

**ROCHELLE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
JANUARY 8, 2018**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, January 8, 2018 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 Clerk McKinney.

**ROLL CALL:** Present on Roll Call was Councilmembers Hayes, D. McDermott, T. McDermott, and Shaw-Dickey. Absent: Burke, Bearrows and Mayor Olson. A quorum of four was present. Also present were City Manager Fiegenschuh, and City Clerk McKinney.

**APPOINT MAYOR PRO-TEM:** Motion made by Councilor Hayes and seconded by Councilor Shaw-Dickey, **“I move the Council appoint D. McDermott as Mayor Pro-tem for tonight’s meeting.”** Roll call vote was taken. Ayes: Hayes, D. McDermott, T. McDermott, and Shaw Dickey. Nays: None. Motion passed 4-0.

**PROCLAMATIONS, COMMENDATIONS, ETC:** Proclamation Recognizing 2018 as the Year of Kishwaukee College

**REPORTS AND COMMUNICATIONS:**

Mayor: Motion made by Councilor Hayes and seconded by Councilor Shaw-Dickey, **“I move the Council approve the appointment of William Seimer to the Airport Advisory Board as a non-voting member with a term of January 9, 2018 - July 1, 2020.”** Motion passed by voice vote without dissent.

Motion made by Councilor Hayes and seconded by Councilor Shaw-Dickey, **“I move the Council approve the appointment of Kurt Wolter to the Planning and Zoning Commission with a term of January 9, 2018 – July 1, 2020.”** Motion passed by voice vote without dissent.

Council:

**PUBLIC COMMENTARY.**

**BUSINESS ITEMS:**

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

- a) Approve Minutes of City Council Meeting -- 12/11/17
- b) Approve Minutes of Special Council Meeting -- 12/11/17
- c) Accept and Place on File Police and Fire Commission Minutes – 9/12/17
- d) Accept and Place on File Planning and Zoning Commission Minutes – 12/4/17
- e) Accept and Place on File Budget Summary Month Ending 11/30/17
- f) Approve Exceptions – 12/6/17-12/14/17, 12/15/17-12/21/17, 12/22/17-1/1/18
- g) Approve Bills – 1/2/18-1/2/18
- h) Approve Payroll – 11/20/17-12/3/17, 12/4/17-12/17/17

Motion made by Councilor Shaw-Dickey and seconded by Councilor Hayes, **“I move Consent Agenda Items (a) through (h) be approved by Omnibus Vote as recommended.”** Roll call vote was taken. Ayes: Hayes, D. McDermott, T. McDermott, and Shaw Dickey. Nays: None. Motion passed 4-0.

