

**ROCHELLE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
MONDAY, SEPTEMBER 10, 2007**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, September 10, 2007 in the Council Chambers of City Hall; 420 N. 6<sup>th</sup> Street; Rochelle, IL 61068.

Present on Roll Call were Councilmembers Hayden, Hayes, Berg, Colwill, Eckhardt, and Mayor Olson. Absent: Councilwoman Hollonbeck. Also present were City Manager Alberts, City Attorney Cooper, and City Clerk McKinney.

*APPROVAL OF MINUTES:* Councilman Eckhardt moved and seconded by Councilman Berg, **“I move the minutes of the Regular Council meeting of August 27, 2007 and the Special Council Meeting of August 20, 2007 be approved.”** Motion passed by voice vote without dissent.

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

*REPORTS & COMMUNICATIONS:*

- Mayor: Appointments to Planning Commission: Moved by Councilman Hayden and seconded by Councilman Colwill, **“I move the Mayor’s appointments of James P. Walker and Michael Cruz to the Rochelle Planning Commission with expiration dates of July 1, 2010 be approved.”** Motion passed by voice vote without dissent. Mayor stated that he has a couple people interested in being on the Zoning Board of Appeals but the time of day (4:00 p.m.) does not coincide with their employment, etc. Anyone interested, the City is still taking applications for ZBA

*PUBLIC COMMENTARY:* None

*BUSINESS ITEMS:*

**1. Bids – Concrete Pads:** The 2007-08 RMU Capital Budget includes funds for the installation of concrete transformer pads adjacent to Electric Operations Warehouse on Caron Road. The installation of these pads will allow for all transformers to be housed at the same location. Subsequent to the required public notice, bids were opened on August 21, 2007, with eight contractors submitting bids. RMU staff and their consultant, Matt Hansen of Willett-Hofmann, have reviewed all bids and determined that the apparent low bidder, D.R. Gilbert & Sons, has met the minimum requirements of the specifications with their bid of \$47,496.30. Curt Christensen, Assistant Superintendent of Electrical Operations, was present to answer any questions. Moved by Councilman Colwill and seconded by Councilman Berg, **“I move Council award Bid C07-12 from D.R. Gilbert & Sons in the amount of \$47,496.30 for the installation of concrete transformer pads adjacent to Electric Operations Warehouse on Caron Road and reject all other bids.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

**2. Purchase – Case BackHoe:** The 2007-08 General Fund Capital Budget includes \$67,000 for the replacement of a 1991 backhoe at the Street Division. The unit is experiencing numerous mechanical problems including loss of engine power, loss of hydraulic power, and backhoe cylinder failure. This, coupled with over 8000 hours of use, warrants a replacement of the unit. Superintendent of Streets, Don Elliott, recommends maintaining the use of Case equipment, and waiving the competitive bidding process. Both the Street Division and the Water Division have used Case equipment in the past, which allows for efficiency in sharing of attachments as well as consistent operation of the equipment by staff. Miller Bradford is the Case dealer for this area and no local dealers can offer this type of Case construction equipment. The quote provided by Miller Bradford includes all Municipal discounts and a trade in allowance for the 1991 backhoe. City Attorney, Alan Cooper, has confirmed that both the Illinois Municipal Code and the City Code allow the City Council, by a 2/3 vote, to direct the City Manager to enter into a contract without competitive bidding. Don Elliott was present to answer questions. Moved by Councilman Berg and seconded by Councilman Hayden, **“I move Council waive the competitive bidding process and accept the quote from Miller-Bradford & Risberg in the amount of \$57,650 for the purchase of a new 2007 Case 580SM Loader Backhoe.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

**3. Ordinance Amending Municipal Code – Create One Restaurant/Recreation Liquor License:** The City has received a request for a restaurant/recreation liquor license for Memory Lane Lounge, Inc. This business plans to locate at 640 South Seventh Street in Rochelle. The Liquor Commissioner, Mayor Olson, has reviewed the request and has no objection to the creation of an additional restaurant/recreation license. A restaurant/recreation license was deleted through council action on June 11, 2007 following the closing of a local business and their desire to forfeit the license. Motion made by Councilman Eckhardt and seconded by Councilman Colwill, **“I move Ordinance 07-3603, An Ordinance Amending Section 6-46 of the Municipal Code of the City of Rochelle to create one additional Restaurant/Recreation Liquor License, be approved.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

**4. Ordinance Revising Telecommunications Tax Rate:** In 2002 the State of Illinois increased the telecommunications tax rate that municipalities could charge to a maximum of six percent. The Rochelle City Council approved an ordinance increasing the rate from 1% to 3% on July 10, 2006. This rate may be adjusted annually. The City’s current rate of 3% is significantly lower than the average tax rate of 4.82% found in surrounding communities. Further, in reviewing the area rates it appears that Dixon is out of line with the other communities at 1%. When the average is calculated, excluding Dixon, the average tax rate for surrounding communities is 5.12%. Bob Withrow, Director of Administrative Services, recommends increasing the municipal telecommunications tax rate to 5% to be consistent with the market in our area. In order to proceed with this increase, a certified copy of the ordinance must be filed with the Illinois Department of Revenue by September 20, 2007. The City would receive the first payment increase in April, 2008. During the discussion that followed, it was mentioned that Comcast is not included in this. Scott Koteski was present to answer questions. Moved by Councilman Berg and seconded by Councilman Hayden, **“I move Ordinance 07-3604, An Ordinance Amending Simplified Municipal Telecommunications Tax Rate Change, be approved.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

