

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
MONDAY, JUNE 26, 2006**

The Rochelle City Council met in Regular Session at 7:00 p.m. on June 26, 2006 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

Present on Roll Call were Councilmembers Hayden, Berg, Colwill, Eckhardt, Hollonbeck, Hayes and Mayor Olson. Absent: None. Also present were City Manager Alberts, City Attorney Cooper, and City Clerk McKinney.

APPROVAL OF MINUTES: Councilman Colwill moved and seconded by Councilwoman Hollonbeck, “**I move the minutes of the Regular Council meeting of June 12, 2006 be approved.**” Motion passed by voice vote without dissent.

Councilman Hayden moved and seconded by Councilman Berg, “**I move the Council accept and place on file the records of the Zoning Board of Appeals meeting of June 13, 2006.**” Motion passed by voice vote without dissent.

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

REPORTS & COMMUNICATIONS:

➤ Mayor: None

➤ Councilmen: None

PUBLIC COMMENTARY:

BUSINESS ITEMS:

1) **Bids – Street Sweeper** At the Council Budget Workshop it was the consensus of the Council to provide for replacement of the 1992 street sweeper for the Street Division by either borrowing from local financial institutions or seeking other funding sources. Subsequent to the required public notice, bids were opened on June 9, 2006. One vendor submitted two bids and a tabulation of the bids is as follows:

<u>Vendor</u>	<u>Bid</u>
Standard Equipment Company 2006 Elgin Pelican Sweeper	\$141,532
Standard Equipment Company 2005 Elgin Pelican Sweeper	134,672
Trade in allowance for 1992 Elgin Sweeper	(9,500)

The Street Division has reviewed the two proposals and determined the new 2005 unit meets all major specifications with deviations in minor areas that would not affect the efficiency of operations. This unit is available immediately and would meet the needs of the Street Division for many years. Since this unit is a left-over new 2005 unit, price reductions have been reflected into the bid. Based on these considerations, staff recommends accepting the bid for one new 2005 Elgin Pelican Sweeper. Don Elliott was present to answer any questions. Moved by Councilman Colwill and seconded by Councilman Hayden, “**I move the Council award the bid (C6-004) to purchase a 2005 Elgin Pelican Sweeper to Standard Equipment Company in the amount of \$134,672 and sell existing sweeper for \$13,200 to the Village of Ashton and reject all other bids.**” Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Colwill, Eckhardt, Hollonbeck, Hayes, and Mayor Olson. Nays: None. Motion passed 7-0.

2) **Bids – Askvig Sewer Project** 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 Askvig Subdivision was annexed to the City of Rochelle on May 23, 2005. The City will be reimbursed for the construction and connection fees through the creation of a Special Service Area which was approved by ordinance on December 27, 2005. The 2006-07 RMU Capital Budget includes \$815,000 for the installation of sewer to the Askvig subdivision. The project will be funded by an IEPA Loan of \$703,928 and the balance from RMU cash reserves. Subsequent to the required public notice, bids were opened on June 8, 2006. Four contractors submitted bids and a tabulation of the bids is as follows:

<u>Contractor</u>	<u>Bid</u>
Stenstrom Contractors, Rockford, IL	\$1,187,338.35
Fischer Excavating, Freeport, IL	1,259,305.89
Civil Engineering, Freeport, IL	1,756,534.60
Rockford Blacktop Construction, Rockford, IL	1,830,823.37

RMU Staff and its consultant, Matt Hansen of Willett-Hofmann, reviewed all bids and determined that the apparent low bidder, Stenstrom Contractors of Rockford, IL has met the minimum requirements of the specifications. The engineer's attached letter includes his analysis of the reasons the bids exceeded the estimate of \$788,824. Both Kathy Cooper, Superintendent of Water/Water Reclamation, and the consultant recommend acceptance of the lowest responsible bid. Kathy Cooper was present to answer questions. Kathy Cooper stated that work should start within 30 days of letting the bid and everything should be completed except restoration by the end of October. Restoration will be completed by next year. Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **"I move the Council award the bid (C6-005) for the Askvig Subdivision Sewer Project to Stenstrom Contractors in the amount of \$1,187,338.35 and reject all other bids."** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Colwill, Eckhardt, Hollonbeck, Hayes, and Mayor Olson. Nays: None. Motion passed 7-0.

