

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
April 23, 2012**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, April 23, 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, Hollonbeck, Rice, Eckhardt, and Mayor Olson. Absent: Councilman Berg. Also present were City Manager Plyman and City Clerk McKinney.

PROCLAMATIONS, COMMENDATIONS, ETC.:

- **Administrative Professionals Week – April 22-April 28, 2012:** Read by City Clerk and to be presented to Judy Schermerhorn for the local IAAP.
- **Municipal Clerks Week – April 29-May 5, 2012:** Read by City Clerk and presented to Bruce McKinney, Rochelle City Clerk.
- **Week of the Young Child – April 22-April 28, 2012:** Read by City Clerk and presented to Jessica Hughes, Director of Rochelle Child Care Center.

REPORTS AND COMMUNICATIONS:

- Mayor: Vacancies on Boards/Commissions:
 - Planning/Zoning Commission: 2 non-voting vacancies
 - Police & Fire Commission: 1 vacancy
 - Stormwater Advisory Commission: 1 vacancy
- Council Members:
 - Ed Rice announced the National Day of Prayer on May 3rd at City Hall at noon.
- Financials – March 2012: Included in Council Agenda Packets.

PUBLIC COMMENTARY:

- **Gwen & Dave Lowrey – Hickory Grove:**
 - Thanked Nitish for taking over the pool/exercise room and for the Park District leaving the exercise equipment.
 - Ask for the City to help with the utilities or other financial assistance.

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting – April 9, 2012.
- b) Accept and Place on File Railroad Advisory Board Minutes – January 26, 2012.
- c) Accept and Place on File Stormwater Advisory Board Minutes – February 22, 2012.
- d) Approve Bills 03/30/12-04/05/12 = **\$264,968.45**; 04/06/12-04/12/12 = **\$219,793.81**.
- e) Approve Payroll 03/19/12-04/01/12= **\$193,658.89**.
- f) Authorize Rochelle Elementary Schools Fun Run Event – May 18, 2012.
- g) Authorize Rochelle Lions Club Tootsie Pop Fund Raiser – May 4, 2012.

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

- 2) **CDAP Grant #08-214005 Close Out – 1st Avenue Lift Station (Public Hearing):** In 2009 the City of Rochelle received a grant award of \$720,000 through the Community Development Assistance Program (CDAP), #08-241005, to assist with the construction of 600 lineal feet of sanitary sewer and an upgrade to the First Avenue lift station. These infrastructure improvements were necessary at that time to accommodate the construction of a 135,000 sq. ft. addition to the Sara Lee facility. The Sara Lee expansion has since been constructed and equipped at total cost in excess \$17 million. As a result 17 existing jobs were retained and over 60 new jobs were created (substantially more than the 31 positions required under the terms of the grant). The City is in the process of closing out the identified grant. The public hearing is an opportunity for the public to give input on the City's performance under the grant. Grant Administrator, Ellen Bergeson, was present to answer questions. Moved by Councilman Rice and seconded by Councilman Eckhardt, "**I move the Council recess into a Public Hearing for CDA-Grant 08-241005 Close Out – First Avenue Lift Station.**" Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Hayes, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0. No one from the public came forward. Moved by Councilwoman Hollonbeck and seconded by Councilman Eckhardt, "**I move the Council return to Open Session.**" Motion passed by voice vote without dissent.
- 3) **Budget Fiscal Year 2010-11 (Public Hearing and Action):** The Preliminary Budget was prepared and submitted to the City Council on March 6, 2012. Committee of the Whole Budget Workshops were subsequently held on March 6, March 21, April 10, and April 16 to review the budget and answer questions. The date for the Public Hearing, required by State law, was set for April 23, 2012. Final action on the Budget is required on or before April 30, 2012. The Preliminary 2012-13 Budget has been available for public inspection since March 6th. The final Proposed 2012-13 General Fund revenues are budgeted at \$8,329,210. This represents an increase of approximately 3% over the approved 2011-2012 budget. Budgeted expenses total \$8,295,458 which is also approximately 3% over the 2011-12 budget and results in a budget surplus of \$33,752. The combination of the General Fund with Special Revenue Funds, Enterprise Funds, Internal Service Funds, Trust and Agency Funds and Capital Project Funds results in budgeted revenues totaling \$65,565,172 and budgeted expenses totaling \$66,416,119. The combination of the current year budgeted revenues and accumulated capital project related reserves will exceed the budgeted expenses. Illinois statutes require that the City conduct a public hearing on the proposed budget to allow citizens the opportunity to provide comments. After the Council returns to regular session, members of the Council can propose modifications to the proposed budget, each of which will be voted on by the Council. The proposed budget as amended will then be subject to a final Council vote for approval. Moved by Councilman Eckhardt and seconded by Councilman McDermott, "**I move the Council recess into a Public Hearing for the Budget for Fiscal Year 2012-13.**" Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Hayes, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0. Chris Frye, Treasurer, was present and did a general overview with a slide

