

MINUTES

Monday, May 12, 2025 at 6:30 PM

City of Rochelle Council Chambers – 420 N. 6th Street, Rochelle, IL 61068

- I. **CALL TO ORDER:** Pledge to the Flag and prayer were led by Mayor Bearrows.
- II. **ROLL CALL:** Present Councilors T. McDermott, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor John Bearrows. Absent: Councilor Hayes. A quorum of six were present. Also, present City Manager Jeff Fiegenschuh, City Clerk Rose Huéramo.
- III. **PROCLAMATIONS, COMMENDATIONS, ETC:**
 1. National Police Week - May 11 – 17, 2025
 2. National Public Works Week - May 18 - 24, 2025
- IV. **REPORTS AND COMMUNICATIONS:**
 1. Mayor's Report: The ribbon cutting for the new mural will be held on May 14 at 1:00 pm Coffee with the Mayor on May 15 at 10:00 am at the Hub City Senior Center and May 21 at 2:00 pm at Liberty Village, Rochelle Railroad Days on May 31, and a six-week gardening program starting June 3rd at the library. In June, City Hall will host an event on real estate tax breakdowns. Also, welcome back to the three reelected council members for their new four-year term.
 2. Council Members: Councilor Arteaga thanked all who helped and participated in the Cinco De Mayo event. Councilor T. McDermott praised the great turnout for the small business incentives program and thanked everyone who helped make it a success.
 3. RACF Employee Giving Campaign: Presentation by HR Director Jillian Condon and RACF Executive Director Emily Anaya.
- V. **PUBLIC COMMENTARY:** None.
- VI. **DISCUSSION ITEMS:** None.
- VII. **BUSINESS ITEMS:**
 1. **CONSENT AGENDA ITEMS BY OMNIUS VOTE** with Recommendations:
 - a) Approve City Council Meeting Minutes - 4/28/25
 - b) Accept & Place on File Planning & Zoning Commission Meeting Minutes - 4/7/25
 - c) Approve Payroll - 4/14/25-4/27/25
 - d) Approve Check Registers - 4/24/25, 4/28/25, 5/5/25
 - e) Special Event Request - Park District Triathlon
 - f) Special Event Request - Acres Bistro Night Market

Motion made by Councilor D. McDermott, Seconded by Councilor Valdivieso, **"I move consent agenda items (a) through (f) be approved by Omnibus vote as recommended."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 6-0.
 2. **A Resolution Approving an Addendum to the Intergovernmental Agreement with the Board of Education of Rochelle School District #231.** Motion made by Councilor T. McDermott, Seconded by Councilor Shaw-Dickey, **"I move Resolution R2025-28 be removed from the agenda."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 6-0.
 3. **An Ordinance Amending Chapter Article VI - Non-Home Rule Municipal Retailers Occupation and Service Occupation Tax of Chapter 90 - Taxation of the Rochelle Municipal Code.** The State of Illinois recently approved legislation to eliminate the 1% statewide grocery tax, effective January 1, 2026. This tax applied to food intended for off-premise consumption, such as

groceries purchased for home use. It did not apply to take-out meals, alcohol, candy, or soft drinks. To offset the impact of this change, the state has granted non-home rule communities the authority to implement their own local grocery tax of up to 1%. Additionally, these communities may raise their nonhome rule sales tax, provided the total does not exceed 1%. According to staff projections, the elimination of the state grocery tax will result in an estimated \$320,000 annual loss to the City's General Fund. These funds currently support essential services such as public safety, public works, community development and capital improvement projects (CIP). To address this revenue shortfall, I recommend adopting a replacement local tax to take effect on January 1, 2026, the same date the state tax is set to expire. To meet this timeline, the city must enact the new tax by October 2025, as the state collects and remits sales tax revenues on a three-month delay. Based on last year's data, this new tax is projected to generate between \$350,000 and \$500,000 annually. Under the current city code, these revenues must be allocated for infrastructure-related purposes. If approved, half of the revenue will be transferred to the General Fund to support salaries and benefits for Public Works and Engineering personnel. The remaining half will be directed to the CIP Fund for infrastructure improvements. Staff will also continue working toward stabilizing the City's portion of the property tax levy at its current rate of \$0.92 per \$100 of assessed valuation, with the goal of reducing the rate to \$0.90 or lower by 2028. If adopted, the City's combined sales tax rate (including all taxing bodies) will be 7.25%—still below that of neighboring communities such as Rockford and DeKalb. City Manager Jeff Fiegenschuh was available for questions. Motion made by Councilor Valdivieso, Seconded by Councilor Arteaga, **"I move Ordinance 2025-21, an Ordinance Amending Article VI. - Non-Home Rule Municipal Retailers' Occupation and Service Occupation Tax of Chapter 90 Taxation, of the Rochelle Municipal Code, be approved."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 6-0.

