

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
TUESDAY, MAY 27, 2008**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Tuesday, May 27, 2008 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

PLEDGE TO THE FLAG & PRAYER

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

PROCLAMATIONS, COMMENDATIONS, ETC.:

REPORTS & COMMUNICATIONS:

- Mayor: Thanked the VFW for the ceremony they had on Memorial Day at RTHS.
- Introduction of new Employee: Barbara Bell, RMU Customer Service Supervisor.
- Council Members: Dennis Berg: The interviewing process is started for the Planning & Zoning Commission.

BUSINESS ITEMS:

1. Consent Agenda Items by Omnibus vote with Recommendation:

- a) **Approve Minutes of City Council Meeting of May 12, 2008.**
- b) **Accept Minutes of Zoning Board of Appeals of February 12, 2008.**
- c) **Accept Minutes of Plan Commission of April 21, 2009**
- d) **Approve Bills and Payroll for second have of May, 2008.**
- e) **Accept and Place on File Police Pension Board Treasurer's Report 2007/08.**

Moved by Councilwoman Hollonbeck and seconded by Councilman Berg, **"I move the Consent Agenda Items a, b, c, d, & e be approved by Omnibus Vote as Recommended."**

Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Hollonbeck, Hayes, Eckhardt, and Mayor Olson. Nays: None. Absent: One Motion passed 6-0.

- 2. Bids – Electric and Communications Underground Contract:** The 2008-09 Electric Utility Budget includes a total of \$400,000 for the underground work covered under this bid: \$250,000 in the Electric Utility and \$150,000 in the Communications Utility. This contract is for the labor and equipment to install 8800 lineal feet of dual conduits, electric cable, fiber optic cable, and pads and vaults associated with the electric and communications system. All of the materials necessary for this system have been purchased separately by RMU and will be supplied to the contractor for installation. The infrastructure which will be installed will serve the electric and communication needs of Allstate, Northern Trust, Ogle County and the RMU Technology Center. Subsequent to the required public notice, bids were opened on May 20, 2008, with eight contractors submitting bids. RMU staff and their consultant, Terry Heitkamp of Fehr-Graham & Associates, have reviewed all bids and determined that the apparent low bidder, Trench-It, Inc., has met the minimum requirements of the specifications with their bid of \$382,472. Gery Larsen was present to answer questions. RMU has already purchased material for \$450,000. Moved by Councilman Berg and seconded by Councilman Hayden, **"I move the Council award the bid for Electric and Communications Underground Contract to Trench-It, Inc. of Union IL in the amount of \$382,472 and reject all other bids."** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Hollonbeck, Hayes, Eckhardt, and Mayor Olson. Nays: None. Absent: One Motion passed 6-0.

3. **Bids – 13.8kV Switchgear for Allstate Data Center:** The City of Rochelle entered into a Development Agreement with Allstate Insurance Company on November 29, 2007 related to the location of a data center in the Rochelle Business and Technology Park. The 2008-09 RMU Capital Budget includes \$350,000 for conductors, transformers, and switchgear related to the Allstate site. Of that budgeted amount, \$100,000 was slated for switchgear based on consultant and vendor estimates. Subsequent to the required public notice, bids were opened on May 12, 2008, with three vendors submitting bids. RMU staff and their consultant, Sargent & Lundy, LLC, have reviewed all bids and determined that the apparent low bidder, S&C Electric Equipment, has met the requirements of the specifications, with the exception of the schedule requirements, with their bid of \$174,075. An increase in steel prices and inflation rates elevated the bids beyond the original estimates. On May 20, 2008 Gary Larsen met with Tom Simon, Senior Construction Superintendent at the Allstate Site, and discussed the impact of the delayed switchgear delivery. RMU committed to installing temporary equipment which will allow Allstate to meet their schedule for energizing their building as early as mid July. Gary Larsen was present to answer questions. According to Mr. Larsen, with the fact that the materials were on last year's budget as well as other bids coming in lower, we are still under budget. Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **“I move the Council award the bid for 13.8kV Switchgear for the Allstate Data Center to S & C Electric Equipment in the amount of \$174,075 and reject all other bids.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Hollonbeck, Hayes, Eckhardt, and Mayor Olson. Nays: None. Absent: One Motion passed 6-0.
4. **Ordinance Approving the Concept Plan for the Northern Trust Data Center Site Located in the Technology Overlay District** The City Council approved an ordinance on August 27, 2007 which created a Technology Overlay District within the Rochelle Business and Technology Park. The creation of this district restricts the uses within the Rochelle Business and Technology Park to ensure that only appropriate businesses locate in the area and regulates the design of the site and buildings. Northern Trust is proposing the construction of a 73,300 square foot data center in the technology park. Preliminary building and site plans were submitted for review to ensure compliance with the Technology Overlay District. The Plan Commission reviewed the concept plans on May 19, 2008 and recommended approval of the plan's compliance with the TOD subject to minor revisions including: that the access drive line up with the proposed RMU access drive, landscaping along Technology Parkway conform with the park plan developed by Landvision and final site, engineering and landscape plans subject to staff approval. Representatives for Northern Trust present to go over details and answer any questions were Paul Dunn, Real Estate; Randy Overton, Technology; and Don Jenkins, consultant. Chris Limas was also present to answer questions. Moved by Councilman Berg and seconded by Councilman Hayden, **“I move Ordinance 08-3680, An Ordinance Approving the Concept Plan for the Northern Trust Data Center Site Located in the Technology Overlay District, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Hollonbeck, Hayes, Eckhardt, and Mayor Olson. Nays: None. Absent: One. Motion passed 6-0.

