

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
March 12, 2012**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, March 12, 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, McDermott, Berg, Hollonbeck, Rice, and Mayor Olson. Absent: Councilman Eckhardt. Also present were City Manager Plyman and City Clerk McKinney.

PROCLAMATIONS, COMMENDATIONS, ETC.: None

REPORTS AND COMMUNICATIONS:

Mayor: None

Council Members: None

- Financials – January 2012: Included in Council Agenda Packets.
- **Employee Introduction – Michelle Knight:** Chris Limas, Community Development Director, introduced Michelle as his new Administrative Assistant. Located in the Building/Engineering facility, she will serve as support staff to both departments.

PUBLIC COMMENTARY:

- **David Kmiec: Rochelle Article VI, Division 5, Sec. 94-473 / Illinois Vehicle Code 625 ILCS 5:** Regarding use of motorized skates, electrical bikes, segways on sidewalks and roadways. Asking council to update by considering adopting the state plan.

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting – February 13, 2012
- b) Approve Bills 02/03/12 - 02/09/12 = **\$799,873.10**; 02/10/12 - 02/16/12 = **\$1,884,507.90**; 02/17/12 - 02/23/12 = **\$589,117.63**; 02/24/12 – 03/01/12 = **\$241,384.76**.
- c) Approve Payroll 01/23/12 – 02/05/12 = **\$195,958.31**; 02/06/12 – 02/19/12 = **\$200,308.73**.
- d) Resolution Regarding the Release of Executive Session Minutes

Moved by Councilman Hayes and seconded by Councilwoman Hollonbeck, "**I move Consent Agenda Items (a) through (d) be approved by Omnibus Vote as recommended.**" Roll call vote was taken. Ayes: Councilmembers Berg, Hollonbeck, McDermott, Rice, Hayes, and Mayor Olson. Nays: None. Motion passed 6-0.

- 2) **Electric Division Building Improvement Project – Contract 1:** Several of the buildings in the Electric Division complex are in need of repair. The engineering firm of Willett Hofmann & Associates has evaluated the building exteriors and roofs and designed an improvement project and bid specifications based on their findings. The entire project includes the removal of damaged brick, installation of a new masonry wall, repair and/or replacement of existing masonry walls, roof modifications and the installation of new membrane roof systems. For budget purposes the project has been broken into two contracts (Contract 1 & 2). Contract 1 consists of the various masonry improvements and roof modifications while Contract 2 includes the installation of the new roof systems. Subsequent to the required public notice, bids for Contract 1 were opened by the City Clerk on February 10, 2012 with two contractors submitting bids. Staff and our consultant, Willett Hofmann & Associates, have reviewed the bids and recommend the acceptance of the apparent low bidder, Bruns Construction, with a bid of \$117,000. The 2011-12 Electric Fund Capital Outlay Budget includes \$180,000 for the Contract 1 building improvements. Construction is expected to begin within 30 days following the award of the bid with completion no later than June 1, 2012. Bids for Contract 2 were opened on March 9th with funding proposed in the 2012-13 Budget. Moved by Councilwoman Hollonbeck and seconded by Councilman Berg, "**I move the council accept Bid C12-02 from Bruns Construction for the Electric Division 2012 Building Improvements Project Contract 1 for \$117,000 and reject all other bids.**" Roll call vote was taken. Ayes: Councilmembers Berg, Hollonbeck, McDermott, Rice, Hayes, and Mayor Olson. Nays: None. Motion passed 6-0.

