

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
MAY 11, 2015**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, May 11, 2015 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 Bruce McKinney.

ROLL CALL: Present on Roll Call were Councilmembers Hayes, Eckhart, D. McDermott, T. McDermott, Hollonbeck, Burke, and Mayor Olson. Absent: Quorum of seven present. Also present were City Manager David Plyman and City Clerk Bruce McKinney.

PROCLAMATIONS, COMMENDATIONS, ETC.: Police Week May 10-16, 2015

REPORTS AND COMMUNICATIONS:

- Mayor: None
- Council Members: None.

PUBLIC COMMENTARY: None

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting – April 27, 2015
- b) Approve Minutes of Special City Council Meeting – April 30, 2015
- c) Approve Bills – 041715-042315, 042415-043015
- d) Approve Payroll – 041315-042615
- e) Reappoint Bruce McKinney to the Office of City Clerk for a Term to Expire April 30, 2019
- f) Reappoint Chris Frye to the Office of City Treasurer for a Term to Expire April 30, 2019
- g) Reappoint Chris Frye as the Treasurer for the Police and Fire Pension Boards for a Term to Expire April 30, 2019
- h) Approve Ordinance Amending Section 6-46 of the Municipal Code to Delete One Beer & Wine Liquor License (Fairways Golf LLC)
- i) Approve Ordinance Amending Section 6-46 of the Municipal Code to Create One Restaurant/Recreation Liquor License (Fairways Golf LLC)
- j) Approve VFW Request to hold a Poppy Drive at 4th Avenue and Lincoln Highway - May 23, 20

Councilwoman Hollenbeck acid items H and I be removed from the consent agenda.

Motion by Councilwoman Hollonbeck and seconded by Councilman D. McDermott, **"I move Consent Agenda Items (a) through (g) and (j) be approved by Omnibus Vote as recommended."** A roll call vote was taken. Ayes: Councilmembers Burke, Eckhardt, Hollonbeck, Hayes, D. McDermott, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

Mayor Olson explained the reason why liquor licenses for Fairways golf LLC is being reversed from last month. Councilwoman Hollenbeck moved and seconded by Councilman Hayes: **"I move items H and I be approved."** A roll call vote was taken. Ayes: Councilmembers Burke, Eckhardt, Hollonbeck, Hayes, D. McDermott, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

- 2) **Consideration and action on an ordinance authorizing and providing for an Installment Purchase Agreement for the purpose of paying the cost of purchasing real or personal property, or both, in and for the City, and for the issue of not to exceed \$3,000,000 General Obligation Debt Certificate (Limited Tax), Series 2015B, evidencing the rights to payment under said Agreement, providing for the security for and means of payment under said Agreement of the Certificates, and authorizing the sale of the Certificates to Robert W. Baird & Co. Incorporated:** City Manager Plyman read a letter from the steering group for the Y requesting that this item be tabled for the time being

The following people spoke against subject: John Kaminski, Bud Norcross, Christa Seebach and Jerry Seebach.

Motion made by Councilman Burke and seconded by Councilwoman Hollenbeck, **"I move the item I installment purchase agreement for the Y be tabled for the time being."** A roll call vote was taken. Ayes: Councilmembers Burke, Eckhardt, Hollenbeck, Hayes, D. McDermott, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

- 3) **Consideration and action on an ordinance authorizing and providing for an Installment Purchase Agreement for the purpose of paying the cost of purchasing real or personal property, or both, in and for the City, and for the issue of not to exceed \$2,000,000 General Obligation Debt Certificates (Limited Tax), Series 2015A, evidencing the right to payment under said Agreement, providing for the security for and means of payment under said Agreement of the Certificates, and authorizing the sale of the Certificates to Robert W. Baird & Co. Incorporated:** The Comprehensive Plan and the City Council's Strategic Planning Summary developed in 2011 recognize the need to eliminate or mitigate the train noise in our community. This has been identified as a quality of life issue, especially for those living and working near the tracks. On March 23rd the City Council approved an agreement with the BNSF Railway Company which provides for the installation of four-quadrant flashers and gates at 15th Street by the BNSF Railway at an estimated cost to the City of \$768,651. As discussed at a Committee of the Whole Budget Workshop, the City plans to issue debt certificates to fund the Quiet Zone project estimated at a total cost of \$1.75-\$2 million. On April 27th the Rochelle City Council tabled action on the ordinance until the May 11th meeting. The proposed Parameters Ordinance is for the consideration of not to exceed \$2 million General Obligation Debt Certificates for the Quiet Zone improvements. It stipulates a maximum maturity date of June 1, 2035, maximum bond issue amount of \$2 million dollars, maximum annual interest rate of 7%, issue date of no later than October 27, 2015 and that the bonds will be executed on behalf of the City by the Mayor. Once passed, the execution of the debt certificates can be authorized by the Mayor as long as it meets all of the parameters. Motion made by Councilman Hayes and seconded by Councilman Burke: **"I Move Ordinance 15-4444, An Ordinance authorizing and providing for an Installment Purchase Agreement for the purpose of paying the cost of purchasing real or personal property, or both, in and for the City, and for the issue of not to exceed \$2,000,000 General Obligation Debt Certificates (Limited Tax), Series 2015A, evidencing the rights to payment under said agreement, providing for the security for and means of payment under the Agreement of the Certificates, and authorizing the sale of the Certificates to Robert W. Baird & Co. Incorporation, be approved."** A roll call vote was taken. Ayes: Councilmembers Burke, Eckhardt, Hollenbeck, Hayes, D. McDermott, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

