

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
TUESDAY, OCTOBER 14, 2008**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Tuesday, October 14, 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, Berg, Colwill, Hayes, Eckhardt and Mayor Olson. Absent: Councilman Hayden. Also present were Ken Alberts, City Manger and Bruce McKinney, City Clerk.

PROCLAMATIONS, COMMENDATIONS, ETC.:

- **Community Planning Month:** Proclamation read by Bruce McKinney and accepted by Chris Limas, Community Development Director, on behalf of our employees involved in regional planning and the dedicated volunteers on the Planning & Zoning Commission.

REPORTS AND COMMUNICATIONS:

- Mayor: NIMPA Annual Dinner meeting Wednesday evening.
- Council Members: Bil Hayes recently took a tour of the Police Department; he thanked the PD staff for the hours they volunteered in the new addition.

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting – September 22, 2008
- b) Approve Bills/Payrolls for first half of October 2008.
- c) Authorize Chamber Lighted Christmas Parade on December 5, 2008

Moved by Councilman Colwill and seconded by Councilwoman Hollonbeck, **“I move Consent Agenda Items a, b, and c be approved by Omnibus Vote as Recommended”**.

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

- 2) Bids – Seventh Avenue Electric Upgrade:** The 2008-09 RMU Capital Budget includes \$100,000 for improvements to the electrical underground distribution system. To date only \$16,800 of this budgeted amount has been spent. The existing underground electrical system in the 100 block of Seventh Avenue is in need of an upgrade which is evidenced by the numerous service interruptions over the past few years. Last year, in preparation for this upgrade, long runs of conduit were installed through directional boring in this location. Included in this upgrade is the installation of new cable from 101 – 107 Seventh Avenue, three new single phase transformers, two new three phase junction boxes, and the installation of conduit connecting the long runs to the transformers. Subsequent to the required public notice, bids were opened on September 18, 2008, with four contractors submitting bids. RMU Staff 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 \$18,510 for the installation of RMU provided materials. Gary Larsen, RMU General Manager, was present to show a complete cost of the project and to answer questions. Moved by Councilman Berg and seconded by Councilman Colwill, **“I move Council accept Bid C08-16 for the Seventh Avenue from Trench-it in the amount of \$18,510 and reject all other bids.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Absent: one. Motion passed 6-0.

- 3) **Bids - Water and Sewer Extension I88 & Route 251:** City representatives have been meeting with developers, representing properties located south of Interstate 88, for the past couple of years in an effort to provide water and water reclamation services to that area. The extension of these services is supported in the 2006 Water & Sewer Comprehensive Plan and would provide for additional redundancy in the water system. IDOT plans related to the construction of I-88 indicated the existence of sanitary sewer and water casing pipes under the roadway. Further investigation by RMU confirmed that pipes exist under the roadway and under the on-ramps and off-ramps with an incomplete gap between the ramps and the tollway. RMU General Manager, Gary Larsen, presented information to the Mayor and City Council on July 28, 2008 in regard to the findings, preliminary cost estimates and available options. As a result of that discussion, plans and specifications were developed to complete the extension of water and water reclamation services south of Interstate 88. When bids were solicited an alternate was included which would connect the north end of the casing pipes to existing water and sewer systems at the intersection of Willis and Intermodal Drive. Subsequent to the required public notice, bids were opened on October 2, 2008, with eight contractors submitting bids. RMU Staff have reviewed all bids and determined that the apparent low bidder, Bish Excavating, has met the minimum requirements of the base bid specifications with a bid of \$284,564.53 and has also provided the lowest bid for the total project of \$457,160.59. Funds for the project will be made available by delaying two capital budget items previously approved. Willett Hofmann has applied for the necessary permits related to the extension of these services with the Illinois Environmental Protection Agency (IEPA). Due to the proximity of the existing casings (less than 10' apart) the IEPA is still considering the application. Gary Larsen said that; IEPA will approve permit; sewer must be put in a separate casing; will work out a change order with Bish; the additional amount is \$5,000. Moved by Councilman Eckhardt and seconded by Councilman Berg, **“I move Council accept Bid C08-17 for the base and alternate bids for Water and Sewer Extension I-88 and Route 251 from Bish Excavating of Hinkley, IL for a total amount of \$457,160.59 subject to obtaining a construction permit from the Illinois Environmental Protection Agency and reject all other bids.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Absent: one. Motion passed 6-0.
- 4) **Quotes – Tree Trimming:** The 2008-09 Electric Operations Budget includes \$110,000 for overhead line expense. This budgeted amount is for materials and expenses incurred in the maintenance of the overhead distribution system, including tree trimming estimated at \$60,000. Annual tree trimming is a crucial factor in reducing outages in the overhead distribution system. RMU Electric Operations Division accepted quotes for the annual tree trimming project. Areas designated for tree trimming this year include the rural sections north of Route 38 and north of Flagg Road, including Hillcrest. Three contractors submitted proposals to RMU for this work. RMU Staff have reviewed the three quotes and recommend the acceptance of the low quote from Grover’s Nursery in the amount of \$52,800. Gary Larsen was present to answer any questions. Moved by Councilman Colwill and seconded by Councilman Eckhardt, **“I move Council accept quote C08-18 for tree trimming from Grover’s Nursery in the amount of \$52,800.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Absent: one. Motion passed 6-0.

