

- 5) **Conditional Use Request for Indoor Recycling Center – 111 5th Avenue:** Behr Iron & Steel, Inc. petitioned the City for a conditional use permit to allow the operation of an indoor recycling center at 111 5th Avenue. This building was formerly part of the J W Peters concrete facility. On February 2, 2009 the Planning and Zoning Commission conducted a Public Hearing and subsequently voted 5-0 to recommend approval of the application subject to several conditions. To date the applicant has not submitted revised plans to address all of the conditions identified by staff and the Planning and Zoning Commission. Chris Limas, Community Development Director, recommends that the case be sent back to the Planning and Zoning Commission for further review at a future date when the revised site plan and stormwater maintenance agreement are provided. Mr. Limas was present for further information. As there has been no response in the past six months from the petitioner in regards to the two remaining items nor has there been any response when staff tried to contact the petitioner, he recommended the request be returned to the Planning and Zoning Commission for review when a revised site plan is submitted. Moved by Councilwoman Hollonbeck and seconded by Councilman McDermott, **“I move the Council send the request for an Indoor Recycling Center located at 111 5th Avenue to the Planning and Zoning Commission for further review upon the submittal of a revised site plan and Stormwater Maintenance Agreement.”** Roll call vote was taken. Ayes: Councilmembers Eckhardt, Hollonbeck, McDermott, Hayes, and Olson. Nays: None. Motion passed 5-0.

PUBLIC COMMENTARY: None

DISCUSSION ITEMS: None

EXECUTIVE SESSION: At 7:35 pm, moved by Councilwoman Hollonbeck and seconded by Councilman Eckhardt, **“I move we recess into executive session to discuss: the performance of specific employees, section (c) (1); the purchase or lease of real property for City’s use, section (c) (5); the minutes of meetings purposes of approval by the body of the minutes as mandated in Section (c) (21)”**. Roll call vote was taken. Ayes: Councilmembers Eckhardt, Hollonbeck, McDermott, Hayes, and Olson. Nays: None. Motion passed 5-0.

At 9:22, Councilman Eckhardt moved and seconded by Councilwoman Hollonbeck, **“I move the Council return to Open Session.”** Motion passed by voice vote without dissent.

Moved by Councilwoman Hollonbeck and seconded by Councilman Eckhardt, **“I move the Council confirm the removal of Robbie Buck as Chief of Police for the City of Rochelle.”** Roll call vote was taken. Ayes: Councilmembers Eckhardt, Hollonbeck, McDermott, Hayes, and Olson. Nays: None. Motion passed 5-0.

ADJOURNMENT: At 9:25 p.m., moved by Councilwoman Hollonbeck and seconded by Councilman Hayes, **“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) **Conditional Use Permit for Multi-family Residential – 614 Lincoln Highway:** Danny and Contaris Chisamore have petitioned the City for a conditional use permit to allow an existing residential building to be used as a five unit multi-family building at 614 Lincoln Highway. This structure has been vacant for several years but was previously used as a multi-family residential dwelling. The applicants have recently acquired the property located at 614 Lincoln Highway and desire to renovate the structure as a five unit multi-family apartment house. The property is zoned R-O (residential office) which requires a conditional use permit for residential, multi-family use. The addition of an eleven space parking lot in the rear yard of the property is also being proposed to accommodate the tenants. The comprehensive plan designates this area as High Density Multi-Family. On August 3, 2009 the Planning and Zoning Commission conducted a Public Hearing and subsequently voted 5-0 to recommend approval of the application subject to approval of parking lot and landscape plans. Chris Limas, Community Development Director, was present for additional information and to answer questions. Dan and Contaris Chisamore were also present. Moved by Councilman Hollonbeck and seconded by Councilman McDermott, **“I move Ordinance 09-3836, An Ordinance Approving a Conditional Use (Special Use) Permit for a Multi-family Residential Building for Property located at 614 Lincoln Highway, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Eckhardt, Hollonbeck, McDermott, Hayes, and Olson. Nays: None. Motion passed 5-0.
- 4) **Rezoning Certain Property and Conditional Use Permit – St. Patrick Cemetery:** St. Patrick Catholic Church has petitioned the City to rezone dwelling units owned by the church and located at 721 South Main, 733 South Main, 745 South Main, and 236 Kelley Drive (actually located adjacent to the cemetery on South Main) from R-5 to R-1. In addition they have requested the rezoning of a portion of the existing cemetery, located in the north east corner of the intersection of South Main Street and Standard Oil Road from R-5 to R-1. They have also petitioned for a conditional use permit to allow for cemetery use for the entire property owned by St. Patrick Catholic Church including and adjacent to the existing cemetery and a variance to the setback requirements for the construction of a perimeter fence. St. Patrick Catholic Cemetery was originally established in 1867. Since then adjacent property has been acquired to expand the cemetery. The requested rezoning and conditional use permit will allow the entire rectangular site to conform to its intended use as part of a cemetery master plan. A variance has also been requested which will allow the construction of a perimeter fence three feet inside the property line along South Main Street and Standard Oil Road. The required setback is not possible due to existing burial sites. On August 3, 2009 the Planning and Zoning Commission conducted a Public Hearing and subsequently voted 5-0 to recommend approval of the application. Chris Limas was present to answer any questions. Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **“I move Ordinance 09-3837, An Ordinance Approving a Rezoning of Certain Property and a Conditional Use (Special Use) Permit for a Cemetery for Property located at 721 S Main, 733 S. Main, 745 S. Main, 236 Kelly Drive and 205 Standard Oil Road, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Eckhardt, Hollonbeck, McDermott, Hayes, and Olson. Nays: None. Motion passed 5-0.

