

**ROCHELLE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
MONDAY, JULY 14, 2008**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, July 14, 2008 in the Council Chambers of City Hall; 420 N. 6<sup>th</sup> Street; Rochelle, IL 61068.

***PLEDGE TO THE FLAG & PRAYER***

***ROLL CALL:*** Present on Roll Call were Councilmembers Hayden, Berg, Colwill, Hollonbeck, Hayes, Eckhardt and Mayor Olson. Absent: None. Also present were Ken Alberts, City Manger; Alan Cooper, City Attorney; and Bruce McKinney, City Clerk.

***PROCLAMATIONS, COMMENDATIONS, ETC.:*** None

***REPORTS AND COMMUNICATIONS:***

- Mayor: None
- Council Members: None
- Employee Introduction – Scott Gross, Network Administrator, has a broad network administration and engineering background; 13 yrs. experience with Group Wise, Cisco, and Novell.
- Presentation: Mayor Olson presented a check from the City to Laurie Bearrows and L.D. Carmichael for the Ogle County Hospice.

***BUSINESS ITEMS:***

1) **CONSENT AGENDA ITEMS BY OMNIBUS VOTE:**

- a) Approve Minutes of City Council Meeting of June 23, 2008;
  - b) Approve Minutes of Airport Advisory Board Meeting of April 28, 2008;
  - c) Approve Minutes of Plan Commission Meeting of May 19, 2008;
  - d) Approve Minutes of Plan Commission Meeting of June 16, 2008;
  - e) Approve Minutes of Zoning Board of Appeals of May 13, 2008;
  - f) Approve Bills/Payroll;
  - g) Approve an Ordinance to Delete One Restaurant/Recreation Liquor License: Amending Section 6-46 of the Municipal Code to Delete One Restaurant/Recreation Liquor License. Due to the surrender Memory Lane's license, the Liquor Commissioner, Mayor Olson, has requested that the number of restaurant/recreation licenses be reduced from five to four. This reduction will allow for staff and council to have greater control over future license issuance;
  - h) Accept and Place on File Semi-Annual Fire Department Report.
- Moved by Councilman Colwill and seconded by Councilman Bert, **"I move the Consent Agenda Items a, b, c, d, e, f, g, and h be approved by Omnibus Vote as Recommended."** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.

- 2) **Resolution for Improvement under the Illinois Highway Code – Jack Dame Road Improvements:** A great deal of coordination and planning has gone into the Jack Dame Road Project over the past couple of years. The improvements designed will not only promote development on Route 38 west, but more importantly will provide an alternate, safer, route for truck traffic. Once completed, these improvements will connect Route 38 west to Intermodal Drive, Illinois Highway 251, and Interstate 88, diverting truck traffic that currently has to travel throughout City streets. The 2008-09 Capital Improvements Fund budget includes \$4,424,000 for the construction of this project. Subsequent to the required public notice, bids were opened on June 19, 2008, with three contractors submitting bids. City Engineer, Sam Tesreau and John Vendel of Fehr-Graham and Associates have reviewed the bids and recommend the acceptance of the apparent low bidder, Rockford Blacktop Construction Company, with a bid of \$4,194,075.63. Funds for this project are available through transfers from the Motor Fuel Tax fund, Sales Tax fund and \$1,454, 567 from the Union Pacific Railroad. Sam Tesreau was present to answer questions on the project. . Moved by Councilman Eckhardt and seconded by Councilman Colwill, **“I move Resolution R08-22, A Resolution for Improvement under the Illinois Highway Code for Jack Dame Road, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0. Moved by Councilman Berg and seconded by Councilman Hayden, **“I move Council award the bid for the Jack Dame Road Improvements from 1<sup>st</sup> Avenue to Intermodal Drive to Rockford Blacktop Construction Company of Loves Park, IL for the amount of \$4,194,075.63 and reject all other bids.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.
- 3) **Resolution for Improvement Under the Illinois Highway Code - Dement Road and Technology Parkway Improvements:** Progress continues in the development of the Rochelle Business and Technology Park on Dement Road. Construction of the Allstate data center began earlier this spring and construction of the RMU Technology Center and Northern Trust Data Center facilities are expected to begin soon. In order to serve these facilities Dement Road will need to be improved from a rural gravel road to a class II truck route from 500’ north of Petro Drive, for approximately 2800 feet to the north line of the Allstate development. Approximately 1200 feet of Technology Parkway, extending east from Dement Road, must also be built to provide access to the RMU and Northern Trust sites. Subsequent to the required public notice, bids were opened on June 26, 2008, with five contractors submitting bids. City Engineer, Sam Tesreau and John Vendel of Fehr-Graham and Associates have reviewed the bids and recommend the acceptance of the apparent low bidder, Schlichting & Sons, with a bid of \$1,956,275.95. The City anticipates assistance with funding up to 50% of Dement Road, not to exceed \$1,041,993, through an Economic Development Program (EDP) grant. The remaining funds for the construction of the Dement Road and Technology Parkway are available through revenues gained through the sale of lots within the park. Sam Tesreau was present to answer questions. Moved by Councilwoman Hollonbeck and seconded by Councilman Eckhardt, **“I move Resolution R08-10, A Resolution for Improvements under the Illinois Highway Code for Dement Road, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0. Moved by Councilwoman Hollonbeck and seconded by Councilman Berg, **“I move Council award the bid for the Dement Road Improvement project north of Petro Road to Schlichting & Sons of Rockford, IL for the amount of \$1,956,275.95 and reject all other bids.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.