show. There was no public input. Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **"I move the Council return to Open Session."** Motion passed by voice vote without dissent. Moved by Councilman Eckhardt and seconded by Councilman Rice, **"I move Budget 12-4168, Fiscal Year Budget for 2012-13, be approved."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Hayes, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0. Both Mayor Olson and City Manager Plyman thanked the staff and Chris Frye for their hard work on the budget.

- 4) **Resolution Establishing Minimum/Maximum Wage Rates for Fiscal Year 2012-13:** The Municipal Code of the City of Rochelle requires that the City Council annually approve a resolution establishing minimum/maximum wage rates for all position classifications within the City. The proposed wage rate resolution is based upon a review completed by the Human Resource Manager. It applies to all employees and is based on job categories as defined by the Equal Employment Opportunity Commission. The rates included in this resolution are consistent with those that were incorporated into the proposed City Budget for Fiscal 2012-13. Moved by Councilman Rice and seconded by Councilman Hayes, **"I move Resolution R12-10, A Resolution Establishing Minimum/Maximum Wage Rates for Fiscal Year 2012-13, be adopted."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Hayes, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

- 5) **Ordinance Amending Chapter 6 & Chapter 26 – Alcoholic Beverages & Business Regulations:** On January 9, 2012 the Mayor and City Council approved an ordinance amending Chapter 6 (Alcoholic Beverages) to delete resort licenses and allow Sunday and holiday sales (excluding Christmas Day and Christmas Eve) effective immediately. A proposed new liquor license fee schedule was not approved at that time. On April 5, 2012 the Administrative Committee of the City Council met to discuss, among other items, changes to the City's Liquor License fees and the implementation of an initial application fee. Following discussion among the committee members, a consensus was reached to recommend the modification of liquor license fees as presented including the addition of an initial application fee. The proposed ordinance, drafted by Attorney Cooper, was written in accordance with the recommendations of the committee. If approved, the annual fee for most of the liquor licenses will increase by \$100, the fee for the "club" license will decrease by \$100 (due to the change in Sunday sales) and an initial application fee of \$500 will be implemented. Upon approval the ordinance and related fees will be effective June 1, 2012. Councilman Hayes felt that with the big increase from the State and this is a struggling business and the fees should be left the same. Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **"I move Ordinance 12-4169, An Ordinance Amending Chapter 6 & Chapter 26 – Alcoholic Beverages & Business Regulations, be adopted."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, Rice, Eckhardt, and Mayor Olson. Nays: Councilmen Hayes and McDermott. Motion passed 4-2.

6) **Resolution Establishing Utility Services Price Schedule for Electric:** The last cost of service study used to design the rates for Rochelle Municipal Utility (RMU) electric customers was completed in 1998. Since that time the method for providing electricity, diversity of RMU customers and the addition of the Prairie State Project have significantly changed the electric business at RMU. Following authorization by the Mayor and Council, an Electric Cost of Service Forecast report was prepared by the Baker Tilly firm and presented jointly to the City Council and Utility Advisory Board (UAB) in December of 2011. The report included a recommendation to increase the electric rates by approximately 14% over two years in order to more closely meet the cost of providing service. Based on Baker Tilly's recommendation, the proposed rate schedules represent an overall increase of approximately 7%. The increase and proposed rate schedules were discussed at the April 9, 2012 City Council meeting and held over pending further dialogue with the City's largest industrial electricity user. Mr. Plyman did meet with IRE, the City's biggest user, this past week and the increase is not as high as recommended by the Baker Tilly firm. Also, the City's expenses have increased, and some due to going "green". The goal is to continue discussions with IRE. Moved by Councilman Rice and seconded by Councilwoman Hollonbeck, **"I move Resolution R12-08, A Resolution Establishing Utility Services Price Schedule for Electric effective May 1, 2012, be adopted."** Moved by Councilman Rice and seconded by Councilwoman Hollonbeck, **"I move Resolution R12-08, A Resolution Establishing Utility Services Price Schedule for Electric effective May 1, 2012, be adopted."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Hayes, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

