



MINUTES
CITY COUNCIL MEETING
Monday, December 11, 2023 at 6:30 PM

- I. **CALL TO ORDER:** Pledge to the Flag was led by Mayor Bearrows. Prayer was said by Pastor Katherine Paisley.
- II. **ROLL CALL:** Present were Councilors T. McDermott, D. McDermott, Arteaga, Valdivieso, and Mayor John Bearrows. Absent were Councilors Hayes and Shaw-Dickey. A quorum of five were present. Also, present City Manager Jeff Fiegenschuh and Deputy City Clerk Jenny Thompson.
- III. **PROCLAMATIONS, COMMENDATIONS, ETC:** None.
- IV. **REPORTS AND COMMUNICATIONS:**
1. Mayor's Report - none
 2. Council Members - none
 3. Essay Contest Winner Announcement: Makayla Waters and Natalie Faivre.
- V. **PUBLIC COMMENTARY:** Chris Bishop talked about his candidacy for 37 Senate Seat.
- VI. **BUSINESS ITEMS:**
1. **CONSENT AGENDA ITEMS BY OMNIUS VOTE** with Recommendations:
 - a) Approve Minutes of City Council Meeting - 11/27/23
 - b) Approve Check Registers - 209050-209112, 209121-209189, 209190-209213
 - c) Approve Payroll - 11/13/23-11/26/23Motion made by Councilor Arteaga, Seconded by Councilor D. McDermott, **"I move consent agenda items (a) through (c) be approved by Omnibus vote as recommended."** Voting Yea: T. McDermott, D. McDermott, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.
 2. **An Ordinance authorizing A Redevelopment Agreement Between the City of Rochelle and KC and SE LLC for 417 Cherry Avenue.** The ownership of KC and SE, LLC located at 417 Cherry Avenue is requesting a short-term development agreement with the City of Rochelle to cover a portion of the costs associated with replacing the roof and repairing the foundation and structural issues associated with the facility. The estimates provided by the owners (included in the packet) are approximately \$94,000. Staff is recommending the following terms to the city council for consideration: 1) Upon successful completion of the project and remittance of all receipts and lien waver, reimbursement up to \$45,000 for TIF eligible expenses towards the replacement of the roof and repair of the foundation to be paid on January 8, 2024. 2) If the property is sold to a new owner on or before January 1, 2025, KC and SE LLC will remit back to the City of Rochelle 75% of the \$45,000 reimbursement. 3) If the property is sold to a new owner on or before January 1, 2026, KC and SE LLC remit back to the City of Rochelle 50% of the \$45,000 reimbursement. 4) If the property is sold to a new owner on or before January 1, 2027, KC and SE LLC will remit back to the City of Rochelle 25% of the \$45,000 reimbursement. 5) The City of Rochelle shall retain the first right of refusal to purchase the facility upon future sale. Attached is a copy of the proposed development agreement and proposed expenses. City Manager Jeff Fiegenschuh was available for questions. Motion made by Councilor Valdivieso, Seconded by Councilor T. McDermott, **"I move Resolution R23-120, a Resolution Authorizing a Redevelopment Agreement with KC and SC, LLC for 417 Cherry, be approved."** Voting Yea: T. McDermott, D. McDermott, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

3. **An Ordinance Amending Section 6-46 of the Municipal Code of the City of Rochelle to Delete One Class S Liquor License and Create One P-2 Liquor License for Road Ranger, LLC d/b/a Road Ranger #153.** An application for a Class S liquor license has been submitted by Road Ranger, LLC, Road Ranger #153 located at 1101 N. 7th St. The store wishes to upgrade from its existing Class S liquor license, which only authorizes the sale of packaged beer and wine for off-premises consumption. The Class P-2 liquor license, on the other hand, authorizes the sale of packaged alcoholic liquor for off-premises consumption as well. The Liquor Commissioner, Mayor Bearrows, has reviewed the application and has no objection to the creation of a Class P-2 liquor license for Road Ranger, LLC Road Ranger #153. This action will result in a total of three Class P-2 liquor licenses in the City of Rochelle. Deputy City Clerk Jennifer Thompson was available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor Arteaga, **"I move Ordinance 23-5458, an Ordinance Deleting One Class S Liquor License and Creating One Class P-2 Liquor License for Road Ranger, LLC D/B/A Road Ranger # 153, be approved."** Voting Yea: T. McDermott, D. McDermott, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.
4. **An Ordinance Regarding the Illinois Paid Leave for All Workers Act for the City of Rochelle.** On or about March 12, 2023, Governor JB Pritzker signed into law the Paid Leave for All Workers Act (820 ILCS 192/1 et seq.) (the "Act"). We have been monitoring the Act for any further rulings, clarifications, and possible additional exemptions for municipalities. During the past year we have attended several seminars and webinars on this related topic from a few different organizations. On November 1, 2023, Illinois Municipal League, (IML), sent an email on guidance for this Act. This Ordinance was among the information and drafted by IML, then modified by our legal firm for the City of Rochelle. HR Director Nancy Bingham was available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor Valdivieso, **"I move Ordinance 23-5459, and Ordinance Regarding the Illinois Paid Leave for All Workers Act for the City of Rochelle, be approved."** Voting Yea: T. McDermott, D. McDermott, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.
5. **A Resolution Accepting the Proposal and Authorizing a Professional Engineering Services Agreement with Keith Engineering Design for the Solar Plant Expansion.** RMU advertised a request for qualifications to procure engineering services to expand an existing solar plant at the wastewater treatment plant. Two statements of qualifications were received and after careful review, we would like to proceed with Keith Engineering Design from Peoria, IL. The existing solar plant was originally constructed in 2014 and was designed with the ability to double the existing footprint. As part of the design process, we will pursue grant opportunities to offset capital costs. Superintendent of Water/Water Reclamation Adam Lanning was available for questions. Motion made by Councilor Arteaga, Seconded by Councilor D. McDermott, **"I move Resolution R23-121, a Resolution Accepting the Proposal and Authorizing a Professional Engineering Services Agreement with Keith Engineering Design for the Solar Plant Expansion, be approved."** Voting Yea: T. McDermott, D. McDermott, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.
6. **A Resolution Accepting the Proposal and Authorizing a Professional Engineering Services Agreement with Willett Hofmann and Associates for an Amendment to Phase 2 of the Water Reclamation Plant Improvement.** The WWTP phase II upgrades original bid came in approximately 45% over budget in 2022 due to market volatility on numerous items. After careful review of the bid tabulations, we decided to remove several items from the scope of work and select an alternate design on other processes. The new scope of work along with the 'redesigned' upgrades required additional hours from engineering staff, resulting in an increased design cost of \$57,733.55. The increased design cost will be offset by the overall reduced project cost and will qualify for reimbursement through the loan program with the IEPA. Superintendent of Water/Water Reclamation Adam Lanning was available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor Valdivieso, **"I move Resolution R23-122, a Resolution Accepting the**

