



MINUTES
CITY COUNCIL MEETING
Monday, June 13, 2022 at 6:30 PM

- I. **CALL TO ORDER:** Pledge to the Flag was led by Mayor Bearrows. Prayer was said by Pastor Doug Forsberg.
- II. **ROLL CALL:** Present were Councilors T. McDermott, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor John Bearrows. Absent: Councilor Hayes. A quorum of six were present. Also, present City Manager Jeff Fiegenschuh, City Clerk Rose Huéramo, and City Attorney Dominick Lanzito.
- III. **PROCLAMATIONS, COMMENDATIONS, ETC:** None.
- IV. **REPORTS AND COMMUNICATIONS:**
 1. Mayor's Report - Thanked everyone that helped for the Rotary Event Afternoon at Atwood this past Saturday June 11th. Reminder to come and support the Torch Run on Wednesday June 15th at 10am for the Special Olympics.
 2. Council Members - None.
 3. Check Presentation - Nancy Bingham presented a check for \$32,142 to Rochelle Area Community Foundation Director Emily Anaya. Emily invited everyone to Lincoln Art Center on Wednesday June 15th from 4 – 6pm to meet the 26 nonprofit organizations.
- V. **PUBLIC COMMENTARY:** None.
- VI. **BUSINESS ITEMS:**
 1. **CONSENT AGENDA ITEMS BY OMNIUS VOTE** with Recommendations:
 - a) Approve City Council Meeting Minutes – 05/23/2022
 - b) Approve Payroll – 05/02/22-05/15/22
 - c) Approve Payment Registers 5/23/22, 5/31/22, 6/6/22 and ExceptionsMotion made by Councilor T. McDermott, Seconded by Councilor Gruben, **“I move consent agenda items (a) through (c) be approved by Omnibus vote as recommended.”** Voting Yea: Gruben, D. McDermott, T. McDermott, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.
 2. **Ordinance Waiving the Competitive Bidding Requirements and Authorizing the City Manager to Enter into a Small Municipal and County Government Enterprise Agreement with Environmental Systems Research Institute, Inc.** The resolution presented is to approve the expenditure of \$84,750 split over three years per the terms of ESRI Small Municipal and County Government Enterprise Agreement. This agreement allows the City of Rochelle to maintain its already existing ESRI Small Government Enterprise License at \$28,250 per year, a \$3,250 increase from \$25,000 the previous year which accounts for tracker licenses and software inflation. The \$28,250 will be billed in June of each year for the next three years per the agreement and the cost will be divided up between the city departments. ESRI is the leading Geographic Information Systems (GIS) software company in the world, controlling the largest market of GIS globally and is seen as the industry standard. The ESRI Small Government Enterprise License provides the city (and entire RMU service area) support of the City’s strategic initiatives with the software and capabilities to administer and manage historic and future spatial data and databases, and create maps and applications needed for everyday city use publicly and internally. Additionally, the ESRI Small

Government Enterprise License/GIS is used for every department within the City whether it be by mapping utility locations, zoning, database administration, or the integration of VueWorks. The GIS created using this license is also utilized to increase public awareness and foster transparency and visual clarity to the residents. Such examples include the maps made for the Sound the Alarm event that just happened, parade routes, road closures, public events, or any utility work that may affect our residents (some applications and data sharing services are still in production). Without this license, those functions cannot continue. The City of Rochelle has been using ESRI software for many years and this agreement and purchase is to lock in the current price (\$28,250) to be billed annually for the next three years. This agreement will also provide for additional benefits like lower cost per unit for licensed software, reduced administrative and procurement expenses, and complete flexibility to deploy software products when and where deemed necessary. GIS Coordinator Casey Heuer and Doug were available for questions. Motion made by Councilor Shaw-Dickey, Seconded by Councilor D. McDermott, **“I move Ordinance 22-5349, an Ordinance Waiving the Competitive Bidding Requirements and Authorizing the City Manager to Enter into a Small Municipal and County Government Enterprise Agreement with Environmental Systems Research Institute, Inc. be approved.”** Voting Yea: T. McDermott, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.

Motion made by Councilor D. McDermott and seconded by Councilor Shaw-Dickey, **“I move we take item # 4 and move it above item #3.”** Yea: T. McDermott, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.

