



**MINUTES**  
**CITY COUNCIL MEETING**  
**Monday, November 14, 2022 at 6:30 PM**

- I. CALL TO ORDER:** Pledge to the flag was led by Mayor Bearrows. Prayer was said by Pastor Chris Bender.
- II. ROLL CALL:** Present were Councilors T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor John Bearrows. A quorum of seven were present. Also, present City Manager Jeff Fiegenschuh and City Clerk Rose Huéramo and City Attorney Dominick Lanzito.
- III. PROCLAMATIONS, COMMENDATIONS, ETC:** None.
- IV. REPORTS AND COMMUNICATIONS:**
1. Mayor's Report – Thanked our Veterans and all who helped organize and participated with the Veterans Breakfast at RTHS and the Veterans Ceremony at Lawnridge Cemetery on Friday November 11, 2022.
  2. Council Members None.
- V. PUBLIC COMMENTARY:** None.
- VI. BUSINESS ITEMS:**
1. CONSENT AGENDA ITEMS BY OMNIUS VOTE with Recommendations:
    - a) Approve Minutes of City Council Meeting - 10/24/2022
    - b) Approve Minutes of City Council Special Meeting - 11/07/2022
    - c) Approve Payroll - 10/17/22-10/30/22
    - d) Approve Check Registers - #203510-203578, 203579, 203584-203671, 203680-203769
    - e) Establish November 28th as 2023 Budget Public Hearing Date

Motion made by Councilor Hayes, Seconded by Councilor T. McDermott, **"I move consent agenda items (a) through (e) be approved by Omnibus vote as recommended."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.

Motion made by Councilor D. McDermott, Seconded by Councilor T. McDermott, **"I move we take item #12 and move it to item # 2 on the agenda."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.
  12. **An Ordinance Waiving Competitive Bidding for a Power Purchase Agreement.** Based on discussion and recommendations from our marketing firm IMPA, Rochelle has a 7x24 5MW need for December '22 and January '23, and an Off Peak 5MW need for February '23 and March '23. With current long-term pricing uncertainties, a short-term contract is recommended. We would like to procure this contract to provide pricing stability for our rate payers in this volatile market. Superintendent of Electric Operations Blake Toliver and Kyle an IMPA Representative were available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor Shaw-

- Dickey, **"I move Ordinance 22-5385, an Ordinance Waiving Competitive Bidding for a Power Purchase Agreement for Five Mega Watt of Power at a Price not to Exceed \$100 per Mega Watt Hour, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.
2. **An Ordinance Levying Taxes for all Corporate Purposes for the City of Rochelle, Ogle and Lee County.** The State of Illinois requires the City annually adopt and file a Property Tax Levy Ordinance on or before the last Tuesday in December. Last year, the City's Equalized Assessed Valuation (EAV) was \$268,100,764 and its property tax rate was 1.043070 per \$100 of EAV. The City collected \$2,796,478.63 in property taxes. For 2022, Ogle County has estimated the City's EAV at \$281,938,536 which is an increase of over \$13 million. The proposed levy calculation option would result in the City collecting \$2,847,771.51 in property taxes, an increase of 2% (excluding the bond). Based on the estimated EAV, the tax rate would decrease .032292 per \$100 EAV for the 2% option. The proposed 2022 levy includes funding the Police and Fire Pension Funds as recommended by the Police and Fire Pension Boards' actuarial studies. City Manager Jeff Fiegenschuh and Finance Director Chris Cardott were available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor Arteaga, **"I move Ordinance 22-5376, an Ordinance Levying Taxes for all Corporate Purposes for the city of Rochelle, Ogle, Lee County, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.
3. **An Ordinance Abating the Taxes Levied for 2022 to Pay the Principal and Interest on \$2,955,000 Taxable General Obligation Bonds Refunding Bonds (TIF Alternate Revenue Source), Series 2013 of the City of Rochelle.** In 2010, the Mayor and Council approved an ordinance providing for the issuance of bonds to finance offsite improvements related to the Lighthouse Pointe Subdivision and Route 38 corridor. The City subsequently issued Taxable General Obligation Bonds, Series 2010 (Recovery Zone Economic Development Bonds) for \$2,940,000. In April 2013, due to federal budget cuts which affected the subsidy available through the Recovery Zone Bond program, the Council approved the issuance of General Obligation Refunding Bonds for \$2,955,000, which included interest and bond issuance costs. The annual debt service related to these bonds is being paid through TIF revenues, instead of property taxes, when sufficient funds are available. To abate the property taxes, the proposed ordinance must be approved annually and forwarded to Lee County and Ogle County. Finance Director Chris Cardott was available for questions. Motion made by Councilor Arteaga, Seconded by Councilor Gruben, **"I move Ordinance 22-5377, an Ordinance Abating the Taxed Levied for 2022 to Pay the Principal and Interest on \$2,955,000 Taxable General Obligation Bonds Refunding Bonds (TIF Alternate Revenue Source), Series 2013 of the City of Rochelle, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.
4. **An Ordinance Abating the Taxes Levied for 2022 to Pay the Principal of and Interest on \$4,500,000 General Obligation Bonds (Alternate Revenue Source), Series 2018 of the City of Rochelle.** In 2018, the Mayor and Council approved an ordinance providing for the issuance of bonds to finance infrastructure improvements. The City subsequently issued General Obligation Bonds (Alternate Revenue Source), Series 2018 in the amount of \$4,500,000. The annual debt service related to these bonds is being paid through the Capital Improvement Fund from a transfer from the Non-Home Rule Sales Tax Fund, instead of property taxes, when sufficient funds are available. To abate the property taxes, the proposed ordinance must be approved annually and forwarded to Lee County and Ogle County. Finance Director Chris Cardott was available for

