

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
FEBRUARY 25, 2013**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, February 25, 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, Berg, Eckhart, Hayes and Mayor Olson. Absent: None. Quorum was present. Also present were City Manager Plyman and City Clerk McKinney.

PROCLAMATIONS, COMMENDATIONS, ETC.: None

REPORTS AND COMMUNICATIONS:

- Mayor: Thanked all departments for work during the last snow storm.
- Council Members: Nothing
- Employee Introduction – Erin Ruppert: Joined the Water/Water Reclamation Division as a Maintenance Operator. Graduated from ERTC (Environmental Resource Training Center); completed two internships – one in Water Operations and one in Waste Water; earned Class D in water and waste water, Class C Water License, and Class IV Waste Water license; and has prior experience.
- Financials – January 2013: Included in Council Packets.

PUBLIC COMMENTARY: None

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting – February 11, 2013
- b) Approve Bills – 02/01/13-02/08/13=**\$503,325.20**; 02/09/13-02/14/13=**\$397,849.06**
- c) Approve Payroll – 01/21/13-02/03/13=**\$206,146.06**
- d) Approve RTHS Education Foundation's Request to Hold 30 Men Who Cook Event at Rochelle Airport – September 7, 2013

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

- 2) **Third Amendment to Annexation Agreement – DP Industrial and Illinois River Energy (Public Hearing and Action):** Nearly ten years ago the Mayor and Council approved an Annexation Agreement with DP Industrial, LLC and an Annexation Agreement and Rider with Illinois River Energy (IRE) related to property located south of Interstate 88 and east of Caron Road. ProLogis Land, LLC is now the owner of property which is bound by both the DP Agreement and the Rider to the IRE Agreement. On February 11th the Mayor and Council conducted a Public Hearing to discuss a Third Amendment to the Annexation Agreement and Amendment to the Rider in order to facilitate the development of ProLogis Park – Unit Four. Since the provisions of the agreement were still being finalized, the Mayor and Council continued the Public Hearing until February 25th. Provisions in the amendment include the following: the City will accept “Caron Court” as a public street providing ProLogis posts a bond in the amount of \$20,000; the City will accept the existing street lights along Caron Court upon approval by RMU; ProLogis will obtain an easement along the west side of Caron Court for a sidewalk or grant the City an easement along the east side and construct a sidewalk within 12 months of the recording of the final plat; ProLogis will provide an easement for a shared use path along the north side of Steward Road and along the south property line of Lot 2 and contribute fifty percent of the estimated costs for construction within five years from the date of this amendment; the City will construct the shared use path within eighteen months following receipt of the ProLogis contribution; ProLogis will pay the City the total estimated costs for materials for no more than ten street lights to be installed along Steward Road within five years from the date of the amendment; the City will install the streetlights within eighteen months following receipt of the ProLogis contribution; and ProLogis will obtain an easement along the west side of Caron Court for offsite drainage or grant the City an easement along the east side of Caron Court and construct stormwater facilities comparable to those existing on the west side. Councilwoman Hollonbeck moved and seconded by Councilman Berg, **“I move Council recess into a continued Public Hearing for the Third Amendment to Annexation Agreement for ProLogis Park.”** A roll call vote was taken. Ayes: Berg, Eckhardt, Hayes, Hollonbeck, McDermott, Rice and Mayor Olson. Nays: None. Motion passed 7-0. No one came forward to speak. Councilman Eckhardt moved and seconded by Councilman Berg, **“I move the Council return to Open Session.”** Motion passed by voice vote without dissent. Councilman McDermott moved and seconded by Councilwoman Hollonbeck, **“I move Ordinance 13-4285, An Ordinance Approving Third Amendment to Annexation Agreement (DP Industrial) and Amendment to Rider to Annexation Agreement (Illinois River Energy) for ProLogis Park, be Adopted.”** A roll call vote was taken. Ayes: Berg, Eckhardt, Hayes, Hollonbeck, McDermott, Rice and Mayor Olson. Nays: None. Motion passed 7-0.

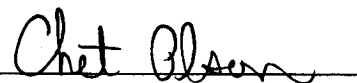
- 3) **Ordinance Authorizing Sale of Renewable Energy Credits:** In August of 2010 the Mayor and Council approved several agreements associated with the Landfill Gas to Energy Project. Among them was a Landfill Gas Purchase Agreement between the City, Rochelle Waste Disposal and Rochelle Energy Center. As a result of that agreement, the City has accumulated 23,414 Renewable Energy Credits (RECs) as of January 2013. These credits have a value to companies seeking to lower their emissions footprint. Business and Financial Analyst Dan Westin has researched the salability of the RECs on the market and found them to have a value of approximately \$0.70 to \$1.00 each if sold at public auction. In addition he believes that the market for RECs is deteriorating and that it is in the best interest of the City to sell them. Attorney Lyons has reviewed the Illinois Municipal Code with respect to the sale of property. He has determined that the renewable energy credits are considered personal property. Per 65 ILCS 5/11-76-4, the City may sell personal property if it is no longer necessary or useful to the City, or if it's in the best interests of the City to sell the property. This is accomplished by a simple majority vote of the City Council. The proposed ordinance authorizes the City Manager, or his designee, to sell current and future RECs at public auction or private sale when it is determined to be in the best interest of the City. Dan Westin was present to answer questions. Councilman Berg moved and seconded by Councilwoman Hollonbeck, **"I move Ordinance 13-4289, An Ordinance Authorizing Sale of Renewable Energy Credits, be adopted."** A roll call vote was taken. Ayes: Berg, Eckhardt, Hayes, Hollonbeck, McDermott, Rice and Mayor Olson. Nays: None. Motion passed 7-0.

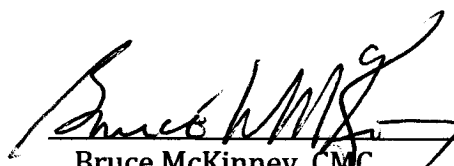
DISCUSSION ITEMS: None

EXECUTIVE SESSION: At 7:24 p.m., Councilman Berg moved and seconded by Councilman Eckhardt, **"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)."** A roll call vote was taken. Ayes: Berg, Eckhardt, Hayes, Hollonbeck, McDermott, Rice and Mayor Olson. Nays: None. Motion passed 7-0.

At 7:40 p.m. Councilman Berg moved and seconded by Councilman Eckhardt, **"I move the Council return to Open Session"**. Motion passed by voice vote without dissent.

ADJOURNMENT: At 7:40 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