

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
January 25, 2021**

The Rochelle City Council met in Regular Session at 6:30 p.m. on Monday, January 25, 2021 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

PLEDGE TO THE FLAG & PRAYER: The pledge was led by Mayor Bearrows and prayer was said by Deputy City Clerk Rose Huéramo.

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. 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. As a result, Councilman Bil Hayes and Don Burke 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 Gruben, D. McDermott, T. McDermott, Shaw-Dickey, Mayor Bearrows, and Councilmember Burke and Hayes attended remotely. Absent: None. A quorum of seven were present. City Manager Jeff Fiegenschuh and Deputy City Clerk Rose Huéramo were also present.

PROCLAMATIONS, COMMENDATIONS, ETC: None.

REPORTS AND COMMUNICATIONS:

- Mayor's Report – Reminded all to check out the From the Heart virtual event. Although COVID case numbers have dropped, reminds all to continue to wash their hands, social distance, and wear masks. Asks all to beware of snow parking restrictions. Announced City Hall will reopen Feb. 1st.
- Council Members

PUBLIC COMMENTARY: None.

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting – 1/11/20
- b) Accept and Place on File Minutes of Planning & Zoning Commission – 12/07/20
- c) Accept and Place on File Minutes of Airport Advisory Board – 8/17/20
- d) Approve Exceptions – 1/5/21-1/11/21
- e) Approve Payroll – 12/28/20-1/10/21
- f) Authorize Closure of 10th Avenue between Illinois 251 and 8th Street – 2021 Outdoor Markets

Motion made by Councilor D. McDermott and seconded by Councilor Shaw-Dickey, **“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) Ordinance Granting Variation Related to Signage for Flag-Rochelle Community Park District. The petitioner is seeking a variance of signs in order to construct a proposed electronic message board, located at 802 Jones Road, which is zoned B-2, Commercial Highway.

- Per Section 110-674 Prohibited Signs (5) Any flashing sign, subject to the provisions relating to non-conforming signs.
- Per Section 110-661 Flashing sign means any directly or indirectly illuminated sign, either stationary or animated, which exhibits changing natural or artificial light or colour by any means whatsoever.

A public hearing was held on Monday, December 7, 2020. The Planning and Zoning Commission voted to approve the Variance of signage by a vote of 6 to 0. Jackee Ohlinger, Park District Executive Director, John Streetz from Doyle General Sign Contractor, Community Development Director Michelle Pease, and Jeff Fiegenschuh were available for questions. Motion made by Councilor Shaw-Dickey and seconded by Councilor T. McDermott, **“I move Ordinance 21-5205, an Ordinance Granting Variation Related to Signage for Flag-Rochelle**