## **5. Resolution Establishing Price Schedule for Building Permit and Related Code Services:**

The current price schedule for Commercial and Industrial Building Permit Fees was established in February of 2003. Due to the extensive time required to provide these services, and the associated costs, a review was conducted by Community Development Director, Chris Limas, of our current price schedule comparing it with associated labor costs as well as permit fees charged by neighboring communities that are experiencing commercial growth. The review indicated that fees for several services appeared to be significantly below the associated costs. When fees in area communities were researched, DeKalb was found to be the closest comparison in both structure of fees and development activity. After evaluating the various charges that are incorporated into our existing "Price Schedule for Building Permit and Related Code Services", staff has recommended an increase in permit fees that apply only to commercial and industrial code services: new structures, additions and build outs, electrical, HVAC, and plumbing. The remaining fees are not changed in this recommendation. With these revisions, the city's fee structure will continue to be competitive with neighboring communities that are experiencing similar growth. Chris Limas, Community Development Director, was present to answer questions. Moved by Councilman Berg and seconded by Councilman Colwill, **"I move Resolution R07-30, A Resolution Establishing Price Schedule for Building Permit and Related Code Services, be approved."** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

## **6. City Manager's Report:**

- **Rochelle Fire Department Anniversary.** In 1877 the City Council made a commitment to fire protection with an investment in a pressurized water system; the first step towards an organized fire department. The Rochelle Fire Department will celebrate their 130<sup>th</sup> anniversary on September 24, 2007.
- **Labor Day Muscular Dystrophy Drive.** The Rochelle Fire Department Social Organization collected \$2,820 for muscular dystrophy this Labor Day weekend through their "Fill the Boot" campaign.
- **Annual Chamber Airport Fly-In/Drive-In Event.** Due to heavy rains in the region the Rochelle Area Chamber of Commerce was forced to postpone the 11<sup>th</sup> Annual Fly-In Drive-In. The event has been rescheduled for Sunday, September 23, 2007 from 11:00-3:00 at the Rochelle Municipal Airport. The menu will include Culvers BBQ Pork and Roast Beef sandwiches as well as their famous custard and Rochelle Foods hot dogs. The four-hour event has been very successful in previous years, bringing hundreds of area drive-in visitors to see the aircraft that fly into our municipal airport.
- **Electronics Recycling Event.** The Ogle County and Lee County Solid Waste Management Departments are co-sponsoring an Electronics Recycling Event on Friday, September 28th from 9:00-3:00 and Saturday, September 29th from 9:00-1:00 at Kreider Services, located at 500 Anchor Road in Dixon. The following electronic items will be accepted: computers and peripherals, office equipment, small home appliances, and home entertainment devices. Further information can be obtained by contacting the Ogle County Solid Waste Department at 815-732-4020.
- **RTHS Homecoming Parade.** The annual RTHS Homecoming Parade is planned for Thursday, September 27, at 6:00 PM. The parade is scheduled to begin at City Hall and proceed north on 6th Street, east on 6th Avenue, south on Lincoln Highway, west on Lincoln Ave, north on 9th Street to Tilton School. This is the same route that was used last year. The Police and Fire Departments have reviewed the request and have no concerns. Council had no objection.

- **Rochelle Chamber of Commerce Leadership Academy.** Lynette Fischer, Human Resources Manager, will participate in the 2007-08 Chamber Leadership Academy. City employees have participated in each of the previous sessions coordinated through the Rochelle Chamber of Commerce.
- **Mexican Independence Holiday Festival:** Saturday, September 15<sup>th</sup>, from 1:00 p.m. to 10:00 p.m., including a parade downtown at 1:00.

*DISCUSSION ITEMS:*

1. **Development and Purchase Agreement – Project Andrea:** Negotiations have been ongoing for many months with a Fortune 100 company that has an interest in locating a large Data Center in the Rochelle Business and Technology Park. The proposed project would be located in the northwest corner of the Park on a 25 acre parcel of land. Since the entire Park has been annexed into the City and zoned B-2 with a Technology Overlay District, a Development Agreement consistent with this zoning has been negotiated. In addition, a Purchase Agreement and a Declaration of Covenants Agreement has been prepared. Staff is prepared to provide summary information and respond to questions from the Mayor or Council Members. There will be a Special Council Meeting on September 17<sup>th</sup>. A Power Point presentation was presented reviewing the Development Agreement, Purchase Agreement, and Declaration of Covenants.

*EXECUTIVE SESSION:* None

At 8:26 p.m. Councilman Colwill moved and seconded by Councilman Berg, **“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