

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
March 23, 2020**

The Rochelle City Council met in Regular Session at 6:30 p.m. on Monday, March 23, 2020 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

PLEDGE TO THE FLAG & PRAYER: The pledge was led by City Clerk Sue Messer and prayer was said by Pastor Hoffman.

ROLL CALL: Mayor - On March 16th Governor Pritzker, due to the Covoid 19 pandemic, suspended the in-person attendance requirement for public meetings allowing public bodies to conduct meetings electronically without having to comply with the physical quorum requirements or the conditions for participating electronically in a meeting. As a result, Councilwoman Kate Shaw-Dickey, Councilman Dan McDermott, Councilman Bil Hayes, and Councilman John Gruben have notified the City Clerk of their desire to participate remotely. Unless there is a motion objecting to their attendance, the request of the council members will be deemed approved. Present on Roll Call were Councilmembers Burke, T. McDermott, and Mayor Bearrows and Councilmembers Shaw-Dickey, D. McDermott, Bil Hayes and John Gruben via conference call. Absent: None. A quorum of seven were present. Also present were City Manager Jeff Fiegenschuh and City Clerk Sue Messer.

PROCLAMATIONS, COMMENDATIONS, ETC: Week of the Young Child April 11- April 17, 2020.

REPORTS AND COMMUNICATIONS:

- Mayor – Read a statement to the community about COVID 19 preparations and reminded community of their role.
- Council Members-Councilman Bil Hayes thanked staff & community.

PUBLIC COMMENTARY: None.

BUSINESS ITEMS:

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

- a) Approve Minutes of City Council Meeting – March 9, 2020
- b) Approve Exceptions – 03/04/20-03/16/20
- c) Approve Bills – 03/17/20
- d) Approve Payroll – 02/24/20-03/08/20
- e) Accept and Place on File Financial Statement – February 2020

