

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
JULY 11, 2011**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, July 11, 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 Eckhardt, Berg, Hayes, Hollonbeck, Rice, McDermott, and Mayor Olson. Absent: None. Also present were City Manager Plyman and City Clerk McKinney.

PROCLAMATIONS, COMMENDATIONS, ETC.: None

REPORTS AND COMMUNICATIONS:

- **Mayor:**
 - Thanked everyone involved with the 4th of July celebration; parade, activities, and fireworks
 - Received a memo from RTHS about the Rochelle community choral concert coming up; at the RTHS auditorium on Monday, July 25th; doors open at 7:00 p.m.; free admission; refreshments served afterwards.
- **Council Members:**
 - Bil Hayes requested updates on the overpass so council members are able to answer questions from the public.
- **Veterans Memorial Project Update by Pal Colwill:** Also, a group of interested citizens were present.
 - On September 13, 2010, they sought permission to enhance the City-owned lot on the corner of Hwy. 251 and 10th Street for a Veterans' Memorial.
 - Council passed Resolution R10-21 granting them permission as long as they did not obstruct the line of sight of oncoming traffic at the intersection.
 - Have not heard from them since as they thought they should become a not-for-profit organization and also become tax-exempt. With the help of a local attorney and local CPA they were able to accomplish this.
 - After much correspondence, they finally received tax-exempt status and are now a chartered organization known as the Rochelle Veterans War Memorial Association.
 - Sam Tesreau, City Engineer, has worked with them and has drawn up a preliminary plan for this project.
 - Here to seek approval of this plan, after which they will work to make this project a reality.

At this time, Mr. McKinney brought up that in order to take a vote by council, it has to be on the business agenda; can be discussed but not voted on at this time. Sam Tesreau was present to speak on the concept of the memorial; using a drawing of proposed memorial, parking, landscaping, benches, flags, and sidewalk. It was decided to seek the approval of the Planning/Zoning Commission and as a business item for a future council meeting for a vote.

PUBLIC COMMENTARY: None

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting - Approve Minutes of City Council Meeting-June 27, 2011;
- b) Accept and Place on File Minutes of Airport Advisory Board Meeting - April 14, 2011;
- c) Approve Bills 06/17/11-06/23/11: \$766,532.43;
- d) Approve Payroll 06/13/11-06/26/11: \$202,487.26;
- e) Authorize the Annual Kiwanis Peanut Day at Designated Intersections-September 9, 2011

Moved by Councilman Hayes and seconded by Councilman Rice, **“I move Consent Agenda Items (a) through (e) be approved by Omnibus Vote as recommended.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, Eckhardt, Berg, Rice, McDermott, Hayes and Mayor Olson. Nays: None. Motion passed 7-0.

2) Amendment to Illinois River Energy Annexation Agreement Rider (Public Hearing and Action):

The Mayor and City Council approved an Annexation Agreement between the City and DP Industrial, LLC on July 14, 2003. The Annexation Agreement included a Rider governing the rights and obligations related to an 81.087 acre tract of land due to an anticipated real estate exchange between DP Industrial and Illinois River Energy. Illinois River Energy is now the owner of the property. As discussed at the April 25, 2011 City Council Meeting, multiple industries are interested in locating facilities east of Illinois River Energy (IRE). In order to connect the City's existing lead track, a rail extension will need to be constructed across IRE property to Steward Road. An easement agreement has been drafted to facilitate this connection which includes the existing southernmost IRE rail and additional IRE property that the City could use to construct an additional rail. The proposed easement agreement is currently being reviewed by attorneys representing Ryder and IRE. In exchange for the necessary easements, the City will need to amend the existing annexation agreement rider to negate IRE's obligation to contribute to the southward expansion of the City rail. The execution of the Amendment to Rider to Annexation Agreement will be subject to an Easement/License Agreement for extension of the City railroad across the IRE property. Moved by Councilman Berg and seconded by Councilman Eckhardt, **“I move the Council recess into a Public Hearing for an Amendment to an Annexation Agreement.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, Eckhardt, Berg, Rice, McDermott, Hayes and Mayor Olson. Nays: None. Motion passed 7-0. With there being no comments from the public, Councilman Berg moved and Councilman McDermott seconded, **“I move the Council return to Open Session.”** Motion passed by voice vote without dissent. Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **“I move Ordinance 11-4074, An Ordinance Approving an Amendment to Rider to Annexation Agreement, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, Eckhardt, Berg, Rice, McDermott, Hayes and Mayor Olson. Nays: None. Motion passed 7-0.

3) Ordinance Amending Municipal Code to Create One Restaurant/Recreation Liquor License:

The proprietor of Dance One Night Club has submitted a request for a restaurant/recreation liquor license. This business plans to locate at 640 South Seventh Street in Rochelle. The Liquor Commissioner, Mayor Chet Olson, has reviewed the request and has no objection to the creation of an additional restaurant/recreation license. The City of Rochelle Municipal Code allows for a maximum of five restaurant/recreation licenses. Considering the addition of this license for Dance One Night Club, the total number of restaurant/recreation licenses issued in the City would be four. Mayor Olson and Bruce McKinney had met with the owner, Steve and Irma Rains, along with their potential partner, who will be running the restaurant-bar type business (after his background check is completed) in the building where Irma Rains has her Zumba lessons; her late afternoon dance classes will be moved to another location during the time the restaurant is open. Moved by Councilman McDermott and seconded by Councilman Berg, **“I move Ordinance 11-4075, An Ordinance Amending Municipal Code to Create One Restaurant/Recreation Liquor License, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, Eckhardt, Berg, Rice, McDermott, Hayes and Mayor Olson. Nays: None. Motion passed 7-0.