3&4) **Ordinances – Correcting Property Tax Identification Numbers for Territory Previously Annexed (Askvig Subdivisions) and for Special Service Area No. 1 (Askvig Subdivisions 1, 2 and 3)** City Attorney Cooper has discovered that the list of property tax identification numbers used in the annexing ordinance and the SSA ordinance for Askvig contained two incorrect numbers. The legal descriptions provided on the original ordinances were correct but due to the incorrect pin numbers the properties were not billed City tax. The purpose of the proposed ordinances is to correct the property tax identification numbers for the annexation and establishment of the SSA for the Askvig subdivisions so that the properties can be properly taxed. City Attorney Alan Cooper present to answer any questions. Moved by Councilman Berg and seconded by Councilman Colwill, **"I move Ordinance 06-3348, An Ordinance Correcting Property Tax Identification Numbers for Certain Territory Previously Annexed to the City of Rochelle (Askvig Subdivisions), be approved."** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Colwill, Eckhardt, Hollonbeck, Hayes, and Mayor Olson. Nays: None. Motion passed 7-0. Moved by Councilman Eckhardt and seconded by Councilman Hayes, **"I move Ordinance 06-3349, An Ordinance Correcting Property Tax Identification Numbers for Special Service Area No. 1 of the City of Rochelle (Askvig Subdivisions 1,2, and 3), be approved."** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Colwill, Eckhardt, Hollonbeck, Hayes, and Mayor Olson. Nays: None. Motion passed 7-0.

5) **Resolution Approving Inspection and Maintenance Plan Agreement between North Route 38, LLC and the City of Rochelle Banning Lateral Channel Modification** The Illinois Department of Natural Resources, Office of Water Resources is requiring, prior to issuance of its permit for the proposed Banning Lateral channel modifications, that North Route 38, LLC enter into an agreement with the City to ensure the continued maintenance of the modified Banning Lateral channel. The inspection and maintenance of the modified Banning Lateral channel are the responsibility of North Route 38, LLC. North Route 38, LLC has agreed to create a maintenance special service area for this subject property to assure the City that funds will be available to complete this work. The proposed agreement provides for the inspection and maintenance by the City should North Route 38, LLC fail to perform. Mick Gronewald and Sam Tesreau were present to answer questions. Moved by Councilman Colwill and seconded by Councilwoman Hollonbeck, **"I move Resolution R-6-12, A Resolution Authorizing Execution of Agreement between North Route 38, LLC and the City of Rochelle for Inspection and Maintenance of the Banning Lateral Channel, be approved."** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Colwill, Eckhardt, Hollonbeck, Hayes, and Mayor Olson. Nays: None. Motion passed 7-0.

6) **Jurisdictional Boundary Line and Intergovernmental Cooperation Agreement between the City of Rochelle and the Village of Steward** Representatives from the City of Rochelle and the Village of Steward have continued to develop a mutually acceptable boundary/ intergovernmental cooperation agreement between the two communities. This agreement was a discussion item at the 3/13/06 and 6/12/06 City Council Meetings. The agreement provides for the establishment of the southerly right of way line of Elva Road as the North/South boundary between the two municipalities. The easterly terminus of this boundary line is Interstate 39. In addition, the agreement sets forth the basis of any public improvement recapture provisions and documents the requirement that both municipalities agree to maintain comparable developmental fees. With the boundary agreement in place, both municipalities will better be able to plan their infrastructure improvements and implement their economic development initiatives. Alan Cooper was there to answer questions. Moved by Councilwoman Hollonbeck and seconded by Councilman Eckhardt, **“I move Agreement 06-3350, A Jurisdictional Boundary Line and Intergovernmental Cooperation Agreement between the Village of Steward and the city of Rochelle, be approved.”** Roll call vote was taken. Ayes: Councilmembers Berg, Colwill, Eckhardt, Hollonbeck, Hayes, and Mayor Olson. Nays: None. Abstain: Councilman Hayden abstained because he has property in the area. Motion passed 6-0 with 1 abstaining. The Mayor thanked the Village of Steward for cooperation.

