



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

- I. CALL TO ORDER:** Pledge was led by Mayor Bearrows. Prayer was said by Pastor Judy Williams.
- II. ROLL CALL:** Present Councilmembers T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, and Mayor Bearrows. Absent: Councilwoman Kate Shaw-Dickey. A quorum of six were present. Also present were 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- Lucky Hub Dash was rescheduled to Saturday March 19 due to weather.
 2. Council Members
 3. Appoint Kevin Crandall & Will McLaughlin to the Utility Advisory Board - Terms Expiring 7/1/24
Motion made by Councilor D. McDermott, Seconded by Councilor Gruben, "**I move the Council approve the Mayor's appointment of Kevin Crandall and Will McLachlan to the Utility Advisory Board with a term to expire July 1, 2024.**" Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.
 4. Good News - Finance Department Award
 5. Swearing-In Ceremony for Sergeant Jim Gilliam
- V. PUBLIC COMMENTARY:** None.
- VI. BUSINESS ITEMS:**
 1. **CONSENT AGENDA ITEMS BY OMNIUS VOTE with Recommendations:**
 - a) Approve Minutes of City Council Meeting - 02/28/2022
 - b) Approve Payables - #200391, #200467, #200468, #200469, #200470-200560
 - c) Accept and Place on File Annual Police Pension Treasurer's Report
 - d) Accept and Place on File Minutes of Planning & Zoning Commission Meeting - 01/04/2022
 - e) Approve Payroll - 2/21/22-03/06/22Motion made by Councilor Hayes, Seconded by Councilor T. McDermott, "**I move consent agenda items (a) through (d) be approved by Omnibus vote as recommended.**" Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Motion passed 6-0.
 2. **Ordinance Amending Section 6-46 of the Municipal Code of the City of Rochelle to Create One Class R-1 Liquor License.** Agenda was tabled for a future date. Motion made by Councilor Hayes, "**I move City Council table agenda item #2 for a future meeting date.**" Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Nays 6-0.
 3. **Resolution of Support and Commitment of Local Funds for Well Number 8 Improvements.** As RMU proceeds with the design of an iron removal plant at well 8, we are currently in the process of completing an application for an EDA grant. For the city to submit the application it is necessary for council to approve a resolution authorizing the application and commitment to funding any remaining portion of the project cost beyond the scope of the grant. We anticipate the grant application getting submitted in March of 2022 and based on the current project schedule construction will coincide with the City receiving any grant funds. The most current engineering cost estimate for the project is \$7.2

million, therefore based on 50% grant funding the city would commit \$3.6 million and would be funded through the SRF loan program with the IEPA. This resolution is an updated version of the one that was passed on September 27th, 2021. Since then, the engineering cost estimate has increased approximately 30% and due to the city being unable to demonstrate job creation from this project we are only seeking 50% funding rather than the original 85%. With these circumstances we are required then to commit a higher dollar amount to the project from local funds. Water, Water Reclamation Superintendent Adam Lanning was available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor Arteaga, **"I move Resolution R22-13, a Resolution of Support and Commitment of Local Funds for Well Number 8 Improvements, be approved."** Motion made by Councilor T. McDermott, Seconded by Councilor D. McDermott, **"I make a motion we amend the resolution as provided."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Motion passed 6-0. Motion made by Councilor Hayes, Seconded by Councilor D. McDermott, **"I move Resolution R22-13, a Resolution of Support and Commitment of Local Funds for Well #8 Improvements, be approved as amended."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Motion passed 6-0.

