

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
September 26, 2011**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, September 26, 2011 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

PLEDGE TO THE FLAG & PRAYER: The Prayer was said by City Clerk McKinney.

ROLL CALL: Present on Roll Call were Councilmembers Hayes, Hollonbeck, Rice, McDermott, Berg, and Eckhardt. Absent: Mayor Olson. Also present were City Manager Plyman and City Clerk McKinney.

Moved by Councilman Berg and seconded by Councilwoman Hollonbeck, **"I move the Council appoint Councilman Dan McDermott as Mayor Pro-tem for the Council meeting."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, Rice, McDermott, Hayes, Eckhardt, and Berg. Nays: None. Motion passed 6-0.

PROCLAMATIONS, COMMENDATIONS, ETC.:

- National Fire Prevention Week – October 9-15, 2011: Read by Clerk McKinney and accepted by Fire Chief, Brian Johnson.

REPORTS AND COMMUNICATIONS:

- **Mayor:** Absent.
- **Council Members:**
 - Councilman Berg: Public Works Committee met and had a successful meeting.
 - Dave Eckhardt: Will be out-of-town for the October 11th council meeting.
- **Financial Statements – August 2011:** Included in Council Agenda Packets.

PUBLIC COMMENTARY: None

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting – September 12, 2011
- b) Approve Bills 08/26/11-09/01/11: **\$74,535.60**, 09/02/11-09/08/11:**\$375,635.48**
- c) Approve Payroll 08/22/11-09/04/11: **\$197,224.02**
- d) Authorize the use of the Main Street Gazebo Parking Lot and Closure of Lincoln Highway between 6th and Lincoln Avenue for a Farm Film Production - October 13, 2011
- e) Authorize the use of Lawnridge Cemetery for a Living History Walk – October 16, 2011
- f) Authorize the Rochelle Lions Club Annual Candy Sale as Requested – October 14-15, 2011

Councilwoman Hollonbeck moved and seconded by Councilwoman Eckhardt, **"I move Consent Agenda Items (a) through (f) be approved by Omnibus Vote as recommended."** Roll call vote was taken.

Ayes: Councilmembers Hollonbeck, Rice, McDermott, Hayes, Eckhardt, and Berg. Nays: None. Motion passed 6-0.

2) **Third Amendment to Annexation Agreement Creekside Subdivision Unit 1 f/k/a Kings Crossing (Public Hearing and Continuance):** Creekside Land Holdings, successor to the Kings Crossing Annexation Agreement, has requested an amendment to the agreement in order to facilitate construction of a 31 lot residential subdivision. On August 8, 2011 a Public Hearing to discuss the amendment was opened and continued because the terms had not been finalized. At the August 22, 2011 City Council meeting the terms of the proposed amendment were discussed and the hearing was continued. On September 12, 2011 the Public Hearing was continued at the developer's request due to ongoing negotiations with the Flagg Rochelle Park District and local school districts. Spencer Hayden, representing Creekside Land Holdings, LLC, has requested that the Public Hearing be continued until the October 11, 2011 City Council meeting due to ongoing negotiations with the local school districts. Moved by Councilman Berg and seconded by Councilwoman Hollonbeck, **"I move the Council recess into a Public Hearing for the Third Amendment to Annexation Agreement Creekside Subdivision Unit 1 f/k/a Kings Crossing."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, Rice, McDermott, Hayes, Eckhardt, and Berg. Nays: None. Motion passed 6-0. There was no public comment. Moved by Councilman Eckhardt and seconded by Councilman Berg, **"I move the Council continue the Public Hearing for the Third Amendment to Annexation Agreement Creekside Subdivision Unit 1 f/k/a Kings Crossing Subdivision to October 11, 2011 at 7 p.m."** Clerk McKinney mentioned that this was the last continuation and that another notice will have to be published for continuation. Motion passed by voice vote without dissent.