7) **Contract for Wastewater Treatment between the City of Rochelle and the Village of Steward** Representatives from the City of Rochelle and the Village of Steward have continued to develop a mutually acceptable agreement for wastewater treatment between the two communities. This agreement was a discussion item at the 3/13/06 and 6/12/06 City Council Meetings. The contract for wastewater treatment services is in general conformity to the existing agreements signed with both Creston and Hillcrest. It provides for a treatment volume of 150,000 gallons per day with provisions in which this volume can be adjusted. The rate to be charged will be determined after an external cost of service study is completed, similar to the rate determination method used in the Creston and Hillcrest agreements. Moved by Councilman Eckhardt and seconded by Councilman Berg, **“I move Agreement 06-3351, A Contract for Wastewater Treatment Between the City of Rochelle and the Village of Steward, be approved.”** Roll call vote was taken. Ayes: Councilmembers Berg, Colwill, Eckhardt, Hollonbeck, Hayes, and Mayor Olson. Nays: None. Abstain: Councilman Hayden. Motion passed 6-0 with 1 abstaining.

8) **Fence Variance – 1027A Carrie Avenue** The petitioners request a variance to allow a fence in the East side yard 89.5 feet from the rear property line to create a site break between their property and the multi-family residential structure to the east. At the June 13, 2006 meeting of the City of Rochelle Zoning Board of Appeals a public hearing was held with regard to a petition for variance to allow a residential fence to be constructed in the side yard in the R-4 Two-Family Residential District at 1027A Carrie Avenue. Staff analysis concluded that allowing a fence to be constructed in the East side yard will not create a safety hazard and will not alter the essential character of the locality. Upon completion of the public hearing the Zoning Board of Appeals made a recommendation for approval for the requested fence by a 4-0 vote. Suzy Stickle was present to answer questions. Moved by Councilman Colwill and seconded by Councilman Berg, **“I move the Council approve the petition of Lawrence J. and Gladys E. Tastad to allow a fence to be constructed in the side yard, 89.5 feet from the rear lot line, in the R-4 Two-Family Residential District located at 1027A Carrie Avenue with the fence conforming to all applicable requirements of the Rochelle Municipal Code.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Colwill, Eckhardt, Hollonbeck, Hayes, and Mayor Olson. Nays: None. Motion passed 7-0.

9) **Intergovernmental Cooperation Agreement between the City of Rochelle and the Kite River Drainage District No. 2** Over the past several months the Stormwater Advisory Committee (SWAC) has discussed a maintenance program along the Kyte River extending from the pedestrian bridge along Scott Avenue, located on the south side of Hillcrest, southeasterly to the School Avenue bridge located near the Rochelle Middle School and an area between the UP railroad bridge and the BNSF railroad bridge. The project would be funded through the Stormwater Management Fund. The SWAC held a Public Information Meeting on December 14, 2005 to discuss the stream maintenance project and allow public commentary on the proposed project. Because the Kyte River Drainage District (KRDD) limits currently encompass the proposed maintenance area, the City would need to enter into an intergovernmental agreement with the KRDD in order to perform the work. The proposed project is primarily for maintenance of the Kyte River from the limits as mentioned above. The maintenance will primarily involve removal of dead brush, limbs and trees as well as other blockages in the creek. Temporary and permanent erosion control systems will be incorporated into the project as well. The project will not involve dredging the stream bed or removing accumulated sand bars. Staff recommends approval of the intergovernmental agreement (enclosure 1) between the City of Rochelle and the Kyte River Drainage District No. 2. Sam Tesreau was present to answer questions. Engineer Tesreau stated that the cost will come out of Stormwater Fund. The project will go out for bids in two weeks. Moved by Councilwoman Hollonbeck and seconded by Councilman Colwill, **"I move Agreement 06-3352, An Intergovernmental Cooperation Agreement between the City of Rochelle and the Kyte River Drainage District No. 2, be approved."** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Colwill, Eckhardt, Hollonbeck, Hayes, and Mayor Olson. Nays: None. Motion passed 7-0.

