

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

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

***PLEDGE TO THE FLAG & PRAYER***

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

***PROCLAMATIONS, COMMENDATIONS, ETC:*** None

***REPORTS AND COMMUNICATIONS:***

- **Mayor:** None
- **Council Members:** Councilman Berg announced that he would not be present for the December 22, 2008 council meeting.

***BUSINESS ITEMS:***

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

- a) Approve Minutes of City Council Meeting – November 24, 2008;
- b) Accept Stormwater Advisory Commission Minutes – November 14, 2007;
- c) Approve Bills/Payrolls
- d) **Ordinance Amending Section 6-13 of the Municipal Code – Liquor Commissioner**  
In August of 2006 the Mayor and City Council adopted a new Municipal Code for the City of Rochelle. The provisions of the existing Code were not changed at that time but, through a codification process, were arranged in an alphabetical format with a table of contents for ease in use. It has recently been discovered by Alan Cooper, City Attorney, that an error occurred during the process of codification related to the designation of the local liquor control commissioner. The new code incorrectly stated that “the local liquor control commissioner shall be the local liquor control commissioner.” The previous City Code designated the Mayor as the liquor commissioner which should be reflected in the current Code. This wording will be corrected through Ordinance #08-3765.

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

- 2) **Ordinance – 2008 Tax Levy:** Annually the City Council is required to adopt a Tax Levy Ordinance and file it with the County Clerk on or before the last Tuesday in December. Last year, the City’s property tax rate was \$0.81732 per \$100 of Equalized Assessed Valuation (EAV). The City’s actual 2007 EAV of \$192,216,287 resulted in total tax revenues of \$1,577,196.55. Our estimated EAV for 2008 is \$207,000,000 or an increase of approximately 7.69%. By reducing the 2008 property tax rate to \$0.780039 per \$100 of Equalized Assessed Valuation (EAV), recommended by staff, the tax levy calculations indicate approximately \$1,614,681 would be generated. The increase in the taxes levied for 2008 is \$37,484.45 or 2.38%. Chris Frye, Administrative Service Director, was present to answer any questions. Moved by Councilman Eckhardt and seconded by Councilman Colwill, **“I move Ordinance 08-3766, An Ordinance Approving the 2008 Tax Levy, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Hayden, Eckhardt, Colwill, Hollonbeck and Mayor Olson. Nays: None. Motion passed 7-0.

- 3) **Ordinance and Resolution – Business Registration:** As was discussed at the November 24, 2008 City Council Meeting, the Community Development Department, in cooperation with other City Departments, has been exploring the implementation of a business registration program as provided for in Article II Section 26 of the Municipal Code. Business registrations obtained through this program would be incorporated into a database which would facilitate contacting the property owner in a variety of emergency and non-emergency situations. In addition, upon registration of a new business an inspection would be completed to ensure the proprietor's compliance with health and safety codes prior to opening. The objective of this program is to insure the health, welfare, and safety of both the property owner and the general public. No fees would be collected for the initial registration of existing businesses. A fee to cover the City's cost would be assessed for inspections or re-inspections resulting from a change in ownership, relocation, or a change in the name of the business.

Ken Alberts commented on some misunderstandings he was aware of.

- Code already exists.
- Doesn't add any authority to what already exists. There is no threat to any business.
- If City had given citations for current violations, we wouldn't be discussing this now.
- It is City's responsibility to see that businesses are in compliance with basic health and safety codes.
- City will give businesses proper direction on what our codes are.
- Fire and Police Departments need this information for safety reasons.

Chris Limas gave additional information. Fire Chief McDermott gave his input regarding safety issues. Councilman Colwill wants to delay the amendment; Councilman Berg felt that it should not be postponed. Diane McNeilly, a public commenter, mentioned that property ownership is a public concern, both with home sales as well as business. Mayor Olson stated that he did not hear any negative comments from the public. Moved by Councilman Eckhardt and seconded by Councilman Berg, **"I move Ordinance 08-3767, An Ordinance Amending Chapter 26 (Businesses and Business Regulation) of the Municipal Code of the City of Rochelle to Require Registration of All Business, be adopted."** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Hayden, Eckhardt, Hollonbeck and Mayor Olson. Nays: Councilman Colwill. Motion passed 6-1. Moved by Councilman Berg and seconded by Councilman Hayden, **"I move Resolution R08-32, A Resolution Setting Amount of Inspection/Reinspection Fees for Business Inspections, be adopted."** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Hayden, Eckhardt, Hollonbeck and Mayor Olson. Nays: Councilman Colwill. Motion passed 6-1.

- 4) **Engineering Agreement between the City and Willett Hofmann – Sanitary Sewer Main:** The Engineering Department plans to include funds for roadway improvements on Avenue H, South Third Street, and First Avenue in the Fiscal Year 09/10 General Fund Capital Improvements budget. RMU has determined that sanitary sewer mains in this area are in need of replacement due to age and upgrades are necessary to provide additional manholes for proper access. It would be cost effective to complete these improvements prior to the street improvements. Willett-Hofmann & Associates have provided an engineering agreement for the design and construction of 1400 feet of sewer main, including the required upgrades, at a cost not to exceed \$24,000 for design engineering, and construction oversight not to exceed \$20,000. The approval of this agreement will provide for the engineering necessary to allow construction in advance of the anticipated roadway improvements. Adequate funds are available in the FY 08/09 water reclamation capital budget. Gary Larsen, RMU Director, was present to answer questions. He explained that as new construction is being done, Sam Tesreau, City Engineer, is working with RMU so that improvements can be made while streets tore up. Moved by Councilman Colwill and seconded by Councilwoman Hollonbeck, **"I**

**move Agreement 08-3768, An Agreement between the City of Rochelle and Willett-Hofmann & Associates for Engineering Services related to Sanitary Sewer Main Replacement in the Southeast Quadrant, be approved.**” Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Hayden, Eckhardt, Colwill, Hollonbeck and Mayor Olson. Nays: None. Motion passed 7-0.

