

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
June 22, 2020**

The Rochelle City Council met in Regular Session at 6:30 p.m. on Monday, June 22, 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 Deputy Clerk Rose Huéramo and prayer was led by Pastor Judy Williams.

ROLL CALL: Mayor - On March 16th, due to the COVID-19 pandemic, Governor Pritzker 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. On March 31st Governor Pritzker extended the order until April 30th. On May 29th Governor Pritzker extended the order until June 27th. As a result, Councilwoman Kate Shaw-Dickey, Councilman John Gruben and Councilman Bil Hayes 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, D. McDermott, and Mayor Bearrows and Councilmembers Shaw-Dickey, Hayes and Gruben attended remotely. Absent: None. A quorum of seven were present. Also present were City Manager Jeff Fiegenschuh, City Attorney Dominick Lanzito and Deputy Clerk Rose Huéramo.

PROCLAMATIONS, COMMENDATIONS, ETC: None

REPORTS AND COMMUNICATIONS:

- Mayor – Reminded the community on various events. Census event, 6/23 taking place at Salt 251 from 5-7 PM requesting all to participate by the October 31st deadline. Electronic recycling event 7/18. Employment positions open for the City of Rochelle encourage all to apply. Shop local, the Railfan Gift Shop has reopened. Shared FB “feel good story” of resident Pal Colwill of pay it forward while shopping at Stock & Field.
 - Appointment of Members to Boards and Commissions. Motion made by Councilor D. McDermott and seconded Councilor Burke, **“I move the council approve the Mayor’s appointments to the Planning & Zoning Commission, Airport Advisory Board, the Police and Fire Commission, the Railroad Advisory Board, the Stormwater Advisory Commission, and the Utility Advisory Board for terms beginning July 1, 2020.”** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0
- Council Member
- Good News

PUBLIC COMMENTARY: None.

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting – June 8, 2020
- b) Approve Exceptions – 06/03/20-06/09/20
- c) Approve Payroll – 05/18/20-05/31/20, 06/01/20-06/14/20
- d) Accept and Place on File Financial Statement – May 2020
- e) Approve Request from Jayme Thomas to Use the Gazebo on July 4, 2020
- f) Approve Restart Rochelle Grants

Motion made by Councilor Burke 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) **(Public Hearing and Action) Resolution Committing Local Funds - Rebuild Illinois Grant for Demolition of Hickory Grove.** The City of Rochelle is applying for a shovel ready sites grant under the Rebuild Illinois program. The total requested grant is \$356,750 to be used for the demolition and site preparation for the existing Hickory Grove Banquet Center. Any additional funds, up to \$365,750 will be committed by the City of Rochelle through its General fund (franchise dollars from transmission sale to ComEd) and landfill funds. No general sales tax or property tax dollars are allocated to this project. Currently, DCEO has not indicated when they will be making the grant awards, but the team at Willett Hoffman think it could be this fall. If that’s the case the project will be bid out in early 2021. Jeff Fiegenschuh and Matt Hansen from Willett Hoffman were available to answer questions. Motion made by Councilor Burke and seconded by Councilor D. McDermott, **“I move the Council recess into a Public Hearing for a Resolution Committing Local Funds for a Rebuild Illinois Grant for Demolition of Hickory Grove.”** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0.

Program and Funding Availability

The Governor’s Five-Year Economic Development Plan recognizes there are sites across Illinois with great economic development potential that require additional investment to become “shovel ready”. The objective of this program is to provide funding for projects that entail substantial improvements to an underused site in order to make it “shovel ready” for future development and investment. The State has allocated \$13,000,000 in Rebuild Illinois funds to the competitive Shovel Ready Sites (RISRS) component. A grant ceiling of \$2,000,000 and a grant minimum of \$250,000 per project has been established.

Eligible Activities

A project that qualifies for a Rebuild Illinois Shovel Ready Sites grant is a capital infrastructure project which will implement strategies to revitalize a specific area, setting the stage for future economic growth and development.

Eligible project expenses are:

- Site acquisition
- Environmental site assessment
- Architectural planning and engineering design
- Site preparation and improvement
- Clearance
- Demolition and removal of buildings
- Rehabilitation, reconstruction or improvement of existing buildings
- Utility work
- Other bondable activities that ready the site for reuse that are not specifically disallowed.

Project Scope Description

The City has acquired the former Hickory Grove Banquet Center property. The building is currently vacant and is at a point of disrepair. The City’s vision is to redevelop the property into Regional Conference Center by demolishing the existing building and preparing the site for redevelopment. The City would then work with a developer to construct the new Regional Convention Center that will provide adequate space for conferences and entertainment and social events that the community and region is currently lacking.

