

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
MAY 9, 2011**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, May 9, 2011 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

PLEDGE TO THE FLAG & PRAYER: The Prayer was said by City Clerk McKinney.

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

PROCLAMATIONS, COMMENDATIONS, ETC.:

- **Police Week, May 15-21, 2011:** Read by City Clerk McKinney. Accepted by Police Chief Higby.

REPORTS AND COMMUNICATIONS:

Mayor:

- Appointment of Lynette Fischer to Police and Fire Pension Boards for a term to expire May 1, 2013. Moved by Councilman Berg and seconded by Councilwoman Hollonbeck, **"I move the Council approve the Mayor's appointment of Lynette Fischer to Police and Fire Pension Boards for a term to expire May 1, 2013."** Motion passed by voice vote without dissent.
- Welcomed Ed Rice to the Council. Will be of benefit to the Council with his experience at the County level and having lived in Rochelle for most of his life.
- Had sent out an email to the Council regarding seminars available to newly elected officials, which he highly recommended.
- Overpass Update: Meggon McKinley read the letter from IDOT regarding the work being done and the probable re-opening of the overpass on the scheduled date of June 29, 2011; thanked Sam Tesreau and Don Elliott for their invaluable assistance in the re-routing of traffic and cooperation during this project.

Council Members: None

PUBLIC COMMENTARY: None.

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting – April 25, 2011;
- b) Approve Bills 04/15/11-04/21/11 for **\$395,318.15**; 04/22/11-04/28/11 for **\$576,075.63**;
- c) Approve Payroll 04/04/11-04/017/11= **\$ 195,950.98**;
- d) Accept and Place on File Ogle County Election Results – April 5, 2011;
- e) Accept and Place on File State of Illinois Decennial 2010 Census Results of 9, 574;
- f) Accept and Place on File Rochelle Tourism and Visitors Association Budget 2011/2012;
- g) Reappoint Bruce McKinney to the Office of City Clerk for a Term to Expire April 30, 2015;
- h) Reappoint Chris Frye to the Office of City Treasurer for a Term to Expire April 30, 2015;
- i) Reappoint Chris Frye as the Treasurer for the Police and Fire Pension Boards for a term to expire April 30, 2015;
- j) Authorize VFW Memorial Day Parade – May 30, 2011.

Moved by Councilwoman Hollonbeck and seconded by Councilman Berg, **"I move Consent Agenda Items (a) through (j) be approved by Omnibus Vote as recommended."** Roll call vote was taken. Ayes: Councilmembers Berg, Eckhardt, Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 6-0.

- 2) Resolution Opposing Reduction of State Collected Revenues Due Municipalities:** The State of Illinois Legislature and Governor are considering further reductions to municipal revenues due to the state budget deficit. One proposal under consideration would take an additional \$300 million of State-collected income tax from cities and counties. This proposed reduction would equate to a loss of \$220,521.60 for the City of Rochelle. This is 2.7% of the anticipated general fund for next year. Municipalities throughout the state count on revenues received through the State income tax, along with property tax, sales tax, and user fees, to fund critical services to our communities. Upon approval of this resolution a certified copy will be mailed to Governor Quinn as well as our State Senators and Representatives. Moved by Councilman McDermott and seconded by Councilman Eckhardt, **"I move Resolution R11-08, A Resolution Opposing Reduction of State Collected Revenues Due Municipalities, be adopted."** Roll call vote was taken. Ayes: Councilmembers Berg, Eckhardt, Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 6-0.

