

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
October 28, 2019**

The Rochelle City Council met in Regular Session at 6:30 p.m. on Monday, October 28, 2019 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

PLEDGE TO THE FLAG & PRAYER: Prayer was said by Pastor Alsop.

ROLL CALL: Present on Roll Call were Councilmembers Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey and Mayor Bearrows. A quorum of seven were present. Absent. None. Also present were City Manager Jeff Fiegenschuh, City Clerk Sue Messer, and City Attorney Dominick Lanzito.

PROCLAMATIONS, COMMENDATIONS, ETC: None.

REPORTS AND COMMUNICATIONS:

- Mayor – Gave statement regarding feral cats.
- Council Members – Councilman T. McDermott gave an apology to local vet clinic & discussion of past procedure.
- Comprehensive Economic Development Strategy – Blackhawk Hills Regional, Dan Payette gave presentation.
- Good News Award
 - Terry Inman for organizing active shooter exercise also thanked the local Police and Fire Dept. for their participation and recognized all agencies involved.

PUBLIC COMMENTARY: None.

BUSINESS ITEMS:

- 9) **Ordinance Amending Section 14-36 of the Rochelle Municipal Code Pertaining to Impoundment and Destruction of Animals.** Motion made by Councilor D. McDermott and seconded T. McDermott, “**I move item #9 to be moved to the top of the agenda.**” Roll call was taken. Ayes: Councilor 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 second by Councilor Burke, “**I move Ordinance 19-5068, an Ordinance Amending Section 14-36 of the Rochelle Municipal Code Pertaining to Impoundment and Destruction of Animals, be approved.**” Roll call was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0.

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

- a) Approve Minutes of City Council Meeting – October 15, 2019
- b) Approve Exceptions – 10/9/19-10/21/19
- c) Approve Bills – 10/21/19
- d) Approve Payroll – 9/23/19-10/6/19
- e) Accept and Place on File Financial Statement – September 2019
- f) Approve DRA Request for Old Fashioned Christmas Walk – December 6, 2019

Motion made by Councilor Burke 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: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0.

- 2) **Public Hearing – Meadowbrook Sewer Lining Project CDBG Grant 16-242028.** Motion made by Councilor D. McDermott and seconded by Councilor Burke, **“I move the Council recess into a Public Hearing to review the City’s program activities and performance under CDBG grant 16-242028 which provided funding to line sanitary sewers in the Meadowbrook Target area to reduce inflow and infiltration.”** Roll call was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0. Pursuant to CDBG requirements for the Meadowbrook Phase 1 sewer lining project, we are required to hold a hearing to receive public comments from citizens on the performance of the sewer lining project. The purpose of this public hearing is to report the results of the grant project and give the residents of the City of Rochelle an opportunity to comment on the project. The grant funds were used to line deteriorated sanitary sewers in the Meadowbrook target area, a low-lying residential area with a seasonally high-water table. As a result, during wet weather events, the sewers in this area are subject to chronic Inflow and Infiltration which results in surcharging. When surcharging occurs, the City of Rochelle by-pass pumps the sewage into the storm sewer system to prevent sewage back-ups into residences in the Meadowbrook target area. The grant funds that the City of Rochelle received were combined with local funds to line approximately 4,600 l.f. of 8” and 10” sanitary sewers, grout lateral services, and line manholes in the Meadowbrook target area. Adam Lanning, Superintendent of Water/Water Reclamation was available to answer any questions. Motion made by Councilor Burke and seconded by Councilor D. McDermott, **“I move the Council return to open session.”** Roll call was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows.
- 3) **Ordinance Amending Section 6-46 of the Municipal Code of the City of Rochelle to Create One Class B Liquor License.** Shane Erdman has submitted an application for a Class B liquor license at 308 Lincoln Highway. The Class B liquor license allows for the retail sale on the premises specified of alcoholic liquor for consumption on the premises as well as other package retail sales. The Liquor Commissioner, Mayor Bearrows, has reviewed the application and has no objection to the creation of a Class B liquor license for The Wine Barrel. This action will result in a total of nine Class B liquor licenses in the City of Rochelle. City Clerk, Assistant to the City Manager Sue Messer was available to answer questions. Motion made by Councilor T. McDermott and seconded by Councilor Burke, **“I move Ordinance 19-5065, an Ordinance Amending Section 6-46 of the Municipal Code of the City of Rochelle to Create One Class B Liquor License for the Wine Barrel at 308 Lincoln Highway, be approved.”** Roll call was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, and Mayor Bearrows. Nays: Councilwoman Shaw-Dickey. Motion passed 6-1.
- 4) **Ordinance Approving Third Amendment to Restated Host Agreement for the Operation and Development of Rochelle Municipal Landfill #2 (Mulford Road Construction).** In 2008, The City Council approved certain amendments to the Restated Host Agreement, including an amendment to section 3.12, consisting of a new section 3.12(c), which provided that the operator would complete construction improvements to Mulford Road in two stages. Stage 1, from Route 38 to the existing entrance. Stage 2, from the existing landfill entrance to Creston Road. Stage 1 was completed in 2013. Stage 2 shall be completed not later than the date on which the new entrance to the expanded landfill is required to be completed as stated in sitting condition 16. An amendment to the Restated Host Agreement was passed by City Council on June 25, 2018 allowing the Operator to complete the Mulford Road construction improvements one year from the date, due to the intended relocation of the existing entrance to a point farther south. Over the past year necessary refinements have been made to the design, including the extension of R.O.W along the west side of Mulford Road, the addition of storm tile on the east side, as well as a new box culvert to meet current standards and improving stormwater conveyance. Currently, Fehr Graham is finalizing the bid set of plans for stage 2 of the Mulford Road construction improvements. These plans are expected to be out for bid by the end of this year. City Staff recommends completion of the Mulford Road improvements be extended to July 31, 2020 and the full amount of the estimated construction costs which is estimated to be \$1,773,493.43, less the City’s contribution of \$886,746.71, be placed into an escrow account no later than January 31, 2020. Tim Isley, Superintendent of Street/Cemetery Department was available to answer questions. Motion made by Councilor T. McDermott and second by Councilor D. McDermott, **“I move Ordinance 19-5066, an Ordinance Approving Third Amendment to Restated Host Agreement for the Operation and Development of Rochelle Municipal Landfill #2 (Mulford Road Construction), be approved.”** Roll call was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0.

