

**ROCHELLE CITY COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
MONDAY, SEPTEMBER 24, 2007**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, September 24, 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 Colwill, **“I move the minutes of the Regular Council meeting of September 10, 2007 be approved.”** Motion passed by voice vote without dissent.

Councilman Berg moved and seconded by Councilman Hayden, **“I move the Council accept and place on file the reports of the Zoning Board of Appeals meetings of July 10, 2007 and September 11, 2007.”** Motion passed by voice vote without dissent.

**BILLS & PAYROLL:** Councilman Colwill moved and seconded by Councilman Eckhardt, **“I move the bills and payroll for the second 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:
  - Proclamation of Constitution Week, September 17-23, 2007, was read by City Clerk McKinney.
  - Mayor: Appointment to Zoning Board of Appeals: Mayor Olson recommended Jeffery J. Pignato to the Zoning Board of Appeals. Moved by Councilman Colwill and seconded by Councilman Berg, **“I move the Mayor’s appointment of Jeffery J. Pignato to the Rochelle Zoning Board of Appeals with expiration of term of July 1, 2012 be approved.”** Motion passed by voice vote without dissent.
- Council Members:
  - Councilman Berg encouraged the Council members to attend the “Study of Home Rule” that the League of Women Voters is having in the Council Chambers this Thursday, September 27<sup>th</sup>, at 7:00 pm.

**PUBLIC COMMENTARY:** None

**BUSINESS ITEMS:**

**1. Bid Opening and Award – Sale of Property 1000 N 7<sup>th</sup> Street:** The City of Rochelle owns a single family residence located at 1000 North 7<sup>th</sup> Street. The property was purchased so the City could make site distance improvements and record a site easement to prevent future site obstructions. A public auction was held to sell the property, but the offer received did not meet the minimum required for a private sale per Illinois State Statutes. On August 27, 2007 council rejected the offer and directed the City Manager to sell the property by sealed bid to be opened at the September 24, 2007 City Council Meeting. Per state statues the required legal notice was published for three successive weeks beginning August 30, 2007 and, as the legal notice stated, a public bid opening was conducted at this September 24<sup>th</sup> Council meeting. The first action to take is to authorize the sale of municipally owned property. Moved by Councilman Berg and seconded by Councilman Hayes, **“I move Ordinance 07-3613, An Ordinance Authorizing Sale of Municipally owned Real Property at 1000 North 7<sup>th</sup> Street, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0. City Clerk McKinney read one bid submitted from Frank Schermerhorn for \$53,001.00. Ken Alberts stated that management recommends the bid not be accepted. After some discussion by the Council, Councilman Colwill moved and Councilman Hayden seconded, **“I move that action on the sale of Municipally owned Real Property at 1000 N. 7<sup>th</sup> Street be deferred.”** Motion passed by voice vote without dissent.

**2. Bids – Grouting of Clarifier:** The 2007-08 RMU Capital Budget includes funds for the grouting of the north clarifier at the treatment plant. In order for the clarifier to function properly the concrete floor of the clarifier must have an even surface. Cement grout, previously placed in cracks in the floor, has failed and no longer allows for the clarifier to function at peak efficiency. Subsequent to the required public notice, bids were opened on September 13, 2007, with three contractors submitting bids. RMU staff and their consultant, Matt Hansen of Willett-Hofmann, have reviewed all bids and determined that the apparent low bidder, Sjorstrom, has met the minimum requirements of the specifications with their bid of \$33,628.00. Kathy Cooper was present to answer questions. According to Kathy, they have not done work for the City before but she has looked at a couple of their finished projects. Moved by Councilman Berg and seconded by Councilman Hayden, **“I move Council award bid C07-15 for the Treatment Plant Grouting of Clarifier to Sjostrom of Rockford for \$33,628.00 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.

