



MINUTES
CITY COUNCIL MEETING
Monday, March 25, 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, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor John Bearrows. Absent were Councilor Hayes and Councilor Arteaga. A quorum of five was present. Also present are 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: April is Child Abuse Month, and encourages everyone to wear blue to show support. The Citizen Academy has openings available, and meetings will be every Wednesday in May from 10 am to 2 pm. There are two surveys on the city site: one for Fairways Golf Course to get community feedback on future improvements and one for Lee-Ogle Transportation Service (LOTS) regarding having a fixed route in town.
 2. Lee-Ogle Transportation System - Greg Gates and Steve Davis talked about the feasibility of providing a scheduled route public transit service within the cities of Rochelle and Dixon. A public meeting will be held on 4/17 in Council Chambers from 1-2:30 pm and 5:30-7 pm.
 3. Council Members - None.
 4. Swearing-In Ceremony - Phil Frankenberry, Deputy Police Chief
 5. Appointments to Boards & Commissions: Police & Fire Pension Boards - Jillian Condon Motion made by Councilor Shaw-Dickey, Seconded by Councilor Valdivieso, **"I move the Council approve Mayor's appointment of Jillian Condon to the Fire Pension Board with a term to expire April 30, 2026."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0. Motion made by Councilor D. McDermott, Seconded by Councilor Shaw-Dickey, **"I move the Council approve Mayor's appointment of Jillian Condon to the Police Pension Board with a term to expire April 30, 2026."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.
 Planning & Zoning Commission - Patrick Hickey - Voting Member Motion made by Councilor T. McDermott, Seconded by Councilor Valdivieso, **"I move the Council approve Mayor's appointment of Patrick Hickey as a voting Member to the Planning and Zoning Commission with a term of March 25, 2024, to July 1, 2025."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.
 Planning & Zoning Commission – Chris Tenggren - At Large Member Motion made by Councilor Valdivieso, Seconded by Councilor D. McDermott, **"I move the Council approve Mayor's appointment of Chris Tenggren to the Planning and Zoning as an at-large, non-voting member with a term of March 25, 2024, to July 1, 2025."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.
 Planning & Zoning Commission – Lance Charnock & Russ Barber - At Large Member Motion made by Councilor D. McDermott, Seconded by Councilor Shaw-Dickey, **"I move the Council approve the Mayor's appointment of Lance Charnock and Russ Barber to the Planning and Zoning Commission as an at-large, non-voting members with terms of March 25, 2024 to July 1, 2026."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.
- V. PUBLIC COMMENTARY:** None.

VI. BUSINESS ITEMS:

1. **CONSENT AGENDA ITEMS BY OMNIUS VOTE with Recommendations:**
 - a) Approve Minutes of City Council Meeting - March 11, 2024
 - b) Approve Payroll - 2/19/24-3/3/24
 - c) Approve Check Registers - 210371-210483, 210484-210565
 - d) Accept & Place on File - Annual Police Pension Treasurer's Report
 - e) Accept & Place on File - Police Pension Board Meeting Minutes - 12/5/23
 - f) Approve Special Event Request - Cinco de Mayo Fiesta - May 4, 2024
 - g) Accept & Place on File - February 2024 Financials

Motion made by Councilor Valdivieso, Seconded by Councilor T. McDermott, **"I move consent agenda items (a) through (g) be approved by Omnibus vote as recommended."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

2. **A Motion to Accept the Proposal for a Classification and Compensation Study from MGT.** In 2018 the City of Rochelle accepted a compensation study completed by Gallagher Consulting. The industry standard is to reevaluate every five to seven years, so the City sought a proposal from MGT. Gallagher and MGT are two industry leaders, and having each leader complete one for the City will yield the highest level of comparison, leading to the most accurate compensation plan. The scope of work is projected to take 16 weeks and will include establishing comparables, job evaluation analysis, establishment of a job classification system, analyzing survey data, and finally, delivery of findings and suggested execution for establishing the salary structure. Our staff can then compare the two salary structures, review all nonunion job descriptions, and solidify a five-year compensation and retention plan to not only yield the best retention numbers but also ensure the highest return on investment of our personnel resources. The recommendation to accept the proposal from MGT is based on reputation, references and their project approach and methodology, as well as the fact that having two separate salary structures to compare will allow the City the highest opportunity for executing an accurate, competitive and fiscally responsible compensation plan. City Manager Jeff Fiegenschuh was available for questions. The motion was made by Councilor D. McDermott and seconded by Councilor Shaw-Dickey: **"I move the Council to accept the Proposal for a Classification and Compensation Study from MGT."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