- 4) **Resolution for Maintenance of Street and Highways – Lincoln Highway:** The winter of 2007-08 with its excess snow, freezing, and thawing, took a heavy toll on area roadways. Evidence of this winter damage is apparent on Lincoln Highway from 6<sup>th</sup> Avenue to 10<sup>th</sup> Avenue which experienced a failure of the roadway surface. Due to the extent of the breakdown a complete resurfacing of the roadway is required, which will include curb and gutter replacement and storm sewer improvements. Subsequent to the required public notice, bids were opened on June 26, 2008, with one contractor submitting a bid. City Engineer, Sam Tesreau has reviewed the bid and recommends the acceptance of the bid from Rockford Blacktop Construction Company, in the amount of \$264,292.72. The 2008-09 Capital Improvements Fund budget includes \$215,000 for pavement replacement on Lincoln Highway but Motor Fuel Tax funds are available to cover the additional costs. Sam Tesreau was present to answer questions. There will be a road closure for local traffic only. The work is to start in a couple of weeks. Moved by Councilman Berg and seconded by Councilman Hayden, **“I move Resolution R08-11, A Resolution for Maintenance of Street and Highways appropriating Motor Fuel Tax funds, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0. Moved by Councilman Hayes and seconded by Councilman Eckhardt, **“I move Council award bid for Maintenance of Lincoln Highway from 6<sup>th</sup> Avenue to 10<sup>th</sup> Avenue to Rockford Blacktop Construction Co. for the amount of \$264,292.72 and reject all other bids.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.
- 5) **Agreement between the City of Rochelle and Chartaire – Charter Service:** Several changes have occurred at the Rochelle Municipal Airport over the past few months, including the employment of an Airport Operations Supervisor. These changes will allow the City to have a greater involvement in the operation of the airport and thereby a greater impact on its future success. As a result of these operational changes there is a need to reestablish some of the services offered by the previous fixed base operator. After evaluating several companies capable of providing charter service, Don Elliott, Superintendent of the Airport recommends contracting with Chartaire, Inc. based in Maquoketa, Iowa due to convenience and cost effective rates. Chartaire was established as an air carrier in 1989 and currently has seven aircraft in their fleet. Chartaire’s certificate allows them to provide service anywhere within the contiguous 48 States. They also hold a Canadian Air Carrier License and have FAA authorization to provide service to Mexico and the Caribbean. The proposed agreement for a limited fixed base operator allows Chartaire to operate a charter service at the Rochelle Municipal Airport effective August 1, 2008. The City will not compensate Chartaire for providing these services and will receive a monthly referral fee equal to 5% of the aircraft fees collected by Chartaire. Don Elliott was present to answer questions. Also present from the Airport Board were Greg Sparrow, Dale Myers, Bill Tyler, and Skip Kenney. Mark Delhotal was also present to give more information on Chartaire’s service. Moved by Councilman Berg and seconded by Councilwoman Hollonbeck, **“I move Agreement 08-3701, An Agreement between the City of Rochelle and Chartaire be approved.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.

