

**ROCHELLE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
May 10, 2021**

The Rochelle City Council met in Regular Session at 6:30 p.m. on Monday, May 10, 2021 in the Council Chambers of City Hall; 420 N. 6<sup>th</sup> Street; Rochelle, IL 61068.

**PLEDGE TO THE FLAG & PRAYER:** The pledge said by Mayor Bearrows and prayer said by Chaplain Judy Williams.

**ROLL CALL:** 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. On June 26th Governor Pritzker extended the order through July 25th. On July 24th Governor Pritzker extended the order through August 22nd. On August 21st Governor Pritzker extended the order through September 19, 2020. On September 18th Governor Pritzker extended the order through October 17, 2020. On October 16th Governor Pritzker extended the order through November 14th. On November 13th Governor Pritzker extended the order through December 12th. On December 11th Governor Pritzker extended the order through January 9th. On January 8th Governor Pritzker extended the order through February 6th. On February 5th Governor Pritzker extended the order through March 6th. On March 5th Governor Pritzker extended the order through April 3rd. On April 2nd Governor Pritzker extended the order through May 1st. On April 30<sup>th</sup> Governor Pritzker extended the order through May 29<sup>th</sup>. Present on Roll Call were Councilmembers Arteaga, Gruben, D. McDermott, T. McDermott, Shaw-Dickey, Hayes, and Mayor Bearrows. Absent: None. A quorum of seven was present. City Manager Jeff Fiegenschuh, Deputy City Clerk Rose Huéramo and City Attorney Dominick Lanzito were also present.

**PROCLAMATIONS, COMMENDATIONS, ETC:** Police Week – May 9 – May 15, 2021; Public Works Week – May 16 – May 22, 2021.

**REPORTS AND COMMUNICATIONS:**

- Mayor’s Report – The Shriners are selling Vidalia onions at the Creston Farmers Market on Saturday, May 15<sup>th</sup>. Welcome Councilwoman Rosie Arteaga to her first official meeting after being sworn in. Reminder that COVID vaccines are readily available at clinics, pharmacies, etc. Encourage all to be vaccinated.
  - Accept the resignation of Vicki Snyder-Chura from the Planning & Zoning Commission effective immediately. Motion made by Councilor T. McDermott and seconded by Councilor D. McDermott, **“I move the council accept the resignation of Vicki Snyder-Chura from the Planning & Zoning Commission effective immediately.”** Roll call vote was taken. Ayes: Burke, Gruben, D. McDermott, T. McDermott, Shaw-Dickey, Hayes and Mayor Bearrows. Nays: None. Motion passed 7-0. Mayor commented that Vicki was a long-standing member of the Planning and Zoning.
  - Revise the appointment of Lyndon Leisher to the Planning & Zoning Commission as a voting member for a term to expire July 1, 2021. Motion made by Councilor D. McDermott and seconded by Councilor Shaw-Dickey, **“I move the council revise the appointment of Lyndon Leisher to the Planning & Zoning Commission as a voting member for a term to expire July 1, 2021.”** Roll call vote was taken. Ayes: Burke, Gruben, D. McDermott, T. McDermott, Hayes, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0. There are several open positions on our boards and commissions. Applications are available on the city website.
- Council Members – Councilman Hayes has attended remotely for some time. He is employed by a global company and wanted to protect those around him during the pandemic.
- Nancy Bingham kicked off the Rochelle Community Foundation Campaign for 2021/2022.

**PUBLIC COMMENTARY:** None.

Motion made by Councilor Shaw-Dickey and seconded by Councilor Hayes, **“I move Agenda Item #6, a Resolution Authorizing and Approving an Aggregator Master Service Agreement between Enerwise Global and the City of Rochelle, be moved to the beginning of the agenda.”** Roll call vote was taken. Ayes: Arteaga, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

**Resolution Authorizing and Approving an Aggregator Master Service agreement between Enerwise Global and the City of Rochelle.** The City of Rochelle has a utility Rider 3, which offers a demand response program. This program allows industrial customers with a certain load profile to receive savings if they shave load during the five critical peak days as determined by PJM. Staff feels the program and our customers are better served by contracting with a third-party vendor who will work with the industrial customers and PJM directly.

At the previous City Council meeting Kellen Bollettino, with CPower attended the meeting virtually to discuss how a demand response works and the programs they offer that will assist the city and our Industrial and Commercial customers.

Staff would like to enter into an agreement with CPower to provide an annual demand response program through PJM. Due to time constraints, they will manage our current Rider 3 program this generation season. Next year, RMU's local program will be terminated, and all future programs will be run directly through CPower and PJM.