7) **Extension of Requirements in Agreement for Wastewater Conveyance and Treatment between the City and Village of Hillcrest:** Representatives from the City of Rochelle and the Village of Hillcrest worked diligently for several years to develop an agreement so that the sanitary sewer needs of Hillcrest could be served through the City's Wastewater Treatment Plant. The Agreement for Wastewater Conveyance and Treatment was approved by the Mayor and Council on December 13, 2010 and later modified to extend the time frame for completion of the Hillcrest system. Included in the agreement are provisions which require the Village of Hillcrest to adopt impact fees and lag time fees for residential development that are identical to those adopted by Rochelle within 120 days following approval of the agreement. On February 28, 2012 Village President Kim Whalen sent a letter to the City requesting an extension to this deadline. Due to a change in administration and legal counsel, Village officials were unaware of the required action and the deadline has since passed. The current Hillcrest Attorney, Paul Keller, has requested an extension of 180 days from the date of council approval so the Village can take the actions necessary to comply with the requirement. Moved by Councilman Eckhardt and seconded by Councilman Hayes, **"I move Agreement 12-4170, An Agreement Extending until October 20, 2012, the deadlines for Hillcrest to adopt impact fees and lag time fees, as set forth in Article IX of the Agreement for Wastewater Conveyance and Treatment between the City of Rochelle and the Village of Hillcrest, be approved."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Hayes, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

8) **Purchase of Asphalt Paver – Street Department:** The 2012-13 Street Department Capital Outlay Budget includes \$83,000 for the purchase of an asphalt paver. The proposed paver will replace a 1982 pull-type paver that has served its useful life and can no longer be repaired or rebuilt. Superintendent of Streets Don Elliott has located a new 2010 LeeBoy 7000 Series self propelled track paver at Casey Equipment in Cherry Valley. This particular paver is available for \$77,875, which is a substantial discount when compared to \$90,500 for a 2012 model, and will be capable of paving both roads and parking lots. In addition, there are no local dealers within Rochelle that are able to provide this type of equipment. Considering the limited competition for this type of equipment, availability of parts and service in Cherry Valley and discounted price, City staff recommends that the Council waive the competitive bidding process by a two-thirds vote of all members holding office and authorize the purchase of the 2010 paver as proposed. Moved by Councilwoman Hollonbeck and seconded by Councilman McDermott, **“I move the Council waive the competitive bidding process for a 2010 LeeBoy 7000 Series track paver.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Hayes, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0. Moved by Councilman Hayes and seconded by Councilman Rice, **“I move Council purchase a 2010 LeeBoy 7000 Series track paver from Casey Equipment of Cherry Valley, IL, for a total of \$77,875.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Hayes, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

9) **Ordinance Amending Chapter 94 to Authorize the Seizure and Impoundment of Vehicles Used in the Commission of Certain Crimes:** On March 28, 2011 the Mayor and Council approved an ordinance allowing for the seizure and impoundment of vehicles used in connection with specific offenses. The ordinance provides for the assessment of a \$500 administrative fee in addition to applicable fines, costs, towing and storage fees. On January 9, 2012 an amendment to the ordinance was approved by the Council in order to comply with new legislation passed by the State of Illinois. This legislation requires that, should the owner choose to challenge the seizure, the administrative hearing be conducted by a hearing officer who has been licensed to practice law in the State of Illinois for at least 3 years. Attorney Jim Ahlberg was subsequently hired to preside as the hearing officer at the administrative hearings. After functioning in this role for the past few months, Attorney Ahlberg, Attorney Cooper and Chief Higby have recommended some changes to the ordinance which will allow the hearing officer further discretion and clarify the hearing procedures. Attorney Alan Cooper and Chief Higby were both present to further explain and answer questions. Mr. Cooper explained that they can post the \$500 to get the car back and then later at the hearing it can be determined whether they get the money returned; also Chief Higby wanted it made clear that the seizure could be made if a passenger breaks the law and the driver is aware of it; and with the change in legislation, there is no longer a committee involved. Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **“I move Ordinance 12-4171, An Ordinance Amending Article IX (Seizure and Impoundment”) of Chapter 94 (Traffic and Vehicles”) of the Rochelle Municipal Code, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Hayes, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

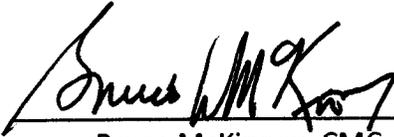
DISCUSSION ITEMS: None

EXECUTIVE SESSION: None

ADJOURNMENT: At 8:11 p.m., moved by Councilwoman Hollonbeck 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

