

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
May 11, 2020**

The Rochelle City Council met in Regular Session at 6:30 p.m. on Monday, May 11, 2020 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

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

ROLL CALL: Mayor - Mayor - On March 16th Governor Pritzker, due to the Covid 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. On March 31st Governor Pritzker extended the order until April 30th. As a result, Councilwoman Kate Shaw-Dickey, Councilman Dan McDermott 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 was Councilmembers Burke, T. McDermott, Gruben, and Mayor Bearrows and Councilmembers Shaw-Dickey, D. McDermott, Hayes and Gruben attending remotely. Absent: None. A quorum of seven were present. Also present were City Manager Jeff Fiegenschuh and City Clerk Sue Messer.

PROCLAMATIONS, COMMENDATIONS, ETC: Rochelle Community Hospital and Healthcare Staff Month – May 2020. Rochelle Hubs Senior Recognition Day – May 23, 2020.

REPORTS AND COMMUNICATIONS:

- Mayor – 5/12/2020 Drive by parade to honor RCH and local healthcare workers. National Police Week – Thanks for all they do, including dispatchers. Essential Workers signs available \$15.00 each, proceeds will go to Food Pantry & business support through Retail Advisory Board. 5/13/2020 Mobile Food Bank will take place at RMS 3- 4:30 PM. 5/22/2020 Celebrate our Little Heroes Parade. 5/25/2020 Memorial Day ceremony at Lawnridge, streamed live on Facebook.
- Council Members
- Good News
 - CAFR – Administrative Services
 - Water Reclamation Department

PUBLIC COMMENTARY: None.

BUSINESS ITEMS:

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

- a) Approve Minutes of City Council Meeting – April 27, 2020
- b) Approve Exceptions – 04/22/20-05/05/20
- c) Approve Payroll – 04/06/20-04/19/20, 04/20/20-05/03/20
- d) Accept and Place on File Planning & Zoning Commission Minutes – 03/02/20
- e) Accept and Place on File Rochelle Police Pension Board Annual Treasurer’s Report

Motion made by Councilor Burke and seconded by Councilor D. McDermott, “**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) **Ordinance Granting a Special Use to Allow Lighthouse Dispensing Company, LLC to Operate an Adult Use Craft Grower Facility at 501 Timber Lane and Ordinance Granting Variations Related to Temporary Craft Grower Facilities.** Residents Sally Sawicki and Steve Strang located at 1309 Brookside Drive are seeking a variance of lot coverage. Currently the petitioner is at 43% coverage, which is 10% over the code allowed amount of 33%. The petitioner is requesting to take up additional lot coverage in order to put an addition on their house for an ADA bathroom. The addition will be in the front of the house under a current overhang where a cement patio already exists. The area to be added is approximately 68 square feet. A public hearing was held on Monday, May 5, 2020. The Planning and Zoning Commission approved the Variance by a vote of 7-0. Michelle Pease, Community Development Director, was available to answer questions. Mr. Crosly with Lighthouse was available via conference call. Motion made by Councilor T. McDermott and seconded by Councilor Gruben, “**I move Ordinance 20-5117, an Ordinance Granting a Special Use to Allow Lighthouse Dispensing Company, LLC to Operate an Adult Use Craft Grower Facility at 501 Timber Lane, 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. Motion made by Councilor T. McDermott and seconded by Councilor D. McDermott, “**I move Ordinance 20-5118, an Ordinance Granting**

Variations Related to Temporary Craft Grower Facilities, 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) **Ordinance Granting Variation of Lot Coverage for an Americans with Disabilities Act Bathroom Addition at 1309 Brookside Drive.** Residents Sally Sawicki and Steve Strang located at 1309 Brookside Drive are seeking a variance of lot coverage. Currently the petitioner is at 43% coverage, which is 10% over the code allowed amount of 33%. The petitioner is requesting to take up additional lot coverage in order to put an addition on their house for an ADA bathroom. The addition will be in the front of the house under a current overhang where a cement patio already exists. The area to be added is approximately 68 square feet. A public hearing was held on Monday, May 5, 2020. The Planning and Zoning Commission approved the Variance by a vote of 7-0. Michelle Pease was available to answer questions. Motion made by Councilor Burke and seconded by Councilor Hayes, **“I move Ordinance 20-5119, an Ordinance Granting Variation of Lot Coverage for an Americans with Disabilities Act Bathroom Addition at 1309 Brookside Drive, 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) **Ordinance Granting a Special Use to allow Kennay Farms Distilling, LLC to Hold Events in Its Rickhouse Located at 417 N 6th Street.** Kennay Farms Distilling is seeking a Special Use permit to hold events inside the Rickhouse storage area at 417 N. 6th Street, zoned B1 Commercial Central Business. Although events are an allowable use in a B1 zoning district, the Rickhouse was constructed as a warehouse and not as an event venue. The number of exits, along with building square footage, allows for a max capacity of 722 people. The building has one men’s and one women’s ADA bathroom. The Kennay’s have committed to make certain concessions to meet code requirements for a place of gathering to obtain a special use permit.

