

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
MONDAY, May 14, 2007**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, May 14, 2007 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

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

APPROVAL OF MINUTES: Councilman Hayden moved and seconded by Councilman Berg, **“I move the minutes of the Regular Council meeting of April 23, 2007 and Special Council meetings of April 11, 2007 & May 1, 2007, be approved.”** Motion passed by voice vote without dissent.

BILLS & PAYROLL: Councilman Colwill moved and seconded by Councilman Berg, **“I move the bills and payroll for the first half of May 2007 be allowed and paid when checked over and found correct.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Hollonbeck, Berg, Colwill, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.

REPORTS & COMMUNICATIONS:

- Mayor: Proclamation for Police Week, May 13-19, read by City Clerk. Several police officers were present to accept the proclamation, including Chief Rob Buck and Deputy Chief Eric Higby.
- Employee Introduction: Jamey Sullivan was introduced by Joe Orlikowski as a new linesperson in the Electric Operations Division having started on April 30th. He has an Associates Degree in Applied Science in Utility Line. He worked for a line contractor for the past five years where he attained a foreman position. His wife and two children will be relocating from Fremont, Nebraska.
- Council Members:
 - o Both Councilmen Colwill and Hayes will be out-of-town for the Council meeting of May 29th.
 - o Councilwoman Hollonbeck announced a large garage sale to take place at the Rec Center on the 17th-19th, with the proceeds going to several charitable programs here in the city.

PUBLIC COMMENTARY: None

BUSINESS ITEMS:

- 1) **Ordinance – Amending Section 6-46 of the Municipal Code to Delete One Package Liquor License** A package liquor license was issued to Rochelle Fresh Market on June 1, 2006. This business has since closed its doors and indicated that it will no longer use the license. Due to the surrender of the license it is Management’s recommendation that the number of package licenses be reduced from three to two. This reduction will allow for staff and council to have greater control over future license issuance. Moved by Councilman Colwill and seconded by Councilman Hayes, **“I move Ordinance 07-3552, An Ordinance Amending Section 6-46 of the Municipal Code of the City of Rochelle to Delete One Package Liquor License, be approved.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Hollonbeck, Berg, Colwill, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.
- 2) **Appointment of Authorized Agent for the Illinois Municipal Retirement System** The Illinois Municipal Retirement System requires that the City, by resolution, designate an authorized agent to conduct business with IMRF. Due to the recent hiring of a Human Resources Manager, Bob Withrow recommends the appointment of Lynette Fischer as the staff member designated to conduct business with the Illinois Municipal Retirement System. Moved by Councilman Berg and seconded by Councilman Hayden, **“I move Resolution R07-16, A Resolution Appointing an Authorized Agent for the Illinois Municipal Retirement System, be approved.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Hollonbeck, Berg, Colwill, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.
- 3) **Appointments-Clerk and Treasurer** In May 2003, Bruce McKinney and Bob Withrow were appointed to the offices of City Clerk and City Treasurer respectively. Their terms were for four years as required by City Code. The Mayor recommends reappointing Bruce McKinney and Bob Withrow for terms expiring April 30, 2011 subject to resignation, retirement, or death, or until their successors are appointed and qualified. Moved by Councilwoman Hollonbeck and seconded by Councilman Berg, **“I move the Council approve the Mayor’s appointment of Bruce W. McKinney as Rochelle City Clerk with term expiring April 30, 2011.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Hollonbeck, Berg, Colwill, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0. Moved by Councilman Eckhardt and seconded by Councilwoman

Hollonbeck, **“I move the Council approve the Mayor’s appointment of Bob Withrow as Rochelle City Treasurer with term expiring April 30, 2011.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Hollonbeck, Berg, Colwill, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0. At this time they were sworn in by the Mayor.

