

**ROCHELLE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
February 10, 2020**

The Rochelle City Council met in Regular Session at 6:30 p.m. on Monday, February 10, 2020 in the Council Chambers of City Hall; 420 N. 6<sup>th</sup> Street; Rochelle, IL 61068.

**PLEDGE TO THE FLAG & PRAYER:** The Prayer was said by Pastor Hoffman.

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

**PROCLAMATIONS, COMMENDATIONS, ETC:** None.

**REPORTS AND COMMUNICATIONS:**

- Mayor – The From the Heart Event is an example of what this community can do. This year \$50K was raised
- Council Members
- Remarkable Resident – Bert Cody
- Good News- Water Dept. Dwayne Rangel & Fire Dept., Josh Lewis, Zach Prewett, Heather Johnson, Curt Helgren and Tyler Carls
- Lee Ogle Transportation System – Greg Gates shared information about the IDOT Feasibility Grant
- Indiana Municipal Power Agency-Kyle Brouillette and Sam Wilson presented information

**PUBLIC COMMENTARY:** Laura Cook-Early voting will take place locally at Flagg Township. There are currently three voting precincts that vote at Hickory Grove. The county will actively looking for a new location if the purchase and demo move forward. Tom Smith-Hopes that the City moves forward with the proposed action on Hickory Grove. Kayla Harris-On behalf of herself and Nitesh Singh wants the public to understand that the hotel and condominiums are staying. Reassure the citizens and guest the hotel will continue in business.

**BUSINESS ITEMS:**

1) **CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:**

- a) Approve Minutes of City Council Meeting – January 27, 2020
- b) Approve Exceptions – 1/22/20-2/3/20
- c) Approve Bills – 2/4/20
- d) Approve Payroll – 01/13/20-01/26/20
- e) Approve a Resolution Appointing Jeff Fiegenschuh as Primary Board Member and Adam Lanning as Alternate Board Member to NIMPA
- f) Approve a Resolution Establishing the Official Zoning Map for 2019

Motion made by Councilor T. McDermott and seconded by Councilor Hayes, “**I move Consent Agenda Items (a) through (f) be approved by Omnibus Vote as recommended.**” Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

2) **Ordinance Approving a Grant Sub-Award Agreement between Region 1 Planning Council and the City of Rochelle.** On July 8, 2019 the Mayor and Council approved a Resolution Authorizing the Creation of a Local Complete County Committee (LCCC) for the City of Rochelle. Since that time, staff has registered the City as a Complete Count Committee at both the State and Federal level, joined the Regional Complete Count Committee and attended multiple training sessions. In addition, members of the LCCC have organized a large group of Census Partners to help spread the word, participated in multiple events, spoken to several groups to encourage new ambassadors, distributed informational post cards and fliers through various channels, and are moving forward with additional marketing plans. The Region 1 Planning Council (RPC) in Rockford applied for and was selected to serve as the Regional Intermediary for the Illinois Census Office defined “Northern Region” of Illinois, which includes Boone, DeKalb, Ogle, Stephenson and Winnebago Counties. As the Regional Intermediary, the RPC was awarded funding from the Illinois Department of Human Services to promote a complete and accurate count in the Northern Region. Local Complete Count Committees in the five-county region were subsequent invited to submit applications as sub-recipients for grant funds to assist with Census outreach. The City of Rochelle’s LCCC applied for \$21,200 to assist with funding for marketing and outreach in our community. We were awarded \$23,790 with the additional \$2,590 earmarked specifically for efforts aimed at hard-to-reach populations. The Region 1 Planning Council is requiring that all recipients execute a grant sub-award agreement. The amount of the agreement is \$23,790 with a term of November 1, 2019 through June 30, 2020. This agreement provides the means for the City of Rochelle to receive reimbursement for Census related expenses through the grant. Sue Messer was available for questions. Motion made by Councilor Hayes and seconded by Councilor Burke, **“I move Ordinance 20-5097, an Ordinance Approving a Grant Sub-Award Agreement between Region 1 Planning Council and the City of Rochelle, be approved.”** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