There are no costs to the City of Rochelle or any customers participating in the program. Participating sites are compensated for participation. If there is no participation in the program, CPower absorbs any penalties. Rochelle and the end use customer have zero out of pocket expense for all CPower programs and services. When the program changes and is run through PJM, the customers will continue working directly with CPower. There still is no cost to the City. Any savings seen by the customer will go 75% to the customer and 25% to CPower in the form of an annual check from PJM.

Either party may terminate the agreement immediately upon the other party's material breach of any obligation of this agreement, provided such breach remains uncured for a period of ten (10) days after being provided with written notice thereof ("Termination for Cause"). Provider shall also be entitled to terminate this agreement upon ten (10) days written notice if provider's ability to provide services under this agreement is negatively impacted by a regulatory change. Kellen Bollettino representing CPower, attending remotely, and Director of Electric Operations Blake Toliver were available to answer questions.

Motion made by Councilor T. McDermott and seconded by Councilor Gruben, "**I move Resolution R21-18, a Resolution Authorizing and Approving an Aggregator Master Service Agreement between Enerwise Global and the City of Rochelle, be approved.**" Roll call vote was taken. Ayes: Arteaga, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

#### **BUSINESS ITEMS:**

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

- a) Approve Minutes of City Council Meeting – 4/26/21
- b) Approve Exceptions – 04/20/21-04/26/21, 04/27/21-05/03/21
- c) Approve Payroll – 04/19/21-05/02/21
- d) Accept and Place on File Rochelle Police Pension Board Annual Treasurer's Report
- e) Approve VFW request to hold Poppy Drive on May 29, 2021

Motion made by Councilor Hayes 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: Arteaga, 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 S Liquor License for Amisa Inc. d/b/a Rochelle Shell at 505 W. Highway 38.**

Amisa Inc. has submitted an application for a Class S liquor license for Rochelle Shell at 505 W. Highway 38. The Class S liquor license allows for the retail sale of packaged beer and wine, not for consumption on the premises where sold. The Liquor Commissioner, Mayor Bearrows, has reviewed the application and has no objection to the creation of a Class S liquor license for Rochelle Shell. This action will result in a total of three Class S liquor licenses in the City of Rochelle. Motion made by Councilor T. McDermott and seconded by Councilor D. McDermott, "**I move Ordinance 21-5242, an Ordinance Amending Section 6-46 of the Municipal Code of the City of Rochelle to Create One Class S Liquor License for Amisa Inc. d/b/a Rochelle Shell at 505 W. Highway 38, be approved.**"

Roll call vote was taken. Ayes: Arteaga, Gruben, D. McDermott, T. McDermott, and Mayor Bearrows. Nays: Hayes and Shaw-Dickey. Motion passed 5-2.

##### **3) Illinois Metropolitan Investment Fund.** The Illinois Metropolitan Investment Fund (IMET) is a local government investment pool created in 1996. It currently provides investment services to over 200 municipalities and government agencies. IMET offers two investment options: a liquidity option (Convenience Fund) and an intermediate-term option (1-3 Year Series). The Convenience Fund is designed to accommodate funds requiring high liquidity. It is comprised of collateralized bank deposits, FDIC insured certificates, and U.S. government securities and funds are available the same day. The 1-3 Year Series is designed for public funds that may be invested for longer than one year. There are no early withdrawal fees or penalties for funds invested for less than one year. Funds are available for withdrawal in 5 business days. The 1-3 Year Series is invested primarily in U.S. government backed securities (Treasuries and Agencies) and holds the highest rating by Moody's. Rates as of April 27, 2021 are .21% for the Convenience Fund and .62% for the 1-3 Year Series. Rates change daily. With the anticipation of funds from the American Recovery Plan, I recommend opening an account with IMET and depositing the funds into the 1-3 Year Series option. This new account will allow the City to easily track the

projects allowed for the ARP funds. Minor changes to the current Investment Policy are made and highlighted in the attached. Chris Cardott, Finance Director was available for questions. Motion made by Councilor D. McDermott and seconded by Councilor Shaw-Dickey **“I move Council approve the revised City of Rochelle Investment Policy.”** Roll call vote was taken. Ayes: Arteaga, 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 Shaw-Dickey **“I move Resolution R21-17, a Resolution Approving the Execution of a Third Amended and Restated Declaration of Trust with the Illinois Metropolitan Investment Fund, be approved.”** Roll call vote was taken. Ayes: Arteaga, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

