

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 8, 2008**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, September 8, 2008 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

PLEDGE TO THE FLAG & PRAYER

ROLL CALL: Present on Roll Call were Councilmembers Hollonbeck, Hayden, Berg, Colwill, Hayes, Eckhardt and Mayor Olson. Absent: None. Also present were Ken Alberts, City Manger and Bruce McKinney, City Clerk.

PROCLAMATIONS, COMMENDATIONS, ETC.:

- Family Day: Read by Bruce McKinney, City Clerk.
- Constitution Week: Read by Bruce McKinney, City Clerk. (The Proclamation was presented to Sarah Flanagan of the Flagg-Rochelle Library by the Mayor earlier in the day.)

REPORTS AND COMMUNICATIONS:

- Mayor: None
- Council Members: None

BUSINESS ITEMS:

1) **CONSENT AGENDA ITEMS BY OMNIBUS VOTE:**

- a) Approve Minutes of City Council Meeting of August 11, 2008;
- b) Accept & Place on File Planning & Zoning Commission Minutes August 4, 2008;
- c) Approve Bills/Payroll for first quarter.

Moved by Councilman Berg and seconded by Councilman Hayden, **“I move Consent Agenda Items a, b and c be approved by Omnibus Vote as Recommended.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Hayden, Colwill, Hollonbeck, Eckhardt, Berg and Mayor Olson. Nays: None. Motion passed 7-0.

- 2) **Additional Nicor Easement – Cemetery Property on 8th Avenue:** Nicor representatives approached the City of Rochelle several months ago regarding the need to upgrade their terminal located at 8th Avenue and 20th Street to meet the expansion needs of Illinois River Energy on Steward Road, as well as other industrial development projects in the community. The Mayor and City Council approved an easement of 8500 square feet on the south side of 8th Avenue on June 23, 2008. This property is located south of the current NGPL and Nicor terminals. The Nicor terminal upgrades include the construction of a building in the south east corner of the previously acquired easement. This structure is subject to set back requirements within the easement which cannot be met in the current 8500 square feet. Due to distance requirements between the valves and structures, relocating the building is not an option. Nicor has requested an additional 5,000 square foot easement to allow for the required 15 foot setback on the east side of the easement and 20 foot setback on the south side of the easement. Nicor has agreed to pay the City \$17,500 to obtain this additional easement. Moved by Councilman Colwill and seconded by Councilman Eckhardt, **“I move Easement 08-3733, Granting of Easement to NICOE Gas at 9th Avenue, be approved.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Hayden, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.

- 3) **Ordinance Approving a Rezoning from R-1 to R-5 and the Preliminary Plat and Final Plat of Subdivision Main Street Addition:** Rochelle Country Club has petitioned to rezone property located in the 500 Block of Main Street, totaling approximately .35 acres, from R-1, Single Family Low Density to R-5, Multi-Family High Density. They have also requested approval of a preliminary and final plat for this lot for the future development of a duplex or three unit townhouse structure. Staff found that the rezoning of the property is appropriate with the comprehensive plan designation and the proposed preliminary and final plats meet the R-5 standards for minimum lot size and width. At the September 2, 2008 meeting of the Planning and Zoning Commission a public hearing was held with regard to the petition for rezoning and preliminary and final plat. Upon completion of the public hearing the Commission made a recommendation for approval of the rezoning and preliminary and final plats by a vote of 6-0 subject to a height and use limitation and engineering approval based on conditions outlined in a letter dated August 29, 2008. After conducting some legal research it was determined that the City Council cannot legally place such restrictions on the rezoning. The Council may grant the zoning change to R-5, without the restrictions, or it may deny the petition to rezone. The recommendation of Staff is to approve the request for rezoning and from R-1 to R-5 and the Preliminary Plat and Final Plat subject to engineering approval. Chris Limas, Community Development Director, was present to give further information and answer any questions. Mr. Limas stated that with the standards of the R-5 zoning and the size of the lot, the building would contain two stories at the most. Moved by Councilman Eckhardt and seconded by Councilman Berg, **“I move Ordinance 08-3734, An Ordinance Approving a Rezoning from R-1, Single Family Low Density to R-5, Multi-Family High Density, Preliminary, and Final Plat of Subdivision for Main Street Addition, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Hayden, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.
- 4) **Supplement Resolution for Maintenance of Street and Highways – Seal Coat:** At the June 23, 2008 City Council Meeting the Mayor and City Council accepted a bid from U.C. Paving for the application of a seal coat surface treatment to several area roadways and adopted a resolution appropriating \$129,500 of Motor Fuel Tax (MFT) funds for this purpose. Since that time existing roadways including Veterans Parkway, sections of 8th Avenue and 9th Street and several streets and avenues in the southwest quadrant of the City have received this treatment as a cost effective way to extend the life of these surfaces. The project, which has been completed by U.C. Paving, included pavement surface areas which exceeded the original estimate by approximately 10%. As a result of the additional surface areas, the final invoice from U.C. Paving of \$142,706.36 exceeds the MFT appropriation by \$13,206.36. Sam Tesreau, City Engineer, recommends approval of a supplemental resolution to provide for additional funds which are available in the MFT Fund. Mr. Tesreau was present to answer questions. Moved by Councilman Colwill and seconded by Councilman Hayden, **“I move Resolution R08-28, A Supplemental Resolution for Maintenance of Streets and Highways – Seal Coat, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Hayden, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Nays: None. Motion passed 7-0.