Proposal and Authorizing a Professional Engineering Services Agreement with Willett Hofmann & Associates, Inc. for an Amendment to Phase 2 of the Water Reclamation Plant Improvement, be approved. Voting Yea: T. McDermott, D. McDermott, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

7. **A Resolution Accepting the Proposal and Authorizing a Professional Engineering Services Agreement with Peralte-Clark Engineering for the Preliminary Phase of the Route 251 Project.** IDOT has contracted with Peralte Clark Engineering (PCE) consultants to provide Surveying/Engineering services for various design phases of the proposed IL Rte 251 improvements. The improvements, being developed and Engineered by IDOT and its consultant, will extend 900' south of IL Rte 38 to north of Flagg Rd approximately 600'. City staff has been involved with several coordination meeting through the ongoing process. Throughout the process it has become necessary to identify potential conflicts with RMU sewer, water and electric facilities. In doing so this will help to identify conflicts prior to construction so that appropriate adjustments and/or complete relocations can be resolved prior to construction of the IDOT IL Rte. 251 improvements. It is recommended by RMU staff and the City Engineer that we utilize PCE to identify and gather topographical field information to be utilized in the roadway design plans being finalized in 2024. This proposal will document potential utility conflicts through the hydro excavating process by RMU crews and data collection and analysis by PCE. PCE has submitted a proposal for an Engineering Services Agreement the necessary fieldwork, processing, coordination, and analysis of the data to be incorporated into the IDOT design plans. The funding for the will be paid in whole or part with RMU Electric and Water/Wastewater funds. It is anticipated additional Engineering agreements for the watermain, sewer and Electric facility relocation will be forthcoming in 2024. Sam Tesreau, City Engineer was available for questions. Motion made by Councilor Valdivieso, Seconded by Councilor Arteaga, **"I move Resolution R23-123, a Resolution Accepting the Proposal and Authorizing a Professional Engineering Services Agreement with Peralte-Clark Engineering for the Preliminary Phase of the Route 251 Construction Project, be approved."** Voting Yea: T. McDermott, D. McDermott, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.
8. **Resolution Authorizing the Execution of a Second Amendment to the Collocation License Agreement with Follet Corporation.** The five-year collocation agreement with Follet Corporation expires on December 31, 2023. Their management team is reassessing their collocation services with RMU and another facility in IL. They have asked for quarterly extensions for the next year while they determine if they will shrink or expand their collocation footprint. The financial terms of the agreement will remain the same with \$50K per month payments to RMU. If approved the terms will automatically renew each quarter. Pat and I will continue meeting with the company in hopes to expand our relationship with them and move forward with another long-term collocation agreement. City Manager Jeff Fiegenschuh was available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor Arteaga, **"I move Resolution R23-124, a Resolution Authorizing the Execution of a Second Amendment to a Collocation License Agreement with Follett Corporation, be approved."** Voting Yea: T. McDermott, D. McDermott, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

VII. DISCUSSION ITEMS:

1. **Rock River Watershed Presentation:** Presented by Superintendent of Water/Water Reclamation Adam Lanning.
2. **GIS Program Updates:** Presented by GIS Coordinator Casey Heuer. Doug Lynch and Chad Cosner from Cultivate Geospatial Solutions.

- ## **VIII. EXECUTIVE SESSION:**
- At 7:35 P.M. Motion made by Councilor T. McDermott, Seconded by Councilor Valdivieso, **"I move the Council recess into executive session to discuss pending or imminent litigation, Section (c) (11)."** Voting Yea: T. McDermott, D. McDermott, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None.

At 7:50 PM Motion passed 5-0. Motion made by Councilor T. McDermott, Seconded by Councilor D. McDermott, **"I move the Council return to open session."** Voting Yea: T. McDermott, D. McDermott, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

- IX. ADJOURNMENT:** At 7:50 PM Motion made by Councilor T. McDermott, Seconded by Councilor D. McDermott.
Voting Yea: T. McDermott, D. McDermott, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None.
Motion passed 5-0.

John Bearrows, Mayor

Jenny Thompson, Deputy Clerk