- 5) **Ordinance Authorizing the Purchase of a Right-of-Way for the Extension of the City of Rochelle Railroad.** The growth of the City of Rochelle Railroad is contingent upon the ability to acquire land for rail expansion. Last year the Greater Rochelle Economic Development Corporation was able to purchase 22.99 acres of land east of the new Rochelle Railroad Transloading Center for a total of \$348,950.00. This purchase allows the CIR to extend to the Lee County line which is adjacent to the new RMU Water Tower, Well and Radium plant. Contingent upon the City's purchase of this right of way, GREDCO is prepared to purchase an adjoining right of way that will connect to this rail right of way and open more than 400 acres to new Industrial Development. City Manager, Jeff Fiegenschuh was available to answer questions. Motion made by Councilor Shaw-Dickey and second by Councilor Burke, "**I move Ordinance 19-5067, an Ordinance Authorizing the Purchase of a Right-of-Way for the Extension of the City of Rochelle Railroad at a cost of \$348,950, be approved.**" Roll call was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0.
- 6) **Resolution Approving Hangar Lease Pricing Effective January 1, 2020.** Removed from agenda, will be placed for a later date.
- 7) **Resolution Authorizing the First Amendment to a Collocation License Agreement with Illinois Fiber Resources Group, Inc. d/b/a I Fiber.** Enter into an agreement with AT&T to lease 2 point to point dark fiber connections. These connections will run from All State to I39. Pat Burst, Network Administrator/Communications was available to answer questions. Motion made by Councilor T. McDermott and second by Councilor Burke, "**I move Resolution R19-53, a Resolution Authorizing the First Amendment to a Collocation License Agreement with Illinois Fiber Resources Group, Inc. d/b/a I Fiber, be approved.**" Roll call was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0.
- 8) **Resolution Authorizing the Execution of a Dark Fiber License Agreement with AT&T.** Enter into an agreement with AT&T to lease 2 point to point dark fiber connections. These connections will run from All State to I39. Pat Burst was available to answer questions. Motion made by Councilor Burke and second by Councilor Shaw-Dickey, "**I move Resolution R19-54, a Resolution Authorizing the Execution of a Dark Fiber License Agreement with AT&T, be approved.**" Roll call was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0.

DISCUSSION: None.

EXECUTIVE SESSION: At 7:18 PM, Councilor D. McDermott moved and seconded by Councilor Burke, "**I move the Council recess into executive session to discuss the purchase or lease of real property for City's use Section (c) (5) and setting of a price for sale or lease of property owned by the City, Section (c) (6).**" Roll call was taken. Ayes: Councilor Burke, Gruben, Hayes, D. McDermott, T. McDermott, Shaw-Dickey, and Mayor Bearrows. Nays: None. Motion passed 7-0.

At 7:46 PM, moved by Councilor Hayes and seconded by Councilor D. McDermott, "**I move the Council return to open session.**" Motion passes by voice vote without dissent.

ADJOURNMENT: At 7:47 PM, moved by Councilor T. McDermott and seconded by Councilor D. McDermott, "**I move the Council adjourn.**" Motion passed by voice vote without dissent.

John Bearrows, Mayor

Susan L. Messer
City Clerk of Rochelle