4. **An Ordinance Amending Chapter 110- Zoning of the Rochelle Municipal Code.** City staff have been working with Pete Iosue from Teska & Associates to amend our Zoning Codes, specifically Section 110- Zoning of the Municipal Code. Certain sections of the code were inadvertently left off the original document that was passed when the new codes were updated. The previously passed document included sections up to Sec. 110-600. Sec. 110-600 through Sec. 110-700 were not included in the document. On Monday, March 7, 2022, the Planning and Zoning Commission voted 6 to 0 to approve the proposed update to the Rochelle Municipal Code Section 110- Zoning. Community Development Director Michelle Pease was available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor Arteaga, **"I move Ordinance 22-5337, an Ordinance Amending Chapter 110 of the Rochelle Municipal Code, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: 6-0. Motion passed 6-0.
5. **Ordinance Granting an Amended Special Use to Allow Rochelle Solar, LLC to Operate a Solar Farm in Rochelle, Illinois.** Rochelle Solar entered into an annexation agreement for 87.89 +/- acres with the City of Rochelle at the southwest corner of Twombly Road and North Caron proposed extension road (part of parcel 25-18-100-009) to develop a solar farm. The property was zoned RD, Rural Development at the time of annexation, which requires a special use for a Solar Farm. A special use was granted at that time as follows:
 Conditions of the special use for a solar farm would include the following:
 - 1) Dedication of City easements (15' width minimum), as approved by the City Engineer, for a shared use path along the westerly boundary of the subdivision.
 - 2) Dedication of right-of-way (ROW), as approved by the City Engineer, along the southerly and northerly boundary lines of the subdivision for existing and/or future roadway or utility improvements or extensions along Twombly Rd and future Flagg Road east of Caron Road.
 - 3) Posting of the necessary surety as per the City Engineers estimate of cost for said roadway and/or utility improvements (i.e., public improvements) and as per section 86-51 through 86-56 of the Rochelle Municipal Code in the amount of \$1,125,000. If the developer/petitioner fails to complete the improvements the City may draw upon the surety and use said funds for the public improvements within the ROW.
 - 4) Dedication of a City/drainage easement for the Special Flood Hazard Area (SFHA) also known as the floodplain/floodway as depicted on the FEMA FIRM maps #17141C0483E City of Rochelle and Ogle County effective dated 8/17/2016.
 - 5) The internal light duty maintenance driveways may be chip sealed due to the limited Average Daily Traffic (ADT) of 10 vehicles per day (VPD) within the solar field perimeter. However, any

and all access driveways from Twombly Road or other City owned ROW's shall meet the requirements for driveway approaches from a street and hard surfacing of driveway as measured 130 feet from the applicable ROW line.

6) All final site plans and applications for permits shall be reviewed and approved by City staff as the development proceeds forward in accordance with the Rochelle Municipal Code except as may be varied from herein.

7) All landscaping shall be maintained by the petitioner/developer in accordance with all Rochelle Municipal Codes and as required by City staff. Annual inspections shall be performed by City staff to determine if damaged, dead, or diseased plantings need to be removed and replaced to ensure the landscape buffer remains as shown on the plan. 66 Section VI, Item 5. Section VI, Item 5.

8) All stormwater impact fees, in accordance with Chapter 22 of the Rochelle Municipal Code, shall be paid at \$1300/Acre of the subdivision prior to the issuance of a special use permit or recording of the Final Plat of the Rochelle Northeast Subdivision.

ADDED

9) Rochelle Solar is petitioning to add the terms of 40 years to their special use for a solar farm. This would make the language of their special use consistent with the language in their annexation agreement. On Monday, Use. Michelle Pease and Emily Skill Enel Representative were available for questions. Motion made by Councilor Gruben, Seconded by Councilor T. McDermott, **"I move Ordinance 22-5335, an Ordinance Granting an Amended Special Use to Allow Rochelle Solar, LLC to Operate a Solar Farm in Rochelle, IL, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Motion passed 6-0.

