

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
MONDAY, AUGUST 13, 2007**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, August 13, 2007 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

Present on Roll Call were Councilmembers Hayden, Hayes, Hollonbeck, Colwill, Eckhardt and Mayor Olson. Absent: Councilman Berg. Also present were Sue Messer, Executive Assistant, (in the absence of City Manager Alberts), City Attorney Cooper, and City Clerk McKinney.

APPROVAL OF MINUTES: Councilman Eckhardt moved and seconded by Councilman Hayes, “**I move the minutes of the Regular Council meeting of July 23, 2007 be approved.**” Motion passed by voice vote without dissent.

Moved by Councilman Hayden and seconded by Councilwoman Hollonbeck, “**I move the Council accept and place on file the records of the Zoning Board of Appeals Meeting of May 8, 2007 and Minutes of the Airport Advisory Board of May 19, 2007.**” Motion passed by voice vote without dissent.

BILLS & PAYROLL: Councilman Eckhardt moved and seconded by Councilman Colwill, “**I move the bills and payroll for the first half of August 2007 be allowed and paid when checked over and found correct.**” Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

REPORTS & COMMUNICATIONS:

• Mayor:

City Manager Contract Extension: Items regarding Ken Alberts contract were discussed earlier by Council in an Executive session. Moved by Councilman Colwill and seconded by Councilman Hayden, “**I move the Council approve a 4% pay increase effective May 1, 2007 for City Manager Ken D. Alberts.**” Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

Moved by Councilman Hayes and seconded by Councilwoman Hollonbeck, “**I move the Council approve a Contract Extension for City Manager Ken D. Alberts for an open ended contract with no sunset date.**” Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

Mr. Alberts has been covering both the City Manager’s position and the Director of RMU; has overseen some definite budget changes from negative to more positive cash flow; has developed a revenue stream to improve the city infrastructure; and completion of numerous goal objectives this past year; so it is Councils recommendation to improve a one-time stipend of \$10,000 for his extra duties. Councilman Hayes did mention that the department heads and employees should be commended for their part; that it was not accomplished on his own. Councilman Eckhardt moved and seconded by Councilwoman Hollonbeck, “**I move the Council approve a Stipend of \$10,000 for City Manager Ken D. Alberts based on performance in handling the extra duties of the vacant RMU Director position.**” Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

- Council Members: Councilwoman Hollonbeck commended Sue Messer for the recycling program at City Hall, as well as her other accomplishments. Councilman Hayes mentioned that she should also be commended for her part in Mr. Alberts accomplishments.
- The Mayor commended the Street Department as well as the first responders (police and fire) acted and re-acted very quickly in the last rain event in some key flooding areas.

- Employee Introduction:
 - Ryan Schryver: Chief Buck introduced Officer Schryver who was sworn in May 7th. On August 2nd he graduated from the Police Training Institute after 12 weeks of basic training. Officer Schryver holds an Associates Degree in Criminal Justice.
 - Matthew Gerard: Chief Buck introduced Officer Gerard who was sworn in August 13th. Officer Gerard attended NIU where he majored in Computer Network Administration. He will attend the Police Training Institute starting in September.
 - Mary Criddle: Lynnette Fischer introduced Mary, the new part-time custodian. Mary works days as a custodian at NIU before working evenings here at City Hall and the Building & Engineering Services building. Since her first day, July 23rd, she has already been commended for her attention to detail.

PUBLIC COMMENTARY: None

BUSINESS ITEMS:

1. **Bids – Crew cab Pickup:** The 2007-08 General Fund Capital Budget includes \$24,000 for the purchase of a Mid-Size Extended Cab 4x4 Pickup for the Superintendent of the Streets, Cemetery, and Airport Division. Subsequent to the required public notice, bids were opened on July 31, 2007, with two local dealers submitting bids. Superintendent of Streets, Don Elliott, reviewed both bids and rejected one of the local bids due to inconsistency with the bid specifications. Peters GMC has met the minimum requirements of the specifications with their bid of \$24,741. Don Elliott was present to answer any questions. Moved by Councilman Colwill and seconded by Councilwoman Hollonbeck, **“I move the City award the bid (C07-09) for the purchase of a Mid-size Extended Cab 4x4 Pickup to Peters GMC in the amount of \$24,741 and reject all other bids.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

