

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
MONDAY, MARCH 10, 2008**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, March 10, 2008 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

PLEDGE TO THE FLAG: Led by Girl Scout Troop 206.

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

APPROVAL OF MINUTES: Councilman Berg moved and seconded by Councilwoman Hollonbeck, “**I move the minutes of the Regular Council meeting of February 25, 2008 be approved.**” Motion passed by voice vote without dissent.

BILLS & PAYROLL: Councilman Colwill and seconded by Councilman Berg, “**I move the bills and payroll for the first half of March 2008 be allowed and paid when checked over and found correct.**” Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Hollonbeck, Colwill, Hayes, and Mayor Olson. Nays: None. Motion passed 6-0.

REPORTS & COMMUNICATIONS:

- Mayor:
 - Proclamation – Girl Scout Week: City Clerk McKinney read the proclamation for Girl Scout Week, March 9th – March 15th, 2008. Mayor Olson presented the troop with the signed proclamation, after which they presented him with Girl Scout cookies.
 - The Mayor read the list employees with anniversaries in March and thanked them for their service.
- Council Members: None

PUBLIC COMMENTARY: None

BUSINESS ITEMS:

1. **South First and South Second Street Sewer Replacement:** The 2007-08 RMU Capital Budget includes \$95,000 for the replacement of 500 foot of sanitary sewer and three manholes on South First Street. The 2008-09 Capital will include \$85,000 for replacement of 500 foot of sanitary sewer and three manholes on South Second Street. This project is being proposed now, even though the 2008-09 budget has not yet been approved, to allow for replacement of the sanitary sewer prior to street and sidewalk work scheduled in this area. Subsequent to the required public notice, bids were opened on February 29, 2008, with seven contractors submitting bids. RMU staff and their consultant, Mick Gronewold of Fehr-Graham & Associates, have reviewed all bids and determined that the apparent low bidder, Martin and Company, has met the minimum requirements of the specifications with their bid of \$98,718.00. Gary Larsen and Kathy Cooper were present to answer questions. Moved by Councilman Colwill and seconded by Councilman Berg, “**I move the Council accept the bid from Martin and Company for the South First and South Second Sanitary Sewer Replacement in the amount of \$98,718 and reject all other bids.**” Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Hollonbeck, Colwill, Hayes, and Mayor Olson. Nays: None. Motion passed 6-0.

- 2. Ordinance Approving Variance – Flagg Road Commons:** The City has received a request from Spencer Hayden for a shore-land setback variance at the northeast corner of Illinois Route 251 and Flagg Road. The code requires that lots abutting the Kyte River include building setbacks of at least 100 feet from the high-water line and elevated at least two feet above the high-water elevation. The petitioner has requested a variance which would allow the building setback to coincide with other B-2 lots in this location due the unique shape of the lot and site elevations in excess of 5 feet above the floodplain. Chris Limas, Community Development Director recommended approval of the variance due to the unique shape and elevation of the site. At the February 12, 2008 meeting of the Zoning Board of Appeals the Hayden variance request was considered. The ZBA voted 4-0, to recommend approval of a variance to allow the Kyte River setback for buildings to match the required building setbacks in respective B-2 locations. Chris Limas was in attendance to answer questions. Moved by Councilwoman Hollonbeck and seconded by Councilman Berg, **“I move Ordinance 08-3646, An Ordinance Approving a Variance for Property Known as the Flagg Road Commons Subdivision, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Berg, Hollonbeck, Colwill, Hayes, and Mayor Olson. Nays: None. Abstained: Councilman Hayden. Motion passed 5-0.
- 3. Ordinance Approving Final Plat – Flagg Road Commons:** Spencer Hayden has petitioned for approval of a final plat for a four lot commercial subdivision located at the northeast corner of IL 251 and Flagg Road. City Council approved the preliminary plat on January 28, 2008. The proposed subdivision would include 3 buildable lots, a fourth lot reserved for detention purposes and access from Flagg Road. On February 18, 2008 the City of Rochelle Plan Commission reviewed the petition for a final plat. The Plan Commission voted to recommend approval of the final plat by a vote of 5-0 subject to submittal of a revised final plat and mass grading plan per the engineering letter dated February 13, 2008, stormwater maintenance agreement be submitted and approved, all required surety be provided, the cost of the sidewalk originally planned for the east side of Route 251 be paid to the City. Chris Limas and Sam Tesreau were both present to answer questions. Mr. Limas said that Willet-Hoffman has made all the necessary changes. Moved by Councilman Colwill and seconded by Councilwoman Hollonbeck, **“I move Ordinance 08-3647, An Ordinance Approving the Final Plat of Subdivision for Flagg Road Commons, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Berg, Hollonbeck, Colwill, Hayes, and Mayor Olson. Nays: None. Abstained: Councilman Hayden. Motion passed 5-0.
- 4. Participation Agreement between IDOT and the City of Rochelle (Airport Improvements):** The City of Rochelle is proceeding with the steps necessary to extend the current runway at the Rochelle Municipal Airport to 5,000 feet. To accomplish this goal the City needs to enter into a Participation Agreement with IDOT Division of Aeronautics to administer the project. .Execution of the Participation Agreement will allow the State to issue a “Notice to Proceed” with the Airport Layout Plan. The total cost of the ALP project is \$109,190.00 of which the local share, after consideration of state and federal grants, is \$2,730.00. Don Elliott was present to answer questions. Mr. Elliot stated that the project will begin within the next 12 to 14 months. Moved by Councilman Berg and seconded by Councilman Colwill, **“I move the Council authorize Mayor Olson to Sign Participation Agreement 08-3652 with IDOT and the City of Rochelle for Airport Improvement Project # RPJ-3728.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Hollonbeck, Colwill, Hayes, and Mayor Olson. Nays: None. Motion passed 6-0.

