



MINUTES
CITY COUNCIL MEETING
Monday, February 26, 2024 at 6:30 PM

- I. CALL TO ORDER:** Pledge to the Flag was led by Mayor Bearrows. Prayer was said by City Clerk Rose Huéramo.
- II. ROLL CALL:** Present were Councilors T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, and Mayor John Bearrows. Absent Councilor Valdivieso. 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: Announced the State of the Community Address March 5th at 2:00 P.M. Thanked Chris Cardott for her assistance with the RTHS Bowling League Benefit.
 2. Council Members: Councilor Hayes brought up a noise complaint issue regarding Burlington locomotive engines sitting on the tracks in City limits.
- V. PUBLIC COMMENTARY:** None.
- VI. BUSINESS ITEMS:**
 1. **CONSENT AGENDA ITEMS BY OMNIUS VOTE** with Recommendations:
 - a) Approve City Council Meeting Minutes - 2/12/2024
 - b) Approve Payroll - 01/21/24-02/04/24
 - c) Approve Payment Registers - 02/12/24, 02/19/24
 - d) Accept and Place on File - January Financials
 - e) Approve Special Event Request - CAN Food Truck FairsMotion made by Councilor Hayes, Seconded by Councilor Arteaga, **"I move consent agenda items (a) through (e) be approved by Omnibus vote as recommended."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.
 2. **An Ordinance Amending Ordinance 45-OH - Lee Ogle Enterprize Zone.** In 2015 the State of Illinois through the economic development departments in Rochelle and Dixon designated sites in Lee and Ogle Counties as Enterprise Zones (LOEZ). Through legislation passed in the General Assembly last year, each EZ was permitted to add 3,000 acres to the existing EZ. The Lee Ogle Enterprise Board is proposing an amendment to the original EZ ordinance to add new sites to LOEZ. This amendment will identify industrial and large-scale development parcels in and around Rochelle and Dixon. Additionally, several smaller commercial areas have been identified with the assistance of county assessors including several commercial-scale apartments, those larger than a duplex and built as apartments. We hope this will incentivize continued improvements by area landlords to enhance living conditions for renters in the community. Acreage used by this amendment includes a net 1376 acres in Rochelle. Increased acreage by city/villages: Dixon 707, Mount Morris 31, Amboy 15, Oregon 7, Franklin 1, Ashton 1 for a total of 2140 added. Prior to this amendment, the Lee Ogle Enterprise Zone had 3656 acres of unallocated space available to the Lee Ogle Enterprise Zone. Upon this amendment's anticipated approval by the State of Illinois, 1517 acres will remain available for future additions to the Zone for future economic development projects. Economic Development Director Jason Anderson and Andy Shaw the Lee Ogle Enterprise Zone Administrator were available for questions. Motion made by Councilor Arteaga, Seconded by Councilor Shaw-Dickey, **"I move Ordinance 24-5466, an Ordinance Amending Ordinance NO. 45-OH with Lee Ogle Enterprise Zone and Enterprise Zone Intergovernmental Agreement, be approved."** Voting Yea: T.

McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.