- 6) **Agreement between the City of Rochelle and Midwest Flight Academy – Flight School Service:** Due to operational changes at Rochelle Municipal Airport there is a need to reestablish a flight school. This is an important service which allows citizens in and around our community an opportunity to obtain a pilot certification for recreational purposes or transition into aviation careers. Don Elliott, Superintendent of the Airport, recommends contracting with the Midwest Flight Academy (MFA) from DeKalb, Illinois to provide a primary flight school and aircraft rental at the Rochelle Municipal Airport. Midwest Flight Academy has been in business since 2002 and currently has four instructors that provide training leading to private pilot, instrument rating, commercial pilot and instructor certifications. The academy owns four aircraft, three Cessna 172's and one Arrow, which they use for instruction. The proposed agreement for a limited fixed base operator will allow MFA to operate a primary flight school at the Rochelle Municipal Airport effective August 1, 2008. MFA will retain all revenues received through providing flight instruction and aircraft rental but will not receive any compensation from the City. Don Elliott and Mark Delhotal were present to give further information and to answer questions. Moved by Councilman Colwill and seconded by Councilman Eckhardt, **“I move Agreement 08-3702, An Agreement between the City of Rochelle and Midwest Flight Academy, Inc., be approved.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.
- 7) **Amendment to Phase One Northeast Interceptor Agreement between the City of Rochelle and North Route 38 LLC:** On June 28, 2004 the Mayor and City Council approved an agreement between the City of Rochelle and North Route 38 LLC related to the construction of the Phase One Northeast Interceptor to serve the sanitary needs of the area east of Illinois Route 251 and north of Illinois Route 38. This agreement was later extended on November 9, 2005, allowing for a construction completion date of June 30, 2006. The City entered into a contract for the Sanitary Sewer project on March 27, 2006, but the project remains only partially complete. North Route 38 LLC has requested that they be allowed to assume responsibility for completion of the Phase One Northeast Interceptor. The proposed agreement authorizes North Route 38 LLC to complete, at its sole cost and expense, the remainder of the Northeast Interceptor Sewer. It also clearly defines the responsibilities of both the City and the developer for the previously completed sections and the remainder of the project. In addition the agreement provides for the transfer of materials purchased by RMU to the developer and requires construction inspection by an independent third party approved by RMU. Gary Larsen was present to answer any questions. Mr. Alberts also gave further information as to the reason for the amendment. Moved by Councilman Berg and seconded by Councilman Colwill, **“I move Amendment Agreement 07-3703, An Amendment to the Phase One Northeast Interceptor Agreement between the City of Rochelle and North Route 38 LLC, be approved.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.

- 8) **Ordinance Vacating Alley and Street 303 First Avenue:** Rogers Ready Mix and Materials, Inc has expressed an interest in obtaining a 16.5' by 132' section of an alley and a 66' by 132' section of Third Street both of which are adjacent to the Rogers Ready Mix lot at 303 First Avenue. This property would be combined with the existing lot to allow for better use of the property. Rogers Ready Mix has agreed to pay the sum of \$11,979 for the alley and street sections. Due to existing water mains and sanitary sewer lines located on this portion of Third Street, the ordinance allows the City to retain an easement and right-of-way over the property. The Mayor and City Council members may vacate the alley and this portion of Third Street by at least a three-fourths vote. Moved by Council Woman Hollonbeck and seconded by Councilman Colwill, **“I move Ordinance 08-3704, An Ordinance Vacating Alley and Street and Reserving Utility Easement and Right-of-Way at 303 First Avenue, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.

***PUBLIC COMMENTARY:*** Ron Pearson wants to know what is going to be done on the west side of Dement Road. Mr. Alberts said that there would be two access points to Allstate. Sam Tesreau explained that the stormsewer would go toward Petro. Sam told Mr. Pearson to set up a time and he would take him out to show him exactly what will be done.

The Mayor stated the City received an award for Rochelle having a Safe Haven for Babies. This means that a baby can be abandoned at our Police or Fire Departments with no questions asked and the baby will be placed with an agency for care.

***DISCUSSION ITEMS:*** None

***EXECUTIVE SESSION:*** At 8:25 p.m., Councilwoman Hollonbeck moved and seconded by Councilman Colwill, **“I move the Council recess into executive session to discuss minutes of meetings lawfully closed under Act. Section (c) (21).”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.

At 8:48 p.m., moved by Councilman Colwill and seconded by Councilwoman Hollonbeck, **“I move the Council return to Open Session”.** Motion passed by voice vote without dissent.

***ADJOURNMENT:*** At 8:48 p.m., moved by Councilman Berg and seconded by Councilman Eckhardt, **“I move the Council Adjourn.”** Motion passed by voice vote without dissent.

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Chet Olson  
Mayor, City of Rochelle

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Bruce McKinney, CMC  
City Clerk, City of Rochelle