



MINUTES
CITY COUNCIL MEETING
Monday, April 22, 2024 at 6:30 PM

- I. **CALL TO ORDER:** Pledge to the Flag was led by Mayor John Bearrows. Prayer was said by Deputy Clerk Jennifer Thompson.
- II. **ROLL CALL:** Present were Councilors T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor John Bearrows. A quorum of six was present. Motion made by Councilor T. McDermott, Seconded by Councilor Hayes, **"I move Councilor Arteaga be able to participate remotely due to work travel conflict."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 6-0. Also present are City Manager Jeff Fiegenschuh, Deputy City Clerk Jennifer Thompson, and City Attorney Dominick Lanzito.
- III. **PROCLAMATIONS, COMMENDATIONS, ETC:**
 1. Motorcycle Awareness Month - May 2024
 2. Lineman Appreciation Day - April 18, 2024
 3. Arbor Day - April 26, 2024 - Street Department received recognition from the Arbor Day Foundation. The City of Rochelle was named 2023 Tree City USA.
Items 4 - 8 were moved to Council Meeting on 5/13
 4. Municipal Clerk's Week - May 5 - 11, 2024
 5. Life-Saving Award - Officer Jim Jakymiw
 6. Traffic Enforcement Officer of the Year - Officer Trevor Owen
 7. DUI Enforcement Officer of the Year - Sergeant Jim Gilliam
 8. Dispatcher of the Year - Alison Owen
 9. Certificate of Achievement for Excellence in Financial Reporting - Chris Cardott & Jessica Rogers
- IV. **REPORTS AND COMMUNICATIONS:**
 1. Mayor's Report: In honor of Arbor Day, Girl Scout Troop 409, Girl Scouts of Southern Ogle Service Unit, and Hidden Timbers Gardens will plant a White Oak tree at the Flag Township Museum on 4/23 at 5:30 pm.
Motion made by Councilor D. McDermott, Seconded by Councilor T. McDermott, **"I move item #6 be removed from the agenda."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 7-0.
 2. Council Members: Councilor Tom McDermott announced raffle tickets are on sale at the Flag Township Museum and with the purchase of 24 tickets for \$20 receive a free year-long membership to the museum. Councilor Hayes reminded everyone that 4/22 was Earth Day.
- V. **PUBLIC COMMENTARY:** None.
- VI. **BUSINESS ITEMS:**
 1. CONSENT AGENDA ITEMS BY OMNIUS VOTE with Recommendations:
 - a) Approve Minutes of City Council Meeting - April 8, 2024
 - b) Approve Payroll - 3/18/2024 - 3/31/2024
 - c) Approve Check Register - 210754-210844, 210847-210936
 - d) Accept and Place on File - March Financials
 - e) Approve Special Event Request - Lincoln Highway Heritage FestivalMotion made by Councilor Hayes, Seconded by Councilor Valdivieso, **"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, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 7-0.

2. **Resolution Waiving Competitive Bidding Requirements and Authorizing the Purchase of Elster Gatekeepers from Wesco Distribution.** The City of Rochelle has purchased Elster meters from Wesco distribution since 2007. Our current gatekeepers were deployed in 2007 and are due for replacement. The gatekeepers are responsible for collecting the information from the electric meters and reporting back to the server. Our current gatekeepers have been discontinued with the next generation being unveiled. Due to several communication issues, we've been having, as well as the push to move to the next generation of electric meters we would like to purchase 15 gatekeepers in a one for one replacement of our existing with one spare. The gatekeepers are a crucial part of the metering system. Wesco is the vendor authorized to sell Honeywell equipment in our area and that is the reason we are requesting to waive competitive bidding. Blake Toliver Superintendent of Electric Operations was available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor Hayes, **"I move Resolution R24-25, a Resolution Waiving Competitive Bidding Requirements and Authorizing the Purchase of Elster Gatekeepers form Wesco Distribution, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 7-0.

3. **Resolution Accepting the Proposal and Authorizing a Professional Engineering Services Agreement with BHMG Engineers, Inc., for the Downtown Underground Conversion Project.** Rochelle Municipal Utilities would like to engage BHMG Engineers, Inc to provide engineering services to design, assist in procurement, and provide construction administration for the downtown underground conversion. This project will be funded through the downtown and southern gateway TIF Bonds. The project will start at Lincoln Manor and end at 4th Ave. The goal of this project will be to place all existing overhead facilities underground as well as upgrade any services that are in need along the way. BHMG is a trusted partner and has the knowledge and expertise to complete the desired work. Blake Toliver Superintendent of Electric Operations was available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor D. McDermott, **"I move Resolution R24-26, a Resolution Accepting the Proposal and Authorizing a Professional Engineering Services Agreement with BHMG Engineers, Inc., for the Downtown Underground Conversion Project, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 7-0.