3. **A Resolution Amending the City Credit Card and Charge Account Policy.** City of Rochelle staff periodically need the use of a credit card to make a purchase. The City pays the credit card invoice in full each month. There are eleven cards issued to management staff. The current process includes having the City Manager pre-approve use. The pre-approval form is kept with the receipt for audit purposes. Staff recommends updating the policy to include the ability to switch card types to one with rewards. The City Manager would have the authority to execute changes in card issuers, cancel credit cards, and approve paperwork for the issuance of new credit cards. Any rewards earned would be used for the benefit of the City per approval of the City Manager. Finance Director Chris Cardott was available to answer questions. Motion made by Councilor T. McDermott, Seconded by Councilor D. McDermott, **"I move Resolution R24-13, a Resolution Amending the City Credit Card and Charge Account Policy, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.
4. **Resolution establishing City of Rochelle Water Reclamation Rates, Effective August 1, 2024.** Since 2015, the City has made significant improvements to the water reclamation collection and treatment system. These improvements were much needed and critical to maintaining reliable wastewater treatment for the City. Improvements include constructing or lining over 5 miles of sanitary sewer, 100's of manholes and upgrading approximately half of the wastewater treatment plant to meet future regulations. The current rate structure was established on August 1, 2021, after a rate analysis was conducted by Willett Hofmann & Associate's in 2020. 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 phase 2 WWTP upgrade project will incur an IEPA low interest loan payment and this rate structure will ensure the City has the financial capability to make the annual payments. The findings for this rate study resulted in an average rate increase per year for the next 5 years as follows: residential – 2.86%, industrial - 2.0%, Creston/Hillcrest – 3.0%. The recommended rate increase will take effect August 1, 2024, through 2028 and will ensure a continued investment in the City wastewater system. In addition, we changed the summer sewer saver rates to include April and May, but deleting October to cover when customers are filling pools. Superintendent of Water/Water Reclamation Adam Lanning was available for questions. Motion made by Councilor Hayes, Seconded by Councilor D. McDermott, **"I move Resolution R24-14, a Resolution Amending Water Reclamation Rates and Price Schedule of Utility Charges and Rates, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.
5. **A Resolution Waiving Competitive Bidding for the Purchase of two Servers from Dell Technologies.** Motion made by Councilor D. McDermott, Seconded by Councilor Shaw-Dickey, **"I move item #5 be removed from the agenda."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nay: None. Motion passed 6-0.
6. **A Resolution Opposing SB 2881 which Fundamentally Alters how Municipalities Annex and Regulate Unincorporated Property.** SB2881 proposes changes to the annexation agreement statute that would significantly alter how municipalities annex and regulate incorporated property. Here are the key points: Current Powers: According to Section 7 of Article VII of the 1970 Constitution of the State of Illinois, nonhome rule municipalities like Rochelle can only exercise powers explicitly granted by law. However, the Illinois General Assembly has granted broad authority to municipalities to pass ordinances and regulations to carry out their powers. Proposed Changes: SB2881, sponsored by Senator Laura Fine, would require any land subject to an annexation agreement to be contiguous to a municipal boundary. This would eliminate our current ability to regulate properties within the 1.5-mile extra-territorial jurisdiction, reducing our ability to annex property and creating uncertainty regarding pre-annexation agreements. Limitations: The bill restricts municipalities from addressing

various subjects in annexation agreements, including certain local land use ordinances, contributions of land or money, and property tax abatements. It also prohibits municipalities from regulating certain topics upon annexation, effectively creating a protected class of subjects. Impact: If passed, SB2881 would harm all municipalities and hinder economic development throughout Illinois. City Manager Jeff Fiegenschuh was available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor T. McDermott, **"I move Resolution R24-16, a Resolution to Oppose SB 2881 which Fundamentally Alters how Municipalities Annex and Regulate Unincorporated Property, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.

VII. DISCUSSION ITEMS: None.

VIII. EXECUTIVE SESSION: At 7:00 P.M. Motion made by Councilor Shaw-Dickey, Seconded by Councilor D. McDermott, **"I move the Council recess into executive session to discuss the appointment, employment, compensation, discipline, performance and/or dismissal) of specific employee(s), Section (c) (1), pending or imminent litigation. Sec (c) (11), and the purchase or lease of real property for City's use, Section (c) (5)."**Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.

At 7:19 P.M. Motion made by Councilor Shaw-Dickey, Seconded by Councilor D. McDermott, **"I move the Council return to open session."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.

IX. ADJOURNMENT: At 7:19 P.M. Motion made by Councilor Arteaga, Seconded by Councilor Shaw-Dickey, **"I move the Council adjourn."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, and Mayor Bearrows. Nays: None. Motion passed 6-0.

John Bearrows, Mayor

Rose Huéramo, City Clerk