Joe Thiele from the Planning & Zoning Commission. Motion made by Councilor D. McDermott and seconded by Burke, **“I move the council to accept the resignation of Dr. Joe Thiele from the Planning and Zoning Commission.”** Roll call vote was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0.
 - Appoint Gary Chiavini to the Planning & Zoning Commission as a voting member with a term of November 26, 2019-July 1, 2020. Motion made by Councilor T. McDermott and seconded by Hayes, **“I move the council approve the Mayor’s appointment of Gary Chiavini as a voting member to the Planning and Zoning Commission with a term of November 26, 2019 – July 1, 2020.”** Roll call vote was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0.
 - Appoint Jacob Becker to the Planning & Zoning Commission as an at-large, non-voting member with a term of November 26, 2019-July 1, 2021. Motion made by Councilor D. McDermott and seconded by Burke, **“I move the council approve the Mayor’s appointment of Jacob Becker to the Planning & Zoning Commission as an at-large, non-voting member with a term of November 26, 2019-July 1, 2021.”** Roll call vote was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0.
- Council Members

PUBLIC COMMENTARY: None.

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting – November 12, 2019
- b) Approve Minutes of Committee of the Whole Workshop – November 18, 2019
- c) Approve Exceptions – 11/6/19-11/18/19
- d) Approve Bills – 11/19/19
- e) Approve Payroll – 10/21/19-11/3/19
- f) Accept and Place on File Financial Statement – October 2019
- g) Approve City of Rochelle Meeting Dates for 2020
- h) Approve City of Rochelle Legal Holidays for 2020
- i) Formally Set the Date for the Public Hearing on the 2020 City of Rochelle Budget as 12/9/19 (A Copy of the Budget is available in the City Clerk’s Office)

Motion made by Councilor D. McDermott and seconded by Councilor Hayes, **“I move consent agenda items (a) through (i) except G be approved by Omnibus vote as recommended.”** Roll call vote was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0. Motion made by Councilor D. McDermott and seconded by Councilor Hayes, **“Approve item G as amended with the February meeting of the Railroad Advisory Board change to February 20, 2019.”** Roll call vote was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