4. **Ordinance Amending O21-5297 Waiving Competitive Bidding Requirement and Awarding Altec Industries, Inc., the Purchase Order for a Bucket Truck.** 10-12-21The Electric department received a quote for a new bucket truck under the Sourcwell procurement program. The new bucket truck will replace a 2011 unit. The life expectancy of bucket trucks is about 10 years. Due to supply shortages across all industries, the bucket truck has a 660-day delivery time. The unit is included in the 2022 budget however we would like to order the truck in 2021 to get ahead of the delay time. The unit will be delivered approximately in the spring 2023 and payment will be due upon delivery. 4-22-24 The price increase reflects a cost increase in the chassis of over \$11,000 since 2021. There were also \$1200 worth of changes made to the body to make the truck more functional for the line workers. The original budgeted amount was \$194,805 the new amount is \$207,494. Blake Toliver Superintendent of Electric Operations was available for questions. Motion made by Councilor Shaw-Dickey, Seconded by Councilor Valdivieso, **"I move Ordinance 24-5472, an Ordinance Amending O21-5297 Waiving Competitive Bidding Requirement and Awarding Altec Industries, Inc the Purchase Order for a Bucket Truck, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 7-0.

5. **Ordinance Approving a Variance for Lot Coverage at 851 N. 11th Street, Parcel 24-24-155-002.** The petitioner is seeking a variance of lot coverage for a proposed garage and driveway for the property located at 851 N. 11th Street. The property is zoned R3, single family high density residential. Currently, the rear lot is covered approximately 6%. The petitioner is requesting to cover approximately 49%, which is an additional 43% lot coverage with the proposed garage and driveway,

putting the lot over the allowed lot coverage by 9%. The petitioner is requesting a variance to construct a garage and attach it to the existing detached garage for personal storage and states that the large lot size and alley access will allow for this size of a garage. A one-hour rating between the existing garage and the new garage will be required because of the lack of setback between existing garage and house. The lot is 60' x 180'. Sec. 110-111 (1) d. On a single-family lot no more than forty (40%) percent of the rear yard, and thirty-three (33%) percent of the combined front and side yards, may be occupied by accessory buildings or uses. Accessory buildings or uses located in the rear yard do not count toward the maximum lot coverage of thirty-three (33%) percent of the lot. Sec. 110-55 (e). Percentage of required yard occupied. Detached accessory buildings or structures shall not occupy more than 40 percent of the area of a required rear yard or more than 33 percent of all other combined yards. This requirement is in addition to any maximum lot coverage or maximum impervious area coverage requirements that may apply, and under no circumstances shall this requirement lower the minimum established yard setback requirements. On Monday, April 1, 2024, the Planning and Zoning Commission voted 4-1 to approve the variance of code for 815 N. 11th Street. A Report of Findings Fact for the variance of lot coverage was conducted by Director of Community Development Michelle Pease. Motion made by Councilor Valdivieso, Seconded by Councilor D. McDermott, **"I move Ordinance 24-5473, an Ordinance Approving a Variance for Lot Coverage at 851 N. 11th Street, Parcel 24-24-155-002, be approved."** Voting Yea: Valdivieso, Mayor Bearrows. Nays: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga. Motion denied 2-5.

6. **Ordinance Approving a Variance for Height at 851 N. 11th Street, Parcel 24-24-155-002.** Removed from the agenda.
7. **Resolution Waiving Competitive Bidding Requirements and Approving the Proposal of Municipal Well & Pump for Emergency Repairs to Well 10.** Well 10, located on Southview Drive experienced a motor failure on March 28th. The pump and motor were pulled by Municipal Well and Pump on April 9th at which time they determined the motor must be replaced. We have located a replacement motor in Arizona and is in stock. Since Municipal Well and Pump was hired to pull the pump, we are requesting to waive competitive bidding and hire them to perform the remainder of the work. This includes procuring the replacement motor, chemically cleaning, and brushing the well then reinstalling the pump and motor. Our equipment is at their shop so once the motor arrives, they can assemble it then reinstall shortly after. City ordinance allows council to waive competitive bidding when "contracts for emergency services or repairs when the delay in seeking competitive bidding would result in damage or additional cost to the city". The well pump is currently undergoing an inspection by the contractor and due to the urgency of keeping this project moving forward, we are asking for an additional not to exceed amount of \$40,000 to cover the purchase of a new pump. If the contractor determines the pump doesn't need to be replaced, that money will not be spent. Superintendent of Water/Water Reclamation Adam Lanning was available for questions. Motion made by Councilor D. McDermott, Seconded by Councilor Shaw-Dickey, **"I move Resolution R24-27, a Resolution Waiving Competitive Bidding Requirements and Approving the Proposal of Municipal Well & Pump for Emergency Repairs to Well 10, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 7-0.
8. **Ordinance Accepting and Approving the Proposal of AA Construction Concrete, Inc., Pursuant to the Request for Bids for the 2024 Sidewalk Capital Improvement Project.** The annual sidewalk/pedestrian path Capital improvements project, as administered by the Engineering Department, provides for the replacement of existing sidewalks and/or constructs new sidewalks and pedestrian paths and other related items throughout the City. The program provides for improved accessible pedestrian access routes including ramps for the disabled and other users. This is part of an effort to continuously improve our pedestrian network for all users and meet certain ADA and PROWAG standards. The program is primarily funded through the Utility Tax Fund (UTF)

established in 1997 to annually address the needed and required upgrades to the City's pedestrian sidewalk system, associated curb and gutter replacement, street pavement restoration and landscaping. Since its inception over 1,100,000 square feet of sidewalk and/or other pedestrian paths, concrete curb and gutter, and hundreds of accessibility ramps have been improved through replacement and/or new construction. The UTF has been utilized to supplement new sidewalk, pedestrian path, curb and gutter, and storm sewer and inlet/manhole construction on multiple roadways, bridge, storm sewer and City Street urbanization/reconstruction projects. 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 April 11th at 1pm for the above referenced project. Four separate bids were received as follows:

- AA Construction Concrete, Inc. submitted a bid for making the entire improvements in the amount of \$658,649.55
- Bruns Construction, Inc. submitted a bid for making the entire improvements in the amount of \$716,417.78
- Triggs Construction, Inc. submitted a bid for making the entire improvements in the amount of \$826,979.25
- Elliott & Wood, Inc. submitted a bid for making the entire improvements in the amount of \$899,928.00

The lowest bid is approximately 7% lower than the Engineer's estimated costs for the project. The project is funded with UTF administered by the Engineering Department. A transfer from the FY24 UTF #18-00 will be made to the FY 24 CIP fund to cover costs associated with the project. The City will purchase detectable warning plates, storm inlets/manholes, hot mix asphalt, aggregate base course and pavement striping materials for use on the project. These materials will be used by the Street Department crews to provide HMA pavement replacement/ patching restoration along new curb and gutter sections and within the project limits. 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 \$44,000, within the proposed contract to facilitate other improvements and upgrades to sidewalks and streets adjacent to this project. It is anticipated the construction project will be substantially complete by the end of September 2024. However additional time will be granted for any additional work. Sam Tesreau, City Engineer was available for questions. Motion made by Councilor T. McDermott, Seconded by Councilor D. McDermott, **"I move Ordinance 24-5475, an Ordinance Accepting and Approving the Proposal of AA Construction Concrete, Inc., Pursuant to the Request for Bids for the 2024 Sidewalk Capital Improvement Project, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 7-0.

9. **Resolution Amending "Article B: Drug Free Workplace" of the Personnel Manual.** The City of Rochelle Human Resources Risk Management and Safety department seeks to gain approval for revision of the section of the Employee Handbook noting Article B: Drug-Free Workplace. The reason for this update is to comply with the latest legalities in relation to safety-sensitive positions, reasonable suspicion drug and alcohol testing, and to align the City's Policy with Department of Transportation (DOT) regulations. HR Risk and Safety Coordinator Brittney Zick was available for question. Motion made by Councilor Shaw-Dickey, Seconded by Councilor Valdivieso, **"I move Resolution R24-28, a Resolution Amending "Article B: Drug Free Workplace" of the Personnel Manual, be approved."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 7-0.

VII. DISCUSSION ITEMS: Rebuild Illinois Downtown & Main Street Capital Grant. January 2022, the City received confirmation we were awarded the Rebuild Illinois Downtowns & Main Street Capital Grant from Illinois Department of Commerce and Economic Opportunity (DCEO). Funds were finally released from the State of Illinois in June 2023. The grant amount is for \$1,151,974 and covers parking lot restoration, the construction of two new lots and public restrooms. A committee

consisting of Mayor Bearrows, Councilperson Rosie Arteaga, City Manager Fiegenschuh, and key staff members was formed to move the project forward. Two new lots will be constructed to increase greater parking options and create more connectivity and walkability to our Downtown. The demolition of the vacant old bank drive-thru on the corner of Lincoln Highway and Lincoln Avenue and the corner of Washington and 2nd Avenue will be the location of the new lots. Seven lots will be reconstructed and repaired. The grant proposed a public restroom structure with 2 separate restrooms. As we continue to enhance our Downtown, the opportunity for a gathering space has always been a direction to move towards. With the destruction of the community gazebo area, the need for replacing the gathering space became important. The project also includes major electrical service improvements including placing all electric lines underground. This grant opportunity, with other funding sources that may be available could allow us to finally achieve this. We are finalizing a plan for future maintenance of the facility, but at this time the plan will be to do it in house. We have also had discussions with some local organizations to contract to book and run the facility, but no decisions have been made at this time. Director of Community Development Michelle Pease, Tom Houck, and Matt Hansen from Willett Hofmann were available for questions.

- VIII. **EXECUTIVE SESSION:** At 8:02 P.M. Motion made by Councilor D. McDermott, Seconded by Councilor Shaw-Dickey, **"I move the Council recess into executive session to discuss the purchase or lease of real property for City's use. Section (c) (5)."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 7-0. At 8:16 P.M. Motion made by Councilor D. McDermott, Seconded by Councilor Shaw-Dickey, **"I move Council return to open session."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 7-0.
- IX. **ADJOURNMENT:** At 8:16 P.M. Motion made by Councilor Shaw-Dickey, Seconded by Councilor D. McDermott, **"I move the Council adjourn."** Voting Yea: T. McDermott, Hayes, D. McDermott, Shaw-Dickey, Arteaga, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 7-0.

John Bearrows, Mayor

Jennifer Thompson, Deputy Clerk