5. **Resolution Directing Closure of Portion of Sidewalk North 7th Street:** Location Finders International began construction of a future Walgreen's Drug Store building in November 2007 on North 7th Street in Rochelle. In connection with this development, LFI is required to construct a left turn lane into the site for northbound traffic which will require widening and lowering a portion of 7th Street. A temporary construction easement has been requested from the property owners in order to reconfigure their driveway. Despite several meetings, negotiations for a temporary construction easement have been unsuccessful. Without the temporary easement, these street modifications will result in an elimination of the existing sidewalk to the south and increase the slope of the residential driveway to the south. The Illinois Department of Transportation has advised the City that they will issue the permits for the left turn lane if the City closes the sidewalk, for the width of the driveway, and erects signage directing pedestrian traffic to the other side of the street. It is anticipated that this would be a temporary situation which would be corrected when IDOT completes that portion of the Route 251 widening project. The City Attorney has provided his legal opinion that this closure could be accomplished in a manner that would render the City immune from liability in the event the cross-slope of the driveway contributed to an injury. LFI will be required to construct the new sidewalk and the new drive immediately after IDOT obtains the necessary construction easement. Sam Tesreau was present to answer questions. Attorney Cole was present to speak on behalf of the property owners, the Best family and the resolution be tabled. Moved by Councilman Berg and seconded by Councilman Hayden, **"I move Resolution R08-07, A Resolution Direction Closure of Portion of Sidewalk on west side of North 7th Street, be adopted."** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Hollonbeck, Colwill, Hayes, and Mayor Olson. Nays: None. Motion passed 6-0.
6. **Resolution Granting Real Estate Tax Abatement to Project Richard:** The Economic Development Department has been informed that there is a manufacturing and distribution center that is considering building in ProLogis Park in Rochelle. The Greater Rochelle Economic Development Corporation is requesting that the City provide financial incentives to this business in the form of property tax abatements. This project has been evaluated to determine the anticipated economic impact to the community including estimated job creation of 85-100 positions and future equalized assessed valuation (EAV) of \$3,600,000. Based on this evaluation a three year abatement schedule has been proposed. Peggy Friday was present to answer questions. Moved by Councilman Colwill and seconded by Councilman Berg, **"I move Resolution R08-08, A Resolution Granting Real Estate Tax Abatement to Project Richard, subject to an agreement that the assessed EAV will not be challenged for a period of five years and subject to verification of the investment of wages and job creation consistent with the scope of project specification, be adopted."** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Hollonbeck, Colwill, Hayes, and Mayor Olson. Nays: None. Motion passed 6-0.
7. **Ordinance Authorizing and Providing for the Issue of Waterworks and Sewerage Refunding Revenue Bonds** Current municipal bond interest rates have dropped to record levels. The City of Rochelle has some series 1999 water reclamation revenue bonds that are eligible for refunding at a lower rate which could provide a substantial savings over the life of the bonds. The refunding of these bonds was discussed at the February 25, 2008 City Council Meeting. The aggregate principal amount remaining unpaid on the water reclamation revenue bonds is \$4,165,000. In order to proceed with the refunding of these bonds an ordinance authorizing the City to issue the Waterworks and Sewerage Refunding Revenue Bonds is required. The refunding of these bonds at a lower interest rate is anticipated to save the City approximately \$255,544.00 but will be dependent on interest rate market fluctuations. Bob Withrow was present to answer questions. Moved by Councilwoman Hollonbeck and seconded by Councilman Hayden, **"I move Ordinance 08-3653, An Ordinance Authorizing and Providing for the Issue of Waterworks and Sewerage Refunding Revenue Bonds, be adopted."** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Hollonbeck, Colwill, Hayes, and Mayor Olson. Nays: None. Motion passed 6-0.

8. City Manager's Report:

- **Community Development Department 2007 Annual Report:** The Community Development Department experienced a very busy year in 2007. Numerous residential, commercial, and industrial construction projects occurred throughout the City. A total of 462 building permits were issued with a building improvement value of \$28,616,861.30. A detailed report has been provided to the Mayor and Council Members. Moved by Councilman Colwill and seconded by Councilman Berg, **"I move the Council accept and place on file (08-3654) the Community Development Department 2007 Annual Report."** Motion passed by voice vote without dissent.
- **Budget 2008-2009.** The proposed budget will be available to City Council on approximately March 17, 2008. Staff would like to schedule a budget workshop during the last week of March to review the budget with council and answer any questions.

DISCUSSION ITEMS:

1. **Capital Plan – General Fund Infrastructure Improvements:** Several City staff members have met over the past few months with the goal of developing a Capital Plan which addresses future general fund infrastructure needs for the City of Rochelle. Items included in the plan are current commitments, anticipated projects, and maintenance needs of existing infrastructure. City Engineer, Sam Tesreau, continued the discussion of the plan originally begun at the February 11, 2008 City Council Meeting.

EXECUTIVE SESSION: At 8:32 p.m. Councilwoman Hollonbeck moved and seconded by Councilman Berg, **"I move the Council recess into executive session to discuss litigation."** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Hollonbeck, and Colwill. Nays: None. Motion passed 6-0.

At 9:11 p.m., Councilman Berg moved and seconded by Councilman Hayden, **"I move the Council return to Open Session."** Motion passed by voice vote without dissent.

ADJOURNMENT: At 9:11 p.m. Councilman Berg moved and seconded by Councilman Hayden, **"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