- 2) **Ordinance Amending Section 6-46 of the Municipal Code of the City of Rochelle to Create One Class B Liquor License for Casey's at 330 South 7th Street.** Casey's has submitted an application for a Class B liquor license at 330 South 7th Street. The Class B liquor license allows for the retail sale on the premises specified of alcoholic liquor for consumption on the premises as well as other package retail sales. The Liquor Commissioner, Mayor Bearrows, has reviewed the application and has no objection to the creation of a Class B liquor license for Casey's. This action will result in a total of ten Class B liquor licenses in the City of Rochelle. Sue Messer, Nobia Bohms Casey's Representative and Jessica Ekdahl were available to answer any questions. Motion made by Councilor T. McDermott and seconded by Councilor D. McDermott, "**I move Ordinance 19-5075, an Ordinance Amending Section 6-46 of the Municipal Code of the City of Rochelle to Create One Class B Liquor License for Casey's at 330 South 7th Street, be approved.**" Roll call was taken. Ayes: Councilor Gruben, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: Councilor Burke and Hayes. Motion passed 5-2.
- 3) **Ordinance Approving a Conditional Use in the PUD-C (Planned Unit Development – Commercial) Zoning District to Allow Retail Sales of Electronic Cigarettes, Vapor and Related Products in Accessors at 1231 Caron Road (Sinbad Vapors, LLC, Petitioner).** Sinbad Vapors, LLC is a retail store for electronic cigarettes, vapor and related products and accessories. 1231 Caron Road is in a PUD-C zoning district where a conditional use permit is required for this type of business. Sinbad Vapors LLC is requesting a Conditional Use for their retail store to be located at 1231 Caron Road. Also, under Division 2, section 110-77, Conditions, certain conditions may be required such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements may be required by the Planning and Zoning Commission upon its finding. According to Chapter 110 Zoning, under Division 2 - Conditional Use Permits, the Planning and Zoning Commission shall hold a public hearing, shall review the site, existing and proposed structures, architectural plans, neighborhood uses, parking areas, driveway locations, highway access, traffic generation and circulation. The Planning & Zoning Commission held a public hearing on November 4, 2019. The Commission voted 5:2 to recommend the Conditional Use Permit. Michelle Pease and Majid Jabber, owner of Sinbad Vapors, LLC and Store manager Brea Anderson, spoke to Council and available for questions. Motion made by Councilor T. McDermott and seconded by Councilor D. McDermott, "**I move Ordinance 19-5076, an Ordinance Approving a Conditional Use in the PUD-C (Planned Unit Development – Commercial) Zoning District to Allow Retail Sales of Electronic Cigarettes, Vapor and Related Products in Accessors at 1231 Caron Road (Sinbad Vapors, LLC, Petitioner), be approved.**" Roll call was taken. Ayes: Councilor Burke, Gruben, D. McDermott, and T. McDermott. Nays: Councilor Hayes, Shaw-Dickey and Mayor Bearrows. Motion passed 4-3.
- 4) **Well No. 8 Well Rehabilitation Project.** Well 8 (located on Caron Rd.) suffered an equipment failure earlier in the year and requires a new pump, motor and cable along with repairing a damaged casing. A bid opening was held on November 14th and 3 base bids were submitted ranging from \$165,713 to \$253,100. A total of 2 alternate bids were also submitted with total bids ranging from \$214,013 to \$254,468. The alternate bid includes fixing the split casing. Water Well Solutions submitted the lowest bids and after careful review they meet all City requirements. Adam Lanning was present to answer questions. Motion made by Councilor Burke and second by Councilor Gruben, "**I move the Council approve the bids submitted by Water Well Solutions Illinois Division, LLC for the Well No. 8 Well Rehabilitation Project in the amount of \$214,013 and reject all other bids.**" Roll call vote was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.
- 5) **Well No. 4 Well Rehabilitation Project.** Well 4 is located on 2nd avenue near the highway 251 overpass and is still the original building from 1928. The building and all associated equipment need to be replaced. Fehr Graham was selected to provide design services and on November 14th we held a bid opening for 2 separate contracts, one to rehabilitate the well, pump and motor and the second to construct a new building. For contract 1 we received a total of 4 bids ranging from \$135,129 to \$330,400 with Cohoy Pump Service providing the lowest bid. Adam Lanning was available to answer questions. Motion made by Councilor T. McDermott and second by Councilor Burke, "**I move the Council approve the bid submitted by Cahoy Pump Service for the Well No. 4 Rehabilitation Project in the amount of \$135,129 and reject all other bids.**" Roll call vote was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