- 4) **Appointments- Police and Fire Pension Boards** State Statute and Rochelle City Code require that members be appointed to the Police and Fire Pension Boards respectively. In both cases the Illinois Pension Code, which governs the makeup of the board, requires that each board consist of five members, two of which are appointed by the mayor. This language is not consistent with our current City Code for the Fire Pension Board due to a change in State Statute on April 3, 2006 which reduced the number of members from seven to five. The City Attorney has prepared an ordinance that brings Section 42.45 of the Municipal Code into compliance with state law. According to State Statute, the appointments should be for two year terms with appointments made on alternating years. Mayor Olson is requested to make his appointments to both boards with one term expiring April 30, 2009 and the second term expiring April 30, 2008, subject to resignation, retirement, or death, or until their successors are appointed and qualified. Moved by Councilman Colwill and seconded by Councilwoman Hollonbeck, **“I move Ordinance 07-3553, An Ordinance Amending Section 42-45 of the Municipal Code of the City of Rochelle (Membership on Firefighter’s Pension Fund Board) to Conform to State Law, be approved.** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Hollonbeck, Berg, Colwill, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0. Moved by Councilman Berg and seconded by Councilman Hayden, **“I move the Council approve the Mayor’s appointment of Ken Alberts to the Police Pension Board and the Fire Pension Board with term expiring April 30, 2008.”** Motion passed by voice vote without dissent. Moved by Councilwoman Hollonbeck and seconded by Councilman Eckhardt, **“I move the Council approve the Mayor’s appointment of Lynette Fischer to the Police Pension Board and the Fire Pension Board with term expiring April 30, 2009.”** Motion passed by voice vote without dissent.
- 5) **General Election Result** A General Election was held on April 17th to fill the Mayor’s position and three City Council seats. The Canvassing Board has submitted the official results. Successful candidates were sworn in at a special meeting on May 1, 2007. Under current State Statute the County Clerk canvasses the votes and declares the results. Moved by Councilman Berg and seconded by Councilwoman Hollonbeck, **“I move the Council accept and place on file the Canvassing Board results (07-3554) of the Consolidated General Election held on April 17, 2007.”** Motion passed by voice vote without dissent. It was voiced by Councilman Hayes and agreed with by Councilman Hayden, that more people need to get out and vote in the future. The Mayor also thanked those who did get out and vote.
- 6) **Ordinance - Preliminary Plat Rose Rochelle Subdivision** Randall Lot II, LLC has petitioned for approval of a preliminary plat for a three lot subdivision located on Illinois Route 251 south of Jones Road which would include a Walgreens, a bank and a detention pond. On March 19, 2007 the City of Rochelle Plan Commission held a public hearing to review the proposed development. The Plan Commission voted to approve the preliminary plat for the subdivision 6-0 subject to the following conditions: IL 251 access approval from IDOT prior to final plat, a 25 foot buffer yard between the development and adjacent residential property to the north, final site plan approval including engineering, landscaping and signage, appropriate fencing, limitation of 35 feet on building heights, and a buffer strip to the south. The development of this property would be enhanced if the adjacent property to the North were incorporated into the project. Management has encouraged and participated in that dialogue, but it has not been successful. Conditional upon successfully addressing the concerns documented in Mr. Limas’ recommendation, management believes the applicant has met the requirements for the preliminary plat approval. Mr. Alberts pointed out that there was in Intergovernmental Agreement between the City and the high school which established future usage that would be appropriate and certain uses that would not be allowed. Chris Limas and Sam Tesreau were present to answer any questions. Councilman Eckhardt still has concerns about traffic. Mr. Tesreau gave an explanation of information from IDOT involving a private drive going into the Walgreens property. Hwy 251 will also be widened at their expense. Moved by Councilman Berg and seconded by Councilman Colwill, **“I move that Ordinance 07-3555, An Ordinance approving the Preliminary Plat of Subdivision for Rose Rochelle Subdivision, be approved.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Hollonbeck, Berg, Colwill, and Mayor Olson. Nays: Councilman Eckhardt. Motion passed 6-1.

