

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, JANUARY 23, 2006**

The Rochelle City Council met in Regular Session at 7:00 p.m. on January 23, 2006 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

Present on Roll Call were Mayor Olson, Councilmembers Berg, Colwill, Hayden, Hayes, Eckhardt and Hollonbeck. Absent: None. Also present were City Manager Graff, City Attorney Cooper and Deputy City Clerk Schermerhorn (in City Clerk, Bruce McKinney's absence).

APPROVAL OF MINUTES: Councilman Colwill moved and seconded by Councilwoman Hollonbeck, "**I move the minutes of the Regular Council meeting of January 9, 2006 be approved.**" Motion passed by voice vote without dissent.

Councilman Hayden moved and seconded by Councilman Eckhardt, "**I move the Council accept and place on file the reports of the Stormwater Advisory Commission of November 16 and December 14, 2005; the Utility Advisory Board of November 30, 2005; and the Planning Commission of January 16, 2006.**" Motion passed by voice vote without dissent.

BILLS & PAYROLL: Councilwoman Hollonbeck moved and seconded by Councilman Berg, "**I move the bills and payroll for the second half of January 2006 be allowed and paid when checked over and found correct.**" Roll call vote was taken. Ayes: Councilmembers Berg, Colwill, Eckhardt, Hayden, Hayes, Hollonbeck, and Mayor Olson. Nays: None. Motion passed 7-0.

REPORTS & COMMUNICATIONS:

- *Mayor:* -Wished speedy recovery and extended the councils best wishes and prayers to Bruce McKinney and Ken Wise.
- Had calls regarding the snow removal. These calls were referred to the Street Division for further cleanup. The snow hit so quickly and the Street Division did a very, very good job of clearing it. Councilman Hayes also complimented them on a job well done.
- Employee Introduction: Zack Pruitt was introduced by Chief McDermott as the newest member of the Fire Department.

- *Council:* None.

PUBLIC COMMENTARY: The Tourism report is delayed until the next meeting.

BUSINESS ITEMS:

1. Public Hearing – Askvig Loan Program

An agreement was reached with residents of Askvig Subdivision 1, 2 and 3 that upon annexation the City would construct sewer service for the 80 units of the subdivision at an estimated cost of \$800,000. The City proposes to finance a portion of the project with a loan from the Illinois Water Pollution Control Revolving fund and repay the loan with fees generated through the creation of a Special Service Area established for the Askvig Subdivision project and sewer user charge fees. An Ordinance annexing the Askvig Subdivision was approved by City Council on May 23, 2005. An ordinance proposing the special service area was adopted on August 22, 2005. A public hearing on the proposal was held October 24, 2005 and the ordinance establishing the special service area was approved on December 27, 2005.

IEPA requires that the City conduct another public hearing in the process of obtaining the IEPA low interest loan for sanitary sewer improvements in the Askvig Subdivision. The IEPA submitted a document titled "Preliminary Environmental Impacts Determination" (PEID) that is required to be available for public inspection. The IEPA also requires a Public Hearing be held to discuss the content of the PEID. Matt Hansen, from Willett Hoffman and Associates, and Ken Alberts were present to

summarize the results of the IEPA PEID document during the public hearing and to answer questions. Moved by Spencer Hayden and seconded by Councilwoman Hollonbeck, **“I move the Council adjourn into a public hearing regarding the Askvig Loan Application.”** Motion passed by voice vote without dissent.

Public Hearing led by Matt Hansen:

- Purpose of hearing is to satisfy a public participation requirement for eligibility in the IEPA Water Pollution Control Revolving Fund Loan Program.
- A sign-in sheet was circulated to complete the minutes for the meeting.
- Document handed out: IEPA Preliminary Environmental Impacts Determination to audience. Facilities Plan to Council and public.
- IEPA has reviewed the Facilities Plan and has determined the project to be technically sound and unless new information from the public causes reconsideration, the IEPA will approve the facilities plan at the close of the public hearing.
- Current problem is the Askvig Subdivision is an un-sewered location; most of the septic tanks and drainage systems are old and not operating effectively.
- Solution is to construct an extension to the RMU sanitary sewer system.
- The proposed sanitary sewer improvements will have no environmental impacts.
- Estimated project cost is \$811,000; will be financed with a \$600,000 loan from the IEPA’s WPCRF loan program; a 20-year loan at an interest rate of approximately 2.5%; Rochelle has established an SSA for the Askvig Subdivision; users in the SSA will pay a debt service rate of \$42.67 a month for a 5-year period and then \$31.00 per month for a 20-year period for repayment of the loan. This is in addition to the normal RMU wastewater usage charges.
- Design of the sanitary sewer improvements are complete; IEPA Construction Permit in January, 2006; bids to be approved in February, 2006 and award contracts by April, 2006; Construction should be completed and certified by October, 2007.
- City will receive public comments concerning this project for a period of 15 days after this public hearing.