- 5) **Ordinance Amending Chapter 66 – Prohibit Swimming at Quarry:** The tragic drowning of a young man in a South Beloit quarry in July heightened concerns for safety in and around the quarry in our community. Due to the deep waters, submerged ledges, cold temperatures, and equipment which lies below the surface, the quarry near the intersection of Flagg Road and Illinois Route 251 is an extremely dangerous place to swim. Our local police and fire departments have responded to numerous calls of people swimming in the quarry and even a possible drowning, which thankfully turned out to be false. Members of the Police Department and Fire Department have prepared a list of suggestions to deter swimming in the quarry and provide the ability for enforcement. These recommendations include: an adequate number of “No Trespassing” signs warning of the dangerous waters, the removal of the bridge located near the bike path which leads to the quarry, and public service announcements. These options will be evaluated and likely implemented in the future. In addition, legal counsel has confirmed that the City has jurisdiction over all waters within the municipality which allows for the ability to prohibit swimming in the quarry. Adopting an ordinance to prohibit swimming in the quarry would allow the police department enforcement authority without the need for a complaint from the property owner. Police Chief Rob Buck and Attorney Alan Cooper were present to answer questions. Tickets will be given to offenders, with a fee of \$50. A discussion resulted indicating that perhaps this fee is not enough to thwart the offenders. Moved by Councilman Berg and seconded by Councilwoman Hollonbeck, **“I move Ordinance 08-3746, An Ordinance Amending Chapter 66 (“Offenses”) of the Municipal Code of the City of Rochelle to Prohibit Swimming at Quarry, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Absent: one. Motion passed 6-0.
- 6) **Resolution Adopting an Identity Theft Prevention Program:** The Federal Trade Commission adopted a rule on identity theft that applies to creditors that maintain a utility service account with a customer. The rules require that utilities, and all other providers of covered accounts, implement an identity theft program and policy by November 1, 2008. A program and related policy have been developed in combination with the American Public Power Association, Illinois Municipal Utilities Association, Illinois Municipal Electric Agency and several area public utilities. The purpose of an identity theft prevention program is to protect customers of the City of Rochelle’s utility services from identity theft. The Program is intended to establish reasonable policies and procedures to facilitate the detection, prevention, and mitigation of identity theft in connection with the opening of new Covered Accounts and activity on existing Covered Accounts. If approved this program will be effective November 1, 2008. Gary Larsen said that procedures are already prepared. There is a 15-slide instructive production that customer service staff will be able to watch. Moved by Councilman Hayes and seconded by Councilman Colwill, **“I move Resolution R08-30, A Resolution Adopting an Identity Theft Program Effective November 1, 2008, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Absent: one. Motion passed 6-0.