Project Cost Estimate

The project cost estimate is \$731,500 as detailed in the table below. The City will be applying for a \$365,750 grant and the local leverage will be \$365,750.

Project Cost Estimate

Project Activity	Total Cost
Construction – Demolition/Site Improvements	\$ 676,500
Design and Construction Engineering	\$ 55,000
Total Project Cost	\$ 731,500

Displacement of Individuals

The proposed project will not displace any individuals in the project area. The existing building currently has no tenants.

Community Development and Housing Needs

The following is a list of community development and housing needs in the order of their importance.

1. City-Wide Sanitary Sewer Lining

The City has a Project Plan Report under review by the IEPA for precleaning, televising, and lining 162,700 feet of 8”, 10”, 12”, 15”, 18” and 24” diameter sanitary sewer. The estimated project cost is \$13,688,800.

2. Well No. 8 Water Treatment Plant

Well No. 8 meets all of the enforceable drinking water standards, but does not meet the secondary maximum contaminant level (SMCL) for iron and manganese. The City has an approved project plan to construct a 1,700 gpm capacity iron and manganese removal pressure filter plant. The estimated cost is \$4,311,000.

3. Cleveland No. 2 Lift Station Abandonment

Construct approximately 1,750 feet of 15” diameter sanitary sewer to eliminate the aging Cleveland No. 2 lift station. The estimate project cost is \$378,000.

4. Street Maintenance and Reconstruction

The City invests in street maintenance and reconstruction annually to maintain the street that are in good condition and reconstruct the streets that are in poor condition.

There were no public comments. Motion made by Councilor Burke and seconded by Councilor D. McDermott, **“I move the Council return to open session.”** 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 T. McDermott and seconded by Councilor Hayes, **“I move Resolution R20-23, a Resolution Committing Local Funds for a Rebuild Illinois Grant for Demolition of Hickory Grove, 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) **(Public Hearing and Action) Resolution Committing Local Funds - Rebuild Illinois Public Infrastructure Grant for Construction of New Well House, Well Rehabilitation and Water Tower Painting at the Well #4 Site.**

Pursuant to State of Illinois Procedures, we are required to hold a public hearing in order to receive comments from the public regarding Rebuild Illinois grant for the well 4 wellhouse and tower project. The total funds requested from the Rebuild Illinois Grant is \$2,625,000 with a match from the City of \$875,000. In order to proceed the council will also need to approve a resolution committing the local funds which come from cash reserves. Jeff Fiegenschuh was available to answer questions. Motion made by Councilor Burke and seconded by Councilor Hayes, **“I move the Council recess into a Public Hearing for a Resolution Committing Local Funds for a Rebuild Illinois Public Infrastructure Grant for Construction of New Well House, Well Rehabilitation and Water Tower Painting at the Well #4 Site.”** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0. The City of Rochelle will hold a public hearing on June 22, 2020, at 6:30 PM, in the City Council Chambers at Rochelle’s City Hall to provide interested parties an opportunity to express their views on the proposed Rebuild Illinois Public Infrastructure Grant (RIPI) project. The public hearing will also be available for viewing on Facebook Live. The State has allocated \$50,000,000 in Rebuild Illinois funds to the competitive Public Infrastructure (RIPI) component. A grant ceiling of \$5,000,000 per project has been established. Grants for less than \$250,000 will not be awarded. The objective of these program components is to fund public infrastructure projects based upon the criteria included in Governor Pritzker’s Five-Year Economic Development Plan. The City of Rochelle intends to apply to the Illinois Department of Commerce and Economic Opportunity for a grant from the Rebuild Illinois program. These grant funds are to be used for a community development project that will include the following activities: construction of a new well house, well rehabilitation and water tower painting at the Well #4 site. The total amount of Rebuild Illinois funds to be requested is \$2,625,000. The City of Rochelle also proposes to expend \$875,000 in non-Rebuild Illinois funds on the project. These non-Rebuild Illinois funds will be derived from the following sources: Water Utility Capital Fund - \$875,000. The Rebuild Illinois and non-Rebuild Illinois funds will be used to for the construction of a new well house, well rehabilitation and water tower painting at the Well #4 site. The proposed water system improvements are necessary to deter the current deteriorating conditions of the system components. In order to continue providing a safe, reliable water source, the City of Rochelle needs to make the improvements listed above. The rehabilitation of the well will provide a more effective source point for the water. The well house improvements are necessary due to the condition of the current facility, which is old, undersized, and unsafe. The tower is overdue for painting. Its current appearance is very poor, which affects the overall appearance of the City’s downtown. The maintenance that will be completed along with the painting will improve the functionality of the tower and the City’s water distribution system. The City of Rochelle is requesting this funding because they are unable to fund this vital infrastructure project on their own. The City just completed another major water system project with their own funds and are not comfortable using the remainder of their surplus funds in this uncertain climate. Rochelle was prepared to move forward with construction on the proposed project, but due to the COVID-19 pandemic, the City decided to initially delay/postpone the project if they were going to fund it on their own. With design completed and permits in-hand, the City is ready to move forward with the project immediately; they just financial assistance to make it happen. The proposed project will not displace any residents or businesses in the project area or within the City of Rochelle. The City of Rochelle’s detailed, prioritized list of community development and housing needs include the following:

- Aging Infrastructure
 - Water System Improvements Needed
 - Sewer System Improvements Needed
 - Electric Utility Improvements Needed

- Deteriorating Roadways & Sidewalks
- Allow the City to expand but develop standards to ensure that new sections maintain and enhance the traditional character of Rochelle.
- Promote and enhance the Downtown and Southern Gateway as viable commercial districts. A concerted effort should be made to encourage aesthetic improvements and to attract appropriate land uses.
- Promote a variety and concentration of uses in the Downtown. The City of Rochelle will encourage an intensive development pattern that will provide a substantial employment and residential base. Development will contain a mix of uses, including office, retail and support services, restaurants, entertainment, housing, civic and recreational opportunities.
- Strengthen the Downtown residential function. An expanded residential population can extend the hours of activity beyond working hours, provide support to expanded retail and entertainment uses, and provide an impetus for quality infrastructure and services. New, higher density residential uses in the Downtown will accommodate a variety of household types and income levels.
- Ensure that new affordable housing (multi-family and single-family homes) continues to be built.
- Provide a greater range of housing options for senior and disabled citizens.

There were no public comments Motion made by Councilor Burke and seconded by Councilor T. McDermott, **“I move the Council return to open session.”** 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 D. McDermott and seconded by Councilor Burke, **“I move Resolution R20-24, a Resolution Committing Local Funds for a Rebuild Illinois Public Infrastructure Grant for Construction of New Well House, Well Rehabilitation and Water Tower Painting at the Well #4 Site, 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.

- 4) **Audit for January 1, 2019 – December 31, 2019.** Sikich, LLP planned and performed the audit in order to obtain reasonable assurance about whether the financial statements are free of material misstatements. This included performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The audit also included evaluating the appropriateness of accounting policies used, significant estimates made by management and evaluating the overall presentation of the financial statements. The auditor’s opinion, as noted on page 2 of the Comprehensive Annual Financial Report, indicates that the financial statements “present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Rochelle, Illinois, as of December 31, 2019, and the respective changes in financial position and, where applicable cash flows thereof for the year ended in conformity with accounting principles generally accepted in the United States of America.” Chris Cardott, Finance Director and Anthony Cervini, Partner of Government Services for Sikich, attended the meeting to provide an overview of the City’s Financial Statement and respond to questions from the Mayor and Council members. Jeff Fiegenschuh also gave a summarized presentation. Motion made by Councilor T. McDermott and seconded by Councilor D. McDermott, **“I move the Council accept and place on file the audit reports (20-5132) for the Fiscal Year January 1, 2019-December 31, 2019 as prepared and presented by Sikich, LLP.”** 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 Approving an Amendment to the Personnel Manual.** The City of Rochelle “Handbook” Personnel Policies Manual was last updated in October of 2018. The Personnel Policies Manual is in constant review and revisions shall be made periodically to be consistent with all applicable laws, employment policies and current technology. The changes are:

Updating: Sexual Harassment Policy; Chapter 6, Article A

Adding: Telecommuting Policy and Procedure; Chapter 1, Article K

The update to the Sexual Harassment Policy is necessary to comply with the mandates of the Workplace Transparency Act. This change to the Act requires the municipal employers must specify a reporting and investigation method when one elected official makes an allegation of sexual harassment against another elected official

- o Allegations of Sexual Harassment made against an elected official of the governmental unit by another elected official of a governmental unit. In addition to the methods of reporting included above, an elected official may request an independent review of a complaint of sexual harassment by another elected official. The request shall be made to the Human Resources Director, the City Manager, or the chief elected official of the City. The official receiving the request shall take immediate action in keeping with the procurement process of the municipality to retain a qualified individual or entity for the independent review of the allegations of sexual harassment in violation of this policy. The outcome of the independent review shall be reported to the City Council.

