

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
January 14, 2013**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, January 14, 2013 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 McDermott, Hollonbeck, Rice, and Mayor Olson. Absent: Berg, Eckhart. Hayes. Quorum was present. Also present were City Manager Plyman and City Clerk McKinney.

PROCLAMATIONS, COMMENDATIONS, ETC.: None.

REPORTS AND COMMUNICATIONS:

- Mayor:
 - Mayor Olson reminded officials and appointed officials that they need to complete the OMA training.
- Council Members:
 - Councilwoman Hollonbeck stated that the League of Women Voters of Rochelle was presenting an **Illinois Budget Deficit!** With guest speaker Ralph Martire on January 24th at 7 p.m. at the RTHS Auditorium.
- Financials - November 2012: In Council packets

PUBLIC COMMENTARY: None

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting – December 10, 2012
- b) Approve Bills – 11/30/12-12/06/12=**\$611,085**; 12/07/12-12/13/12=**\$793,732**; 12/14/12-12/20/12=**\$3,016,839**; 12/21/12-01/03/2013=**\$1,095,273**
- c) Approve Payroll –11/26/12-12/09/12=**\$211,694**; 12/10/12-12/23/12=**\$202,903**
- d) Accept and Place on File Administrative Committee Minutes – August 2, 2012
- e) Accept and Place on File Railroad Advisory Board Minutes – October 25, 2012
- f) Accept and Place on File Planning and Zoning Board Minutes – October 1, 2012, November 5, 2012
- g) Accept and Place on File Police and Fire Commission Minutes – September 11, 2012

Moved by Councilman Rice 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, and Mayor Olson. Nays: None. Motion passed 4-0.

- 2) **Addition of Territory to the Lee County Enterprise Zone #9 – Project Golden Prairie:** On December 23, 1986 the City of Dixon and County of Lee entered into an Intergovernmental Agreement to provide for the administration of an enterprise zone encompassing contiguous portions of the City of Dixon and County of Lee. The agreement was subsequently amended to include the City of Amboy, Village of Ashton, Village of Franklin Grove, Village of Paw Paw, City of Rochelle and Ogle County. On November 26, 2012 Enterprise Zone Administrator John Thompson conducted a Public Hearing in Rochelle to provide information on plans to expand the Lee County Enterprise Zone by approximately 92 acres. This territory expansion includes a portion of the ProLogis Industrial Park, north of Ritchie Road, which is anticipated to house the new Project Golden Prairie manufacturing facility. Jason Anderson was present to answer questions. Councilman McDermott moved and seconded by Councilman Rice, **“I move Ordinance 12-4278, An Ordinance Amending Ordinance No. 01-3051, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 4-0. Councilwoman Hollonbeck then moved and seconded by Councilman McDermott, **“I move Agreement 13-4279, Amendment No. 16 to An Intergovernmental Agreement between the City of Dixon, City of Amboy, Village of Ashton, Village of Franklin Grove, Village of Paw Paw, City of Rochelle and Counties of Lee and Ogle Regarding Administration of an Enterprise Zone Dated December 23, 1986, be approved.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 4-0.
- 3) **Resolution Accepting Water Main Extension for Creekside Subdivision Unit 1 Development and Authorizing Reimbursement to Developer:** On February 13, 2012, the Mayor and City Council approved the Third Amendment to Annexation Agreement between the City and Creekside Land Holdings, LLC. Among other things, this amendment provided for the construction and installation of a 12” water main from Well #12 to the existing water main terminus on 20th Street by the Developer with the City reimbursing 50% of the cost upon acceptance of the improvement. The RMU estimate for the construction of the water main was \$191,000, including contingency. The actual cost of the project, as submitted by the developer, was \$150,613.15. Per Rochelle Municipal Code, Section 86-50, reimbursement will be made to the developer upon acceptance by the City Council. In addition the developer must provide a contractor’s affidavit and lien waivers for the installation and material used for the project. Superintendent Kathy Cooper recommends acceptance of the infrastructure and reimbursement of \$75,306.57 to the Developer based on the following: the water main has been installed in compliance with City and State requirements, all required testing meets the standards and the IEPA permits, contractor’s affidavit and lien waivers have been received. In exchange for the reimbursement, the developer will provide a bill of sale conveying the title to be free and clear. Kathy Cooper was present to answer questions. Councilwoman Hollonbeck moved and seconded by Councilman McDermott, **“I move Resolution R13-01, A Resolution Accepting Water Main Extension for Creekside Sub Unit 1 Development and Authorizing Reimbursement to Developer, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 4-0.