3) **Audit Report Fiscal Year 2010/2011:** On March 8, 2010 the Mayor and City Council approved a contract with Sikich, LLP to perform an audit of the City's financial operations for fiscal years ending April 30, 2010, 2011 and 2012. This is the second year Sikich has completed our annual audit. Sikich planned and performed the audit in order to verify that the financial statements are free of material misstatements. This included examining, on a test basis, evidence supporting the amounts reported in the financial statements. The audit also assessed the accounting principles applied; estimates made by management and evaluated the overall financial statement presentation. The auditor's opinion, as noted on page 1 of the Auditor's Report, indicates that the financial statements for the year ending April 30, 2011 "present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Rochelle." It further states that cash flows "ended in conformity with accounting principles generally accepted in the United States of America." Fred Lantz, Partner-in-Charge of Government Services for Sikich, attended the meeting to provide an overview of the City's Financial Statement and respond to questions from the Council members. Finance Manager Chris Frye also provided a presentation comparing the actual General Fund revenues, expenditures and fund balances for years 2006 through 2011. Moved by Councilwoman Hollonbeck and seconded by Councilman Rice, **"I move the Council Accept and Place on File the Audit Report for FY 2010/2011 as prepared and presented by Sikich, LLP."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, Rice, McDermott, Hayes, Eckhardt, and Berg. Nays: None. Motion passed 6-0.


4) **Airport Sanitary Sewer Project:** The long range plans for the Rochelle Municipal Airport include the construction of sanitary sewer to the facility to replace an aging septic system. This goal became more feasible when water and sewer services were extended to the south side of Interstate 88 in 2009. On March 21, 2011 the Mayor and City Council approved a Land Lease Agreement with Sky Team Incorporated which allowed Chicagoland Skydiving Center to establish operations at the Rochelle Municipal Airport. Included in the lease were provisions that the City would, at its expense, provide sanitary sewer to the boundary of the leased premises. Subsequent to the required public notice, bids for the sanitary sewer project were opened on August 25, 2011 with two contractors submitting bids. Staff and our consultant, Noah Carmichael of Fehr-Graham, have reviewed the bids and recommend rejecting both bids since they are well above the \$150,000 included in the 2011/12 Airport Capital Outlay Budget. City staff members plan to work with Fehr-Graham and Associates to make design modifications which reduce the construction costs and still provide the required sanitary sewer service. Once these modifications are complete the project will be rebid. Don Elliott was present to explain recommendation. Moved by Councilman Berg and seconded by Councilman Hayes, **“I move the Council reject all bids for the Airport Sanitary Sewer Project.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, Rice, McDermott, Hayes, Eckhardt, and Berg. Nays: None. Motion passed 6-0.

5) **Ritchie Road and Ritchie Court Improvement Project:** On March 28, 2011 the Mayor and Council approved a Development Agreement between the City, ProLogis Land and Nippon Sharyo to facilitate the construction of a passenger railcar facility in the ProLogis Industrial Park. Included in this agreement are provisions for the City to improve a section of Ritchie Road and construct Ritchie Court, to urban standards rated for 80,000 pound vehicles, in order to provide access to the Nippon Sharyo site. Subsequent to the required public notice, bids were opened on September 12, 2011, with two contractors submitting bids. Staff and our consultant, John Vendel of Fehr-Graham, have reviewed the bids and recommend the acceptance of the apparent low bidder, William Charles Construction Co., with a bid of \$1,043,077.44. The 2011-12 Capital Improvements Fund budget includes \$1,476,284.00 for roadway improvements associated with the Nippon Sharyo Project of which the State of Illinois will fund an amount not to exceed \$866,480 through an EDP agreement. The remainder of the costs not covered by the EDP grant will be reimbursed 75% by Nippon Sharyo and 25% by ProLogis. Sam Tesreau, City Engineer, was present to answer any questions. Moved by Councilman Berg and seconded by Councilman Hayes, **“I move Resolution R11-17, A Resolution for Improvement by Municipality Under the Illinois Highway Code for Ritchie Road and Ritchie Court, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, Rice, McDermott, Hayes, Eckhardt, and Berg. Nays: None. Motion passed 6-0.

Moved by Councilman Berg and seconded by Councilman Rice, **“I move the Council accept Bid C11-20 from William Charles Construction Company in the amount of \$1,043,077.44 for Ritchie Road and Ritchie Court Improvement Project, subject to the final concurrence of IDOT and reject all other bids.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, Rice, McDermott, Hayes, Eckhardt, and Berg. Nays: None. Motion passed 6-0.

ADJOURNMENT: At 7:50 p.m., moved by Councilman Berg and seconded by Councilman Rice, **“I move the Council adjourn.”** Motion passed by voice vote without dissent.


Dan McDermott, Mayor Pro-tem


Bruce McKinney, CMC, City Clerk