4. **Resolution establishing City of Rochelle Water Rates, Effective January 1, 2023. Since 2015, the City has made significant improvements to the water supply and distribution system.** These improvements were much needed and critical to maintaining a reliable water supply to the City. Improvements include constructing a new wellhouse and elevated storage tank, 2 radium removal plants and recently a new wellhouse set to start up on June 1st. In addition, well 8 is currently under design for the construction of an iron removal plant since that well has essentially been unusable since the 1990's. The current rate structure was established on January 1, 2020, after a rate analysis was conducted by Willett Hofmann & Associate's in 2019. Recently, Willett Hofmann was hired again to conduct a thorough rate analysis which entailed evaluating expenses, revenues, outstanding debt, and future infrastructure investments for the next 5 years. The findings for this rate study resulted in an average rate increase per year for the next 5 years as follows: residential - 4.9%, commercial - 5.4%, industrial - 2.8%. In addition, a recommended fee schedule is included for establishing outside lab testing services. The recommended rate increase will take effect January 1, 2023, through 2027 and will insure a continued investment in the City water system. Superintendent of Water/Water Reclamation Adam Lanning and Matt Hansen from Willett Hofmann were available to answer questions. Motion made by Councilor Arteaga, Seconded by Councilor D. McDermott, **“I move Resolution R22-24, a Resolution Establishing City of Rochelle Water Rates, Effective January 1, 2023, be approved.”** Voting Yea: T. McDermott, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.
3. **Motion to Approve a Collective Bargaining Agreement Between the City of Rochelle and International Brotherhood of Electrical Workers Local 196 with the term of May 1, 2022, through April 30, 2026.** The current collective bargaining agreement with the IBEW Division of Streets and Cemetery expired on April 30, 2022. Our team met with their group over the course of a couple of in-person meetings to negotiate a new agreement. Our teams reached a tentative agreement for the entire package April 18th, due to scheduling, the IBEW Streets and Cemetery union met and ratified the collective bargaining agreement on May 19, 2022. The proposal represents a good compromise, where both sides gave and received concessions. Attached is the redlined tentative agreement with the new provisions. Most of the provisions from the previous agreement carried over to the new one. Below is a brief summary of the major changes to the new proposed agreement

Effective May 1, 2022. Some minor corrections to position titles were included in the changes. Human Resource Director Nancy Bingham was available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor Shaw-Dickey, **“I move Council approve a Collective Bargaining Agreement between the City of Rochelle and the International Brotherhood of Electrical Workers Local 196 with a term of May 1, 2022, through April 30, 2026.”** Voting Yea: T. McDermott, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.

5. **Resolution Authorizing the Execution of a Professional Services Agreement with Baxter Woodman for the Pretreatment Program.** The City of Rochelle currently manages an industrial pretreatment program and is enforced through the City’s Municipal Code. The ordinance was adopted in the 1990’s and has not been updated since. As the City’s industrial loading to our water reclamation plant continues to increase, it is in our best interest to ensure the plant is protected from industrial waste loads. By updating the existing ordinance, we will have the flexibility to provide enforcement of both state and federal standards. In addition, the update will include language regarding the fats oil and grease (FOG) program, which the current ordinance is lacking enforcement capabilities. Adam Lanning was available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor Arteaga, **“I move Resolution R22-25, a Resolution Authorizing the Execution of an Agreement with Baxter Woodman for the Pretreatment Program, be approved.”** Voting Yea: T. McDermott, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.
6. **Ordinance Waiving Competitive Bidding Requirements and Authorizing the Purchase of a Pavement Condition Survey and Right-Of-Way Asset Inventory.** January 2021, the City of Rochelle began implementing VueWorks software. VueWorks is a web-enabled integrated GIS, enterprise asset management solution. This software allows City Departments to track the condition, minimize failure risk, optimize expenditures and service delivery of the City’s physical assets. The City’s VueWorks package includes advanced modules to better manage City infrastructure condition, risk, projects, budget forecasting, and valuation. To fully utilize VueWorks asset management software, it is vital the City provides the most accurate and up-to-date GIS data for VueWorks and its advanced modules. To accomplish this task, City staff have met with vendors who provide pavement condition surveys and right-of-way (ROW) asset inventory services. Typically, these vendors have vehicles equipped with cameras, special sensors, global positioning system (GPS) and computerized data collection systems that collect, process, and provide analytics on the pavement and assets surveyed. Road and asset condition surveys assess or describe the state of being or “health” of an infrastructure network. A condition survey provides a rational and consistent method of allocating limited resources. A condition survey will allow the City to evaluate the current condition of the infrastructure network, determine the rates of deterioration, project future conditions, determine maintenance and rehabilitation needs, determine the cost of repair, prepare plans of repair, determine the effects of budget restrictions and deferred maintenance, schedule future pavement maintenance activities, and track performance of various pavement designs and materials. To provide an accurate base for VueWorks asset management software, Rochelle’s 2022 budget includes funds for a pavement condition survey and ROW asset inventory. The survey services requested are centerline identification, street network collection with pavement condition index (PCI) values, pavement width, alley network collection with PCI values, parking lot pavement assessment, sidewalk inventory, Americans with Disabilities Act (ADA) sidewalk ramp inventory, traffic sign and signal inventory, and a pavement report with multi-year budget scenarios. ROW imagery for all segments collected will be provided to the City for future asset inventory needs. City staff received four quotes from pavement condition survey and ROW asset inventory vendors. After multiple meetings with road and asset survey vendors, Rochelle’s geographic information system (GIS) team, VueWorks consultants, City consultants and City staff it has been determined that Roadway Asset Services (RAS) is the best fit candidate to complete Rochelle’s pavement condition survey and ROW asset