4. **An Ordinance Approving a Special Use Permit for a Childcare Center as a part of a Planned Unit Development at 450 Coronado Drive.** The petitioner is seeking a special use permit for a childcare center. The subject property is zoned PUD, Planned Unit Development and is located at 450 Coronado Drive. This currently is a vacant building which was previously a medical facility and has been vacant for a few years. Article VII – Planned Unit Developments Sec. 110-251 – Objectives. The PUD, as a subdivision of land, is intended to encourage improved design in the development of land by providing relief from traditional zoning requirements which may cause undue hardship or complication for desirable but unconventional development, and to establish standards and procedures for the issuance of a special use permit (section 110-31, special uses) for a PUD in order to achieve the following objectives: 1. To stimulate creative approaches to residential, commercial and industrial development of land. 2. To provide for more efficient use of land. 3. To preserve or enhance natural features and provide open space areas. Sec. 110-252. - Modification of district regulations. Sec. 110-253. - General standards and criteria for PUDs. Sec. 110-254. - Permitted uses and density. On Monday, May 5, 2025, the Planning and Zoning Commission held a public hearing and voted 6-0 to approve the special use. Community Development Director Michelle Pease was available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor D. McDermott, **"I move Ordinance 2025-22, an Ordinance Approving a Special Use Permit for Childcare Center as Part of a Planned Unit Development at 450 Coronado Drive, be approved."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 6-0.
5. **An Ordinance Approving a Setback Variance for 410 Willis Avenue.** The petitioner is seeking a variance of setbacks to construct a proposed four-foot black vinyl coated chain link fence, including three 6' wide walk gates beyond the building line at 410 Willis Avenue. The property is zoned R5, Multi Family High Density Residential. The petitioner is requesting to extend the fence beyond the building line from the northeast corner of the building, east up to the public sidewalk, south parallel along the public sidewalk, then west along the entrance drive, then back north to the rear southeast corner of the building. Sec. 110-545- Residential, Security and Farm Fences (1). On corner lots, no

fence or wall will extend beyond the street setback requirements, or building line, whichever is greater. The petitioner's request for a variance from Sec. 110-545 is to "ensure the safety of their residents and the general public" by fencing around the stormwater detention area to prevent someone from accidentally entering. This is a senior apartment building that will run 24/7 and will have two employees. A site manager and a building technician. The building will have 60 units (45 one-bedroom units and 15 two-bedroom units). Sec. 110-58 Vision Clearance Triangle - In each quadrant of every intersection of any arterial street shown on the city's comprehensive plan or master plan and any other streets not located in the B-1 central business district with a private or public driveway or accessway or alley providing egress for parking area of 1,000 square feet or more, there shall be designed a vision clearance triangle, bounded by the inner street lines (right-of way), or the street line and driveway lines, as the case may be, and a line connecting them 25 feet from their intersection. Within this triangle no object shall be allowed above the height of 2.5 feet above the streets and/or driveways if it obstructs the view across the triangle. This provision shall not apply to tree trunks, posts or wire fences. Although the petitioner is requesting a four-foot fence within the vision clearance triangle, the material of the proposed fence is chain link, which could be considered a wire fence and would therefore be excluded from the provisions of section 110-58. The chain link fence should not present a hazard or obstruction of vision. On Monday, May 5, 2025, the Planning and Zoning Commission held a public hearing and voted 6-0 to approve the special use. Community Development Director Michelle Pease was available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor T. McDermott, **"I move Ordinance 2025-23, an Ordinance approving Setback Variance for Willis Avenue, be approved."** Motion made by Councilor D. McDermott, Seconded by Shaw-Dickey, **"I move to amend original motion to include a 4 foot ornamental fence as opposed to a chain link fence as shown in example labeled Beach Street Senior Lofts."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 6-0.

- VIII. **EXECUTIVE SESSION:** A motion to approve closed session minutes, 1/22/24, 2/12/24, 2/26/24, 3/25/24, 4/8/24, 4/22/24, 5/13/24, 6/24, 7/8/24, 8/21/24, 9/9/24, 11/12/24, 12/9/24, 2/10/25, 2/24/25, 3/10/25, 3/24/25. Motion made by Councilor T. McDermott, Seconded by Councilor Valdivieso, **"I move the Council to accept the contents of Executive Session Minutes from January 22, February 12, February 26, March 25, April 8, April 22, May 13 , June 24, July 8, August 21, September 9, November 12, December 9 of 2024 and February 10, February 24, March 10, March 24, of 2025 with the understanding that these minutes will remain confidential."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 6-0.
- IX. **ADJOURNMENT:** At 7:25 P.M. Motion made by Councilor D. McDermott, Seconded by Councilor Shaw-Dickey, **"I move the Council adjourn."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, Mayor Bearrows. Nays: None. Motion passed 6-0.

John Bearrows, Mayor

Rose Huéramo, City Clerk