- questions. Motion made by Councilor D. McDermott, Seconded by Councilor Shaw-Dickey, **"I move Ordinance 22-5378, an Ordinance Abating the Taxes Levied for 2022 to Pay the Principal of and Interest on \$4,500,000 General Obligation Bonds (Alternate Revenue Source), Series 2018 of the City of Rochelle, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.
5. **An Ordinance Abating the Taxes Levied for 2022 to Pay the Principal of and Interest on \$7,775,000 General Obligation Bonds (Electric System Alternate Revenue Source), Series 2021 of the City of Rochelle.** In 2021, the Mayor and Council approved an ordinance providing for the issuance of bonds to finance electric infrastructure improvements. The City subsequently issued General Obligation Bonds (Electric Alternate Revenue Source), Series 2021 in the amount of \$7,775,000. The annual debt service related to these bonds is being paid through the Electric Fund instead of property taxes when sufficient funds are available. To abate the property taxes, the proposed ordinance must be approved annually and forwarded to Lee County and Ogle County. Finance Director Chris Cardott was available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor Arteaga, **"I move Ordinance 22-5379, an Ordinance Abating the Taxes Levied for 2022 to Pay the Principal of and Interest on \$7,775,000 General Obligation Bonds (Electric System Alternate Revenue Source), Series 2021 of the City of Rochelle, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.
  6. **An Ordinance Abating the Taxes Levied for 2022 to Pay the Principal of and Interest on \$8,895,000 General Obligation Bonds (Electric System Alternate Revenue Source), Series 2022 of the City of Rochelle.** In 2022, the Mayor and Council approved an ordinance providing for the issuance of bonds to finance electric infrastructure improvements. The City subsequently issued General Obligation Bonds (Electric Alternate Revenue Source), Series 2022 in the amount of \$8,895,000. The annual debt service related to these bonds is being paid through the Electric Fund instead of property taxes when sufficient funds are available. To abate the property taxes, the proposed ordinance must be approved annually and forwarded to Lee County and Ogle County. Finance Director Chris Cardott was available for questions. Motion made by Councilor Shaw-Dickey, Seconded by Councilor D. McDermott, **"I move Ordinance 22-5380, and Ordinance Abating the Taxes Levied for 2022 to Pay the Principal of and Interest on \$8,895,000 General Obligation Bonds (Electric System Alternate Revenue Source), Series 2022 of the City of Rochelle, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.
  7. **A Resolution Approving an Amendment to the Personnel Manual (City of Rochelle Employee Handbook).** The City of Rochelle "Handbook" Personnel Policies Manual had a major update in October of 2018. The Personnel Policies Manual is in constant review and revisions shall be made periodically to be consistent with all applicable laws, employment policies and current technology. The City hereby amends the Personnel Policies Manual, Chapter 5, Article P, increasing the cell phone allowance to \$50.00 from \$40.00. Chapter 5, Article P: Cell Phone Allowance: The Cell phone allowance is designed to offset the cost to the employee for using his/her personal device for City business. The Department Head or his/her designee shall determine when a cell phone allowance is in the best interest of the City. The cell phone allowance will assist in deferring the cost of a cell phone or smartphone owned by the employee, which would be used for business use. This allowance is best used for employees who already have a personal cell phone, are willing to use it for City business and wish not to carry both a personal and work phone. Allowances are best