6. **Ordinance Approving the Preliminary & Final Plat of Subdivision for the Properties Located on Lida Lake Lane with Parcels #24-26-127-015 & 24-36-128-005.** New Directions Housing Corporation have petitioned to subdivide the property located at Lake Lida Lane, Parcel # 24-36-127-015 and 24-36-128-005. The property is zoned R-5 Multi Family High Density Residential and is approximately 5.7 acres. The purpose of subdividing is to combine the two parcels into one for a residential multi-family housing development. The proposed development is for a two-story building with 30 units. New Directions Housing Corporation is an Illinois non-profit 501(c)(3) tax-exempt charitable corporation that was formed in 1994 whose sole purpose is: "to provide high quality affordable housing to households who would otherwise be unable to afford safe and decent housing without undue hardship." Fehr Graham developed a preliminary and final plat of subdivision on behalf of New Directions Housing Corporation for a one lot subdivision with easements. 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, March 7, 2022, the Planning and Zoning Commission voted 4-0, with two members abstaining to approve the proposed Preliminary and Final Plat of Subdivision for Lake Lida Lane, Parcel # 24-36-127-015 and 24-36-128-005. Michelle Pease and Rodger Brown President of New Directions Housing Corporation were available for questions. Motion made by Councilor Arteaga, Seconded by Councilor D. McDermott, **"I move an Ordinance 22-5336, an Ordinance Approving the Preliminary & Final Plat of Subdivision for the Properties Located on Lida Lake Lane with Parcels #24-26-127-015 & 24-36-128-005, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Motion passed 6-0.
7. **Ordinance Approving a Special Use in the A- Airport District for Assembly/Meeting Hall and Public Recreational Facilities at 1207 Gurler Road, Rochelle, Illinois.** The petitioner is seeking a special use permit for assembly to host large social events and for a public recreational facility for RV parking/camping. The subject property is zoned A – Airport. Section 110-160 District Use Classification List requires a special use in an A-Airport zoning district for Assembly and Public Recreational Facility. Sky Team, Inc. currently has an agreement with the City of Rochelle for the

use of camping at this location which outlines regulations for the campsites. Conditions for a special use for assembly would include the following:

- 1) Maximum occupancy of 400
- 2) 12-month calendar of events submitted to the Fire Chief in January of each year and updated throughout the year as necessary
- 3) Addition of a 3' door in the Northeast corner of the hangar with exit signage
- 4) Annual inspection for life safety issues scheduled with the Fire Department at the same time of the submission of the calendar of events. Inspection must be performed and passed before the first event for the calendar year.

On Monday, March 7, 2022, the Planning and Zoning Commission voted 5-0, with one member abstaining to approve the proposed Special Use- Assembly and voted 5-0 with one member abstaining for Public Recreational Facilities for Sky Team Incorporated. Michelle Pease and Doug Spon from Flight Deck were available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor Hayes, "**I move Ordinance 22-5338, an Ordinance Approving a Special Use in the A-airport District for Assembly/Meeting Hall, and Public Recreation Facility at 1207Gurler Rd, be approved.**" Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Motion passed 6-0.

8. **Ordinance Waiving the Competitive Bidding Requirements and Awarding Wesco Distribution the Purchase Order for the Purchase of Single-Phase Pad Mount Transformers.** With lead times of transformers climbing rapidly we wish to purchase single phase transformers to protect our supply in the event we have a significant weather-related event. These pad mount transformers feed residential homes with underground electricity. We reached out for quotes and lead times with only two vendors willing to respond both with a 60-week lead time and one significantly higher in price than the other. The low quote came from Wesco who also holds the Sourcwell contract for these transformers. We are asking to waive competitive bidding because Sourcwell completes the RFP process for their members. Jeff Fiegenschuh was available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor Arteaga, "**I move Ordinance 22-5339, an Ordinance Waiving the Competitive Bidding Requirements and Awarding WESCO Distribution the Purchase Order for the Purchase of Single-Phase Pad Mount Transformers in the amount of \$194,270, be approved.**" Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Motion passed 6-0.
9. **Ordinance Waiving the Competitive Bidding Requirements and Awarding Wesco Distribution the Purchase Order for the Purchase of LED Streetlights.** The City of Rochelle has purchased streetlights from Wesco under the Sourcwell contract for several years. 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 2022. This quote was provided under the Sourcwell contract for streetlighting. We are asking to waive competitive bidding because Sourcwell completes the RFP process for their members. Jeff Fiegenschuh was available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor Hayes, "**I move Ordinance 22-5340, an Ordinance Waiving the Competitive Bidding Requirements and Awarding WESCO Requirements and Awarding WESCO Distribution the Purchase Order for the Purchase of LED Streetlights in the amount of \$75,960, be approved.**" Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Motion passed 6-0.
10. **Bid proposals for the City of Rochelle 2022 14th Street Pavement Improvements- Phase 1.** The City of Rochelle approved a permanent road closure of 15th Street in 2001 for the expansion of the Silgan facility. As part of the original agreement Silgan posted a CD surety to be used towards 15th Street improvements. That CD has been renewed multiple times over the past years but will not be renewed further in 2022. Staff negotiated additional uses of the surety provisions over the past several years to allow the City to utilize the funds on a broader scope which includes improvements to

