

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
June 11, 2012**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, June 11, 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 Rice, McDermott, Hollonbeck, Eckhardt, and Mayor Olson. Absent: Councilmen Berg and Hayes. Also present were City Manager Plyman and City Clerk McKinney.

PROCLAMATIONS, COMMENDATIONS, ETC.: None

REPORTS AND COMMUNICATIONS:

- Mayor: This past weekend:
 - Relay for Life – raising money for cancer
 - Festival at Airport – also raising money for cancer
- Council Members: None
- **Rock River Center: Karen Copeland, Executive Director of Rock River Center in Oregon** (Jim Black and Dave Eckhardt are also members of board and both present). – **LOTS Transportation System:** Provide transportation for Ogle County for seniors, Kish students and staff, and others. Times have changed since beginning of service when the cost was reimbursed 100% by the State. Now they are running in a deficit and having to come up with some substantial finances. Services to Rochelle in 2011 were 5,497 rides to 144 of Rochelle's residents. Each of those rides cost LOTS \$18.08. They are asking each community to help them with the cost (for Rochelle, services total about \$99,000 of which #5311 will provide them with about \$72,000 leaving a balance of about \$27,000. Not asking the City to make up that amount but to share in the cost.

PUBLIC COMMENTARY: None

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting – May 29, 2012
 - b) Approve Bills – 05/18/12-05/24/12: **\$241,795.77** ; 05/25/12-05/31/12: **\$479,096.52**
 - c) Approve Payroll – 05/14/12-05/27/12: **\$210,393.01**
 - d) Approve Ordinance Establishing Prevailing Wage Rates
 - e) Accept and Place on File Annual Treasurer's Report – Rochelle Police Pension
- Moved by Councilwoman Hollonbeck and seconded by Councilman McDermott, "**I move Consent Agenda Items (a) through (e) be approved by Omnibus Vote as recommended.**" Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Eckhardt, and Mayor Olson. Nays: None. Motion passed 5-0.

- 2) **Ordinance to Allow and Regulate the Sale of Liquors in Outdoor Setting:** Several existing liquor license holders have expressed an interest in being allowed to serve alcohol in outdoor areas connected to their facilities. On April 5, 2012 this topic was discussed by the Administrative Committee of the City Council. The committee was generally supportive of the idea and recommended that a subcommittee meet to develop a set of standards for outdoor liquor sales. As requested, City Clerk Bruce McKinney and Liquor Commissioner Mayor Olson presented the following proposed requirements to the Administrative Committee on May 23, 2012: the area must be owned or leased by the licensee, access to the area must be gained through the indoor establishment, the area must be enclosed by a decorative fence and situated on a hard surface, and no bar may be maintained in the outdoor area. The proposed ordinance was written in accordance with the recommendations presented to the committee. If approved, licensees will be required to submit a site plan for review to the Community Development Department. The hours of operation for the outdoor area will be in accordance with those permitted by the licensee's liquor license except that it will end one hour prior to the permitted ending hour. In addition, entertainment will be allowed in the outdoor area, subject to Federal, State and City regulations and smoking will be prohibited. Moved by Councilman Eckhardt and seconded by Councilman Rice, **"I move Ordinance 12-4190, An Ordinance Amending Chapter 6 (Alcoholic Beverages) of the Rochelle Municipal Code to Allow and Regulate the Sale of Liquors in an Outdoor Setting by Liquor Licenses, be adopted."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Eckhardt, and Mayor Olson. Nays: None. Motion passed 5-0.
- 3) **Ordinance Amending Chapter 6 (Alcoholic Beverages):** The City has received a request for a Tavern liquor license from representatives of the Cherry Street Pub of Rochelle at 406 Cherry Avenue. In addition, Sukura Nippon, Inc has submitted a request for a restaurant liquor license for the Yoshino Japanese Restaurant at 1001 N. 7th Street. The Liquor Commissioner, Mayor Chet Olson, has reviewed the requests and has no objection to the creation of one additional tavern license and one additional restaurant license. The City of Rochelle Municipal Code currently allows for six tavern licenses and one restaurant license; considering the addition of these licenses, the total number would be seven and two respectively. In addition, the proposed ordinance includes the repeal of size restrictions from the definitions of restaurant and restaurant/recreation since none of the other definitions include square footage requirements. Moved by Councilman Eckhardt and seconded by Councilman McDermott, **"I move Ordinance 12-4191, An Ordinance Amending Chapter 6 (Alcoholic Beverages) of the Municipal Code of the City of Rochelle to Create One Tavern License and One Restaurant License and to Repeal Size Restrictions from the Definitions of Restaurant and Restaurant/Recreation, be adopted."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Eckhardt, and Mayor Olson. Nays: None. Motion passed 5-0.
- 4) **Ordinance Authorizing IEPA Loan – Well Southeast Quadrant:** The Master Plan for the City of Rochelle water system includes the construction of a new well in the southeast quadrant of the City and the completion of a water main loop from Flagg/Caron Road to the existing terminus on Dement Road. The continued industrial growth in the southeast quadrant has made the construction of this well a priority in order to provide sufficient fire flow protection and an adequate reserve supply for customers. The Illinois Environmental Protection Agency has verified that there are loan funds available for qualifying water system improvements, through the Public Water Supply Loan Program, at a rate of 2.5%. A preliminary project plan was submitted to the IEPA in January as the first step in obtaining a loan for the new well and related improvements. As a result, the City was encouraged to submit a project plan and proceed with the loan application. The revised project plan, which includes the construction of a new well and well house, connecting the well to the main, looping the system and replacing well house #4, is currently under review by the IEPA. The proposed ordinance authorizes the City to borrow up to \$4,300,000 from the Water Supply Loan Program to finance the majority of the project plan. The ordinance was prepared by the project engineering consultant, Fehr Graham & Associates working with

staff of the IEPA. Section 5 of the proposed ordinance states that “repayment of the loan...pursuant to this Ordinance is to be solely from the revenue derived from the revenues of the System” and therefore does not constitute a general obligation of the City. Once the IEPA approves the project plan, the City can choose which components to construct and phase them in over a four-year period. Mr. Plyman said that they are still hopeful that they will be helped with a grant. Moved by Councilwoman Hollonbeck and seconded by Councilman McDermott, **“I move Ordinance 12-4192, An Ordinance Authorizing Loan Agreement between the City of Rochelle (A non-home rule entity) and the Illinois Environment Protection Agency, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Eckhardt, and Mayor Olson. Nays: None. Motion passed 5-0.

