

- 6) **Reduction in Letter of Credit for Watermain – Lighthouse Pointe:** A letter of credit dated April 16, 2009 for \$210,600.50 was submitted to the City of Rochelle by North Route 38 LLC to secure their obligations related to watermain improvements for the Lighthouse Pointe Subdivision located along Rte 38 and Caron Road in Rochelle. Due to completion of the majority of the required improvements, Fehr-Graham & Association on behalf of their client North Route 38 LLC has contacted the City of Rochelle to request a reduction in the letter of credit. City Engineer, Sam Tesreau, has reviewed the request for a reduction in the letter of credit. A letter outlining remaining conditions necessary for release of the letter of credit has been sent to Spring Creek Development. Given that there are additional items to be completed, a new letter of credit for 10% of the original surety, plus an additional \$5,000 for the remaining restoration work, is required by the City to be held for a period of 24 months as guarantee of satisfactory completion of land improvements. The amount of the replacement letter of credit or other surety recommended is \$26,060. Sam Tesreau was present to answer questions. Moved by Councilman Berg and seconded by Councilman Hayes, **“I move the Council approve the reduction in letter of Credit #2009-113 for Route 38 North LLC, for watermain improvements to serve the Lighthouse Pointe Subdivision which have been installed and approved by City Staff, subject to the conditions set forth in the letter from City Engineer’s letter dated June 17, 2009”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hollonbeck, McDermott, Berg, Hayes, Eckhardt and Olson. Nays: None. Motion passed 7-0.

PUBLIC COMMENTARY: None

DISCUSSION ITEMS:

- 1) **Property Maintenance Enforcement:** Postponed to future meeting.

EXECUTIVE SESSION: None

ADJOURNMENT: At 7:57 p.m., moved by Councilman Berg and seconded by Councilman Eckhardt, **“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

- 3) **Termination of Lease Agreement - Landfill Tower:** On April 15, 1991 the City of Rochelle, as the landlord, entered into a lease agreement in connection with a parcel of property located adjacent to the City's landfill site. This lease allowed the tenant the continued use of the parcel for an existing communications tower and associated equipment on the site. The term of the lease was for five years with the availability of three consecutive renewal option periods for a total of twenty years. The lease was subsequently assigned and is currently held by American Tower Company, of which SpectraSite Communications is an affiliate, with an expiration date of February of 2011. In order to proceed with the planned expansion of the landfill, it is necessary to terminate the lease prior to the expiration date. The City has negotiated an agreement with SpectraSite Communications to terminate the lease on November 15, 2009. The agreement includes a commitment from the City to remove the tower and the foundation at an estimated cost of \$38,000. Alan Cooper, City Attorney, was present to give an explanation of the process and to answer any questions. Moved by Councilwoman Hollonbeck and seconded by Councilman Eckhardt, **"I move Ordinance 09-3824. An Ordinance Approving Termination Agreement for Landfill Towner Lease, be adopted."** Roll call vote was taken. Ayes: Councilmembers Hayden, Hollonbeck, McDermott, Berg, Hayes, Eckhardt and Olson. Nays: None. Motion passed 7-0.
- 4) **Safe Routes to Schools Improvements - 10th Avenue:** City staff submitted an application for funding through the Safe Routes to School (SRTS) program in June of 2007 for the construction of sidewalk and other improvements on 10th Avenue from Atwood and Cooper Park to 9th Street in the Tilton School area. In March of 2008 the Illinois Department of Transportation (IDOT) approved funding for the proposed improvements in an amount not to exceed \$216,115. On May 26, 2009 the Mayor and City Council approved a Local Agency Agreement for federal participation which allowed IDOT to proceed with receiving bids for this project. The SRTS project was advertised in the IDOT Bulletin for the June 12, 2009 letting. Bids were opened in Springfield on June 12, 2009, with nine contractors submitting bids. City Engineer, Sam Tesreau reviewed the bids and recommends the acceptance of the apparent low bidder, Acura Inc. from Bensenville, IL, with a bid of \$249,999. The lowest bid is approximately 8% above the FY 09/10 Capital Improvement Budget of \$232,000 for this project. The funds required, over the approved federal funding, are \$33,884 and that amount is available through the FY 09/10 Capital Improvement Budget for sidewalks. Mr. Tesreau was present to give further information and answer any questions. Moved by Councilwoman Hollonbeck and seconded by Councilman Hayes, **"I move the Council accept Bid C09-07 from Acura Inc. in the amount of \$249,999 for Safe Routes to School improvements along 10th Avenue and 9th Street and reject all other bids."** Roll call vote was taken. Ayes: Councilmembers Hayden, Hollonbeck, McDermott, Berg, Hayes, Eckhardt and Olson. Nays: None. Motion passed 7-0.
- 5) **Dark Fiber License Agreement – AT&T:** The development of the Rochelle Business and Technology Park included the installation of new communication and utility infrastructure. RMU has installed a fiber optic network throughout the park with feeds to each of the existing sites. AT&T has requested the use of two strands of dark fiber to serve the needs of the Allstate Data Center at a monthly lease fee of \$3,375 for a term of five years. This will provide yearly revenue of \$40,500. The leased fibers will terminate within the RMU Technology Center and terms of a collocation agreement for the lease of the space have been preliminarily agreed to. Gary Larsen was present to answer any questions. Moved by Councilman Eckhardt and seconded by Councilman Hayes, **"I move Agreement 09-3825, An Agreement between TCG Chicago and the City of Rochelle for licensing the use of Certain Dark Fibers, be approved."** Roll call vote was taken. Ayes: Councilmembers Hayden, Hollonbeck, McDermott, Berg, Hayes, Eckhardt and Olson. Nays: None. Motion passed 7-0

