

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
August 13, 2012**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, August 13, 2012 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, Berg, McDermott, Hollonbeck, Eckhardt, Rice, and Mayor Olson. Absent: None. Also present were City Manager, David Plyman and City Clerk McKinney.

PROCLAMATIONS, COMMENDATIONS, ETC.: None

REPORTS AND COMMUNICATIONS:

- Mayor:
 - Attended IML Summer meeting end of July at Collinsville, Illinois.
 - Thanked all those who volunteered for the Byway.
- Council Members: None
- Employee Introductions:
 - **Tyler Carls – Fulltime Firefighter/Paramedic in the Fire Department:** Introduced with pride by Chief Brian Johnson. Tyler originally joined the fire service in 2009 right out of high school as a paid-on-call firefighter for both the Ogle-Lee Fire District and the Rochelle Fire Department. He also served as a fill-in for fulltime staff. He has earned his Illinois Certified Firefighter II and completed his EMT-Paramedic Associate of Applied Degree at Kishwaukee College. He has also earned several other Illinois certifications. Tyler Carls was sworn in by City Clerk, Bruce McKinney.
 - **Eric Wagner – Fulltime Technology Administrator Advanced Communications Department:** Was introduced by Lynette Fischer, Human Resources Director. Has earned an Associate's Degree from Kishwaukee College and a Bachelor of Science Degree from Illinois State. His experience includes emergency capabilities with the Wisconsin Emergency Management Agency; military contractor in Australia and Qatar to name a few; and served a tour of duty in Iraq. Working for the City of Rochelle fulfills his objectives of working on and managing a large and complex network while learning new skills and a chance to broaden his technical and managerial background. A plus is moving closer to family after working in distant places for almost 15 years.
- Jason Anderson – Gave update on trip to Japan using pictures. The trip was facilitated by the State of Illinois Foreign Trade office in Tokyo. Twenty-one companies were there. Jason received a lot of appreciation for the hard work Rochelle has done and they exchanged a lot of ideas for the future. He feels there are many opportunities with Japan yet to come.

PUBLIC COMMENTARY:

- **Diane McNeilly – member of the Planning/Zoning Commission had two subjects:**
 - **Behr Property** – Was a problem with dust and noise. The company has taken care of those problems but they have also gone beyond that by replacing concrete and putting in landscaping. Wants to thank them and staff for encouraging them.
 - **Lighting Program** – Hope they not only adopt the lighting plan but also long-term improvement of lighting in Rochelle. She was speaking as a property owner, a member of the Planning/Zoning Commission, and Chairs League of Women Voters Conservation Group. Also encouraged the Planning/Zoning Commission to use technology to go paperless rather than the reams and reams of paper used for their meeting agenda, including the printing of large maps.

BUSINESS ITEMS:**1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:**

- a) Approve Minutes of City Council Meeting – July 23, 2012;
- b) Approve Bills – 07/13/12-07/19/12=\$2,310,860.71; 07/20/12-07/26/12=\$704,707.33;
- c) Approve Payroll – 07/09/12-07/22/12=\$209,374.50;
- d) First Amendment to Employment Agreement;
- e) Establish Annual Trick-r-Treat Schedule October 31, 2012 from 5:00pm-8:00pm;
- f) Accept and Place on File Minutes of Planning & Zoning Commission – June 4, 2012.

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

- 2) **Avenue F Extension and Water Treatment Plant Access Road Project:** In 2008, the City of Rochelle was contacted about the possibility of available grant funds for projects meeting specific criteria. A project, meeting the criteria, was subsequently identified which provides a new access to the treatment plant via a roadway extension from Jack Dame Road and includes the removal of the Treatment Plant Road bridge over the Kyte River. This bridge structure has experienced significant deterioration and as a result weight restrictions have been imposed on the structure for the past few years. In 2011 the City received a grant award from the Illinois Department of Commerce and Economic Opportunity (DCEO) in an amount not to exceed \$450,000 for this project in addition to 100% of the grant funds. Subsequent to the required public notice, the City Clerk opened three bids for the project on August 3, 2012. City Engineer, Sam Tesreau reviewed the bids and recommends the acceptance of the apparent low bidder, Northern Illinois Service Company, with a bid of \$621,954.05. The 2012-13 Capital Improvements Fund budget includes \$648,000 for this project which will be funded through the DCEO grant and sales tax and/or utility tax. Acceptance of the bid will allow the City to proceed with the project which, per the grant agreement, must be substantially complete by November 30, 2012. Sam Tesreau, City Engineer, was present for further information and to answer questions. Moved by Councilman Rice and seconded by Councilwoman Hollonbeck, **“I move the Council accept Bid C12-12 for the Avenue F Extension and Water Treatment Plant Access Road Project from Northern Illinois Service Company in the amount of \$621,954.05 and reject all other bids.”** Roll call vote was taken. Ayes: Councilmembers Berg, Eckhardt, Hayes, Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 7-0.