- suitable for an employee for an employee who uses a cell phone occasionally to carry out City business, but significant enough to warrant reimbursement for costs. An employee receiving the cell phone allowance must retain an active cell phone or smartphone as long as the allowance is in place. The employee must provide any change in cell phone number to his/her Department Director within 48-hours of such change. Members receiving a cell phone allowance are expected to carry the cell phone or smartphone on their person both on and off duty and respond when called for City business. The cell phone or smartphone under this option is considered a personal item, owned by the employee. As such, the employee is responsible for all costs associated with replacing a lost, stolen or damaged cell phone or smartphone. The employee is also responsible for all costs associated with the purchase of accessories. If, prior to the end of any vendor contractual obligations, a personal decision by the employee, or an employee's misconduct, or misuse of the cell phone or smartphone, results in the allowance being discontinued, the employee will bear the cost of any fees associated with that change or cancellation. Employee shall preserve all text messages, for business related activities, as the messages and phone records may be requested under the Illinois Freedom of Information Act (FOIA). The monthly allowance will be set by the City Council upon a recommendation from the Finance Director and would be reviewed as directed or needed. The cell phone allowance is set at \$50 per month, to be paid through accounts payable processing. City Manager Jeff Fiegenschuh was available for questions. Motion made by Councilor Hayes, Seconded by Councilor T. McDermott, **"I move Resolution R22-45, a Resolution Approving an Amendment to Chapter 5 Article P to the Personnel Manual (City of Rochelle Employee Handbook), be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, Mayor Bearrows. Nays: None. Motion passed 7-0.
8. **An Ordinance Amending Chapter 98 of the Rochelle Municipal Code - Energy Efficiency Program.** Residential home efficiency upgrades can benefit both the customer and RMU by allowing customers and RMU to reduce their energy or water usage and lower peak demand. Incentivizing customers of RMU to make home efficiency upgrades can make upgrades more affordable for homeowners and renters leading to a more sustainable city. Sustainability Coordinator Molly Sedgi was available for questions. Motion made by Councilor Gruben, Seconded by Councilor Shaw-Dickey, **"I move Ordinance 22-5381, an Ordinance Amending Chapter 98 of the Rochelle Municipal Code - Energy Efficiency Program, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.
9. **An Ordinance Amending Chapter 102 of the Rochelle Municipal Code.** Rochelle's current Tree and Shrub ordinance does not apply to all community trees and does not meet Tree City USA standards. Expanding the ordinance to include a purpose, definitions, designate authority over public trees, and setting a standard for the planting and maintenance of trees will allow Rochelle's Tree and Shrub ordinance to qualify for Tree City USA Designation while promoting a healthy urban canopy. Sustainability Coordinator Molly Sedgi was available for questions. Motion made by Councilor Arteaga, Seconded by Councilor D. McDermott, **"I move Ordinance 22-5382, an Ordinance Amending Chapter 102, Article II pertaining to Tree and Shrubs of the Rochelle Municipal Code, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.
10. **An Ordinance Amending Chapter 94 of the Rochelle Municipal Code Pertaining to Speed Limits - Sunnymeade Drive.** To promote the health, Safety, and welfare of Rochelle residents and the motoring public it is necessary to amend certain portions of its traffic regulations contained within the City of Rochelle Municipal Code from time to time. Sunnymeade Drive is a narrow