5. **Variance Request – Front, Rear and Side Yard Setback 222 2nd Avenue** The City has received a request from Richard Kuehl for a front, rear, and side yard setback variance at 222 2nd Avenue. The petitioner has requested a ten foot variance from the required twenty foot front yard setback, a fourteen foot variance from the required twenty foot rear yard setback, and a three foot variance from the required 15 foot side yard set back to allow for the construction of a 50 foot by 99 foot metal storage building. Due to the shallow depth of the lot, Chris Limas, Community Development Director, recommends approval of the requested front yard and rear yard variances but not the side yard setbacks. Staff has suggested other options to the applicant to meet the side yard requirements, including the acquisition of City owned right-of-way or the possibility of reducing the size of the building. At the May 13, 2008 meeting of the Zoning Board of Appeals the Kuehl variance request was considered. The ZBA voted 4-0, to recommend approval of a ten foot front yard variance and a fourteen foot rear yard variance. The ZBA voted 3-1 in favor of approving the three foot side yard variance but lacked the four votes required for approval and therefore officially denied the request. Mr. Alberts has received an offer from Mr. Kuehl to purchase R-O-W of alley and this will be voted on at a future meeting. Chris Limas was present to give further details and answer questions. Moved by Councilman Berg and seconded by Councilman Hayden, **“I move Ordinance 08-3681, An Ordinance Approving a Front and Rear Yard Variance and Denying a Side Yard Variance for Property located at 222 Second Avenue, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Hollonbeck, Hayes, Eckhardt, and Mayor Olson. Nays: None. Absent: One Motion passed 6-0.

6. **Ordinance Amending Chapter 2 and Adopting Procedures for Electronic Attendance at Meetings** On January 1, 2007 Public Act 94-1058 became effective, which amended the Open Meetings Act. This public act further defines “meetings” and permits members to attend public meetings by means other than physical presence; such as through the use of telephone or electronic options. To allow members to attend meetings through means other than physical presence, the City Council must approve an ordinance which amends the term “meeting” to include electronic gatherings. The rules established under this ordinance would apply to all committees, board and commissions established by the City of Rochelle and contain specific prerequisites on when a member may attend electronically, authorization required, and the rights of the remote member. The recent upgrades to the Council Chambers audio/visual equipment and associated phone capabilities facilitate this electronic option. Alan Cooper, City Attorney, was present to answer any questions. Moved by Councilwoman Hollonbeck and seconded by Councilman Hayes, **“I move Ordinance 08-3682, An Ordinance Amending Chapter 2 (“Administration”) of the Rochelle Municipal Code and Adopting Rules for Electronic Attendance at Meetings, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayden, Berg, Hollonbeck, Hayes, Eckhardt, and Mayor Olson. Nays: None. Absent: One Motion passed 6-0.

7. **City Manager’s Report**

- **FEMA Reimbursement** The City of Rochelle is eligible for reimbursement of 75% of costs associated with snow removal operations for the February 5th-6th snow event in Ogle County. The expenses considered for reimbursement during the 48 hour period include equipment, overtime, material, and contractual labor. A check in the amount of \$17,374.00 has been received.
- **Spring Clean-Up Week** The City’s Annual Clean-Up Week has been rescheduled for June 2nd-6th. Citizens are encouraged to place unwanted items next to their regular household waste. Street Division Crews will follow the same routes as Rochelle Disposal to pick up these items. Unacceptable items are gasoline, motor oil, paint, car batteries, tires, appliances, or other hazardous materials.

- **Electronics Recycling Event** Lee County and Ogle County will be jointly hosting an Electronics Recycling Event on Friday, June 6th and Saturday, June 7th. The collection event will be open from 9:00 a.m. to 3:00 p.m. on Friday and 9:00 a.m. to 1:00 p.m. on Saturday. It will be located at the Oregon Commerce Center, 425 W. Pines Road in Oregon. The event is open to residents, businesses, and institutions in Lee and Ogle County. A wide range of electronic equipment will be accepted, including computers and peripherals, office equipment, and entertainment and visual equipment. A copy of the event announcement is attached for reference; it will be posted in City Hall and in all Departments. Mr. Hayes asked about a drop-off center in Rochelle and then taken over to the center in Oregon.

PUBLIC COMMENTARY: None

DISCUSSION ITEMS:

1. **Refunding of Electric Revenue Bonds** Earlier this year, due to lower bond interest rates, the City of Rochelle was successful in refunding some water reclamation revenue bonds at a lower rate, providing a substantial savings over the life of the bonds. The City has some 1995 electric bonds that are eligible for refunding which, according to an analysis by Baird and Associates, could also provide a substantial savings. Finance Manager, Chris Frye, was present to discuss this option and answer questions. Council agreed to proceed.

EXECUTIVE SESSION: None

ADJOURNMENT: At 8:10 p.m., Councilman Berg moved and seconded by Councilwoman Hollonbeck, **“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