- 4) **Resolution Authorizing the City Manager to Execute an Intergovernmental Agreement with the State of Illinois and Resolution Authorizing the Payment of the City of Rochelle’s Local Share for Illinois Project No. RPJ-4765 to reconstruct remaining area of aircraft parking apron.** IDOT has determined through the Pavement Condition Index (PCI) and the weight of aircraft that land here, that a portion of our asphalt apron needs replacement with concrete. To move forward with this project, the City Council must authorize the City Manager to execute an Intergovernmental Agreement with the State of Illinois and authorize the payment of the City’s 5% share of \$48,101.01. The 2021 Capital Outlay Summary for the Airport includes funding for the apron replacement. Airport Manager Mike Hudetz was available for questions. Motion made by Councilor T. McDermott and seconded by Councilor D. McDermott, **“I move Resolution R21-15, a Resolution Authorizing the City Manager to Execute an Intergovernmental Agreement with the State of Illinois for Illinois Project No. RPJ-4765 to reconstruct remaining area of aircraft parking apron, be approved.”** Roll call vote was taken. Ayes: Arteaga, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0. Motion made by Councilor Gruben and seconded by Councilor Arteaga, **“I move Resolution R21-16, a Resolution Authorizing the Payment of the City of Rochelle’s Local Share for Illinois Project No. RPJ-4765 in the amount of \$48,101.01, be approved.”** Roll call vote was taken. Ayes: Arteaga, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.
- 5) **Ordinance Waiving the Competitive Bidding Requirements and Awarding Alfa Laval Inc. the Purchase Order for the Purchase of a Centrifuge Control Systems.** Recently a VFD for centrifuge #1 failed at the wastewater plant and we are currently running on our backup #2 centrifuge with no backup. The company Alfa Laval trouble shot the problem and has recommended upgrading both components due to control and drive problems. These issues will result in our system becoming obsolete and support will no longer be available for the original controls. These machines cannot run without these components. The centrifuges are a crucial part of the wastewater plant process. It is how we separate water from biosolids not needed to balance the plant and we send the biosolids to the landfill 5 days a week. These components are only available through Alfa Laval. Therefore, we wish to waive competitive bidding. Utility Superintendent Adam Lanning was available remotely for questions. Motion made by Councilor Arteaga and seconded by Councilor Shaw-Dickey, **“I move Ordinance 21-5244, an Ordinance Waiving the Competitive Bidding Requirements and Awarding Alfa Laval Inc. the Purchase Order for the Purchase of Centrifuge Control Systems at a cost of \$88,670, be approved.”** Roll call vote was taken. Ayes: Arteaga, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.
- 7) **Acquisition of a City Easement for future pedestrian bridge and shared use path improvements, over the Kyte River and north of IL Rte 38, on part of lot 1 of Meadowbrook Subdivision No. 1.** After recent conversations with the owner of 1211 Brookside Drive, located on lot 1 of the Meadowbrook Subd. No. 1, and the realtor currently engaged in the sale of said property an opportunity has come up to begin acquisition of City easements necessary for a shared use path and pedestrian bridge over the Kyte River. The easement identified herein is one of three easements necessary for said construction outside of the IL. Rte. 38 right-of-way. This acquisition is intended to happen over the next couple of weeks with the new owner of the residential parcel at 1211 Brookside Drive (PIN 24-13-458-009). If the acquisition is successful City staff will begin discussions with the others parcel owners to acquire other necessary easements. City Engineer Sam Tesreau was available for questions. Motion made by Councilor T. McDermott and seconded by Councilor D. McDermott, **“I move Council authorize the City Manager to execute an easement agreement for future pedestrian bridge and shared use path improvements, over the Kyte River and north of IL Rte 38, on part of lot 1 of Meadowbrook Subdivision No. 1 in an amount not to exceed \$6,000, plus applicable closing costs and fees, in a form to be prepared by the City Attorney.”** Roll call vote was taken. Ayes: Arteaga, Gruben, Hayes, T. McDermott, and Shaw-Dickey. Abstain: D. McDermott and Mayor Bearrows. Motion passed 5-2.

**EXECUTIVE SESSION:** at 7:23 PM, Councilor Shaw-Dickey moved and seconded by Councilor D. McDermott, **“I move the Council recess into executive session to discuss pending or imminent litigation, Section (c) (11) and 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: Arteaga, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

At 7:44 PM, moved by Councilor D. McDermott and seconded by Councilor Shaw-Dickey, **“I move the Council return to open session.”** Roll call vote was taken. Ayes: Arteaga, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

**ADJOURNMENT:** At 7:45 PM, moved by Councilor D. McDermott and seconded by Councilor Shaw-Dickey, **“I move the Council adjourn.”** Roll call vote was taken. Ayes: Arteaga, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Nays: None. Motion passed 7-0.

---

John Bearrows, Mayor

---

Rose Huéramo  
Deputy City Clerk, City of Rochelle