- 3) **Void Development Agreement between the City and GPLH, LLC:** On October 25, 2010, the City Council approved a Development Agreement between the City and GPLH, LLC related to the E-Rail Project to be located on the Black Earth Property. The agreement provided, in Sections 20 and 21, that if Black Earth did not close in its sale of the land to Nippon Sharyo by January 31, 2011, the City could declare the contract void. That contingency, of course, did not occur. In order to tie up loose ends, management believes that the City Council should formally declare the agreement void, under the provisions of Sections 20 and 21 of the Development Agreement. Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **"I move the Council Declare the Development Agreement (10-3967) between the City and GPLH, approved October 25, 2010 to be void, pursuant to the provisions of Section 20 and 21 of the Agreement."** Roll call vote was taken. Ayes: Councilmembers Berg, Eckhardt, Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 6-0.
- 4) **Lot Coverage Variance Request – 221 Willis Avenue:** The City has received a request from Ramon Lopez for a lot coverage variance at 221 Willis Avenue. The petitioner has requested a variance to the minimum lot and yard area requirements in Chapter 110, Section 321 which state that "no more than one-third of a single-family lot can be covered with structures or paved areas." The applicant would like to maintain a 17.5' x 10.8' concrete pad, which has been constructed out of concrete blocks without obtaining a building permit, to accommodate the parking of a trailer. The addition of this paved surface equates to total lot coverage of 41.3% instead of the allowable 33%. At the May 2, 2011 meeting of the Planning and Zoning Commission the variance request was considered. The commission voted 5-0, to recommend denial of a lot coverage variance as requested at 221 Willis Avenue. The Planning and Zoning Commission supports the standards contained in Chapter 110 of the Rochelle Municipal Code unless a genuine hardship exists. Chris Limas, Community Development Director, was present for additional information and to answer questions. The pad is at the side yard and requires a hard surface to get to the pad. There is already a patio and a pad for a utility shed in the backyard; there is no room in the yard for this surface. Ramon Lopez, the applicant, was in attendance. The Mayor allowed him to speak. When asked, he said that the neighbors to the west had no complaints. The council brought up that this is in violation of more than one violation already. It was suggested that some more homework be done with the Building Division to see if there are any other options; postponed until the next meeting.
- 5) **Ogle County Multi Jurisdictional All Hazards Mitigation Plan:** The Ogle County Emergency Management Agency (OCEMA) approached City staff in 2009 about being a member of the Ogle County Multi Jurisdictional All Hazards Mitigation Plan Committee. The plan, developed with the assistance of Johnson, Depp and Quisenberry, evaluates potential damage to life and property from natural and manmade hazards in Ogle County. It also identifies projects and activities that can reduce these damages. The plan was developed to fulfill federal planning requirements and can assist with funding following declared disasters, funding for mitigation projects and activities before disasters occur and will increase the awareness of natural and manmade hazards. City staff has participated in various committee meetings and have developed some potential mitigation projects for our community as part of the plan. Participating municipalities are required to approve a resolution adopting the plan, once approved by FEMA, and to participate in updates of the plan. This plan provides a mechanism for applying for potential funding from IEMA/FEMA for certain eligible and approved mitigation projects and activities. The City is not obligated to proceed with any of the mitigation projects. Moved by Councilman Rice and seconded by Councilman Berg, **"I move Resolution R11-09, A Resolution for Ogle County Multi-Jurisdictional All Hazards Mitigation Plan, be adopted."** Roll call vote was taken. Ayes: Councilmembers Berg, Eckhardt, Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 6-0.
- 6) **Billboard Lease Assignments between the City and Prologis Land L.L.C.:** To facilitate the Nippon Sharyo Project, Prologis dedicated a strip of land along the north boundary of their property to the City for railroad right-of-way. There are two billboards located on the right-of-way, which are owned by CBS Outdoor. CBS leases the land for the billboards from Prologis. Prologis is in the process of assigning these leases to the City, with the consent of CBS. As a result the City will be entitled to approximately \$8,500 of rental income annually from the signs. The lease payments are due each year on May 1st, and CBS is holding the May 1, 2011, payments pending approval of the lease assignments. Both CBS and Prologis have signed the lease assignments and they have been mailed to Attorney Cooper. Once the City approves and signs the assignments, the 2011 lease payments will be released to the City. Chris Limas and Alan Cooper were present and both are working on any obstacles that may arise in the future. Moved by Councilman Berg and seconded by Councilman Rice, **"I move Agreement 11-4059, Billboard Lease Assignment (east sign) between the City of Rochelle and Prologis Land L.L.C., be approved."** Roll call vote was taken. Ayes: Councilmembers Berg, Eckhardt, Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 6-0. Moved by Councilman Berg and seconded by Councilman Eckhardt, **"I move Agreement 11-4060, Billboard Lease Assignment (west sign) between the City of Rochelle and Prologis Land L.L.C., be approved."** Roll call vote was taken. Ayes: Councilmembers Berg, Eckhardt, Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 6-0.

DISCUSSION ITEMS: None

At this point in the meeting, Mayor Olson swore in Bruce McKinney to the Office of the City Clerk.

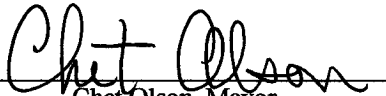
EXECUTIVE SESSION: At 7:40 p.m. moved by Councilman Berg and seconded by Councilman Eckhardt, **"I move the Council recess into executive session to discuss Collective Negotiating Matters. Section (c) (2) and discussion of minutes of meetings lawfully closed under this Act for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated. (Section (c) (21)."** Roll call vote was taken. Ayes: Councilmembers Berg, Eckhardt, Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 6-0.


At 8:05 p.m., moved by Councilman Berg and seconded by Councilwoman Hollonbeck, **"I move the Council return to Open Session."** Motion passed by voice vote without dissent.

Moved by Councilwoman Hollenbeck and seconded by Councilman Berg, **"I move the Council ratify the Agreement between the City of Rochelle Municipal Utilities and International Brotherhood of Electrical Workers Local 196 subject to minor contract language modifications."** Roll call vote was taken. Ayes: Councilmembers Berg, Eckhardt, Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 6-0.

Moved by Councilwoman Hollonbeck and seconded by Councilman McDermott, **"I move the Council ratify the Agreement between the City of Rochelle Division of Street and Cemetery and International Brotherhood of Electrical Workers Local 196 subject to minor contract language modifications."** Roll call vote was taken. Ayes: Councilmembers Berg, Eckhardt, Hollonbeck, McDermott, Rice, and Mayor Olson. Nays: None. Motion passed 6-0.

ADJOURNMENT: At 8:11 p.m., Councilman Berg moved and seconded by Councilman McDermott, **"I move the Council adjourn."** Motion passed by voice vote without dissent.


Chet Olson, Mayor


Bruce McKinney, QMC
City Clerk

11/10/01