- 2) **Ordinance Amending Ordinance No. 45-OH and Lee Ogle Enterprise Zone Description for Recording**
- 3) **Ordinance Amending Ordinance No. 45-OH – Lee Ogle Enterprise Zone.** On December 14, 2015 the Mayor and Council approved an Ordinance Establishing the Lee Ogle Enterprise Zone. The new zone encompasses the City of Rochelle along with the City of Dixon, Ogle County and Lee County. The zone was established to provide incentives to promote the economic growth of the area, to reduce unemployment and to encourage expansion, rehabilitation and new construction of structures within the zone for a term of 15 years. The original Lee Ogle Enterprise Zone included 9,600 acres divided between the two counties and two cities with 1000 acres left “undesigned” to allow for expansion. On September 25, 2017 the Rochelle City Council approved an ordinance which expanded the zone to include certain industrial and commercial property in the City of Amboy. The State of Illinois has since requested clarification of the legal description regarding how the parcels in the City of Amboy are connected to each other and to the existing zone. The proposed Ordinance Amending Ordinance No. 45-OH and Lee Ogle Enterprise Zone Description for Recording provides the necessary clarification. The Village of Mount Morris would like the zone to be expanded to include certain industrial and commercial property in its community. The proposed Ordinance Amending Ordinance No. 45-OH will add the Village of Mount Morris as a “Designating Unit of Government” of the Lee Ogle Enterprise Zone. Lee Ogle Enterprise Zone Administrator Andy Shaw will be in attendance at the meeting to answer any questions. Andy Shaw of Lee-Ogle Enterprise Zone was present to answer questions. Motion made by Councilor T. McDermott and seconded by Councilor Shaw-Dickey, **“I move Ordinance 18-4783, an Ordinance Amending Ordinance No. 45-OH and Lee Ogle Enterprise Zone Description for Recording, be approved.”** Roll call vote was taken. Ayes: Hayes, D. McDermott, T. McDermott, and Shaw Dickey. Nays: None. Motion passed 4-0.  
Motion made by Councilor T. McDermott and seconded by Councilor Shaw-Dickey, **“I move Ordinance 18-4784, an Ordinance Amending Ordinance No. 45-OH to add the Village of Mount Morris into the Lee Ogle Enterprise Zone, be approved.”** Roll call vote was taken. Ayes: Hayes, D. McDermott, T. McDermott, and Shaw Dickey. Nays: None. Motion passed 4-0.
- 4) **Change Order 1 for the Radium Removal Project at Well 11.** A radium removal plant is currently under construction at Well 11, located on Flagg Road. The original bid from Leander Construction for the project included masonry work that was anticipated to occur during the fall. However due to several delays in obtaining permits, the work is now scheduled for the winter. Performing masonry work during the winter requires additional time and material including tenting and heating. The additional cost is not expected to exceed \$16,850. Adam Lanning and Matt Hanson were present to answer questions. Motion made by Councilor T. McDermott and seconded by Councilor Hayes, **“I move the Council approve Change Order 1 with Leander Construction for masonry work related to the Radium Removal Project at Well 11 in an amount not to exceed \$16,850, be approved.”** Roll call vote was taken. Ayes: Hayes, D. McDermott, T. McDermott, and Shaw Dickey. Nays: None. Motion passed 4-0.
- 5) **Ordinance Approving an Option to Purchase Real Estate Located at Illinois Route 38 and Dement Road – Rochelle Business and Technology Park.** The Rochelle Business and Technology Park is a 160 acre development which opened in 2007 and is zoned B-2 Commercial Highway, with a Technology Overlay District. Approximately 100 acres remain available for future development; therefore, the opportunity to recruit additional park tenants is feasible. Having an “Option to Purchase Agreement” for the remainder of the land would facilitate a sale and new development. A new three year option agreement to purchase 89.33 acres owned by Reed Harris and Corliss Baer has been drafted. The previous three year agreement expired March 26, 2016. There is no cost to own the option; however the City agrees to market the property in partnership with Jim Plane of Lee and Associates. The per acre purchase price is \$ 28,940, with a 5% increase per acre in years two and three. Motion made by Councilor Hayes and seconded by Councilor T. McDermott, **“I move Ordinance 18-4786, an Ordinance Approving an Option to Purchase Real Estate located at Illinois Route 38 and Dement Road with Reed Harris and Corliss Baer for approximately 89.33 acres in the Rochelle Business and Technology Park, be approved.”** Roll call vote was taken. Ayes: Hayes, D. McDermott, T. McDermott, and Shaw Dickey. Nays: None. Motion passed 4-0.
- 6) **Ordinance Approving a Listing Agreement with Lee & Associates – Rochelle Business and Technology Park.** The Rochelle Business and Technology Park is a 160 acre development which opened in 2007 and is zoned B-2 Commercial Highway, with a Technology Overlay District. Approximately 100 acres remain available for future development. A listing agreement with Jim Plane and Lee and Associates will facilitate the marketing and sale of the remaining acres. These acres include the Harris/Baer property and some City owned lots. The term of the listing agreement is for six months. Sales commission is 6% of the gross sale price. Motion made by Councilor T. McDermott and seconded by Councilor Shaw-Dickey, **“I move Ordinance 18-4787, an Ordinance Approving a Listing Agreement with Lee & Associates to help market and sell approximately 100 acres located in the Rochelle Business and Technology Park, be approved.”** Roll call vote was taken. Ayes: Hayes, D. McDermott, T. McDermott, and Shaw Dickey. Nays: None. Motion passed 4-0.