Community Park District, 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) **Resolution Authorizing Creation of a City of Rochelle COVID Vaccination Policy.** The City of Rochelle has determined that the SARS COVID 19 virus and the global pandemic has created a significant health risk for the local community and desires to take certain steps to ensure the health and welfare of its employees by creating a COVID vaccination policy to be known as “The City of Rochelle - COVID Vaccination Policy”. The COVID Vaccination is not a mandatory vaccine but will be offered to all employees currently on staff. We are working with the Ogle County Health Department in regard to the administration of the vaccine. Human Resource Coordinator Nancy Bingham was available for questions. Motion made by Councilor D. McDermott and seconded by Councilor Shaw-Dickey, **“I move Resolution R21-03, a Resolution Authorizing Creation of a City of Rochelle COVID Vaccination Policy, 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 Amending Chapter 6 of the Rochelle Municipal Code Authorizing the Delivery and Carry Out of Mixed Drinks by Licensed Establishments.** In 2020, in response to the economic impact of COVID-19 on establishments holding liquor licenses, the State legislature amended the Illinois Liquor Control Act to temporarily provide for the delivery and carry out of mixed drinks. A couple of existing liquor license holders have expressed an interest in being allowed to sell mixed drinks to patrons for delivery and carryout. The proposed ordinance allows for the sale of a cocktail or mixed drink in a sealed container, with a secure, tamper-evident lid, by a retail licensee if the following requirements are met:
1. The cocktail is transferred within the licensed premises, by a curbside pickup, or by delivery by an employee of the licensee who:
 - a) Has been trained in accordance with the provisions of Section 6-27.1 of the Illinois Liquor Control Act;
 - b) Is at least twenty-one years of age; and
 - c) Upon delivery, verifies the age of the person to whom the cocktail is being delivered
 2. If the employee delivering the cocktail is not able to verify the person’s age or level of intoxication, the employee shall cancel the sale of alcohol and return the product to the retail licenses;
 3. The sealed container is placed in the trunk of the vehicle or if there is not trunk, in the vehicle’s rear compartment that is not readily accessible to the passenger area;
 4. The sealed container shall be affixed with a label or tag that contains the following information:
 - a) The cocktail or mixed drink ingredients, type and name of alcohol;
 - b) The name, license number and address of the retail licensee that filled the original container and sold the product and the date sold;
 - c) The volume of cocktail or mixed drink in the seal container; and
 - d) The sealed container was filled less than seven days before the date of sale.
- If there is an executive order in effect, the employee delivering the mixed drink or cocktail must comply with any requirements of that order, including but not limited to, wearing gloves and a mask and maintaining distancing requirements. The proposed ordinance was modeled after one approved by the City of Dixon. Chief Higby spoke to Dixon Police Chief Howell who said that they have not had any problems. Mayor Bearrows and Jeff Fiegenschuh were available for questions. Motion made by Councilor Gruben and seconded by Councilor Hayes, **“I move Ordinance 21-5206, an Ordinance Amending Chapter 6 of the Rochelle Municipal Code Authorizing the Delivery and Carry Out of Mixed Drinks by Licensed Establishments, be approved.”** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, and Mayor Bearrows. Nays: Councilwoman Shaw-Dickey. Motion passed 6-1.
- 5) **Ordinance Waiving the Competitive Bidding Requirements and Awarding Wesco Distribution the Purchase Order for the Purchase of Cobra Head Streetlights.** The City of Rochelle has purchased streetlights from Wesco on a monthly basis under the Sourcwell contract for many years. As we are working towards a more efficient and responsive maintenance program, we wish to purchase a years’ worth of streetlights to continue replacing deteriorating infrastructure. A total of 360 Cobra Heads Streetlights will be purchased for the year 2021. Utilities Superintendent, Adam Lanning was available for questions. Motion made by Councilor T. McDermott and seconded by Councilor D. McDermott, **“I move Ordinance 21-5207, an Ordinance Waiving the Competitive Bidding Requirements and Awarding Wesco Distribution the Purchase Order for the Purchase of Cobra Head Streetlights at a cost of \$71,280, 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) **Preliminary and Construction Engineering Services Agreement with Wendler Engineering Services, Inc. for 7th Avenue Bridge Replacement over the Kyte River.** The replacement of the nearly 55-year-old 7th Avenue bridge structure has been a part of the City's long term 10-year Capital Improvements Plan. The Preliminary Engineering Design services phase for the replacement of the 7th Avenue bridge structure, related roadway approach improvements, professional services for necessary right of way acquisition and other drainage and utility systems work was programmed in the FY 2021 budget. Wendler Engineering Services has conducted routine bridge inspections and reports, as required by the Illinois Department of Transportation, for the City of Rochelle over the past several years. Previous and current reports identify spalling of concrete, exposed reinforcement, wingwall tipping as well as deterioration of the deck slab, substructure and the pedestrian walkway. The existing bridge structure has been posted at a weight limit of 22 tons as required by the IDOT Bureau of Bridges and Structures due to the condition ratings. This bridge has a limited effective opening for conveyance of water and routinely collects debris and sediment being washed downstream within the waterway. This project has been identified as a multi-year capital improvement project and the engineering and construction is funded in the current FY 2021 budget. The IDNR permit has been received for the project and the construction is expected to be complete by the end of 2021. The new structure will be a traditional bridge with updated pedestrian crossings along the north and south sides that will connect into adjacent sidewalk systems. The new bridge will help increase the effective opening and improve conveyance through this area. MFT funds are being considered for partial funding towards the engineering and/or construction. However, the sales tax or infrastructure bond fund will be used to pay for most or all the expenses related to the project. If MFT funds are eventually used this agreement will suffice for the IDOT process but a resolution may be required in the future to document that expense. Wendler Engineering Services has submitted a proposal for remaining design services as well as construction engineering services. This agreement will need to be approved prior to developing the necessary construction plans, documents, specifications and other supporting information which will ultimately be submitted to IDOT, if necessary, and other applicable state and federal agencies for review and approval prior to the bid letting for the construction project. Remaining engineering design and final permit approvals are expected to take approximately 3 months before bidding. Once construction begins it will take about 4 months to complete the project if there are no utility conflicts encountered during the process. The roadway will be closed to traffic during this time. The ROW/easement plats and acquisition is estimated to cost an additional \$4,000. Furthermore, if environmental services/permitting is required it will be approximately \$5,000. These costs will be made on a time and material basis depending on the extent of the work and submitted to the City Engineer, for his review and approval, prior to commencement of any additional work. City Engineer Sam Tesreau was available for questions. Motion made by Councilor T. McDermott and seconded by Councilor Gruben, **"I move the council approve a Preliminary and Construction Engineering Services Agreement with Wendler Engineering Services, Inc. for 7th Avenue Bridge Replacement at a cost of not to exceed \$21,905 for preliminary engineering, \$113,670 for construction engineering and \$9000 time and materials as required for ROW/easement plats and acquisition and environmental services/permitting and authorize the City Manager to sign the agreement."** 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: Police Department Year in Review. 2020 was a unique year for the Rochelle Police Department. During this year, we were able to get fully staffed, and for the first time we have two school resource officers. Although most of the numbers are in line with a "normal" year, the COVID-19 pandemic did significantly curtail officer activity. We hope to be able to have National Night Out and participate in other community events in 2021. Police Chief Higby gave a presentation of the 2020 Police Statistics.

ADJOURNMENT: At 7:25 PM, moved by Councilor T. McDermott and seconded by Councilor D. McDermott, **"I move the Council adjourn."** Roll call vote was taken. Ayes: Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. Absent: Hayes. Nays: None. Motion passed 7-0.

John Bearrows, Mayor

Rose Huéramo
Deputy City Clerk, City of Rochelle