- 7) **Ordinance Consenting to Acquisition of Additional Entitlement Share by other NIMPA Prairie State Project Participants** On October 23, 2006 the City of Rochelle entered into a Power Sales Agreement with NIMPA (the Northern Illinois Municipal Power Agency) and the amended and restated Prairie State Project Committee Agreement between NIMPA, the City, Batavia and Geneva. Section 10 of the Project Committee Agreement requires consent from all participants before NIMPA can obtain additional ownership interest in the Prairie State Project. Recently additional output has become available and both Batavia and Geneva have elected to increase their share pending consent from all NIMPA participants. In answer to Councilwoman Hollonbeck's question, all the shares that were made available have been resold. In answer to Councilman Hayes question, the City of Rochelle has increased our risk but Mr. Alberts does not perceive there being a problem. Rochelle will remain at 30 shares of the 120 (Batavia holding 55 and the Geneva holding 35). CMS will continue to be the operator. Moved by Councilman Berg and seconded by Councilwoman Hollonbeck, **"I move Ordinance 07-3556, An Ordinance Consenting to Acquisition of Additional Entitlement Share by Other NIMPA Prairie State Project Participants, be approved."** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Hollonbeck, Berg, Colwill, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.
- 8) **Resolution Granting Real Estate Tax Abatement to Project Special K** The Economic Development Department has been working with a business that is considering building in the DP Partners Logistic Center Industrial Park in Rochelle. The Greater Rochelle Economic Development Corporation is requesting that the City provide financial incentives to this business in the form of property tax abatements. This project has been evaluated to determine the anticipated economic impact to the community including estimated job creation of 200 full-time positions and future equalized assessed valuation of \$4,500,000. Based on this evaluation a three year abatement schedule has been proposed. Mr. Alberts said that they are a competitive business and there are other communities offering them incentives, therefore he is comfortable in giving them this tax abatement incentive. There is a time frame tied to the abatement. The need for the 200 employees would start off with the opening of the business. Moved by Councilman Berg and seconded by Councilman Hayden, **"I move Resolution R07-17, Resolution Granting Real Estate Tax Abatement to Project Special K, be approved."** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Hollonbeck, Berg, Colwill, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.
- 9) **Variance Request – Fencing 320 North 11th Street**. Item removed from agenda at the request of the petitioner.
- 10) **Ordinance Authorizing the Purchase of 1000 N 7th Street** The intersection of 10th Avenue and 7th Street has been a public safety concern for some time due to sight distance when entering or crossing 7th Street from 10th Avenue traveling east. The removal of certain trees located on 1000 N 7th Street would improve the public safety of the motoring public. The owner of the referenced property, Russell Stevens, offered the property to the City for a total of \$95,000. On May 3, 2007, a contract offer in the amount of \$90,000 was made and accepted, contingent on certain clarifications and approval by the Mayor and City Council. It is the intent of management to make the desired sight distance improvements and then to resell the property with some restrictions on plantings within a recorded "zone." Sam Tesreau was present to answer any questions. A survey was conducted and a tree is 4" south of property line. Moved by Councilman Eckhardt and seconded by Councilman Hollonbeck, **"I move Ordinance 07-3558, An Ordinance Authorizing purchase of Real Property for Public Use (1000 North 7th Street), be approved."** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Hollonbeck, Berg, Colwill, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.
- 11) **Resolution Amending Landfill Siting Approval** The City Council met in special session on April 11, 2007 to discuss and take action on the Application for Local Siting Approval for the Expansion of the Rochelle Municipal Landfill #2 that was filed on October 16, 2006. Based on its findings the council approved the Application for Local Siting Approval subject to thirty seven conditions. A Motion for Reconsideration of the Siting Application was filed on behalf of Rochelle Waste Disposal on April 20, 2007. The City Council met in special session on May 8, 2007 to discuss and take action on the Motion for Reconsideration. All conditions originally noted were affirmed with the exception of condition #34 which was modified. Moved by Councilman Colwill and seconded by Councilman Berg, **"I move Resolution R07-18, A Resolution Amending Resolution R07-10 (Concerning Siting Approval for Expansion of Rochelle Municipal Landfill #2), be approved."** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Hollonbeck, Berg, Colwill, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.

12) City Manager's Report

- **Memorial Day Parade** A request has been received from the Rochelle VFW Post to conduct the annual Memorial Day parade on Monday, May 28th, which will be followed by a memorial service at the Lawnridge Cemetery. Line up will start around 9:30 a.m. on 6th Street in front of City Hall. The parade will start at 10:00 proceeding north on 6th Street to 6th Avenue; east on 6th Avenue to Lincoln Highway; south on Lincoln Highway to Lincoln Avenue; west on Lincoln Avenue to 9th Street; north on 9th Street to 8th Avenue; west on 8th Avenue to Lawnridge Cemetery. As there were no objections, management will authorize the parade.
- **V.F.W. Poker Run** The Rochelle V.F.W. will be hosting a fundraising Poker Run on June 30, 2007 from 9:00 a.m. to 7:00 p.m. in association with the V.F.W. posts in DeKalb, Genoa, Oregon and Dixon. The local V.F.W. has requested permission to block off two parking spots in front of the Post on the South side of the street to allow for motorcycle parking during the event. As there were no objections, management will authorize closure of the two parking spots.
- **Hub City Cruisers** A request for the closure and use of Cherry Avenue from Lincoln Highway to Main Street and Lincoln Highway from 4th Avenue to Lincoln Avenue has been submitted by the Hub City Cruisers for a car show. The event is scheduled for Sunday, June 24th from 8:00 a.m. to 4:00 p.m. As there were no objections, management will authorize the street closures as requested for the event.
- **Days of Evangelization** The Rochelle Church of God and Iglesia Evangelical Pentecostal are organizing an evangelism event May 25-27 in the City of Rochelle. As part of this event they have requested the use of the gazebo located at North Main and 5th Avenue for an outdoor service on Friday, May 25 from 7:00-8:30 p.m. Has talked to legal staff and don't see any problems. There will also be evangelizing on some of the street corners. As there were no objections, management will authorize the use of the gazebo as requested for the event.

DISCUSSION ITEMS: None

EXECUTIVE SESSION: There was need of an executive session for the purpose of discussing real estate. At 8:07 pm Councilman Berg moved and seconded by Councilman Colwill, **"I move the Council recess into executive session to discuss the purchase or lease of real property of the City's use (Section (c) (5)."** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Hollonbeck, Berg, Colwill, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.

At 9:43 pm Councilman Berg moved and seconded by Councilman Colwill, **"I move the Council return to Open Session."** Motion passed by voice vote without dissent.

At 9:43 pm Councilwoman Hollonbeck moved and seconded by Councilman Berg, **"I move the Council adjourn."** Motion passed by voice vote without dissent.

Bruce W. McKinney, CMC
City Clerk, City of Rochelle

Chet Olson, Mayor
Mayor, City of Rochelle