3. **A Resolution Authorizing a Memorandum of Agreement with the Illinois Department of Commerce and Economic Opportunity and the Illinois State Historic Preservation Officer.** As a part of the mitigation process with the Illinois State Historic Preservation Office (ISHPO), the City of Rochelle wishes to partake in a Memorandum of Agreement with the ISHPO to facilitate the final steps to demolish the vacant building located at 505-509 Lincoln Avenue. Because this property is a contributing parcel to the establishment of our Rochelle Downtown Historic District (established December 2018), a mitigation process was required by ISHPO. The agreed upon mitigation activities included a public hearing and a Developer's Workshop that shares information about Historic Tax Credits. The public workshop was held on October 23, 2023, and the Developer's Workshop was held on February 27, 2024. Each year following the execution of this Agreement until it expires or is terminated, the City shall provide ISHPO a summary report detailing work completed. Michelle Pease, Community Development Director, was available for questions. Motion made by Councilor T. McDermott and seconded by Councilor D. McDermott, **"I move Resolution R24-18, a Resolution Authorizing a Memorandum of Agreement with the Illinois Department of Commerce and Economic Opportunity, and the Illinois State Historic Preservation Officer, be approved."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

4. **A Motion Authorizing a Fiscal Agency Agreement for IMBCA Restitution Payments.** The cities of Batavia, Rochelle and Rock Falls were members of the Illinois Municipal Broadband Communications Association (“IMBCA”), which was formed in 2007 for the purpose of promoting the development of broadband in northern Illinois. The IMBCA ceased operations in 2019 and transferred its assets to a third party pursuant to a duly approved bill of sale in 2020. At the time of its dissolution, IMBCA members were aware of a pending criminal investigation involving theft of IMBCA funds by a former employee of one of the members and filed a Victim Statement with the United States Department of Justice in Case Number 2018R01064 identifying the amount of money owed to IMBCA due to this criminal activity. Upon completion of the investigation the defendant was found guilty and ordered to pay restitution to IMBCA in the amount of approximately \$165,000. To date, five restitution payments have been received thus far in the form of checks from the United States Treasury (“US Treasury”) made out to IMBCA and more are anticipated. The cities of Batavia, Rochelle and Rock Falls have agreed that all restitution payments should be pro-rated among themselves in equal amounts and have agreed to designate the City of Rock Falls as their fiscal agent to effectuate such payments. City Manager Jeff Fiegenschuh was available for questions. Motion made by Councilor Shaw-Dickey and seconded by Councilor Valdivieso, **"I move the Council Authorize a Fiscal Agency Agreement for IMBCA Restitution Payments."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

5. **A Resolution Amending Annual Waste Collection Rates.** Northern Illinois Disposal Service provides residential, commercial, industrial, institutional, and governmental solid waste pickup, residential landscape waste, and residential recycling collection services to Rochelle. On October 25th, 2021, Rochelle City Council passed Resolution R21-51, A resolution authorizing the execution of an extension to the agreement between Northern Illinois Disposal Services, INC., and the City of Rochelle. Subject to provisions of this agreement, the rate for residential solid waste collection may be increased or decreased, no more often than once a year beginning on April 1, 2023, and there after annually on April 1, based on the percentage increase or decrease during the immediately preceding twelve month period, in the Consumer Price Index (CPI) for Garbage and Trash Collection as published by U.S. Department of Labor, Bureau of Labor Statistics; provided, however that in no event shall such increase be less than three percent (3%) nor more than four percent (4%). CPI for garbage and trash collection for the preceding twelve-month period averaged 7.2 percent. Therefore, the annual increase for April 1, 2024, will be the maximum 4%. This will increase the monthly charge for residential solid waste, recycling, and yard waste collection from \$12.48 per dwelling unit to \$12.98 per dwelling unit. Last year the 2023 Resolution Amending Annual Waste Collection Rates, residential waste collection received the minimum rate increase of 3% (\$12.36) rather than the 4% (\$12.48) as determined by the CPI for the preceding twelve-month period, which averaged 6.9%. This 1% or \$0.12 difference was paid for with funds out of the solid waste budget, saving each residential waste collection customer \$0.12 a month for the proceeding twelve-month period. City Manager Jeff Fiegenschuh was available for questions. Motion made by Councilor D. McDermott and seconded by Councilor Valdivieso, **"I move Resolution R24-19, a Resolution Amending Annual Waste Collection Rates, be approved."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