2. **Resolution Revising Stormwater Management Fee Provisions:** Section 22-425 of the current Rochelle Municipal Code provides for a stormwater management permit and associated impact fees and timing of payments of the fee set by a separate resolution. The timing related to the payment of stormwater management fees was discussed at the July 18, 2007 Stormwater Advisory Committee meeting. A clarification in the resolution was recommended, and supported by the committee, regarding the timing of when stormwater fees are to be paid. The recommendation for Class One, which includes applicants that seek to have property annexed into the City, as well as those developing or redeveloping land already in the City, is for the fee to be payable prior to final plat, or prior to site grading or building permit if no final plat is required. The recommendation for Class Two, which includes applicants with developed property in the City who seek to expand their developed area, is for the fee to be payable prior to issuance of a site grading or building permit. Sam Tesreau was present to answer any questions. Moved by Councilman Eckhardt and seconded by Councilman Colwill, **“I move Resolution R07-25, a Resolution Revising Stormwater Management Fee Provisions, be approved.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

3. **Variance Request – Family Video:** The City has received a request from Family Video for a stormwater variance related to their future facility at Route 38 and Tilton Manor Drive. The variance being requested is to base the detention volume on the release rate of the required 3 inch orifice instead of the maximum release rate per acre as the code states. A hardship must be demonstrated for a variance to be approved. Without the requested variance Family Video does not have enough land available to create the required detention facility for the proposed facility. The City’s Consulting Engineer Mick Gronewold, has reviewed the request and finds that granting this variance will not significantly alter the function of the detention pond and supports the request for variance. The City Manager concurs with the recommendation and requests the City Council support approval of the variance. John Vendel from Fehr-Graham was present to answer any questions. Moved by Councilwoman Hollonbeck and seconded by Councilman Hayden, **“I move a Variance 07-3591 for Family Video at Route 38 and Tilton Manor Drive in regard to the Computation of the Maximum Release Rate be approved.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

4. **Reduction in Letter of Credit - Centerpoint:** Irrevocable letters of credit, No. 79318013 for \$1,305,682 and 79317978 for \$2,560,360 were submitted to the City of Rochelle by Centerpoint Properties to secure their obligations related to land improvements for Centerpoint Intermodal Center located along Illinois Route 38 in Rochelle. Due to completion of the majority of the required improvements, Centerpoint properties has contacted the City of Rochelle to request a release or reduction in the letter of credit. City Engineer, Sam Tesreau, has reviewed the request for release or reduction in the letter of credit. A letter outlining remaining conditions necessary for release of the letter of credit has been sent to Centerpoint. Given that there are additional items to be completed, a new letter of credit for 10% of the total estimated cost of improvements (\$3,866,042) plus an additional \$36,000 for the remaining grading and restoration items is required by the City to be held for a period of 24 months as guarantee of satisfactory performance of land improvements. The new deposit of a letter of credit or other surety recommended is \$422,604. Sam Tesreau was present for any questions. Moved by Councilman Hayes and seconded by Councilman Hayden, **“I move the Council approved a reduction to Letter of Credit for Centerpoint for Irrevocable Letters of Credit #79318013 and #79317978 for a new deposit of \$422,604 with conditions as outlined in a letter from the City Engineer dated August 1, 2007.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

5. **Authorization for City Manager to Sign Quitclaim Deed – 313 Avenue G:** At the June 25, 2007 City Council meeting a bid was opened and awarded for the sale of property at 313 Ave G to Buzz Harms. This property was the site of Well #6 prior to it being taken out of service in 1997. Mr. Harms plans to construct one or more homes on this and adjacent property he owns. A question has been raised regarding a 16 foot strip of land north of the sidewalk at that location. It appears that the recorded surveys incorrectly identify the City as owner of this small parcel. Attorney Cooper has reviewed the opinion letter provided by Mr. Harms’ attorney, and concurs that the City does not own the land. He recommends that the City Manager sign a quitclaim deed to clarify the matter. Both Mr. Harms and Alan Cooper were available to answer questions. Moved by Councilman Colwill and seconded by Councilman Eckhardt, **“I move the Council authorize the City Manager to sign a Quitclaim Deed to Arlen W. Harms for a 16-foot strip of land at 313 Avenue G.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