inventory. RAS has provided a quote in the amount of \$71,910.00 to conduct a field survey of Rochelle's pavement condition and inventory ROW assets as described in attachment A. 202 Section VI, Item 6. The RAS team is equipped with state-of-the-art pavement condition survey vehicles, experienced engineers, GIS specialist, and infrastructure asset managers. RAS has experience with development and modification of GIS data files and segmentation for pavement management analysis. The RAS team understands how to effectively format data results into the City's VueWorks infrastructure management software. This is important as it eliminates the need for any additional and expensive software programs other vendors require. Tim Isley Public Works Director was available for questions. Motion made by Councilor Gruben, Seconded by Councilor Shaw-Dickey, **"I move Ordinance 22-5351, an Ordinance Waving Competitive Bidding Requirements and Authorizing the Purchase of a Pavement Condition Survey and Right-of-Way Asset Inventory in the Amount of \$71,910.00, be approved."** Voting Yea: T. McDermott, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.

7. **Resolution Authorizing Additional Uses for the American Rescue Plan Act Funds.** The City of Rochelle is set to receive approximately \$1,230,566 in two installments from the Federal Government through the American Rescue Plan Act. The first installment of \$615,000 has been received, with the second installment set to be received in the fall of 2022. Due to changes in the rules for the types of projects that can be funded, staff would like to update the list of approved projects and reallocate funds. Originally the City Council approved the following:

- 1) Rehabilitation and Painting of the overpass water tower-\$940,000
- 2) Investments in updating fiber infrastructure-\$225,000
- 3) Updates to Railfan Park-\$60,000

Below are the proposed updates:

- 1) Water Projects \$600,000
- 2) Updates to Railfan Park \$135,000
- 3) Community Storm Sewer Projects \$400,000
- 4) Resident energy efficiency and security projects \$100,000

Staff feels this new list will have the most impact for all our residents. Jeff Fiegenschuh was available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor Arteaga, **"I move Resolution R22-26, A Resolution Authorizing Additional Uses for the American Rescue Plan Act Funds and Authorizing Recommended Projects, be approved."** Voting Yea: T. McDermott, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.

8. **Ordinance Approving a Redevelopment Agreement- Seldal Properties, LLC.** The City of Rochelle wishes to enter into a development agreement with Seldal Properties, LLC for the redevelopment of (5) separate parcels (PINs, 24-24-377-005, 24-24-377-006, 24-24-377-007 and 24-24-377- 008 and 24-24-377-009) located at 318, 320, 322, 324 and 326 Lincoln Highway in Downtown Rochelle. The redevelopment will consist of mixed-use retail and residential space. The total project will be approximately \$1,025,000.00. Seldal Properties, LLC is requesting \$300,000. Reimbursed in five payments as follows:

1. A \$60,000 payment will be paid upon the acquisition and the completion of the but no sooner than December 31, 2023
2. A \$60,000 payment will be made one year after the initial payment
3. A \$60,000 payment will be made two years after the initial payment
4. A \$60,000 payment will be made three years after the initial payment
5. A \$60,000 payment will be made four years after the initial payment.

Community Development Director Michelle Pease, Building Inspector/Zoning Geoff Starr and Bruce Seldal were available to answer questions. Motion made by Councilor D. McDermott, Seconded by Councilor Shaw-Dickey, **“I move Ordinance 22-5352, an Ordinance Approving a Redevelopment Agreement with Seldal Properties, LLC, be approved.”** Voting Yea: T. McDermott, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays None. Motion passed 6-0.