- 4) **Re-subdivision of Rochelle Community Hospital.** Rochelle Community Hospital has purchased four properties adjacent to its facility in the past year and demolished five dwellings to prepare for an expansion. To facilitate this expansion the Mayor and Council approved the rezoning of the properties and the issuance of a special use permit to allow expansion of the campus for health care services. The hospital property is located between North 2nd Street and North 3rd Street from 8th Avenue to 10th Avenue. Rochelle Community Hospital has submitted a preliminary and final plat of subdivision for the property to subdivide 10 properties into one, eliminate past easements granted to the City and plat new easements require for future development. On May 4th the Planning and Zoning Commission held a public hearing to review the petition. After a review of the facts, the commission voted 4-0 to recommend approval of the preliminary and final plat.

Motion made by Councilman Hayes and seconded by Councilman Dan McDermott: **"I move Plat 15-4452, Preliminary Plat for the Re-subdivision of Rochelle Community Hospital, be approved."** A roll call vote was taken. Ayes: Councilmembers Burke, Eckhardt, Hollonbeck, Hayes, D. McDermott, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

Motion made by Councilman Hayes and seconded by Councilman Dan McDermott: **"I move Plat 15-4453, Final Plat the Re-subdivision of Rochelle Community Hospital, be approved."** A roll call vote was taken. Ayes: Councilmembers Burke, Eckhardt, Hollonbeck, Hayes, D. McDermott, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

- 5) **Consent to Financing of Rochelle Energy LLC by Caterpillar Financial Services Corporation.** In August of 2010, the City entered into a Power Purchase Agreement with Rochelle Energy Center, LLC, whereby the City agreed to purchase electric power and environmental attributes generated by a methane-gas power plant located at the Rochelle Landfill. Part of the Power Purchase Agreement prevented Rochelle Energy Center, LLC, from assigning its rights in the contract to a third party without the City's consent. On September 22, 2014, the City consented to the assignment of the Power Purchase Agreement rights to Rochelle Energy, LLC, a subsidiary of Evensol. The rights assigned contained substantively the same provisions as the Power Purchase Agreement, including the right to consent to any collateral assignments for financing purposes. Rochelle Energy, LLC, is seeking to finance its acquisition and operation of the methane-gas power plant through Caterpillar Financial Services Corporation (Cat Financial). As part of their effort to obtain financing, Rochelle Energy, LLC, needs the City's consent to a collateral assignment of the rights under the Power Purchase Agreement to Cat Financial. City Attorney, Alan Cooper, has worked with attorneys for Rochelle Energy and Cat Financial to draft a consent agreement. The Consent Agreement leaves in place the substantive protections included in the Power Purchase Agreement, as well as the Site Lease and the Landfill Gas Purchase Agreement to which the City is a consenting party. Motion made by Councilman Eckhardt and seconded by Councilman Tom McDermott: **"I move agreement 15-4454, Consent to Financing of Rochelle Energy LLC by Caterpillar Financing Services Corporation, be approved."** A roll call vote was taken. Ayes: Councilmembers Burke, Eckhardt, Hollonbeck, Hayes, D. McDermott, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

DISCUSSION ITEMS: None:

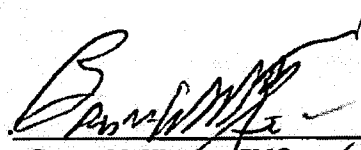
EXECUTIVE SESSION: Councilwoman Hollenbeck moved and seconded by Councilman Eckhardt, **I move the Council recess into executive session to discuss: the (appointment, employment, compensation, discipline, performance and/or or dismissal) of specific employee. Section (c) (1).** A roll call vote was taken. Ayes: Councilmembers Burke, Eckhardt, Hollonbeck, Hayes, D. McDermott, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

At 8:11, Councilman Dan McDermott moved and seconded by Councilwoman Hollenbeck, **"I move the Council return to open session."** Motion passed by voice vote without dissent.

At 8 11: p.m. Councilman Hayes moved and seconded by Councilman Eckhart, **"I move the Council adjourn."** Motion passed by voice vote without dissent.



Chet Olson, Mayor
City of Rochelle
2783.2



Bruce McKinney, CMC
City Clerk, City of Rochelle