10) **City Manager Report:**

- **Steam Plant Demolition** The Street Division has completed the removal of construction debris from the former Co-Gen site. Crews worked June 8 thru June 16 transporting 1,791 tons of mixed debris to the landfill site on Mulford Rd. Street Division staff hauled 244 truckloads of debris which will be billed to RMU.
- **Veterans Parkway Sanitary Sewer Lining** Contractors replaced four manholes and lined approximately 1100 feet of sewer main from Hwy. 251 and Veteran's Parkway to the treatment plant. Prior to the lining, the sewer was cleaned and televised. The concrete pipe was then lined with a "cast in place" pipe material. Since completion, we had a one-inch rain event, and it appears that the lining had a significant impact on reducing the amount of inflow and infiltration to the system.
- **Realignment of the Former Public Works Department** As part of the City's continuing effort to improve workforce efficiency, Don Elliott has been named the Superintendent of Streets, Cemetery, Building and Airport effective 7/1/06. This change will result in the relocation of the building inspector and code inspector to the Street Department facility, the administrative assistant will relocate to City Hall for permit issuance and appointment scheduling, and the part time administrative assistant will be reassigned to the Administrative Services Department. The City engineer, engineering technician, and planner will remain at their current location on Sixth Street. The attached organizational chart reflects the changes outlined. Both Don Elliott and City Engineer, Sam Tesreau will report directly to the City Manager.

DISCUSSION ITEMS:

1) **Telecommunications Tax Rate Change** During the recent budget workshops, the need to identify additional revenue streams was discussed. One of the revenue enhancement options discussed was an increase in the telecommunications tax. In 2002 the State of Illinois increased the telecommunications tax rate that municipalities could charge to a maximum of six percent. The City is currently charging one percent which is significantly lower than surrounding communities. The recommendation is to increase the municipality telecommunications tax rate to three percent which will increase revenues by an estimated \$104,000 per budget year. Bob Withrow was present at the council meeting to discuss the proposed Telecommunications Tax increase. The increase in Telecommunications Tax will be used to off-set the budget deficit. Mr. Withrow stated that if the City increases the Telecommunication Tax to 3%, the City will still be competitive with neighboring communities. This tax will apply to land lines and cell phones. The ordinance must be passed by September 20 and would become effective January 1, 2007.

2) **Standard Annexation Agreement Forms** Alan Cooper has completed the compilation of two Annexation Agreement Forms that the City will be requiring in all future annexations, one for residential and the other commercial or industrial annexations. This will eliminate the laborious task of reading the standard language to identify what the special provisions that were incorporated into the previous annexation documents. The format of the proposed annexation agreement documents include a Schedule 1 for general terms that do not change and a Schedule 2 for special terms that are specific to the individual annexation. Alan Cooper was present for questions and discussion regarding the documents. Attorney Cooper stated that the City needs standardize forms for Annexation. The draft proposed is for residential and Industrial. He is working on a draft for PUD's.

EXECUTIVE SESSION: At 8:14 p.m., Councilman Eckhardt moved and seconded by Councilman Hayes, **“I move the Council recess into Executive Session to discuss appointment, employment, compensation, discipline, performance or dismissal of specific non-union employees, collective Bargaining/negotiating matters, purchase or lease of real estate by the City, sale or lease of real estate by the City, and pending or imminent litigation. – Section 2 © (1,2,5,6 & 11).”** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Colwill, Eckhardt, Hollonbeck, Hayes, and Mayor Olson. Nays: None. Motion passed 7-0.

At 8:45 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 8:45 p.m., Councilman Eckhardt moved and seconded by Councilman Berg, **“I move the Council adjourn.”** Motion passed by voice vote without dissent.

Bruce McKinney, CMC
City Clerk, City of Rochelle

Chet Olson
Mayor, City of Rochelle