- i. The appropriate number of bathrooms are brought in for the events with a time restriction of 24 hours before and after an event. These portable bathrooms will not be left in place from one event to another.
- ii. The heating unit on the East side would be placed South of the existing stormwater inlet without obstructing the transformer or fire department connection. A site plan is required and must be approved before the project is allowed to move forward. A decorative screening, such as solid fencing, would be provided on the North side of the heating unit.
- iii. A permanent drainage easement shall be dedicated to the City of Rochelle, within the Northeast corner of Lot 1 of Kennay Farms Distilling LLC subdivision, approximately 15’x30’, to allow connection to and drainage through an existing storm sewer at the intersection of 5th Avenue and a public alley.
- iv. A temporary construction easement shall be dedicated to the City of Rochelle, along the easterly 10 feet of Lot 1 of Kennay Farms Distilling LLC subdivision, to allow for reconstruction of the alley east of Lot 1.

A public hearing was held on Monday, May 5, 2020. The Planning and Zoning Commission approved the Special Use by a vote of 6-1. Michelle Pease was available to answer questions. Doris Kennay available via conference call. Motion made by Councilor T. McDermott and seconded by Councilor Burke, **“I move Ordinance 20-5120, an Ordinance Granting a Special Use to allow Kennay Farms Distilling, LLC to Hold Events in Its Rickhouse Located at 417 N 6th 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.