- 4) **Purchase of Ambulance – Fire Department:** The 2011-12 Ambulance Fund Budget includes \$158,000 for the purchase of a new ambulance for the Fire Department. The ambulance will replace a 1996 MedTec model which has high mileage and increasing repair issues. Subsequent to the required public notice, the City opened one bid for a new ambulance on July 6, 2011. Fire Chief Brian Johnson has reviewed the bid from Foster Coach Sales and recommended acceptance of the bid of \$157,878 minus a trade in allowance for the 1996 ambulance for a total of \$150,378. The Fire Department currently utilizes this make and type of ambulance and has found them to be reliable vehicles. Moved by Councilman Berg and seconded by Councilman Eckhardt, **“I move the Council accept Bid C11-12 for the purchase of a 2012 Ambulance from Foster Coach Sales for a total of \$150,378 including a trade-in allowance for the 1996 ambulance and reject all other bids.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, Eckhardt, Berg, Rice, Hayes and Mayor Olson. Nays: None. Abstain: Councilman McDermott. Motion passed 6-0, 1 abstain.

DISCUSSION ITEMS:

- 1) **Communication and Information Sharing Between City Council – City Manager – City Staff:** The Mayor and City Council discussed opportunities for enhancing the communication and information sharing between City Council, City Manager and City staff. The objective is to provide for the open and transparent exchange of information between all of the City stakeholders while respecting the confidential and proprietary nature of the information. Ideally, the communication mechanism will provide for the sharing of worthwhile information, avoid additional unnecessary meetings and uphold the City Manager's role of Chief Administrative officer. Options under consideration are the establishment of committees, council liaisons to staff, and council assignments for attendance at established meetings.
- **Councilman Berg:**
 - Lack of Council’s knowledge in day-to-day operations.
 - Not to micro-manage, but to share information so they have greater knowledge in order to vote properly.
 - Presently have a disconnect with staff.
 - **Councilwoman Hollonbeck:**
 - Not sure how Committees would work for City Council.
 - Have follow-up on regular activities.
 - Better communication with City Staff
 - **Mayor Olson:**
 - Has seen what the committees have done in Rockford. Can go to extremes and cause delays.
 - **David Plyman:**
 - It’s his duty to let council know what is going on. He works with departments and then gives information to the council. Need to create some structure as to how this is accomplished.
 - As pointed out by our attorney previously, legally, the Open-Meeting Act needs to be followed.
 - **Ed Rice:**
 - Having worked on the county board for 14 years, there were 13 committees at one time. The administrator eliminated those committees which collided, taking them down to 8, which made it more efficient.
 - Has some ideas for improvement but would like to see if staff thinks they will work or not.
 - **Bil Hayes:**
 - He, himself, as well as what he’s heard from some of the staff, Mr. Plyman is easy to share thoughts with him.
 - Feels that in the past staff and council were not comfortable talking to each other.
 - **Councilman Berg and Councilman Rice volunteered to work on a structure for this project of better communication.** If a staff member is needed, Bruce McKinney volunteered to sit in.

- 2) **Code Modifications – Chapter 86 Subdivisions:** Since early 2008, City staff members have been working on a project to modify several chapters of the Municipal Code of the City of Rochelle to ensure that regulations are clear, concise and support the vision of the community. Modifications to Chapter 22, developed as part of this project, were approved by Council in November of 2010. The Planning and Zoning Commission reviewed modifications to Chapter 86 at their meeting on June 7, 2010 and, following some minor revisions, voted to recommend approval on July 6, 2010 by a vote of 6-0. Following that vote, Chris Limas led a discussion on the proposed modifications at the July 12, 2010 City Council Meeting. Since that time additional changes have been made based on input from community stakeholders. The latest draft of Chapter 86 is now ready for council review and City staff is seeking input from the council as to how this review should be conducted. Mr. Plyman mentioned that sometimes when new changes are made, not all the implications are known. It might be beneficial to have a review session. Councilwoman suggested a work session. Sam Tesreau stated that after Fehr-Graham made changes, staff went over the changes, line by line. Councilman Eckhardt and Councilman McDermott volunteered to look at document and where differences are, chat with staff, and discuss with council in a workshop set date as August 29th.

EXECUTIVE SESSION: At 8:10 p.m., Councilman Eckhardt moved and seconded by Councilman Rice, **“I move the Council recess into executive session to discuss pending litigation, Section (c) (11).”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, Eckhardt, Berg, Rice, McDermott, Hayes and Mayor Olson. Nays: None. Motion passed 7-0.

At 8:30 p.m. Councilwoman Hollonbeck moved and seconded by Councilman Rice, **“I move the Council returns to Open Session.”** Motion passed by voice vote without dissent.

ADJOURNMENT: At 8:30 p.m., moved by Councilwoman Hollonbeck and seconded by Councilman Hayes, **“I move the Council adjourn.”** Motion passed by voice vote without dissent.

Chet Olson, Mayor

Bruce McKinney, CMC
City Clerk