3) **Mulford Road Improvements from Union Pacific Railroad to Creston Road along the Rochelle Municipal Landfill.** As part of the Amendment to the Restated Host Agreement for the Operation and Development of the Rochelle Municipal Landfill No. 2 (Ord#08-3668) and Amendment No. 3 to the Host Agreement (Ord#19-5066) the OPERATOR (Rochelle Waste Disposal, LLC) will reconstruct Mulford Road to an 80,000# route hereafter referred to the Mulford Road Improvements. The first phase of the Mulford Road improvements was completed in 2013 in Dement Township and Ogle County from IL Rte 38 to the UPRR. The Operator has been working Fehr Graham and Associates, along with City staff over the past year, to develop plans and specifications for the Phase 2 Mulford Road improvement from the UPRR to Creston Road. City staff has reviewed said plans and specifications and find them to generally meet the requirements of the Host agreement conditions and the Rochelle Municipal Code. Additional right of way will be required to reconstruct the project along the west side of Mulford Road from the UPRR to Creston Road. The project will now be administered through the City of Rochelle Engineering Department and be subject to the contract documents to be approved by the City Council. The above referenced project was advertised in the Rochelle Newsleader, on the City website and Quest CDN. Bids were publicly opened and read aloud on January 23, 2020 at 10am for the above referenced project. Three separate bids were received as follows:

- Martin and Company Excavating submitted a Base bid for making the entire improvements in the amount of \$1,288,481.78 and an Alternate bid in the amount of \$1,149,389.78
- N-TRAK Group LLC submitted a Base bid for making the entire improvements in the amount of \$1,425,469.83 and an Alternate bid in the amount of \$1,297,144.23
- Fischer’s Excavating, Inc. submitted an Alternate bid for making the entire improvements in the amount of \$1,336,383.19

The low Alternate bid is approximately 20% lower than the Engineer’s estimate of cost. The project will be funded in whole by the Operator with funds deposited into an Escrow account. Once the project is complete the City will reimburse for approximately ½ of the project costs per the Host agreement stated above. Lastly, given the favorable contract unit prices for multiple construction items it is recommended that approval be given to the City Manager and/or the City Engineer to negotiate further change order work, not to exceed \$108,000, within the proposed contract to facilitate other improvements and upgrades to Mulford and Creston Roads contiguous with but outside the identified limits of this project. It is anticipated the construction project will be substantially complete by July 2020.

Sam Tesreau, City Engineer, was available to answer questions. Motion made by Councilor Hayes and seconded by Councilor D. McDermott, **“I move the Council accept the low Alternate bid proposal and award the contract to Martin and Company Excavating in the amount of \$1,149,389.78 for the Mulford Road Improvements Project and reject all other bids.”** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0. Motion made by Councilor Hayes and seconded by Councilor Burke, **“I move the Council authorize a not to exceed \$108,000 improvement add on**

(contract change order) to be negotiated by the City Manager and/or City Engineer for improvements along Mulford and Creston Roads adjacent to the project limits.” Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