Councilman Hayden asked and it was verified that the loan would be paid off in the 25 years.

Councilman Hayes asked if this construction is adequate for that land and was told yes.

Jeff Stiles, an Askvig resident, came forward and thanked the City for this project as well as stating how excited the residents are about it.

Mayor Chet Olson thanked the Askvig Committee.

Moved by Councilman Hayden and seconded by Councilwoman Hollonbeck, **“I move the public hearing be closed and the Council return to regular session.”** Motion passed by voice vote without dissent.

2) Ordinance – IEPA Loan Application

The proposed ordinance authorizes the City to borrow \$600,000 from the Water Pollution Control Loan Program to finance the majority of the Askvig Subdivision sanitary sewer project. The ordinance was prepared by the project engineering consultant, Willett Hofmann & Associates working with staff of the IEPA. The loan application ordinance has been reviewed by Director of Utilities Ken Alberts and he does not feel that it poses any concerns. The requirement of maintaining debt service coverage of 125% of maximum annual debt service is already included in the bond ordinance for the outstanding 1999 Sanitary Sewer Bonds. In Section 6 of the proposed ordinance, it states that the repayment of the loan shall be from the SSA revenues and system revenues and does not constitute a general obligation of the City.

Moved by Councilman Colwill and seconded by Councilwoman Hollonbeck, **“I move the Council approve the proposed Ordinance authorizing the City to borrow funds from the Water Pollution Control Loan Program to finance a portion of the Askvig Subdivision sanitary sewer project.”** Roll call vote was taken. Ayes: Councilmembers Berg, Colwill, Eckhardt, Hayden, Hayes, Hollonbeck, and Mayor Olson. Nays: None. Motion passed 7-0.

3) Ordinance Amending Section 15.10.010 of the Municipal Code to Require Installation of Conduit for Fiberoptic Cable.

Mayor Olson made a recommendation to the Utility Advisory Board on 11-30-05 that fiberoptic conduit be installed in all new residential subdivisions for fiberoptic cable in the future.

This can be accomplished by adding a requirement to install a one inch Schedule 40 PVC conduit with factory sweeps from the secondary side of the distribution transformer serving the home to the right side of the meter base. The conduit will extend twelve inches above grade on both ends and be capped at each end to keep out debris.

Councilman Berg asked what is to keep other businesses from using this cable. Mr. Alberts replied that it is on private property and the best thing is to communicate to Verizon and the Cable Co. Mayor Olson asked about the cost of the conduit; Mr. Alberts replied that it is approximately \$1.00 per foot and the installation is minimal.

Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **I move the Council approve the proposed Ordinance amending section 15.10.010 of the Rochelle Municipal Code to require the installation of conduit for fiberoptic cable.** Roll call vote was taken. Ayes:

Councilmembers Berg, Colwill, Eckhardt, Hayden, Hayes, Hollonbeck, and Mayor Olson. Nays: None. Motion passed 7-0.

4) Cooperative Service Agreement between the USDA and the City of Rochelle.

The Rochelle Municipal Airport continues to move forward on future development plans including a runway extension. An Airport Public Hearing was held on October 24, 2005 addressing future development. The purpose of this agreement is to conduct a Wildlife Hazard Assessment and Plan of the Rochelle Municipal Airport in regards to wildlife usage and attractants on or around the Airport which may create hazards to aircraft at the Airport and to prepare a Wildlife Hazard Management Plan which will be used to migrate potential wildlife hazards. The cost of this assessment is not to exceed \$11,000 and was not considered in the FY 05/06 budget. The City will be reimbursed by the State for 50% of the cost of this work which will be noted in the 05/06 General Fund. A Participation Agreement (re. Rochelle Municipal Airport) was since received from the Illinois Department of Transportation, for a Wildlife Management Study & Plan. Moved by Councilwoman Hollenbeck and seconded by Councilman Berg, **“I move the Council approve the proposed Cooperative Service Agreement between the City of Rochelle and the United States Department of Agriculture and the proposed Participation Agreement between the City of Rochelle and the Illinois Department of Transportation, for the purpose of conducting a wildlife hazard assessment and plan for the Rochelle Municipal Airport, and authorize the City Manager to execute both agreements.”** When asked for discussion,

Councilman Hayden brought up the property in the area. It seems the private owners will benefit from the taxpayers payments. Tony Graff replied that the City hasn't gone into the phase of moving further west. When property annexed, the City will consider the benefit to private owners. Roll call vote was taken. Ayes: Councilmembers Berg, Colwill, Eckhardt, Hayden, Hayes, Hollonbeck, and Mayor Olson. Nays: None. Motion passed 7-0.