- 3) **Special Use Permit to Allow Recycling Center at Behr Iron and Steel – 111 5th Avenue:** Behr Iron and Steel purchased the former PBM Concrete property and facilities at 111 5th Avenue a few years ago. Since that time they have worked to clean up the site and earlier this year received a “no further remediation” letter from the Illinois Environmental Protection Agency. They have now petitioned the City for a special use permit to allow them to operate an indoor drive-thru metal recycling operation, outdoor metal recycling operation and an auto recycling operation at the site. In addition they have requested two variances to the setback requirements for fencing. Behr would like to operate the indoor drive-thru metal recycling operation in an existing building located in the northwest portion of the property. This facility would serve the general public and all metals would be received and stored inside the building until they are shipped. In addition, they would like to recycle scrap metal which would be stored in containers on the south side of the drive-thru building. The proposed auto recycling operation would also be housed in an existing building. The autos would be decommissioned through the removal of fluids, flattened and shipped to other Behr facilities for further processing. As part of the special use permit, Behr has also requested that they be allowed 18 months to install the sewer necessary to serve the indoor recycling center as required by code for occupancy. The hours of operation planned for the facility are Monday-Friday 8am-5pm and Saturday 8am-12 pm. In addition, Behr has requested variances to the 50’ setback requirement in order to install a 10’ high wood panel security fence 14’ from the property line along 2nd Avenue and 20’ from the north property line. On August 6, 2012 the Planning and Zoning Commission conducted a public hearing and subsequently voted 5-0 to recommend approval of the special use permit to allow a recycling facility at 111 5th Avenue and the two requested setback variances. Chris Limas, Community Development Director; Sam Tesreau, City Engineer, Lee Foecking, CFO, and Alan Cooper, City Attorney, were present for further information and to answer questions. Mr. Limas mentioned that there was one person who testified at the public proposed fencing should go all the way to the creek area along the north property line and that the petitioner should be required to pay a \$500 per day fine if the property is not kept up and items are stored outside that are not part of the plan. The additional fencing goes against the flood plain requirements. The fine would involve code enforcement, but if there should be problems, which are not expected, there would be paperwork filed with the Ogle County Court. Mr. Foecking of Behr spoke of their additional plans. According to Alan Cooper the agreement can say, that in the future if the site/land is sold, the special use permit will no longer be in effect. Moved by Councilman Berg and seconded by Councilman McDermott, **“I move Ordinance 12-4216, An Ordinance Approving a Conditional (Special Use) Permit for an Indoor Drop-Off Recycling Center and an Automobile Recycling Operation Located at 111 5th Avenue (Behr Iron & Steel), be adopted.** Roll call vote was taken. Ayes: Councilmembers Berg, Eckhardt, Hayes, Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 7-0.

- 4) **Ordinance Authorizing the City Manager to Sign Property Value Agreements – EDA Grant:** In March of this year the Economic Development Administration (EDA) announced a grant award of approximately \$2.49 million to the City of Rochelle for the construction of rail and sewer improvements in association with the Nippon Sharyo and Coated Sand Solutions projects. Last year, the City Council approved participation in the EDA grant application to support the Nippon Sharyo and Coated Sands Solutions project. As part of the application process, the EDA required that the City and affected property owners sign Property Value Agreements that acknowledges current property valuations and provides that owners cannot financially benefit from growth in property value for five years. The City Manager signed the grant applications, including the required Property Valuation Agreements, on behalf of the City. The EDA is now requiring that the Mayor and Council approve an ordinance which expressly grants the City Manager with the authority to sign these agreements on behalf of the City for this grant. Alan Cooper, City Attorney was present to answer questions. Moved by Councilwoman Hollonbeck and seconded by Councilman McDermott, **“I move Ordinance 12-4217, An Ordinance Authorizing the City Manager to sign Property Value Agreements for EDA Grant, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Berg, Eckhardt, Hayes, Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 7-0.