- 4) **Resolution Approving Mulford Road Improvements Escrow agreement between the City of Rochelle, Rochelle Waste Disposal, LLC and Central Bank Illinois.** Per Third Amendment to the Restatement agreement for Operation/Development of City of Rochelle Landfill No. 2 (Ord.#19-5066), the Operator is required to place the amount necessary to fund the construction related items of Mulford Road less any contributions by the City. On January 23, 2020 bids were opened for the project with the lowest Base bid being \$1,288,481.78 and the lowest alternate bid being \$1,149,389.78. After further discussion with the Operator the City Engineer recommends placing no less than \$1,375,000.00 into the escrow agreement to cover the construction related costs, construction engineering and testing services, right of way acquisition and construction project contingency. Sam Tesreau was available to answer questions. Motion made by Councilor Hayes and seconded by Councilor D. McDermott, **“I move Resolution R20-05, a Resolution Approving Mulford Road Improvements Escrow agreement between the City of Rochelle, Rochelle Waste Disposal, LLC and Central Bank Illinois, be approved.”** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.
- 5) **Resolution Adopting Ogle County Multi-Jurisdictional All Hazard Mitigation Plan 2019.** In May of 2011 the City of Rochelle adopted the original Ogle County Multi-Jurisdictional All Hazards Mitigation plan by resolution with certain conditions. In late 2017 the Ogle County Multi-Jurisdictional All Hazards Mitigation committee met again as part of an ongoing process to evaluate and update the Plan from 2011. American Consultants was engaged by the Ogle County Emergency Management Agency to assist in the development of the plan. The plan evaluates potential damage to life and property from storms and natural hazards, including manmade hazards, in Ogle County and identifies potential projects and activities that can reduce these damages. The plan is considered multi-jurisdictional because it includes municipalities and other governmental agencies that are eligible and have participated in developing the plan. The plan has been developed to fulfill federal planning requirements and potential funding for mitigation projects and activities before disasters occur while increasing awareness about natural and manmade hazards and closer cooperation between organizations and political jurisdictions involved with emergency planning and response.  
FEMA has reviewed the plan since its submission in March 2019 and accepted the proposed plan. A list of potential projects within the City of Rochelle are identified in an excerpt of the plan. The plan provides a mechanism for applying for available funds from IEMA/FEMA for certain eligible and approved mitigation projects and activities contained within the plan. Sam Tesreau was present to answer any questions. Motion made by Councilor Hayes and seconded by Councilor Burke, **“I move Resolution R20-06, a Resolution Adopting the Ogle County Multi-Jurisdictional All Hazards Mitigation Plan 2019 and agreeing to participate in the annual 5 year updates, be approved.”** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.
- 6) **Resolution Approving a Non-Exclusive Parking Lot License Agreement for the Real Estate Located at 510 Lincoln Highway.** City staff has been working with Ogle County officials for a few months to develop an agreement for use of certain parking lot facilities located at the corner of 6th Ave and Lincoln Hwy, along with a parking lot off 6th Street near City Hall. Please note that per enclosure (1) the City of Rochelle will provide snow removal services on parking lots in the same timely manner it removes snow from other municipally owned lots in the City. Furthermore, since this area is for the Ogle County Emergency Operations Center, the City will be responsible for removing all non-government vehicles within one hour when notified that the Emergency operations Center has been activated. Signage will be posted to give users of the parking lot advance warning of such removal. The term of the license agreement shall remain in effect for a period of 5 years at which time the Ogle County board may grant additional 5 year extensions. Sam Tesreau was present to answer any questions. Motion made by Councilor Hayes and seconded by Councilor D. McDermott, **“I move Resolution R20-07, a Resolution Approving a Non-Exclusive Parking Lot License Agreement for the Real Estate Located at 510 Lincoln Highway, be approved.”** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

- 7) **Resolution Directing City Officials and the City Attorney to Engage in Discussions Regarding the City's Purchase of the Hickory Grove Property.** From the time I was hired in 2017 I have regularly attended the monthly OCCCA board meetings. Based on my conversations with them as a board and individually I feel they are ready to disband as the OCCCA board. For the past 7 years they have not had the necessary resources to continue to operate the Hickory Grove facility. Their board, with assistance from our staff, has tried on multiple occasions to work with private developers to assume the facility. Due to the condition of the facility and the costs associated with its renovation there have been no serious inquires. I am proposing that the City assume and demolish the facility this year. Before the demolition is completed our team will work to secure a private development partner to construct a new mixed-use property on this site. Please see the attached documents for further information. I will be presenting my plan at the February 10th City Council meeting.
- Further, I solicited two proposals from local engineering firms to oversee the final asbestos and mold testing, preparing the bid documents and the demolition and site preparation portions of the project. I received competitive proposals from both Willett Hofmann and Fehr Graham Engineering. Both firms have the staff available to ensure the success of the project. However, I am recommending the council approve a contract not to exceed \$50,000 with Willet Hoffman to oversee the all aspects of the bidding and demolition of the facility based on their previous work. Jeff Fiegenschuh was available to answer any questions. Robin Gournaris spoke about the shape of the building and how much is wrong with the building. Motion made by Councilor Hayes and seconded by Councilor T. McDermott, **"I move Resolution R20-08, a Resolution Directing City Officials and the City Attorney to Engage in Discussions Regarding the City's Purchase of the Hickory Grove Property, be approved."** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.
- 8) **Engineering Agreement with Willett Hofmann for Hickory Grove Demolition Project.** Motion made by Councilor Hayes and scoded by Councilor Burke, **"I move the Council authorize the City Manager to sign an engineering agreement with Willett Hoffman for the Hickory Grove Demolition Project at a cost of not to exceed \$50,000."** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