the 14th Street truck route. This project will be completed in two phases as funds allow. Phase 1, from Lincoln to 6th Avenue, has been programmed in the 2022 budget. The project will consist of complete pavement removal and reconstruction of the pavement more suited for the route. Furthermore, the project will include certain storm and sanitary structure replacements or upgrades. The project plans and specifications were developed by the City Engineering Department and advertised in the Rochelle News leader, and on the City website. Bids were publicly opened and read aloud on March 8th at 11:30am for the above referenced project. Five separate bids were received as follows:

- Martin and Company Excavating submitted a bid for making the entire improvements in the amount of \$326,068.95
- Northern Illinois Service Company submitted a bid for making the entire improvements in the amount of \$359,921.42
- Stenstrom Excavation and Blacktop Group submitted a bid for making the entire improvements in the amount of \$364,242.00
- N-TRAK Group, LLC submitted a bid for making the entire improvements in the amount of \$389,275.50
- O'Brien Civil Works, Inc. submitted a bid for making the entire improvements in the amount of \$416,199.45

The low bid is approximately 16% lower than the Engineer's estimate of cost of \$378,000.00. The project will be funded through the CIP fund. Furthermore, given the favorable contract unit prices for multiple construction items it is recommended that approval be given to the City Manager and/or the City Engineer to negotiate further change order work, not to exceed \$52,000, within the proposed contract to facilitate other improvements and upgrades to streets adjacent to this project. It is anticipated the construction project will be substantially complete by the end of June 2022. However additional time will be granted for any additional work. City Engineer Sam Tesreau was available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor Arteaga, **"I move Council to Accept Low Bid Proposals and Award the 2022 14th Street Pavement Improvements Phase 1 to Martin & Company Excavating and reject all other bids received."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Motion passed 6-0. Motion made by Councilor D. McDermott, Seconded by Councilor Hayes, **"I move Council Authorize the City Manager and/or City Engineer to negotiate an add on (contract change order) not to exceed \$52,000 for improvements to City Streets and drainage systems adjacent to the project limits."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Motion passed: 6-0.

- VII. DISCUSSION ITEMS:** Eagle Scout Jeremy Diehl gave presentation to Council on his eagle scout project Mayor Bearrows presented him with, "the Key to the City."
- VIII. EXECUTIVE SESSION:** At 7:17 PM, motion made by Councilor D. McDermott, Seconded by Councilor T. McDermott, **"I move the Council recess into Executive Session to discuss pending or imminent litigation, section (c) (11) and purchase or lease of real property for City's us, section (c) (5)."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Motion passed: 6-0. At 8:08 PM, motion made by Councilor D. McDermott, Seconded by Councilor Hayes, **"I move the Council return to open session."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Motion passed 6-0.
- IX. ADJOURNMENT:** At 8:09 PM, motion made by Councilor D. McDermott, Seconded by Councilor Arteaga, **"I move the Council adjourn."** Voting Yea: T. McDermott, Hayes, D. McDermott, Gruben, Arteaga, Mayor Bearrows. Nays: None. Motion passed: 6-0.