- 4) **Preliminary and Final Plat – Harms Subdivision 715 South Main:** Arlen Harms has petitioned the City of Rochelle for a two lot subdivision at 571 South Main. The proposed subdivision includes an existing lot and a previous City well site which Mr. Harms purchased from the City. Lot 1 contains an existing house and lot 2 contains an existing shed. Staff found that both lots are located in the R-5 (multi-family high density) zoning district and meet all of the requirements except for the corner side setback on Main Street which is shown at 9.3 feet instead of the required 20 feet. On January 7, 2013 the Planning and Zoning Commission reviewed the petition for Preliminary and Final Plat for the Harms Subdivision. Residents in the area gave testimony in regards to a fence located on the east property line. Providing that the subdivision is approved, this matter will be settled when the final property pins are set. Following the testimony and discussion the Planning and Zoning Commission voted 5-0 to recommend approval of the petition. Therefore, Staff recommends approval of the Preliminary and Final Plat subject to the following: that the Final Plat reflects any changes recommended by staff prior to recording, that a stormwater management and special flood hazard plan be approved according to City code upon development of Lot 2, and appropriate surety be provided per code. Chris Limas and Arlen Harms were present to answer questions. Mr. Harms explained that the fence is believed to be on his property but the property will be surveyed and pins staked once the plats are approved. At this time he will not make his neighbors move the fence. Councilman Rice moved and seconded by Councilman McDermott, **“I move Ordinance 13-4280, An Ordinance Approving the Preliminary and Final Plat of Subdivision for Harms Subdivision, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 4-0.
- 5) **Conditional Special Use Permit Amendment - First National Bank Antenna:** The First National Bank of Rochelle has petitioned the City to amend the Conditional (Special Use) Permit approved in June of 2012 which allowed the installation of a 65-67 foot antenna at their facility at 340 May Mart Drive. The petitioned has since discovered that the antenna needs to be between 81-91 feet in height (from the ground) to facilitate communication with their branch in Ashton. Per City code, the maximum allowable height of an antenna is 15 feet from the roof. On January 7, 2013 the Planning and Zoning Commission held a Public Hearing on the petition to amend the Conditional (Special Use) Permit to allow the installation of an antenna 81-91 feet in height. Following some discussion the commission voted 5-0 to recommend approval of the request. Chris Limas was present to answer questions. Councilwoman Hollonbeck moved and seconded by Councilman McDermott, **“I move Ordinance 13-4281, An Ordinance Approving an Amendment to a Conditional (Special Use) Permit Approved by Ordinance 12-4193 to Allow the Construction of an Antenna with an Increased Height (First National Bank of Rochelle), be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 4-0.

- 6) **Preliminary and Final Plat – Prologis Park Rochelle Unit Four Subdivision:** The petitioner, Prologis, has requested the approval of a Preliminary and Final Plat of Subdivision for Prologis Park Rochelle Unit Four which is located in Prologis Park between Steward Road and Interstate 88. Lot 1 of the proposed subdivision is the anticipated site for Project Golden Prairie, a 350,000 square foot manufacturing facility. Prologis Park Rochelle Unit Four is proposed as a five-lot subdivision containing two buildable lots and three lots designated for stormwater management. All public utilities have been installed and a small amount of right-of-way is being dedicated to the City for possible future rail expansion. On January 7, 2013 the Planning and Zoning Commission reviewed the petition for the preliminary and final plat and voted to recommend approval by a vote of 5-0. Therefore, staff recommends approval of the Preliminary and Final Plat subject to the following: final plat reflects any changes recommended by staff prior to recording, stormwater management and special flood hazard plan be approved according to the City code, and appropriate surety be provided. In addition, staff is working with the developer on an agreement to dedicate the existing private street, Caron Court, to the City in exchange for the developer's construction of a sidewalk along Caron Court, dedication of an easement and future participation in the construction of a shared use path along Steward Road and future participation in the construction of streetlights on Steward Road. This agreement will require council approval once it is finalized. Chris Limas and Jason Anderson were present to answer questions. Councilwoman Hollonbeck moved and seconded by Councilman Rice, **"I move Ordinance 13-4282, An Ordinance Approving the Preliminary and Final Plat of Subdivision for Prologis Park Rochelle Unit Four, be adopted."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 4-0.

DISCUSSION ITEMS: None

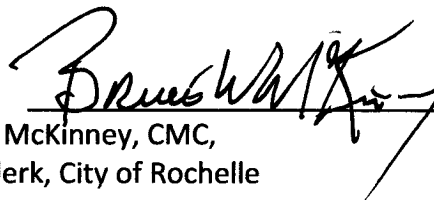
EXECUTIVE SESSION: At 7:27 p.m., Councilwoman Hollonbeck moved and seconded by Councilman McDermott, **"I move the Council recess into executive session to discuss: The (appointment, Employment, Compensation, discipline, performance and/or dismissal) of specific employee(s). Section (c)(1). Purchase or lease of real property for City's Use. Section (c)(5). And, Discussion of minutes of meetings lawfully closed under this Act for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated. Section (c)(21)."** Roll call vote was taken. Ayes: Councilmembers Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 4-0.

At 8:41 p.m., Councilman McDermott moved and seconded by Councilwoman Hollonbeck, **"I move the Council return to Open Session."** Motion carried on voice vote without dissent.

ADJOURNMENT: At 8:41 p.m., moved by Councilman McDermott and seconded by Councilwoman Hollonbeck, **"I move the Council adjourn."** Motion passed by voice vote without dissent.



Chet Olson, Mayor



Bruce McKinney, CMC,
City Clerk, City of Rochelle