- 5) **Intergovernmental Agreement between the City and Ogle County – Flagg Road:** The Illinois Department of Transportation (IDOT), in cooperation with the City of Rochelle and Ogle County, has been planning the future reconstruction and widening of Illinois Route 251 from Illinois Route 38 to the Kyte River Bridge. These improvements are expected to be completed over the next several years. Due to a lack of available funding for the entire project, Ogle County has taken the lead on the first phase of the project with approval and funding through IDOT. The first phase of these improvements involves the intersection at Flagg Road and Illinois Route 251 from Wendell Drive East to Route 251 and from Fairview Drive to the Kyte River Bridge. IDOT held a series of stakeholder meetings throughout the past year to discuss future improvements planned for Illinois Route 251 and receive input. Area officials and City staff expressed a desire for pedestrian paths and sidewalks along Route 251 in addition to sections along Flagg Road. The intergovernmental agreement provides for Ogle County and the City of Rochelle to jointly construct improvements along Flagg Road and IL Route 251. City obligations outlined in the agreement total approximately \$86,000 and include 5% of the cost of traffic signal modifications, 50% of the cost of sidewalks, 75% of the cost of multi-use paths, and 100% of sidewalks constructed on the north side of Flagg Road in Ogle County's right of way. The Ogle County Board was to consider this intergovernmental agreement at their meeting on September 9, 2008 and pending approval will let the project out for bid in September of 2008 with an expected completion date of November 1, 2009. Sam Tesreau was present to answer any questions as well as explain future plans. Moved by Councilwoman Hollonbeck and seconded by Councilman Eckhardt, **"I move Agreement 08-3735, an Intergovernmental Agreement between the City of Rochelle and Ogle County Relating to the Construction of Flagg Road Improvements at IL Route 251, be approved."** Roll call vote was taken. Ayes: Councilmembers Hayes, Colwill, Hollonbeck, Berg, Eckhardt, and Mayor Olson. Abstain: Councilman Hayden (interest in property). Nays: None. Motion passed 6-0.

PUBLIC COMMENTARY:

- Jeff Pignato requested the council accept a proclamation for National POW/MIA, Friday, September 19, 2008. Moved by Councilman Colwill and seconded by Councilman Eckhardt, **"I move that the City of Rochelle proclaim September 19, 2008 as National POW/MIA Day."** Motion passed by voice vote without dissent.
- City Manager, Ken Alberts, commented on the press conference earlier in the day for the grant award of almost three million dollars towards the Steward Road Overpass Project. Among those present for the ceremony were Congressman Don Manzullo, Senator Brad Burzynski, Representative Bob Pritchard, Bob Sawyer, and Regional Director of the U.S. Dept. of Commerce EDA. Mr. Alberts commended Jason Anderson and all of the many people who worked hard to make this happen.

DISCUSSION ITEMS:

- 1) **City Hall Landscaping Plan:** Sue Messer, Assistant to the City Manager, shared information on plans for revitalizing the area. The landscaping surrounding City Hall has been in place for a number of years and has matured to a point where it is time to evaluate and rejuvenate the area. A landscape design consultant has prepared a plan which compliments the building, provides more functionality in the courtyard, and is less labor intensive to maintain. Sue gave a visual picture of the plans for the courtyard. It includes benches, lots of colorful perennial flowers, and yet keeping four trees that are still in good condition, including one that was a memorial. There will also be a new sign in front. The plan is to start the first of October. The sign will be \$5,000, the plants will be \$4,000, the mulch will be minimal, and the labor minimal as the work is being done by the Street Division.

EXECUTIVE SESSION: None.

ADJOURNMENT: At 8:01 p.m., moved by Councilman Berg and seconded by Councilman Colwill, **"I move the Council Adjourn."** Motion passed by voice vote without dissent.