- 6) **Well No. 4 New Well House Project.** Well 4 is located on 2nd Avenue near the Highway 251 overpass and is still the original building from 1928. The building and all associated equipment needs to be replaced. Fehr Graham was selected to provide design services and on November 14th we held a bid opening for 2 separate contracts, one to rehabilitate the well, pump and motor and the second to construct a new building. For contract 2 we received a total of 6 base bids ranging from \$1,363,551 \$ to \$1,880,000 with Larson and Larson Builders providing the lowest bid. We also received a total of 6 alternate bids ranging from \$167,683.07 to \$251,002.92 with Stenstrom Construction Group providing the lowest bid. Included in the base bid documents is an allowance for each bid to add \$30,000 for asbestos evaluation and abatement. Adam Lanning was present to answer questions. Motion made by Councilor Burke and seconded by Councilor Shaw-Dickey, **“I move the Council approve the base bid submitted by Larson and Larson Builders for the Well No. 4 New Well House Project in the amount of \$1,363,551 and reject all other base and alternate bids.”** Roll call vote was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.
- 7) **Ordinance Adopting 2019 Property Tax Levy.** The State of Illinois requires the City annually adopt and file a Property Tax Levy Ordinance on or before the last Tuesday in December. Last year the City’s Equalized Assessed Valuation (EAV) was \$225,298,975 and its property tax rate was 1.111420 per \$100 of EAV. The City collected \$2,504,018 in property taxes. For 2019, Ogle County has estimated the City’s EAV at \$261,310,330. The proposed levy calculations would result in the City collecting \$2,563,862 in property taxes, an increase of 4.95% (excluding the bond). Based on the estimated EAV, the tax rate would decrease .10613 per \$100 of EAV. The proposed 2019 levy includes funding the Police and Fire Pension Funds as recommended by the City’s actuarial studies. Jeff Fiegenschuh was available to answer questions. Motion made by Councilor T. McDermott and seconded by Councilor Hayes, **“I move Ordinance 19-5077, an Ordinance Adopting the 2019 Property Tax Levy, be approved.”** Roll call vote was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.
- 8) **Ordinance Abating the Taxes Levied for 2019 - Taxable General Obligation Bonds Series 2013.** In 2010, the Mayor and Council approved an ordinance providing for the issuance of bonds to finance offsite improvements related to the Lighthouse Pointe Subdivision and Route 38 corridor. The City subsequently issued Taxable General Obligation Bonds, Series 2010 (Recovery Zone Economic Development Bonds) in the amount of \$2,940,000. In April 2013, due to federal budget cuts which affected the subsidy available through the Recovery Zone Bond program, the Council approved the issuance of General Obligation Refunding Bonds in an amount not to exceed \$3,125,000, which included interest and bond issuance costs. The annual debt service related to these bonds is being paid through TIF revenues, instead of property taxes, when sufficient funds are available. To abate the property taxes, the proposed ordinance must be approved annually and forwarded to Lee County and Ogle County. Chris Cardott was available to answer questions. Motion made by Councilor Burke and Councilor D. McDermott, **“I move Ordinance 19-5078, an Ordinance Abating the Taxes Levied for 2019 for Taxable General Obligation Bonds, Series 2013, be approved.”** Roll call vote was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.
- 9) **Ordinance Abating the Taxes Levied for 2019 to Pay the Principal of and Interest on \$4,500,000 General Obligation Bonds (Alternate Revenue Source), Series 2018 of the City of Rochelle.** In 2018, the Mayor and Council approved an ordinance providing for the issuance of bonds to finance infrastructure improvements. The City subsequently issued General Obligation Bonds (Alternate Revenue Source), Series 2018 in the amount of \$4,500,000. The annual debt service related to these bonds is being paid through the Capital Improvement Fund from a transfer from the Non-Home Rule Sales Tax Fund instead of property taxes, when sufficient funds are available. To abate the property taxes, the proposed ordinance must be approved annually and forwarded to Lee County and Ogle County. Chris Cardott was available to answer questions. Motion made by Councilor Burke and seconded by Councilor D. McDermott, **“I move Ordinance 19-5079, an Ordinance Abating the Taxes Levied for 2019 to Pay the Principal of and Interest on \$4,500,000 General Obligation Bonds (Alternate Revenue Source), Series 2018 of the City of Rochelle, be approved.”** Roll call vote was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

10) Risk Insurance Renewal for the City of Rochelle. The City of Rochelle’s Risk Insurance Plan Year expires annually on December 31st. In 2018 the City of Rochelle joined the Illinois Municipal Insurance Cooperative (IMIC) which includes 18 other municipalities in the region. The program is managed by AJ Gallagher, with coverage and services with Brit Insurance, York Insurance, Lexipol and Illinois Public Risk Fund (IPRF). On November 15, 2019 IMIC held a quarterly meeting and the proposals of insurance for 2020 were presented by AJ Gallagher Account Executive Ethan Salsinger. The renewal amount for the City of Rochelle for 2020 is \$568,293, this is approximately 8% increase from 2019. The overall premium increase is due to the excess property coverage and workers’ comp. The City of Rochelle received a Safety Grant from IPRF for 2020 in the amount of \$ 8,074. These funds will be used towards safety equipment and/or training in 2020. The award amount varies from year to year based on the total works’ comp losses and payroll amounts. Adriana Milan was present to answer questions. Motion made by Councilor Hayes and seconded by Councilor Burke, **“I move Council approve and place on file the 2020 Risk Insurance Rates from Illinois Municipal Insurance Cooperative (IMIC) for a total cost of \$568,293.”** Roll call vote was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

ADJOURNMENT: At 7:26 PM, moved by Councilor D. McDermott and seconded by Councilor T. McDermott, **“I move the Council adjourn.”** Motion passed by voice vote without dissent.

John Bearrows, Mayor

Susan L. Messer
City Clerk of Rochelle