- 9) **Ordinance Amending Article IV, Section 2-264 of the Municipal Code Entitled “An Early Separation Incentive Program for Certain Employees of the City of Rochelle”** Since 2017 the City has offered two early separation incentives. Employees who were 55+ with at least 15 years of service were eligible for one or both incentives. Both programs offered two years of paid health insurance at the employee’s current level if they separated employment from the City within a year of program approval by the City Council. Since the last plan was approved, the City/RMU has had 14 eligible employees participate. Of the 14 open positions, 5 have been replaced at new pay rates and insurance tiers. By March 2021, when the insurance subsidy for the last employee to separate ends the City/RMU will notice a savings of over \$1.7 million dollars. I would like to offer this program once again to generate further savings for the City. The proposal is similar to the previous two plans. All participating employees will receive two years of paid insurance from the City at their current level of coverage. This proposal offers a new incentive as well. If the eligible employee gives notice of their intent to separate employment by May 1, 2020, they will be eligible for a one-time payment not to exceed 3 % of their base rate of pay nor 106% of their 2019 total base compensation (does not include call out pay or overtime) on their final paycheck. To be eligible for this added incentive, the employee must sign the separation form with the City Manager by May 1, 2020 and separate no later than December 31, 2020.

The breakdown of qualified employees per department is as follows:

City Hall-3

Streets-2

Community Development-1

Water/Water Reclamation –2

Electric Distribution/Generatoin-4

Utility Billing-1

Fire-1

Police-2

Within these respective departments, those qualifying positions left open by a separation will be consolidated into other positions, replaced with part-time personnel or replaced in full after 2 years. There are several positions that will need to be replaced immediately, but those will be done at a lower rate of pay and at the new 2nd tier insurance levels. The savings for the 1st year, if every employee participates could be up to approximately \$500,000. This considers the early separation payment along with the insurance. If approved the plan will go into effect immediately with an enrollment period effective upon passage of this ordinance through February 14, 2021. The date of any employee’s separation under this program shall be no later than February 28, 2021. Enrolled employees must agree to utilize and exhaust any accrued and unused vacation, personal and comp time such that no employee may receive additional payments. Jeff Fiegenschuh was present to answer questions. Motion made by Councilor T. McDermott and seconded by Councilor D. McDermott, **“I move Ordinance 20-5098, an Ordinance Amending Article IV, Section 2-264 of the Municipal Code Entitled “An Early Separation Incentive Program for Certain Employees of the City of Rochelle”, be approved.”** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

- 10) **Resolution Authorizing the Execution of a First Amendment to Communications Site Lease Agreement with Sprint.** Sprint, formerly Nextel, has an existing lease agreement with the City to operate and maintain cellular communications equipment on the water tower located along the 251 overpass. The agreement is set to expire in August of 2020 and I have worked with Sprint to provide an updated agreement. The proposed terms are for 4 renewal terms of 5 years with monthly installments of \$2,738.89 with a 3% annual escalation. This amendment maintains all terms of the existing agreement other than the outlined terms pertaining to the pricing, length of agreement and cost escalation. Adam Lanning was available to answer questions. Motion made by Councilor Hayes and seconded by Councilor D. McDermott, **“I move Resolution R20-09, a Resolution Authorizing the Execution of a First Amendment to Communications Site Lease Agreement with Sprint, be approved.”** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

**DISCUSSION ITEMS: Enjoy Rochelle Website and Community Calendar.** The newly re-designed enjoyrochelle.com is now live! The site features our local tourism attractions: the Rochelle Railroad Park, Kennay Farms Distilling, and Chicagoland Skydiving Center, along with our historical sites, parks, restaurants and shops. Newly added is a Community Calendar feature where events can be submitted from local organizations planning community events. Jenny Thompson, Director of Marketing, Public Relations and Tourism will give a tour of the new site.

**EXECUTIVE SESSION:** At 8:18 PM, Councilor Shaw-Dickey and seconded by Councilor Burke, **“I move the Council recess into executive session to discuss the appointment, employment, compensation, discipline,**

**performance and/or dismissal) of specific employee(s), Section (c) (1) and the discussion of minutes of meetings lawfully closed under this Act for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated, Section (c) (21).**” Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

At 8:42 PM, moved by Councilor \_\_\_\_\_ and seconded by Councilor \_\_\_\_\_, **“I Move the Council return to open session.”** Motion passes by voice vote without dissent.

**ADJOURNMENT:** At 8:43 PM, moved by Councilor T. McDermott and seconded by Councilor D. McDermott, **“I move the Council adjourn.”** Motion passed by voice vote without dissent.

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John Bearrows, Mayor

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Susan L. Messer  
City Clerk, City of Rochelle