6. **A Resolution Authorizing an Interfund Loan in the Amount of \$655,000 for the Purchase of 13800 E. Gurler Road.** The city council approved resolution R23-72, authorizing the purchase of property located at 13800 East Gurler Road, known as the Large Car Rebuilders on April 24th, 2023. The agreed purchase price was \$655,000, of which 95% would be covered by federal entitlement dollars through the FAA and IDOT. Now that all environmental concerns have been addressed the city is ready to close on the property. Unfortunately, the airport does not have the revenues to make the purchase. The attached resolution authorizes the establishment of an interfund loan from the landfill fund to the airport fund in the amount of \$655,000 to cover the up-front costs of the purchase at an interest rate of 5%. Once the federal entitle dollars are received, the airport fund will reimburse

the land fill fund the full amount plus any accrued interest. Staff is confident the federal dollars will be reimbursed within 90-120 days of closing. Staff also anticipates leasing back the facility to the current owner at a rate of \$5800 per month for 5-years. This revenue will help to ensure the long-term viability of the airport, as we continue to seek other revenue possibilities. City Manager Jeff Fiegenschuh was available for questions. Motion made by Councilor Valdivieso and seconded by Councilor T. McDermott, **"I move Resolution R24-20, a Resolution Authorizing an Interfund Loan in the amount of \$655,000, be approved."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

7. **A Resolution Authorizing the Purchase of a Portion of PIN 24-22-400-014 and a Perpetual Easement on PIN 24-22-200-003 for an Electrical Substation.** Recently the city council authorized the city manager to negotiate a purchase agreement for the purchase of additional property for the expansion of the next RMU substation on the west side of the service territory. Our team negotiated a price not to exceed \$225,000 for the purchase of 7.25 acres for property that will house the new substation and access road. The total amount also includes fund for a 3-acre electric easement. This purchase is vital to the completion of the new substation and other electric infrastructure. Blake Tolliver, RMU Electric Superintendent of Operations and Generation was available for questions. Motion made by Councilor D. McDermott and seconded by Councilor Shaw-Dickey, **"I move Resolution R24-21, a Resolution Approving the Purchase of a Portion of PIN 24-22-400-014 and a Perpetual Easement on PIN 24-22-200-003, be approved."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.
8. **A Resolution Authorizing a Change Order from Larson & Larson Builders for the RMU Building at 1030 S. 7th Street.** With a change in scope of work to be completed we are asking to approve a change order with Larson and Larson Builders Inc. The change in the scope of work includes adding in trench drains for the equipment bays, more lighting, additional break room space, garage door location adjustments, flooring, and new windows. It was discovered during construction the new break spaces were quite small once constructed. This led to talks of expansion and utilizing some "dead" spaces within the existing structure. The installation of trench drains in the bays will allow for filling of the vac trucks which are used year-round for jetting and hydro excavating needs. The additional flooring and windows were determined to be the best course of action after seeing the construction of the new offices and removal of the existing flooring. This work will improve the functionality of the facility greatly and save time for our employees on everyday tasks. Blake Toliver Superintendent of Electric Operations and Jay Mulholland Director of Field Operations were available for questions. Motion made by Councilor T. McDermott and seconded by Councilor Valdivieso, **"I move Resolution R24-22, a Resolution Authorizing a Change Order from Larson & Larson Builders, Inc. for Improvements to the RMU Building, be approved."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.
9. **A Resolution Waiving Competitive Bidding Requirements and Accepting the Proposal from Daupler Inc.** The City of Rochelle has used CRC as an after-hours call center for multiple years. We have navigated challenges with the call center over the past several years with little improvement. Several weeks ago, we were not notified of an outage until over 2 hours after it had begun. Thankfully due to other reporting systems the outage was addressed long before being notified by CRC. This behavior is unacceptable for our customers and employees. This could potentially put us in jeopardy if the situation is an emergency and our crews are not being notified. Due to the nature of this issue, we are asking to waive competitive bidding to switch call services immediately. Daupler uses state of the art AI calling and will also allow our customers to communicate via text message. This will also allow the customers to send pictures of an issue which could potentially lead to less truck rolls. Our customers can also select to talk to a person as well. The contract would be a oneyear contract which will allow us to evaluate other solutions and determine if Daupler is meeting our expectations. Daupler has given us a list of references that have all been more than satisfied with their solution.

Blake Toliver Superintendent of Electric Operations was available for questions. Motion made by Councilor Valdivieso and seconded by Councilor D. McDermott, **"I move Resolution R24-23, a Resolution Waiving Competitive Bidding Requirements and Approving the Proposal of Daupler, Inc, ba approved."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

VII. DISCUSSION ITEMS: None.

VIII. EXECUTIVE SESSION: At 7:27 P.M. Motion made by Councilor D. McDermott and seconded by Councilor Shaw-Dickey, **"I move the Council recess into executive session to discuss pending or imminent litigation, Section (c) (11)."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

At 7:53 P.M. Motion made by Councilor D. McDermott and seconded by Councilor Shaw-Dickey, **"I move the Council return to open session."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

IX. ADJOURNMENT: At 8:01 P.M. Motion made by Councilor D. McDermott and seconded by Councilor T. McDermott, **"I move the Council adjourn."** Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Mayor Bearrows. Voting Yea: T. McDermott, D. McDermott, Shaw-Dickey, Valdivieso, and Mayor Bearrows. Nays: None. Motion passed 5-0.

John Bearrows, Mayor

Rose Huéramo, City Clerk