- 7) **Request for Extension of Letter of Credit – Squires Landing:** An Irrevocable letter of credit, No. S2005-246 for \$1,514,361.53 was submitted to the City of Rochelle by Squires Landing LLC to secure their obligations related to land improvements for Squires Landing Subdivision located along 20th Street in Rochelle. On October 9, 2007 the Mayor and City Council approved an amendment to the letter of credit, due to the completion of the majority of the required improvements, which reduced the amount of the letter of credit to \$390,756.00 with an expiration date of October 18, 2008. Staff has communicated to the Developer the importance of completing all the remaining public improvements associated with this subdivision as soon as possible. The Developer was provided a "punch list" of remaining work required and has committed to accomplish those tasks by 1 June 2009. Since the current letter of credit expires prior to that date, staff has required the Developer to provide a replacement. The Developer has responded with extending the existing irrevocable letter of credit with a new maturity date of 18 October 2009. This financial instrument will provide the City with the necessary assurance the public improvements will either be completed by the Developer or the City will complete the improvements and draw on the letter of credit. Sam Tesreau was present to answer any questions. The Council all agreed that this work needs to be completed. They are tired of looking at the mess out there. Moved by Councilman Colwill and seconded by Councilman Hollonbeck, **“I move the Council approve the extension of Letter of Credit #S2005-246 for Squires Landing LLC to October 18, 2009.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Colwill, Hollonbeck, Eckhardt, and Mayor Olson. Nays: None. Absent: one. Motion passed 6-0.

PUBLIC COMMENTARY: None.

DISCUSSION ITEMS:

1) **Salaries of Elected Officials:** The current compensation levels for the Mayor (\$20,000 plus \$2,500 for service as liquor commissioner) and Council Members (\$5,000) were established by ordinance on October 25, 2004. Only the Mayor's compensation was changed at that time from \$11,000 to \$20,000 (plus \$2,500 for service as liquor commissioner which remained the same). The council member's compensation has not changed since October of 1998 when it was increased from \$4,500 to \$5,000 with the Mayor's compensation increasing from \$8,000 to \$11,000. In view of the fact that there has been no change in the compensation for Council Members since October of 1998, it is the opinion of management that an annual increase of \$2,500, up to \$7,500 be considered. State law requires that any changes in compensation for elected officials must be established at least 180 days prior to the date when the officials take office. To amend the compensation levels effective next May, an ordinance would need to be approved by Council before the end of October. Once approved, any new compensation amount(s) would be effective for those elected members whose term begins in May of 2009. Mr. Alberts had given the Council a summary of various communities supplied. Mayor Olson felt it is time to increase the Council's salary, but not the Mayor's. The Council all seemed to agree that there is a lot more time and responsibility put into their positions than realized; none of them are in it for the money; time is necessary for research, extra meetings (i.e. the landfill meetings); for those working other jobs it's meant taking time off of work and even using vacation time. They feel the increase is well warranted but have a concern that in the future others may serve for the wrong reason. It was also brought up that no one on the Council is eligible for this increase even if it goes into effect before the next election; they are not eligible until voted in again.

City Manager's Report: Cost of Power: According to Mr. Alberts, this is an item that has a most significant effect on residents. Gary Larsen gave an update.

- After testing the market the past week, made a purchase.
- 9/1/07: \$63.22/5 by 10 hour
- 1/1/08-12/1/08: \$45.50/MW
- 9/3/08: \$51.00/MW
- 12/??: \$51.00/MW
- 5/16: \$63.60/MW
- Prices have come down; felt they shouldn't wait any longer as prices are going back up.
- 6/1/09-5/31/10: \$45.50/MW AND \$61.23/5 X 10
- Weather a big factor.
- Coal prices have soared. We are locked into the coal price for the next 30 years.

EXECUTIVE SESSION: None

ADJOURNMENT: At 8:13 p.m., moved by Councilman Berg and seconded by Councilman 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