Second update is to comply with the number of days file a retaliation charge with IDHR from 180 days to 300 days.

Third update is to include all modeled IML language on Consequences for Violations of the Sexual Harassment policy.

- o In addition to any and all other discipline that may be applicable pursuant to municipal policies, employment agreements, procedures, employee handbooks and/or collective bargaining agreements, any person who violates this policy or the Prohibition on Sexual Harassment contained in 5 ILCS 430/5-65, may be subject to a fine of up to \$5,000 per offense, applicable disciplinary actions or discharge by the municipality and any applicable fines and penalties established pursuant to local ordinance, state law or federal law. Each violation may constitute a separate offense. Any discipline imposed by the municipality shall be separate and distinct from any penalty imposed by an ethics commission and any fines or penalties imposed by a court of law or a state or federal agency.

The addition of the Telecommuting Policy and Procedure and the Telecommuting Agreement is to set guidelines and rules for telecommuting or working from home. The purpose:

- A. Telecommuting allows employees to work at home, on the road or in a satellite location for all or part of their workweek. Telecommuting could be in the event of an emergency such as inclement weather, a pandemic, other extenuating circumstances or as an alternative work arrangement.
- B. Telecommuting is not an entitlement, it is not a City-wide benefit, and a signed agreement in no way changes the terms and conditions of employment with the City of Rochelle.
- C. If approved for telecommuting, employees are expected to telecommute as if reporting to work as usual unless he/she is sick, on approved leave, or as otherwise directed by their supervisor.
- D. Telecommuting may be appropriate from some positions and duties, but not necessarily viable for all positions.

Nancy Bingham, Human Resources Coordinator, was available to answer questions. Motion made Councilor Burke and seconded by Councilor D. McDermott, **“I move Resolution R20-25, a Resolution Approving an Amendment to the Personnel Manual, 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) **Ordinance Amending the Intergovernmental Agreement for the Maintenance of Traffic Signals.** In 2011, the City of Rochelle entered into an intergovernmental agreement (also referred to as the “Master Agreement”) with the Illinois Department of Transportation for the maintenance of traffic signals within the City of Rochelle. The term of this agreement is from July 1, 2011 to June 30, 2021. All changes to this agreement must be agreed upon by IDOT and the City of Rochelle and be incorporated by written amendment, signed by both parties. On June 24 of 2019, Rochelle City Council entered into an Intergovernmental Agreement for the maintenance of a new traffic signal at the intersection of IL Route 251 and Steward Rd. It was later realized, Exhibit A, submitted by IDOT, was incorrect. Exhibit A has been revised and attached to the Intergovernmental Agreement for Maintenance of Traffic Control Devices in the City Rochelle. IDOT will reimburse 67% of typical signal maintenance and electrical energy costs at this location. Jeff Fiegenschuh was available to answer questions. Motion made by Councilor T. McDermott and seconded by Councilor Gruben, **“I move Ordinance 20-5133, an Ordinance Amending the Intergovernmental Agreement for the Maintenance of Traffic Signals, 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 Approving a Purchase and Sale Agreement with Rochelle Main Street, LLC - 920 S Main Street.** The Owner of certain property at 920 S. Main Street approached City staff about the possibility of conveying or donating approximately 13 acres to the City of Rochelle for a reduced or no fee. In exchange the City (purchaser) will provide acknowledgement of a donation in accordance with IRS code 170. The property is located north of Cain Millwork, west of South Main Street and south of Veterans Parkway. After much discussion internally amongst staff it was decided to develop a purchase and sale agreement with the Owner (Seller). The City attorney and Sellers attorney has approved the agreement with certain conditions and contingencies. The Seller will provide an appraisal and donate the property in accordance with IRS Form 8283. Furthermore, the Seller has provided a clear Phase 1 of the property as requested by the City staff. It is expected that approximately 0.8 acres of Road Right of Way will be required from this parcel during Phase 2 of the South Main Street reconstruction EDP project from Veterans Parkway to Steam Plant Road. That construction project is expected to begin in 2023. Sam Tesreau, City Engineer was available to answer questions. Motion made by Councilor Burke and Councilor T. McDermott, **“I move Ordinance 20-5134, an Ordinance Approving a Purchase and Sale Agreement with Rochelle Main Street, LLC at 920 S Main Street, 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: None.

ADJOURNMENT: At 7:20 PM, moved by Councilor D. McDermott and seconded by Councilor Burke, **“I move the Council adjourn.”** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0.

John Bearrows, Mayor

RoseMary Huéramo
Deputy Clerk, City of Rochelle