5-10) Ordinances Proposing the Establishment of Special Service Area No 2 through No 7.

There are provisions in the agreements for several subdivisions (Squires East and West, Route 38 North and South, Twin Lakes, Whispering Waters) for the establishment of inactive maintenance SSA's to be activated only if the developer and homeowners' association default in their obligation to maintain common areas. If the developer/landowners' association fails to maintain the common areas and the City chooses to do the maintenance, the City will be able to levy taxes on the landowners to reimburse the City. It is advantageous to set up these maintenance SSA's at this time before there are multiple landowners. Motion by Councilman Eckhardt and seconded by Councilman Hayden, **“I move the Council approve the proposed Ordinances proposing the establishment of Special Standby Maintenance Service Areas 2 through 7 of the City of Rochelle, for subdivisions known as Squires Landing East, Squires Landing West, Route 38 South, Route 38 North, Whispering Waters and Twin Lakes, and scheduling public hearings for each of them for February 13, 2006, at 7:00 p.m. in the City Council Chambers.”** Roll call vote was taken. Ayes: Councilmembers Berg, Colwill, Eckhardt, Hayden, Hayes, Hollonbeck, and Mayor Olson. Nays: None. Motion passed 7-0.

11) City Manager's Report:

- ❖ To add to the earlier information on the snow storm, Mr. Graff was told by Deputy Chief Buck they had tagged nine vehicles and were to be doing a couple more.
- ❖ **Brownfield Grant Application** The City of Rochelle has submitted two grant applications to the U.S. Environmental Protection Agency each for \$200,000. These two grant applications are for the assessment of hazardous substances and for the assessment of petroleum. The grants will provide a mechanism for the City to inventory potentially contaminated sites, raise public awareness, conduct phase one and two environmental assessments, and begin developing a redevelopment plan for the Brownfield sites. These grants are for three years in duration and communities are encouraged to seek additional funding to supplement the efforts initiated with these funds. When approved, the City will have a preliminary hearing.
- ❖ **City Manager's Bid Procedure Policy** A Bid Procedure Policy has been created through discussions with staff and has been reviewed by the City Attorney. Barring any Council objections the Bid Procedure Policy will be established for all departments in the City. Mr. Graff sees it as a "liability blanket" by having a procedure of uniformity. It is basically the same procedure as before, but the bids will be delivered to the City Clerk's office and opened at City Hall. This will also assure that the City Clerks is a part in the publication process as to time of bid openings. Council had no objection.
- ❖ **CDAP Grant Associated with G&D Expansion** Per Mick Gronewold, Fehr-Graham & Associates, DCEO has signed off on the CDAP grant associated with the proposed G&D expansion. As the Grant administrator, Fehr-Graham will be scheduling a meeting in the next week with RMU to discuss getting started on the plans for the water and sewer extension.
- ❖ **GREDCO-City Summit** Reminder to Council of the GREDCO-City Summit scheduled for February 10th and 11th. The meeting on February 11th from 8:15-12:30 will be a time for the Council and GREDCO to define the vision for economic development. This will include strategic and infrastructure planning for three areas: industrial, commercial and residential. According to Mayor Olson, he and Jason Anderson are putting together an agenda. The Summit will take place in town but at an off-site location. This will be an informational meeting.
- ❖ **Update 617 1st Avenue** On 12-16-05 the owner of the building at 617 1st Ave had a court date for violations of building and property maintenance codes. The owner failed to show up for his court date. On 12-19-05, Attorney Hewitt filed a petition of "contempt of court" against the owner. The owner's next court date is 1-27-06 in Rochelle. Per Councilman Berg, the property is being purchased the following day and the situation will be taken care of.

EXECUTIVE SESSION: None.

ADJOURNMENT: At 8:07 p.m., Councilman Hayden moved and seconded by Councilman Eckhardt, **"I move the Council adjourn."** Motion passed by voice vote without dissent.

Judith Schermerhorn
Deputy City Clerk, City of Rochelle

Chet Olson
Mayor, City of Rochelle