- 5) **Antenna Special Use Permit – First National Bank of Rochelle:** The First National Bank of Rochelle has petitioned the City to allow the installation of a 65-67 foot antenna (measured from the ground) at their facility located at 340 May Mart Drive. The antenna would be installed on the Bank’s roof, behind a chimney area, and facilitate communication with their branch in Ashton, IL. Per City code, the maximum allowable height of an antenna is 15 feet from the roof. On June 4, 2012 the Planning and Zoning Commission held a public hearing on the petition for a special use permit to allow the installation of the antenna. Following some discussion the commission voted 6-0 to recommend approval of the request. Shelly Haws of the First National Bank was present to answer questions, as well as Chris Limas, Community Development Director. Mr. Limas feels our ordinance on antennas is outdated and he plans on changing in the future. According to Ms. Haws, it is wireless. Information was sent out to neighbors and there are no problems. Moved by Councilwoman Hollonbeck and seconded by Councilman Rice, **“I move Ordinance 12-4193, An Ordinance Approving a Conditional (Special Use) Permit to Allow the Construction of an Antenna (First National Bank of Rochelle), be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Eckhardt, and Mayor Olson. Nays: None. Motion passed 5-0
- 6) **Ordinance Amending the 2009 Comprehensive Plan – Rail Transportation:** The most recent Comprehensive Plan Update was adopted by the Mayor and City Council in 2009. While the plan includes some brief references to the City Industrial Rail, staff feels that a more detailed description and map of future expansion plans is necessary. Since its inception, the City Industrial Rail (CIR) has attracted several rail served industries. Most recently, Nippon Sharyo and Coated Sand Solutions chose to locate facilities in Rochelle, prompting a significant expansion of the CIR. In addition, the Railroad Advisory Board, established in 2011, has developed a long-range, strategic plan for the CIR. Due to the recent expansion of the CIR and development of a long-range, strategic plan, staff has proposed adding a “City of Rochelle Railroad” section and City of Rochelle Railroad Expansion Map to the Comprehensive Plan. On June 4, 2012 the Planning and Zoning Commission discussed the proposed amendment and voted 8-0 to recommend approval of the amendment. Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **“I move Ordinance 12-4194, An Ordinance Amending the 2009 Comprehensive Plan, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Eckhardt, and Mayor Olson. Nays: None. Motion passed 5-0.

- 7) **2012 Sealcoat Project:** A 10-year capital plan was developed several years ago to address maintenance requirements of existing infrastructure. As a result of that plan, numerous existing roadways have been identified for maintenance this year including North 2nd, 3rd and 8th Streets, Linder Lane, Drake Avenue, Kelley Drive, Northlake Court and sections of Calvin Road, 20th Street, and several avenues throughout the community. In addition, numerous alleys west of Illinois Route 251 have also been identified for maintenance if time allows. The application of a sealcoat surface treatment has been found to be a cost effective way to maintain and preserve the life of the roadway surfaces and several streets have been treated over the past few years. Subsequent to the required public notice, three bids were opened by the City Clerk on April 12, 2012. Following the bid opening, protests were filed with the Illinois Department of Transportation (IDOT) against the lowest bidder and the 2nd lowest bidder. Those protests/suspensions have not been resolved with IDOT and therefore the City is unable to award the bid to those contractors. As a result, City Engineer, Sam Tesreau recommends consideration of the remaining bidder, Road Oil Inc., with a bid of \$232,796.90 so that the annual maintenance program can proceed. The proposed 2012-13 Capital Improvements Fund budget includes \$290,000 for sealcoat resurfacing of miscellaneous streets which will be funded through a transfer of Motor Fuel Tax funds. Sam Tesreau was present to answer questions. Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **"I move Resolution R12-14, a Resolution for maintenance of Streets and Highways be approved."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Eckhardt, and Mayor Olson. Nays: None. Motion passed 5-0. Moved by Councilman Eckhardt and seconded by Councilman McDermott, **"I move the City award Seal Coat Bid to Road Oil for \$232,796.90 be adopted."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, Eckhardt, and Mayor Olson. Nays: None. Motion passed 5-0.

Diana Quest, a resident, stood up at this time to speak: She wanted to know why her phone calls were not being returned by Mr. Plyman, Chris Limas and the Mayor. She wanted to know "why Plyman, Tesreau and Limas are against her selling her property until she puts in sidewalks?" The Mayor requested she leave her contact information so that he could set up a meeting with her, Mr. Plyman, and Mr. Limas.

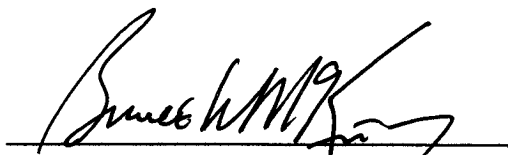
DISCUSSION ITEMS: None

EXECUTIVE SESSION: None

ADJOURNMENT: At 7:40 p.m., moved by Councilman Eckhardt 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