- 3) **Permitted Facilities Agreement with BP Products – Installation of a Multi-Use Path:** The City of Rochelle received an award letter from the Economic Development Program (EDP) in 2011 for assistance with funding up to \$2 million in roadway improvements to facilitate construction of the Nippon Sharyo facility. In April of 2011, the Mayor and Council approved the associated State/Local EDP agreement for roadway and infrastructure associated with the Ritchie Road and Ritchie Court improvements. The improvements covered via this agreement include the construction of asphalt, multi-use pedestrian path along the north side of Ritchie Road, from Steward Road to Ritchie Court, on an easement dedicated to the City by Prologis. The multi-use path, as designed, will cross over an existing BP pipeline. Plans for the path and required pipeline crossing were sent to BP in 2011 for review and approval. Subsequently, BP has provided a Permitted Facilities Agreement for approval by the City. This agreement allows for the construction of the shared use path across the pipeline at the City's expense and requires that the City be responsible for the payment for, or removal of, the multi-use path if required by BP to maintain the pipeline. Following approval of the agreement, construction will begin on the multi-use path with completion expected by June of 2012. Sam Tesreau was present to answer questions. Moved by Councilman Rice and seconded by Councilman McDermott, **"I move Agreement 12-4151, a Permitted Facilities Agreement between the City of Rochelle and BP Products of North America for a multi-use path crossing north of Ritchie Road, be approved."** Roll call vote was taken. Ayes: Councilmembers Berg, Hollonbeck, McDermott, Rice, Hayes, and Mayor Olson. Nays: None. Motion passed 6-0.
- 4) **Agreement with Rochelle Disposal Services – Electronic Devices and Appliances:** As of January 1, 2012 residents are prohibited from disposing of "Covered Electronic Devices" (CED) such as computers, computer monitors, printers and televisions in the trash because, per Illinois law, they are now banned from landfills. These items are also banned from disposal by burning or incineration. As a result of the ban, various alternatives have been explored and researched in order to meet the needs of the community. On February 21, 2012 Kathy Cooper presented three options to the Public Works Committee. Following some discussion and public input, the Committee recommended initiating a pilot program through Rochelle Disposal Service which would include curbside collection of large CEDs. Rochelle Disposal Service, Inc. (RDSI) has agreed to provide curbside collection of large CEDs in the same manner as the existing appliance program. Per the agreement, the City will issue stickers, at no cost, to residents within the corporate limits. In turn, RDSI will pickup CEDs one day per month, on a regular basis, and bill the City monthly at a rate of \$5.14 per stickered CED. In addition, the City will obtain a permit/license from the IEPA for a collection site at the wastewater treatment plant. RDSI will provide the City with bins for the collection of CEDs and citizens will be encouraged to bring smaller items to the collection site. RDSI will also transport full bins to the Behr Recycling Facility in Rockford at a rate not to exceed \$200 per trip. Behr will send any proceeds resulting from the CED collection to the City to help offset the cost of the program. Once the agreement is approved and everything is in place, the City will promote the electronic collection program and specifics to the community. Kathy Cooper was present to answer questions. They will educate residents by sending out press releases to radio, internet, and newspaper. They expect to pick up TVs and printers at the curbside; everything else will be brought into their facilities or the RMU office at 333 Lincoln Hwy. They will accept drop-offs from residents who don't live within the City. The minimal cost for the City will be the work involved by staff. Councilman Rice suggested hiring some Kreider disabled workers. Moved by Councilman Berg and seconded by Councilwoman Hollonbeck, **"I move Agreement 12-4152, An Agreement between the City of Rochelle and Rochelle Disposal Services for the pickup and disposal of covered electronic devices and appliances, be approved."** Roll call vote was taken. Ayes: Councilmembers Berg, Hollonbeck, McDermott, Rice, Hayes, and Mayor Olson. Nays: None. Motion passed 6-0.

- 5) **Rezoning and Preliminary Planned Unit Development Plan and Plat for the Re-subdivision of Lot 4 in the Caron Ridge Subdivision:** The property located east of the Caron Ridge Shopping Center is currently zoned, B-2, Highway Commercial. Walter Wayne Development has petitioned the City to rezone the property to Planned Unit Development-Commercial (PUD-C) and approve the proposed PUD Plat and Plan. The proposed Preliminary Plat contains a six lot re-subdivision of lot 4 of the original Caron Ridge Subdivision. Four of the lots are buildable and the two northern lots, adjacent to IL Route 38, are reserved for stormwater management and detention facilities. In addition to the four buildings, the proposed plan includes 242 shared parking spaces, sidewalk along IL Route 38, and two monument signs. On March 5, 2012 the Planning and Zoning Commission reviewed the petition for rezoning and preliminary PUD Plat and Plan and voted to deny the petition by a vote of 2-3. After further review, staff finds the petition appropriate and recommends approval subject to modifications and final approval of all plans as required by staff, granting of a variance to allow a PUD smaller than 20 acres and allowance of all B-2 Highway Commercial uses. In addition, staff recommends allowing the proposed replacement monument sign, since it is smaller than the existing sign, and requiring the second monument sign, proposed near the east entrance of the development, to meet code requirements. Chris Limas, Community Development Director; Dave Diamond, Developer; and Al Schmidt, President of Schmidt Engineering; and Sam Tesreau, City Engineer, were present for further information and to answer questions. Moved by Councilwoman Hollonbeck and seconded by Councilman McDermott, **"I move Ordinance 12-4153, An Ordinance Approving a Rezoning of Certain Property from B-2, Highway Commercial District to Planned Unit Development Commercial District (PUD-C) and the Preliminary Planned Unit Development Plat and Plan for Re-subdivision of Lot 4 in Caron Ridge Subdivision, be adopted."** Roll call vote was taken. Ayes: Councilmembers Berg, Hollonbeck, McDermott, Rice, Hayes, and Mayor Olson. Nays: None. Motion passed 6-0.
- 6) **Ordinance Amending Telecommunications Tax Rate:** In 2002 the State of Illinois increased the Simplified Municipal Telecommunications tax rate to a maximum of 6% for municipalities with populations less than 500,000. The City's current telecommunications tax rate of 5% was approved on September 10, 2007. During the recent budget workshop, City Clerk Bruce McKinney presented information about the possibility of increasing the telecommunications tax rate. Raising the tax rate by 1% would equate to increased revenues of approximately \$5,500 per month based on projected telecommunication tax revenues for 2012-13 and could be used to offset additional expenses in the General Fund. In order to proceed with this increase, a certified copy of the ordinance must be filed with the Illinois Department of Revenue by March 20, 2012. The increased telecommunications tax would be assessed beginning July 1, 2012 and the City would begin receiving the increased proceeds in October. Councilwoman Hollonbeck had a concern about raising another tax. Clerk McKinney said that it wouldn't increase a personal bill more than \$.50 to \$1.50 per month. He was thinking this increase could go towards the Police and Fire Pensions which still need funding rather than raising property taxes. It was brought up that if the utility rates go up, the utility taxes will go up also. The council decided not to make a motion at this time.

DISCUSSION ITEMS: None

EXECUTIVE SESSION: None

ADJOURNMENT: At 7:53 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