- 7) **Resolution Authorizing the Execution of a Memorandum of Agreement with the Federal Aviation Administration (FAA) – Unmanned Aircraft Systems Integration Pilot Program.** As you are aware, NATEX Research & Development LLC submitted a proposal to the FAA for Rochelle to be considered as a testing site to collect data on the use of Unmanned Aircraft System (UAS) technology. If selected the City of Rochelle will be required to sign a Memorandum of Agreement with the FAA to adhere and encourage the safe operation of unmanned aircraft systems (UAS) technologies and their use in agriculture, commerce, emergency management and other sectors. A sample MOA is included in the supporting documents below. All work and cost associated with the application will be handled by NATEX Research & Development LLC. Once we receive notification that Rochelle is one of five selected sites, an Agreement between The City of Rochelle and NATEX will be drafted assigning all responsibility and all associated costs to NATEX. The agreement between the City and NATEX will be presented to the City Council for consideration prior to execution. Motion made by Councilor T. McDermott and seconded by Councilor Shaw-Dickey, **“I move Resolution R18-01, a Resolution Authorizing the Execution of a Memorandum of Agreement with the FAA if Rochelle is selected as a testing site for the Unmanned Aircraft Systems Integration Pilot Program, be approved.”** Roll call vote was taken. Ayes: Hayes, D. McDermott, T. McDermott, and Shaw Dickey. Nays: None. Motion passed 4-0.
- 8) **Resolution Approving a Guideline for Purchasing Materials, Supplies, Equipment and Services.** On September 4, 2009, the City established Purchasing Authority Guidelines. Since that time, there have been several changes. The revised guideline that is being presented addresses the change in fiscal years, the release of payment after Council approval, local vendor preference, and the use of purchase orders for spending in excess of \$10,000. Motion made by Councilor Shaw-Dickey and seconded by Councilor T. McDermott, **“I move Resolution R18-02, a Resolution Approving a Guideline for Purchasing Materials, Supplies, Equipment and Services for the City of Rochelle, be approved.”** Roll call vote was taken. Ayes: Hayes, D. McDermott, T. McDermott, and Shaw Dickey. Nays: None. Motion passed 4-0.
- 9) **Resolution Authorizing the Execution of Acceptance of a Franchise Agreement with the Village of Hillcrest Authorizing the City of Rochelle to Construct, Operate and Maintain an Electric Light and Power System in and through the Village of Hillcrest.** The previous franchise agreement to provide electric services to the Village of Hillcrest expired on December 31<sup>st</sup>, 2017. That agreement was a 50-year agreement originally signed in December 1967. The new agreement is a ten-year agreement that will formally commence this month. Aside from the length in terms, there are no major changes from the previous franchise agreement. As a way to improve communications and services with the neighboring communities served by RMU, the City Manager, and both the Superintendents of Electric and Water/Water Reclamation will attend their board meetings on a quarterly basis. Motion made by Councilor T. McDermott and seconded by Councilor Shaw-Dickey, **“I move Resolution R18-03, a Resolution Authorizing the Execution of Acceptance of a Franchise Agreement with the Village of Hillcrest granting the City of Rochelle the authority to operate its electrical transmission facilities within the Village of Hillcrest for 10 years, be approved.”** Roll call vote was taken. Ayes: Hayes, D. McDermott, T. McDermott, and Shaw Dickey. Nays: None. Motion passed 4-0.
- 10) **Ordinance Authorizing Sale of Personal Property (Inoperable Vehicle) –Community Development Department.** Within the past 2 years, the Community Development Department has put over \$1,300 into the 2006 Dodge Dakota pickup truck to keep it running and safe for staff use. At this time, the vehicle needs more repairs which is not cost effective. The truck bed and tire wells are rusted out and completely gone in some spots. Often times, the truck does not shift into gear on the first try. The exhaust fumes are overwhelming, as the truck needs a new exhaust system. The truck has over 79,000 miles. The Community Development Department is now using the 2005 Pontiac Grand Prix that came from the City Manager’s Office. Motion made by Councilor T. McDermott and seconded by Councilor Shaw-Dickey, **“I move Ordinance 18-4788, an Ordinance Authorizing the Sale of an unsafe and inoperable 2006 Dodge Dakota Pickup Truck, be approved.”** Roll call vote was taken. Ayes: Hayes, D. McDermott, T. McDermott, and Shaw Dickey. Nays: None. Motion passed 4-0.

- 11) **Ordinance Authorizing the Disposal of Surplus Electrical Equipment that has Reached a Useful Lifespan.** Part of the goal of the inventory consignment program was to identify items in inventory that are no longer needed and remove them from inventory. In some cases, the items can be sold as scrap or pulled aside and used until they are gone. Two major transformer manufacturers told RMU staff not to energize any transformers more than twenty years old. With that in mind, 86 transformers need to be scrapped. Including the 86 transformers, there are 300 items which staff recommends removing from inventory. Jason Bird was present to answer questions. Motion made by Councilor T. McDermott and seconded by Councilor Shaw-Dickey, "**I move Ordinance 18-4789, an Ordinance Authorizing the Disposal of Surplus Electrical Equipment that has exceeded its useful lifespan, be approved.**" Roll call vote was taken. Ayes: Hayes, D. McDermott, T. McDermott, and Shaw Dickey. Nays: None. Motion passed 4-0.

Discussion item: None.

**EXECUTIVE SESSION:** at 7:31 PM, Counselor Shaw-Dickey moved and seconded by Counselor T. McDermott, "**I move the Council recess into executive session for Pending or imminent litigation. Section (c) (11).**" Roll call vote was taken. Ayes: Hayes, D. McDermott, T. McDermott, and Shaw Dickey. Nays: None. Motion passed 4-0.

At 7:40 PM Counselor Shaw Dickey moved and seconded by Counselor Hayes, "**I move the Council return to open session.**" Motion passed by both without dissent.

**ADJOURNMENT:** At 7:40 PM, moved by Counselor Shaw-Dickey and seconded by Counselor Hayes. "**I move the Council adjourn.**" Motion passed by voice vote without dissent.

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D. McDermott, Mayor Pro-tem



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Bruce W. McKinney, CMC  
City Clerk, City of Rochelle