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
MONDAY, AUGUST 10, 2009**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, August 10, 2009 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

PLEDGE TO THE FLAG: The Pledge of Allegiance was led by Boy Scout Troop #553.

ROLL CALL: Present on Roll Call were Councilmembers McDermott, Eckhardt, Hayes, Hollonbeck, and Mayor Olson. Absent: Councilman Berg. Also present were City Manager Alberts and City Clerk McKinney.

PROCLAMATIONS, COMMENDATIONS, ETC.: None

REPORTS AND COMMUNICATIONS:

- **Mayor:** The Mayor thanked the Boy Scouts for leading the pledge.
- **Council Members:** None
- **Update of Bond Sale for City:** Gary Larson and Richard Ohlinger informed the Council about the Bond sale for Utilities. The interest rate was 4.52%. Also the Council was informed that Allstate bought 25 million shares. Per Ken Alberts, with Build America bonds vs. typical tax-exempt bonds there's a difference of 1.08%, resulting in \$20,754,000 of savings for NIMPA.
- **Employee Introduction** – New fulltime firefighter, Jody Willis, was introduced by Bill Winebaugh. His experience includes Ogle-Lee Fire Protection, paid-on-call for the City fire dept., and certification as a firefighter II. He and his wife, Ginger, and his daughter, Krissi, reside in Hillcrest. He was previously self-employed in flooring and masonry business.

BUSINESS ITEMS:

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

- a) Approve Minutes of City Council Meeting – July 27, 2009;
- b) Accept and Place on File Planning & Zoning Commission Minutes of July 6, 2009;
- c) Approve Bills & Payrolls for first quarter of August;
- d) Approve Resolution R09-22 Regarding the Release of Executive Session Minutes;
- e) Accept and Place on File Semi-Annual Fire Department Report, 09-3855
- f) Accept and Place on File Semi-Annual Police Department Report, 09-3836.

Moved by Councilwoman Hollonbeck and seconded by Councilman Hayes, **“I move Consent Agenda Items (a) through (f) be approved by Omnibus Vote as Recommended.”** Roll call vote was taken. Ayes: Councilmembers Eckhardt, Hollonbeck, McDermott, Hayes, and Olson. Nays: None. Motion passed 5-0.

- 2) **Amendment to Development Agreement – Northern Trust Company:** On April 14, 2008 the Mayor and City Council approved a Development Agreement with Northern Trust which detailed the development of their thirteen-acre parcel in the Rochelle Business and Technology Park. The proposed First Amendment to the Development Agreement includes the addition of a paragraph in the water service section which allows Northern Trust to install a well at their location. The well will only be used in the event there is a disruption in the City water service to their location. The assurance of this redundant water service is a critical factor in the consistent operation of Northern Trust's data center. This provision was negotiated with Northern Trust prior to the approval of the original Development Agreement but was inadvertently omitted from the document. Gary Larsen was present to answer questions. As it is a privately owned well, Northern Trust will be responsible for maintaining it. Moved by Councilman Eckhardt and seconded by Councilman McDermott, **“I move Ordinance 09-3835, An Ordinance Approving First Amendment to Development Agreement with Northern Trust Company Data Center, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Eckhardt, Hollonbeck, McDermott, Hayes, and Olson. Nays: None. Motion passed 5-0.