- residential street with a width of 31 feet from back of curb to back of curb. Parking is permitted along either side of the street. Sunnymeade Drive is used as a cut through route by some motorists as it connects with IL Route 251 and IL Route 38. Currently, Sunnymeade Drive falls under Chapter 94 Article III. Division 3 Sec.94-131. General Speed Restrictions of Rochelle's municipal code. This code states it is unlawful to drive any motor vehicle on any street not under the jurisdiction of the State in the county, within an urban district within the City, at a speed in excess of 30 miles per hour, unless the roadway is posted indicating a designated speed limit for that portion of the roadway, in which case the posted limit shall apply. City staff have received several safety concerns from Sunnymeade Drive residents due to speeding and distracted motorists. Sunnymeade Drive has a lot of vehicles that park on the street. With the narrow roadway, speeding, and distracted motorists, the safety of children and pedestrians stepping between parked vehicles into the travel way is a major concern. To improve safety for Sunnymeade residents, the motoring public, and in consideration of the narrow roadway with vehicle parking along either side of the street, City staff believes it to be in the best interest of the City of Rochelle to amend Chapter 94 of the Rochelle Municipal code and designate and post Sunnymeade Drive with a speed limit of 20 miles per hour. Public Works Director Tim Isley was available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor Hayes, **"I move Ordinance 22-5383, an Ordinance Amending Chapter 94 of the Rochelle Municipal Code Pertaining to Speed Limits - Sunnymeade Drive, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.
11. **An Ordinance Amending Section 94-223 of the Rochelle Municipal Code - Steward Road Parking.** To promote the health, Safety, and welfare of Rochelle residents and the motoring public it is necessary to amend certain portions of its traffic regulations contained within the City of Rochelle Municipal Code from time to time. City Staff have received several safety concerns due to semi-tractor and trailers parking on the shoulders of Steward Road, between IL Route 251 and S. Main Street. Vehicles parked on the shoulders of Steward Road are causing visibility issues for traffic entering and exiting nearby businesses and increasing the possibilities of an accident. Parked vehicles also pose a concern to drivers who may exit the vehicle stepping into a driving lane with heavy truck traffic. To eliminate these visibility issues and reduce the chance of an accident on Steward Road, City staff believe it to be in the best interest of the City and the motoring public to amend Section 223 of Chapter 94 of Rochelle's Municipal Code, erect signage to prohibit parking along either side of Steward Road, between IL Route 251 and S. Main Street, and increase the penalty to \$250.00 for any vehicle weighing more than 8,000 pounds. Public Works Director Tim Isley was available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor Hayes, **"I move Ordinance 22-5384, an Ordinance Amending Section 94-223 of the Rochelle Municipal Code - Steward Road Parking, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.
13. **A Resolution Authorizing the City Manager to Enter Into a Lease Through Enterprise Fleet Management.** The Electric department plans to lease new trucks through the Enterprise Fleet Management Leasing program. This truck will be delivered mid 2023 with a lease term of 60 months. Under the program the City has a cost-effective way to maintain a reliable fleet without a huge upfront investment. The lease agreement includes bumper-to-bumper maintenance coverage significantly reducing repair costs and down time. The lease of a truck for the Electric department was approved in December of 2020. The original order was cancelled due to complications from Covid. The truck in this agreement serves as a replacement for the truck that wasn't delivered. Public Works Director Tim Isley was available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor Shaw-Dickey, **"I move Resolution 22-46, a Resolution**

**Authorizing the City Manager to Enter into a Lease with Enterprise Fleet Management for a 2023 Ford F-150 for the Electric Department, be approved.** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.

**VII. DISCUSSION ITEMS: GIS Update** – Doug Lynch, Cultivate GIS, GIS Coordinator Casey Heuer, and Chad presented a services update from July 2021

**VIII. EXECUTIVE SESSION:** None.

**IX. ADJOURNMENT:** At 7:49 PM, Motion made by Councilor Hayes, Seconded by Councilor D. McDermott, **"I move the Council adjourn."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 7-0.

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John Bearrows, Mayor

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Rose Huéramo, City Clerk