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
MONDAY, JUNE 22, 2009**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, June 22, 2009 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

PLEDGE TO THE FLAG: The Pledge of Allegiance.

PRAYER: The Prayer was lead by City Clerk McKinney.

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

PROCLAMATIONS: Olympic Day – June 23, 2009. Signed by Mayor Olson and read by Clerk McKinney.

REPORTS AND COMMUNICATIONS:

• **Mayor:**

- Thanked Ross Freier and the Tourism Board for the success of Railroad Days.
- The arrival of Emily Anderson, who is re-creating the historical trip of Alice Ramsey, the first woman to drive across America in 1909. She was presented a proclamation from the City at a reception held Wednesday afternoon at Abrahams.
- Governor Quinn, Senator Burzynski and Representative Pritchard arrived at the airport Saturday morning for a press conference to open the "Portrait of a Soldier" exhibit which featured drawings of every Illinois soldier killed in combat since 9/11. The exhibit was open for the duration of Saturday and Sunday morning to honor these war heroes.
- Mr. Alberts gave a report on the events of the MVPA (Military Vehicle Preservation Association) this past weekend, commenting on how proud he was of staff and many volunteers on their outstanding job in making this a success.

- **Council Members:** Also agreed on the success of above.

BUSINESS ITEMS:

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

- a) Approve Minutes of City Council Meeting – June 8, 2009;
- b) Approve Bills/Payrolls for the second half of June, 2009;
- c) Approve Hub City Cruisers Car Show – June 28, 2009.

Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **“I move Consent Agenda Items a through c be approved by Omnibus Vote as Recommended.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hollonbeck, McDermott, Berg, Hayes, Eckhardt and Olson. Nays: None.

Motion passed 7-0.

- 2) **Annual Tree Trimming Project:** The 2009-10 Electric Operations Budget includes \$110,000 for overhead line expense. This budgeted amount is for materials and expense incurred in the maintenance of the overhead distribution system, including tree trimming estimated at \$65,000. Annual tree trimming is a crucial factor in reducing outages in the overhead distribution system. Subsequent to the required public notice, bids were opened on June 1, 2009 with two contractors submitting bids. The area designated for tree trimming this year includes the City of Rochelle south of Flagg Road to Creston Road and Hwy 38 West and from Interstate 39 to the west boundary of the Centerpoint Property and Rolling Green Estates. RMU Staff reviewed the bids and recommended the acceptance of the apparent low bidder, Asplundh Landscaping, with a bid of \$59,834. Gary Larsen, Director of RMU, was present to answer questions. Moved by Councilman Berg and seconded by Councilman Hayden, **“I move the Council accept Bid C09-06 from Asplundh Landscaping in the amount of \$59,834 for the Annual Tree Trimming Project and reject all other bids.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hollonbeck, McDermott, Berg, Hayes, Eckhardt and Olson. Nays: None. Motion passed 7-0.