6. **City Manager’s Report:**

- **2007 Second Quarter Report Rochelle and Ogle-Lee Fire Departments:** Chief McDermott prepared the quarterly report of activities for the Rochelle and Ogle-Lee Fire Departments; a copy has been provided to the council. Copy was provided for the Council. Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **“I move the Council accept and place on file the 2007 Second Quarter Report of the Rochelle and Ogle-Lee Fire Departments (07-3592).”** Motion passed by voice vote without dissent.
- **Fire Department Thermal Imaging Equipment:** The Rochelle Fire Department Social Organization purchased and donated a \$7500 “Thermal Imaging Unit” to the City of Rochelle Fire Department. The unit is currently in service on Engine #3.
- **Fire Department Practice** The Rochelle Fire Department and Ogle-Lee District plan to hold multiple practices inside the city owned residence located at 108 9th Street, including the use of recently acquired thermal imaging equipment. According to Chief McDermott a vacant building like this provides a great practice opportunity for the Rochelle area fire departments. The practices will not affect the outside appearance of the home and the house will be secured following each practice.
- **Kiwanis Peanut Day** The Kiwanis Clubs have requested permission to conduct their annual Peanut Day fundraiser on Friday, September 7th. They propose to sell their peanuts at the intersections of Lincoln Highway/4th Avenue, Lincoln Highway/5th Avenue, and South Main Street/1st Avenue. Council approved the Kiwanis’ request.

- **Communitywide Garage Sale** The Relay for Life Committee has requested permission to hold a Communitywide Garage Sale in connection with the 2008 Relay. Several area communities hold garage sales to assist in raising contributions and publicizing the event. Barb Dahlquist and Beth Kvoool, 2008 co-chairs for Relay for Life, were in attendance to answer any questions. Council had no objections, therefore management will approve the request.
- **Mexican Independence Day Festival** A request has been received from the Rochelle Township High School Spanish Club to conduct the annual Mexican Independence Day Festival Parade on Saturday, September 15th. The parade is scheduled to start at 1:00 p.m. from the First National Bank parking lot next to WRHL, travel through the Fun N Sun parking lot to Lincoln Highway, proceed south on Lincoln Highway; east on 4th Avenue; north on Main Street, ending at the gazebo on Main Street. The Fire Department and Police Department have reviewed the route and have no concerns. Council had no objections, therefore management will authorize the parade.

DISCUSSION ITEMS:

1. **Kyte River Stream Maintenance:** A public information meeting was held on July 18, 2007 regarding the 2007-2008 Kyte River stream maintenance project. 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 also be incorporated into the project. The area included in the current phase will extend from the School Avenue Bridge, south to the Union Pacific railroad bridge and from the Burlington Northern Santa Fe bridge, south to the Treatment Plant Road Bridge. The project is expected to begin in September, following bids and council approval. The project is budgeted and will be funded through the Stormwater Management Fund. Sam Tesreau was present to give information and answer questions. He went over the route on a map. May extend a little further, depending on the funds at that time. The total proposed cost is \$260,000. Erosion control will be done by the City Street Division this year to save on funds. Similar to last years project. Will be sensitive in the residential areas. A bid opening for the project is scheduled for August 21st. It is expected that the project will begin mid September 2007 and be completed in April of 2008. Don Elliott was also present for questions and additional information. Sam presented a Power Point presentation to show the before, during, and after of the work that has already been done on the north end of town.

2. **Truck Routes:** Several meetings have been held over the past two years dealing with the official designation of truck routes in the City of Rochelle. Currently, only a few routes in the City have been designed as Class II 80,000 lb. truck routes. In order to qualify for future federal and state funding, staff recommends designating truck routes with two distinctions; truck routes 73,280 lb. or less and Class II 80,000 lb. truck routes. A resolution adopting the truck route map and the Class I, Class II, or Class III 80,000 lb. truck route is planned for a future council meeting. Sam Tesreau was in attendance to provide additional information on the proposed plan and answer questions. Council asked questions, gave their thoughts, and recommendations.

EXECUTIVE SESSION: None

At 8:11 pm Councilman Colwill moved and seconded by Councilwoman Hollonbeck, **“I move the Council adjourn.”** Motion passed by voice vote without dissent.

Chet Olson
Mayor, City of Rochelle

Bruce McKinney, CMC
City Clerk, City of Rochelle