Motion made by Councilor Burke and seconded by Councilor Shaw-Dickey, **“I move Consent Agenda Items (a) through (e) 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) **Resolution Authorizing Payment for Right-of-Way and Temporary Construction Easement Rights Pertaining to the South Main Street Project with DC Rochelle.** An agreement for the purchase of right of way parcels and/or easements for the South Main Street Phase 1 reconstruction project. The subject site is owned by DC Rochelle LLC and is the former site of the Rochelle Truck Center. As a result of the final engineering plans it was determined that certain additional right of way parcels and easements were necessary to complete the construction of the improvements. Appraisals were conducted on each property. After over a year of negotiations the property owner has agreed to the purchase of right of way and easements which will allow the enlarged signalized intersection improvements to be constructed as part of the S Main Street/Steward project. Included in the price is the acquisition and removal of an existing 900 sf building that was formerly used as a residence and office space. Jeff Fiegenschuh was available to answer questions. Motion made by Councilor T. McDermott and seconded by Councilor D. McDermott, **“I move Resolution R20-13, a Resolution Authorizing Payment for Right-of-Way and Temporary Construction Easement Rights Pertaining to the South Main Street Project with DC Rochelle in an amount not greater than \$75,000, 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) **South Main Street Project from Steam Plant Road to Steward Road and along Steward Road.** The well 4 project was bid and awarded to Leander Construction and Leander is expected to begin work this spring or early summer. The watermain work was originally bid as an alternate and we decided to reject it due to the cost of it coming in at around \$200,000. On March 18th we held a bid opening to procure the materials for that work to be done in-house and a total of two bids ranged from \$83,776.62 to \$86,497.60. The low bid was provided by Furgeson Waterworks. Jeff Fiegenschuh was available to answer questions. Motion made by Councilor Burke and seconded by Councilor Hayes, **“I move Council accept the low bid proposal and award the contract to Martin and Company Excavating for the South Main Street Project from Steam Plant Road to Steward Road and along Steward Road in the amount of \$2,476,941.72 and reject all other bids received.”** 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 Burke and seconded by Councilor D. McDermott, **“I move Council approve and authorize a not to exceed \$448,000 improvement add on (contract change order) to be negotiated by the City Manager for improvements to City Streets 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) **Material Procurement for Watermain & Appurtenances for Well #4 Wellhouse and Watermain.** The well 4 project was bid and awarded to Leander Construction and Leander is expected to begin work this spring or early summer. The watermain work was originally bid as an alternate and we decided to reject it due to the cost of it coming in at around \$200,000. On March 18th we held a bid opening to procure the materials for that work to be done in-house and a total of two bids ranged from \$83,776.62 to \$86,497.60. The low bid was provided by Furgeson Waterworks. Jeff Fiegenschuh was available for questions. Motion made by Councilor Shaw-Dickey and seconded by Councilor Burke, **“I move Council award the bid to Furgeson Waterworks for the material procurement for watermain & appurtenances for Well #4 wellhouse and watermain in the amount of \$83,776.62 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.
- 5) **Ordinance Amending Section 6-46 of the Municipal Code of the City of Rochelle to Create One Class T Pilot Travel Centers LLC, Store #1181 located at 1201 E IL Route 38.** Pilot Travel Centers has submitted an application for a Class T liquor license at 1201 E IL Route 38. The Class T liquor license allows for the retail sale of packaged alcoholic liquor, not for consumption on the premises where sold, for Licensed Truck Stop Establishments as defined by the Illinois Video Gaming Act. The Liquor Commissioner, Mayor Bearrows, has reviewed the application and has no objection to the creation of a Class T liquor license for Pilot Travel Centers LLC, Store #1181. This action will result in a total of three Class T liquor licenses in the City of Rochelle. Sue Messer was present to answer any questions. Motion made by Councilor T. McDermott and seconded by Councilor Gruben, **“I move Ordinance 20-5104, an Ordinance Amending Section 6-46 of the Municipal Code of the City of Rochelle to Create One Class T Liquor License for the Pilot Travel Centers LLC, Store #1181 located at 1201 E IL Route 38, be approved.”** Roll call vote was taken. Ayes: Burke, Gruben, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: Hayes. Motion passed 6-1.
- 6) **Resolution Authorizing the Payment of Certain Routine and Recurring Expenses.** The Governor recently declared a state of emergency in the State of Illinois due to the effects of the Covid-19 virus. Due to the pandemic, it may be difficult to schedule meetings of the City Council and ensure there is a quorum of members available to conduct business. The proposed resolution ensures that routine and recurring City expenses including electricity, gas, water, employee compensation, etc. can be paid timely during this state of emergency. Sue Messer was present to answer any questions. Motion made by Councilor Burke and seconded by Councilor Shaw-Dickey, **“I move Resolution R20-14, a Resolution Authorizing the Payment of Certain Routine and Recurring Expenses, 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) **Ordinance Temporarily Suspending Late Fees as Identified in Chapter 98 Article I of the Rochelle Municipal Code.** Due to the Covid-19 Pandemic and the effects it will have on our customers I am requesting that you approve an ordinance allowing the City Manager to waive all late fees for residential customers through April 30th. The ordinance also allows the City Manager to approve the waiver of all late fees for an additional 30 days if the emergency declaration continues. Jeff Fiegenschuh was available for questions. Motion made by Councilor Hayes and seconded by Councilor D. McDermott, **“I move Ordinance 20-5105, an Ordinance Temporarily Suspending Late Fees as Identified in Chapter 98 Article I of the Rochelle Municipal Code, 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) **Amendment #1 to Construction Phase Engineering Services Agreement with Hanson Engineering for the Rochelle Industrial Rail Improvements.** The rail improvement project called Project Co-Op commenced on August 17, 2018 with an anticipated completion date no later than January 20, 2019. Due to the early onset of winter which brought more than 4" of snow on October 30, 2018 and the extraordinary amount of rain that followed in the Spring of 2019, the project was plagued with numerous stops and starts. The project is ~80% complete and is now estimated to be completed in late summer or early fall of 2020 which means the project will take more than 800 days to complete. Hanson Engineering's contract was estimated to cover construction services for 6 months. Due to the extraordinary length of time for the project to be completed Hanson has requested additional compensation. A breakdown of the charges for construction services was provided. Staff recommends approving Agreement Increase Request #1 from Hanson Engineering for the added work to supervise and administer the billings and grant reimbursements that was necessary due to the more than 600 days over what was allotted to complete the project. It should be noted that in spite of the increased costs of the project the whole project will be completed under the engineering estimate of \$7,000,000. Jason Anderson, Economic Development Director was available to answer questions. Motion made by Councilor Burke and seconded by Councilor D. McDermott, "**I move Council approve Amendment #1 to Construction Phase Engineering Services Agreement with Hanson Engineering in the amount of \$223,103 for the Rochelle Industrial Rail Improvements.**" 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) **Railcar Transload Agreement between the Burlington Junction Railroad and a Transloader to Utilize the Rochelle Transloading Center for the Purpose of Transloading Windmill Components.** The recent opening of the Rochelle Transloading Center (RTC) has begun to attract a number of rail to truck transloading opportunities. The Burlington Junction Railroad (BJRY) operates a number of transloading operations in other locations and is seeking to enter into this contract with a heavy equipment transloader who has extensive experience in transloading windmill blades, towers, hubs and nacells. The revenue derived from this project is significant. Switching windmill railcars generates \$415/car with \$140/rail car going to the City. The revenue for use of the RTC is \$75/railcar and the unloading/staging of component ranges from \$300 - \$500 per component that is unloaded from a railcar. Depending on the number of windmills to be transloaded, the total revenue to the railroad for this project would range between \$100,000 to \$1,200,000. Upon approval for this agreement the City and the transloader will draft an agreement outlining the cost associated with the use of local truck routes by the transloader to move their truckloads from the RTC to IL Rt 251 and I -88. Additional revenue to the City will come in the form of overweight/oversized permitting which will be determined by the number of trucks required to move the components out of Rochelle. Jason Anderson was available to answer questions. Motion made Councilor T. McDermott and seconded by Councilor Burke, "**I move Council approve a Railcar Transload Agreement between the Burlington Junction Railroad and a Transloader to Utilize the Rochelle Transloading Center for the Purpose of Transloading Windmill Components.**" 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: None.

ADJOURNMENT: At 7:27PM, moved by Councilor Burke 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, City of Rochelle