DISCUSSION ITEMS:

- 1) **Corridor Lighting Design:** Significant improvements are planned for the City’s Northern and Eastern Gateways over the next couple of years. Streetlights will be installed on IL Route 38 and Caron Road in connection with the Lighthouse Pointe Subdivision and the 2nd Phase of the IL Route 251 widening Project, from Flagg Road to south of IL Route 38, is expected to begin in 2014. These two projects provide an excellent opportunity to create a cohesive look for our community through an overall corridor lighting design. To accomplish this goal a group of City staff and stakeholders from the Chamber of Commerce, Downtown Rochelle Association, and Tourism met with representatives from Teska and Associates. The group established goals and objectives to be used in the development of an overall design and theme which included the following: safety through efficient lighting of roadways and sidewalks; express Rochelle’s identity as a historic, quaint, family friendly community; and lighting that is sustainable in its use of energy. Chris Limas introduced Jodi Mariano, Senior Associate with Teska and Associates who was present to provide the Lighting Design Concept Plan, which has been developed to meet these objectives. The Power Point presentation she used is on the city website. After the presentation, Ms. Mariano, Chris Limas, and David Plyman responded to questions from the Mayor and Council members.
- 2) **Telecommunication Tax:** The maximum Simplified Municipal Telecommunications tax rate that can be assessed by municipalities with populations less than 500,000, as established by the State of Illinois, is 6%. The City’s current tax rate of 5% was approved by the Mayor and Council in September of 2007. City Clerk Bruce McKinney discussed the possibility of increasing the telecommunications tax rate at the Administrative Committee meeting on August 2, 2012. He reported that if the City had assessed the maximum of 6% during the first three months of the current fiscal year, the difference of 1% would have equated to \$19,586 in additional revenue. In order for a new tax rate to be effective January 1, 2013 the City would need to file the appropriate documentation with the Illinois Department of Revenue no later than September 20, 2012. Following some discussion, the consensus of the committee was to forward the topic

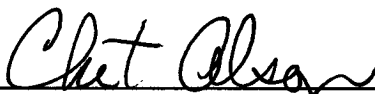
of a tax increase to the full council with a negative recommendation. Bruce McKinney was present for further information and to answer questions. Chris Frye, Treasurer, also stated that our general fund has decreased; we need to watch our revenues and expenditures closely. It was decided to make it an agenda item along with the necessary information to make a decision on.

- 3) **Elected Officials Compensation:** Illinois law requires that any changes in compensation for elected official be established at least 180 days prior to the date when the officials take office. The next consolidated election will be held on April 9, 2013 for three council positions, with those elected officials taking office in May of 2013. Therefore, to amend the compensation for the newly elected officials, an ordinance would need to be approved by Council before the end of October. The current compensation levels for the Mayor (\$18,000 plus \$2,500 for liquor commissioner responsibilities) and Council Members (\$5,000) were established on October 12, 2010. At that time the annual salary for the Mayor was decreased and the annual salary for the Council Members remained the same as it has been since 1998. This topic was discussed on August 2, 2012 by the Administrative Committee of the City Council. Following some discussion the consensus of the committee was to forward the compensation topic to the full council with a recommendation that the annual salaries of elected officials not be increased. With now having the council committees there is more work involved for them. However, the council decided this was not a good time to increase salaries. Therefore, it will not be put on as an agenda item.

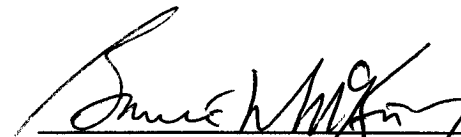
EXECUTIVE SESSION: At 8:15 p.m., moved by Councilwoman Hollonbeck and seconded by Councilman Eckhardt, **"I move the Council recess into executive session to discuss the compensation and/or performance of a specific employee"** Roll call vote was taken. Ayes: Councilmembers Berg, Eckhardt, Hayes, Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 7-0.

At 8:35 p.m., moved by Councilman Berg and seconded by Councilman McDermott, **"I move the Council return to Open Session."** Motion passed by voice vote without dissent.

ADJOURNMENT: At 8:36 p.m., moved by Councilman Berg and seconded by Councilman McDermott, **"I move the Council adjourn."** Motion passed by voice vote without dissent.



Chet Olson, Mayor



Bruce McKinney, CMC,
City Clerk, City of Rochelle