9. **Resolution Approving the Sale of Surplus Real Property.** The City of Rochelle is currently the owner of two separate parcels of land located at 201 N. Washington Street, and undeveloped land at the Southwest corner of 2nd Avenue and Washington Street. The property is surplus real estate and is no longer necessary for the City to retain ownership. 201 N. Washington Street is approximately .67 acres, is zoned I-1 Light Industrial District, and has a building that was previously used for the storage of City equipment. Southwest corner of 2nd Avenue and Washington Street consists of approximately 1.31 acres of vacant land that is zoned I-1 Light Industrial District. It is recommended that the property be sold or leased to ensure best possible uses. A Request for Proposal (RFP) will be shared to facilitate the process. Michelle Pease was available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor Arteaga, **“I move Resolution R22-27, a Resolution Approving the Sale of Surplus Real Property, be approved.”** Voting Yea: T. McDermott, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.
10. **Ordinance Approving the Preliminary & Final Plat of Subdivision for the property located at 15th Street and 8th Avenue, Parcel # 24-23-401-020.** Haywell, LLC has petitioned for a preliminary and final plat of subdivision for the property located at Parcel # 24-23-401-020, which is located on 8th Avenue. The property is zoned I-1, Light Industry. The purpose is to create a one lot subdivision for the development of a self-storage facility with 6 units. Fehr Graham developed a preliminary and final plat of subdivision on behalf of Haywell, LLC for a single lot subdivision with easements. Staff finds the preliminary and final plat of subdivision in general conformance with the Rochelle Municipal Code and recommends approval, subject to the following: 1) Final Stormwater management plan be approved by staff. 2) Final Engineering be approved by staff. 3) The Final Plat being modified where necessary from staff comments prior to recording. 4) Posting of required surety prior to the recording of the Final Plat. City staff and the Planning and Zoning Commission shall review the preliminary and final plat for conformance with the comprehensive plan, the provisions hereof, and all other applicable City ordinances. Pursuant to 65 ILCS 5/11-12-8, the Planning and Zoning Commission shall recommend or not recommend the approval of the preliminary and final plat within 90 days of the application. On Monday, June 6, 2022, the Planning and Zoning Commission voted 7 to 0 to approve the Preliminary & Final Plat of Subdivision for property located at 15th Street and 8th Avenue, Parcel # 24-23-401-020. Michelle Pease was available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor T. McDermott, **“I move Ordinance 22-5353, an Ordinance Approving the Preliminary & Final Plat of Subdivision for the property located at 15th Street and 8th Avenue, Parcel #24-23-401-020, be approved.”** Voting Yea: T. McDermott, D. McDermott, Gruben, Shaw-Dickey, Arteaga. Abstain: Mayor Bearrows. Nays: None. Motion passed 5-1 Abstain.
11. **Ordinance Amending Chapter 110- Zoning of the Rochelle Municipal Code.** As we worked through the process of updating our zoning codes, we simplified our District Classification List (Sec.110-160) to be more general. In the process, several allowable I-3 uses were omitted from the list. Currently, within the City of Rochelle Zoning Ordinance, Article V, Division 7 (District Use Classifications) certain uses within the I-2, general industry are not permitted in the I-3 heavy industry zoning district. The City of Rochelle is proposing certain text amendments to the Zoning Code, Section 110-160, District Use Classification List, to permit (P) or permit by special use (S) certain land uses within the I-3 to be more consistent with the I-2 zoning district. Those land uses are

as follows: Adult regulated use (S), Automobile and/or truck rental (S), Automobile and/or truck repair (S), Greenhouses (P), Manufacturing, general (P), Manufacturing, light (P), Offices, Professional and Business (P), Personal Wireless Services (S), Planned developments (S), Research and development facilities (S), Small Cell Facilities (P), Utilities (S) and Transloading Facilities (P). The Planning and Zoning Commission can recommend to the City Council a text amendment to expand or alter the official zoning code district classification list to allow these facilities within an I-3, Heavy Industry district. Generally, what is allowed in an I-2 is allowed in an I-3. The distinction between an I-2 and I-3 is intermodal and transloading operations. These are only allowed in an I-3 zone. Staff feels that by adding these uses back into to the zoning code district classification list, this will allow for the intended versatility within the I-3 heavy industry district. On Monday, June 6, 2022, the Planning and Zoning Commission voted 7 to 0 to approve the proposed update to the Rochelle Municipal Code Section 110- Zoning. Michelle Pease was available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor Shaw-Dickey, **"I move Ordinance 22-5354, an Ordinance Amending Chapter 110 - Zoning of the Rochelle Municipal Code Pertaining to District Classification Uses, be approved."** Voting Yea: D. McDermott, T. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays None. Motion passed 6-0.

VII. DISCUSSION ITEMS: None.

VIII. EXECUTIVE SESSION: None.

IX. ADJOURNMENT: At 7:59 PM, Motion made by Councilor D. McDermott, Seconded by Councilor Shaw-Dickey, **"I move the Council adjourn."** Voting Yea: T. McDermott, D. McDermott, Gruben, Shaw-Dickey, Arteaga, and Mayor Barrows. Nays: None. Motion passed 6-0.

John Bearrows, Mayor

Rose Huéramo, City Clerk