- 5) **Ordinance Amending the Annual Budget for the Calendar Year Beginning January 1, 2020.** The City Council approved the 2020 Budget at the December 9, 2019 meeting. Due to the Covid-19 crisis and the uncertainty surround the State's budget issues and local tax collections, our team has spent the past several week looking for ways to reduce spending. Our team feels that it is prudent to remain ahead of the curve and reduce expenditures now in anticipation of the coming revenue declines. The following expenditure reductions present a good faith effort to reduce spending and maintain services in the current fiscal year.
- General Fund (include Police, Fire, Community Development, City Manager, City Attorney, Mayor/City Council, City Hall, City Clerk, Economic Development, Streets, Cemetery,
 - Engineering): \$1,000,381
 - RMU (includes Customer Service, Electric Operations and Generation, Water/Water Reclamation, Advanced Communications, and Tech Center): \$2,549,668
 - Hotel/Motel: \$166,489
 - Airport: \$105,675
 - Railroad: \$513,600
 - Golf Course: \$35,850
- Total Reductions: \$4,371,663
- Staff is forecasting at least a 10%-15% reduction in all revenues due to lower than anticipated tax collections, reduced utility usage, and increased delinquencies. Most of the proposed cuts represent reductions and delays in capital expenditures, but they also include leaving several open positions unfilled along with the consolidation of other positions. If revenues and expenses fall in line with projections, I do not anticipate utilizing any reserve fund or surplus fund balances this year. Jeff Fiegenschuh was available to answer any questions. Motion made by Councilor Burke and seconded by Councilor Hayes, **"I move Ordinance 20-5121, an Ordinance Amending the Annual Budget for the Calendar Year Beginning January 1, 2020, 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 Authorizing the City Manager to Execute an Agreement with Elizabeth Anning for a Temporary Construction Easement.** Attached is an agreement for a temporary construction easement for the South Main Street Phase 1 reconstruction project. 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. Sam Tesreau, City Engineer, was available to answer any questions. Motion made by Councilor T. McDermott and seconded by Councilor Gruben, **"I move Resolution R20-17, a Resolution Authorizing the City Manager to Execute an Agreement with Elizabeth Anning for a Temporary Construction Easement, 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 Waiving the Competitive Bidding Requirements and Accepting the Proposal of URETEK USA, INC. and Authorizing Related Expenditures.** The Dement Road bridge/overpass is experiencing issues with embankment side slope instability, differential settlement, pavement integrity and drainage, and drainage blockages within the tributary crossing under said overpass. The drainage issues, within the tributary, have caused extreme silting within the box culvert and further blockages of storm sewer systems draining the Dement Road pavement which appear to be independent of the approach slab settlement and side slope instability. After evaluation of the various areas and having geotechnical borings/reports completed staff has been in contact with URETEK to develop a proposal for certain settlement mitigation measures for the southerly approach slab and underlying embankment. URETEK has submitted a proposal to mitigate the settlement issue on the southerly bridge approach and underlying embankment. Engineering staff has visited another County agency site that URETEK performed this type of mitigation work on and found it to be a successful solution. Once the platform is stabilized and the approach/sleeper slabs have been lifted to near original profile the City Street Department crews, along with other supporting contracted services, will proceed with the repair to the roadway and related appurtenances for approximately 200 feet. Furthermore, they will restore the drainage systems and bridge cone area near the abutment. The City Engineer, along with Public works, has estimated an additional \$114,780.00 for the time and materials, equipment, and other necessary contracted services to provide cleaning, drainage system repair and restoration of the associated embankments and roadway items to be reconstructed after URETEK has completed the settlement mitigation. It is anticipated that Dement Road will be closed to traffic by June 1, 2020 and will remain closed until the project is completed in early July 2020. These emergency roadway, overpass and drainage system repairs are qualifying items under the Infrastructure Bond ordinance. Therefore, the City's CIP source of payment will be through the Infrastructure Revenue Bond proceeds. Sam Tesreau was available for questions. Motion made by Councilor Burke and seconded by Councilor T. McDermott, **"I move Ordinance 20-5122, an Ordinance Waiving the Competitive Bidding Requirements and Accepting the Proposal of URETEK USA, INC. in the amount of \$90,500 and Authorizing Related Expenditures in the amount of \$114,780, 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) **Railcar Transload Agreement between the Burlington Junction Railway, Inc and Bruns Construction.** The contract between the Burlington Junction Railway (BJRY) and Bruns Construction is being submitted for City Council approval. The BJRY has promoted the capabilities of the Rochelle Transloading Center (RTC) to numerous companies and has secured two opportunities to transload nonhazardous materials through the City Industrial Railroad/RTC. Bruns construction will provide the loading/unloading and trucking function and the BJRY will handle railcar switching and railcar movements. Individual Transload Agreements are necessary at this time because our current Switching Agreement does not cover the RTC operations. Jeff Fiegenschuh was available to answer questions. Motion made by Councilor Shaw-Dickey and seconded by Councilor D. McDermott, **“I move Council approve a Railcar Transload Agreement between the Burlington Junction Railway, Inc. and Bruns Construction.”** 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 Waiving the Competitive Bidding Requirements and Awarding WESCO Englewood Electric the Purchase Order for the Purchase of LED Streetlights.** As part of the 6th Street and the 2nd Avenue projects we will replace 25 streetlights to match the current style for the downtown area. In order to continue with this style, we propose bypassing the bid process and approving a bid from WESCO Distribution. The reimbursed cost for the Steward Road development of \$60,000 will be used to purchase these lights. Jeff Fiegenschuh was available to answer questions. Motion made Councilor T. McDermott and seconded by Councilor Hayes, **“I move Ordinance 20-5124, an Ordinance Waiving the Competitive Bidding Requirements and Awarding WESCO Englewood Electric the Purchase Order for the Purchase of LED Streetlights in the amount of \$57,500, 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) **Ordinance Waiving the Competitive Bidding Requirements and Awarding Open Systems International, INC. an Order for the Purchase of SCADA System Upgraded Software.** The electric department’s existing SCADA software (OSI) needs to be upgraded in order to maintain operational effectiveness. Several components of the software will discontinue functioning and risk losing the SCADA system altogether without this upgrade. OSI is the current SCADA provider and to continue using the same software we need to forgo the bid process. The bid includes upgraded software implementation and training of all users. Motion made by Councilor Burke and seconded by Councilor Hayes, **“I move Ordinance 20-5125, an Ordinance Waiving the Competitive Bidding Requirements and Awarding Open Systems International, INC. an Order for the Purchase of SCADA System Upgraded Software in the amount of \$35,536, 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 8:05 PM, 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