**3. Variance Request from Randall Lot II LLC (Walgreens)** The City has received a request from Randall Lot II LLC for a sign variance related to the future Walgreens site south of Route 38 on Route 251. The request is to allow a second directional sign along Jones Road and an L.E.D. sign panel below the main sign on Route 251. Due to the configuration of the lot, and access to the site from both Jones Road and Route 251, Chris Limas, Community Development Director, recommends approval of the request to allow two ground signs on the lot. Mr. Limas also recommends approval of the L.E.D. sign panel, since this type of sign is an industry standard for similar businesses. At the September 11, 2007 meeting of the Zoning Board of Appeals, the Randall Lot II LLC variance request was considered at which time the ZBA voted 5-0, to recommend approval of the sign variance. Rudy Rosen, the location finder for Walgreens, and Chris Limas were present to answer any questions. According to Mr. Rosen, the sign they want a variance on says “Walgreens” and due to the configuration of the lot, would give direction to the entrance on Jones Road. Moved by Councilman Eckhardt and seconded by Councilman Berg, **“I move Ordinance 07-3614, An Ordinance Approving Sign Variances Randall Lot II, (Walgreen’s), be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

**4. Resolution Supporting Preparation of Unified Development Ordinance:** The current Municipal Code sections that deal with zoning, sub-division requirements, landscaping, site development and other related matters have become complicated and in some cases contradictory. It has been an on-going objective of City staff to make the necessary changes in our Municipal Code to insure that our regulations are clear, concise and uniformly administered. The Retail/Commercial Alliance, working within the GREDCO organization has obtained a proposal from Fehr-Graham & Associates to prepare a Unified Development Ordinance that could resolve the complexity and contradictions inherent in our current Municipal Code relating to development issues. GREDCO with unanimous approval from their Board of Directors has agreed to fund the consultant services estimated to total \$53,500. As part of their commitment to fund the project, the GREDCO Board has requested that the Mayor and City Council adopt a resolution that expresses City support for this initiative. Mick Gronwold of Fehr-Graham & Assoc., and Chris Limas were present to answer questions. The intent is to simplify the process, eliminate conflicts, and provide direction for future growth. Moved by Councilman Berg and seconded by Councilman Eckhardt, **“I move Resolution R07-31, A Resolution Supporting Preparation of Unified Development Ordinance, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

**5. Release of Recapture Agreement (Prologis):** The City of Rochelle and DP Partners entered into a recapture agreement in connection with the annexation of the DP Partners property in 2003. The annexation agreement required DP Partners to construct, or contribute towards, specific infrastructure. The associated recapture agreement allowed DP Partners to recover a portion of the related infrastructure costs from adjacent properties. Prologis recently purchased the DP Partners property and has subsequently entered into an agreement to sell a portion of the property to G&D Trucking. Both Prologis and G&D have requested a partial release of the recapture agreement on the land that G&D Trucking plans to purchase. City Attorney, Alan Cooper, has reviewed the request and recommends approval of the partial release of the recapture agreement as long as it is clear that the obligations under the annexation agreement are not released. Mr. Cooper was present to answer any questions. Moved by Councilman Colwill and seconded by Councilman Hayden, **“I move Agreement 07-3615, A Partial Release of Recapture Agreement between the City of Rochelle and Prologis Land LLC, 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:**

- **Halloween** As there were no objections, the annual Trick-r-Treat will be scheduled for Halloween, Wednesday evening October 31<sup>st</sup>, from 5:00-8:00 p.m. in the City of Rochelle.
- **Illinois Municipal League Conference** The Illinois Municipal League 94<sup>th</sup> Annual Conference will be held in Chicago October 18 – October 21, 2007. The program is designed to give municipal officials the opportunity to expand their expertise and learn more about current issues affecting cities in Illinois. Rochelle will be represented by both elected and appointed City Officials.
- **Annual NIMPA Board Meeting** The Annual NIMPA Board Meeting is tentatively scheduled for October 24, 2007 in Geneva. Invitations will follow for the Mayor and Council members.
- **Walgreens Groundbreaking Ceremony** The City of Rochelle and Location Finders International are pleased to announce a much-anticipated Groundbreaking Ceremony to signify the beginning of construction of a 14,820 sq. foot Walgreens pharmacy and retail store near the corner of Illinois Routes 251 & 38. The event is scheduled to begin at 11 am on Thursday, September 27.

**6. EXECUTIVE SESSION:** At 7:58, Councilman Berg moved and seconded by Councilman Colwill, **“I move the Council recess into executive session to discuss: compensation and performance of a specific employee (Section (c)(1); the purchase or lease of real property for the City’s use (Section (c)(5); and the setting of a price for sale or lease of property owned by the City (Section (c)(6).”** Roll call vote was taken. Ayes: Councilmembers Hayden, Hayes, Colwill, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 6-0.

At 8:43 p.m., Councilman Eckhardt moved and seconded by Councilman Berg, **“I move the Council return to open session.”** Motion passed by voice vote without dissent.

At 8:43 pm Councilman Eckhardt 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