- 5) **Engineering Agreement between the City and Fehr-Graham – Water Main:** The fiscal year 2008/09 Water Capital Budget includes \$10,000 for engineering to replace 375 feet of water main on Avenue B. Due to the poor condition of the main it is planned for replacement in connection with the Jack Dame Road construction. RMU water personnel have identified two additional water main segments, totaling approximately 1200 feet, which should be completed in association with the Jack Dame Road Project. These include water main replacement from the Treatment Plant north to South Ninth Street and replacing the four inch water main on South Eighth Street and Avenue B with six inch water main. These improvements would eliminate two dead-end water mains and improve the fire flow and water quality in this area of town. Fehr Graham and Associates have provided a proposal to prepare the plans for the replacement of all three sections of water main at a cost of \$11,300. The approval of this agreement will provide for the necessary engineering work to be done by spring of 2009 in anticipation of construction later in 2009. Gary Larsen was present to answer questions. Moved by Councilman Berg and seconded by Councilman Eckhardt, **“I move Agreement 08-3769, An Agreement between the City of Rochelle and Fehr-Graham and Associates for Professional Services related to Water Main Replacement in the Lakeview Subdivision, be approved.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Hayden, Eckhardt, Colwill, Hollonbeck and Mayor Olson. Nays: None. Motion passed 7-0.
- 6) **Ordinance Final Plat Prologis Park Unit Two:** The Mayor and City Council approved a Preliminary Plat for Prologis Park Rochelle Unit Two, located South of Steward Road, on November 10, 2008. The proposed subdivision would include four buildable lots, a fifth lot containing the detention pond, and public dedications to facilitate the realignment of Caron Road, the Steward Road Overpass, and improvements to Steward Road. The Bay Valley Foods facility, which is nearly complete, is located on Lot Three of the subdivision. On November 10, 2008 a petition for final plat was submitted which was found to be consistent with the preliminary plat. On December 2, 2008 the City of Rochelle Planning and Zoning 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. Chris Limas was present to answer any questions. Moved by Councilman Colwill and seconded by Councilwoman Hollonbeck, **“I move Ordinance 08-3779, An Ordinance Approving the Final Plat of Subdivision for Prologis Park Rochelle-Unit Two, be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Hayden, Eckhardt, Colwill, Hollonbeck and Mayor Olson. Nays: None. Motion passed 7-0.
- 7) **Ordinance Recapture Agreement and Escrow Agreement (Extension of Ranger Drive):** First Ranger Interstate Development has plans to extend the existing Ranger Drive, located west of Dement Road and south of Route 38, approximately 150 feet, to facilitate the development of Lot 2 of the Ranger Interstate Subdivision. In addition to the roadway, the existing water and sewer main which currently terminate at the end of the existing Ranger Drive will need to be extended to the western boundary of Ranger Interstate Subdivision. Because the developer will be constructing an extension of a public street and utilities which will benefit adjacent properties, they have requested a recapture agreement which will allow them to recover approximately \$30,000 of the \$131,000 estimated investment required to

engineer and construct the required improvements. The Developer has agreed to enter into an escrow agreement in the amount of \$131,000 which will ensure the completion of the public improvements and allow for the issuance of a building permit for Lot 2. Sam Tesreau and Alan Cooper were available to answer questions. Moved by Councilwoman Hollonbeck and seconded by Councilman Hayden, **“I move Ordinance 08-3771, an Ordinance Approving Recapture Agreement (Extension of Ranger Drive), be adopted.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Hayden, Eckhardt, Colwill, Hollonbeck and Mayor Olson. Nays: None. Motion passed 7-0. Moved by Councilman Berg and seconded by Councilwoman Hollonbeck, **“I move Agreement 08-3772, An Infrastructure Work Escrow Agreement between the City of Rochelle and First Ranger Interstate Development, Inc., be approved.”** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Hayden, Eckhardt, Colwill, Hollonbeck and Mayor Olson. Nays: None. Motion passed 7-0.

**8) City Manager’s Report:**

- **3rd Annual Christmas Tree Festival:** Several local businesses and community groups donated 26 trees, centerpieces, and wreaths for the 3rd Annual Christmas Tree Festival. Included in this total once again were several contributions from City Departments. All of the funds collected will be presented to H.O.P.E. to assist in their support of domestic violence victims and their children. The total donations received through the event were \$2,050.

***PUBLIC COMMENTARY:*** None

***DISCUSSION ITEMS:***

- 1) **Midyear Financial Presentation:** The second quarter of the current fiscal year budget ended on October 31, 2008. Finance Manager, Chris Frye, will present a midyear review of the revenues and expenditures for the City of Rochelle and discuss the actual financial status as compared to the budget. Chris Frye, Administrative Services Director, gave a report both written and using a Power Point presentation.

***EXECUTIVE SESSION:*** Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **“I move the Council recess into executive session to discuss: Collective Bargaining Section 2(c)(2) and Discussion of minutes of meetings lawfully closed Section 2(c)(21).”** Roll call vote was taken. Ayes: Councilmembers Hayes, Berg, Hayden, Eckhardt, Colwill, Hollonbeck and Mayor Olson. Nays: None. Motion passed 7-0.

At 9:57 p.m., Councilman Colwill moved and seconded by Councilwoman Hollonbeck, **“I move the Council return to Open Session.”** Motion passed by voice vote without dissent.

***ADJOURNMENT:*** At 9:57 p.m., moved by Councilman Colwill 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