

PUBLIC COMMENTARY: None

DISCUSSION ITEMS:

- 1) **Hillcrest Sanitary Sewer Agreement:** Representatives from the City of Rochelle and the Village of Hillcrest, and their respective consultants, have worked diligently over the past few years to develop a Sanitary Sewer Agreement. Once this agreement is executed it will allow the City of Rochelle to serve the sanitary sewer needs of Hillcrest through the City's existing Wastewater Treatment Plant. City Attorney Alan Cooper and RMU General Manager, Gary Larsen, provided information on the significant provisions included in the draft agreement and responded to questions from the Mayor and Council.
- Will intertwine with school impact fees and boundary agreement.
 - Hillcrest will be responsible for funding.
 - Construction will begin with the existing village and development in the next five years.
 - Connection fees:
 - Same as Rochelle
 - Hillcrest to pay
 - 60-month payment plan
 - .With new buildings, Hillcrest to issue building fees.
 - Sewer changes and rates
 - Based on cost of service.
 - Rates increase consistent with Rochelle.
 - Hillcrest rates consistent with the way we treated Creston.
 - Impact Fees/Transition Fees
 - Same as Rochelle, except for Burke property;
 - Update every five years
 - Enforceable by school district.
 - Boundary Agreement

EXECUTIVE SESSION: None

ADJOURNMENT: At 8:26 pm, moved by Councilman Berg and seconded by Councilman Eckhardt, **"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

- 3) **Audit Report Fiscal Year 2008/2009:** The Mayor and City Council retained Virchow, Krause and Co. LLP to perform an audit of the City's financial operations for the fiscal year ending April 30, 2009. On June 1, 2009 Virchow, Krause & Co. changed its name to Baker Tilly to reflect their membership in the international accounting alliance. This firm has completed our annual audit for the past 12 years. Baker Tilly designed and performed the audit in order to verify that the financial statements are free of material discrepancies. This included examining, on a test basis, evidence supporting the amounts in the financial statements. The audit also assessed the accounting principals used, estimates made by management, and evaluated the overall financial statement presented. The auditor's opinion, as noted on page i of the Audit Report, indicates that the financial statements for the year ending April 30, 2009 "present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Rochelle." It further states that cash flows are in "conformity with accounting principles generally accepted in the United States of America." Heather Acker, representing Baker Tilly, was in attendance at the meeting to provide an overview, using visuals, of the City's Financial Statement and respond to questions from the Mayor and Council members. Councilman Tom McDermott requested a breakdown on taxes and Public Safety so as to get a better idea where the money is actually going. Moved by Councilman Eckhardt and seconded by Councilman Tom McDermott, **"I move the Council Accept and Place on file the Audit Report for FY 2008/2009 as prepared and presented by Baker Tilly."** Roll call vote was taken. Ayes: Councilmembers Eckhardt, D. McDermott, Berg, Hayes, T. McDermott, and Mayor Olson. Nays: None. Motion passed 6-0.
- 4) **Agreement between the City of Rochelle and Wills Burke Kelsey Associates – Base Flood Elevation Study:** The Federal Emergency Management Agency (FEMA) is the national regulatory authority which governs flood maps. These maps include information which reflects the type of flooding in specific areas and identifies floodways and flood plains which are used to establish base flood elevations. The most current FEMA flood maps available for the City of Rochelle are dated April 1, 1982 with some previously unincorporated areas having maps effective April 5, 1988. A discussion was held at the June 23, 2008 City Council Meeting regarding the need to perform a Flood Basin Study and possible funding sources for the study. An updated study is important for future development in our community in order to establish updated base flood elevations from a regional perspective. The limits of the proposed regional study are bounded by Bethel Road to the north, Mulford Road to the east, Perry Road to the south, and Brooklyn Road to the west and encompass approx. 125 square miles. Aerial contours and lidars of this area were flown in April and are expected to be completed in February of 2010 which will be used as the basis for developing the study. Following a Request for Qualifications and pursuant to information supplied through a detailed Scope of Services, Wills Burke Kelsey Associates has submitted a proposal to perform the engineering services related to developing a comprehensive flood study at a cost of \$372,800. The study would be used to establish the base flood elevations for the Kyte River and associated tributaries as well as remapping of the existing FEMA/Flood Insurance Rate Maps (FIRM) for the greater Rochelle area. The 2009/10 Stormwater Management Fund Budget includes \$545,000 for the completion of this study. It is important that this agreement be approved, pending revisions identified by the City Engineer, so surveying can be done this fall as soon as crops are harvested. Sam Tesreau, City Engineer, was present to give further information, using visuals. As a result of corporate expansion the last couple of years, the maps of the flood plain for the area need updating. Discussion and questions followed. Moved by Councilman Eckhardt and seconded by Councilman Hayes, **"I move Agreement 09-3868, An Agreement with Wills Burke Kelsey Associations for Completion of the Greater Rochelle Regions Base Water Elevation Study Subject to Final Revisions approved by the City Engineer, be approved."** Roll call vote was taken. Ayes: Councilmembers Eckhardt, D. McDermott, Berg, Hayes, T. McDermott, and Mayor Olson. Nays: None. Motion passed 6-0.

approval of any final plat for development phases beyond phase I until the Elementary District provides written confirmation that any advanced funds and interest have been repaid. An escrow agreement has been developed between the City, the school districts, and the developer which provides for a cash escrow equal to 100 percent of the costs of the public improvements as authorized by the Mayor and Council on October 13, 2009. The agreement provides the mechanism for the cash to be held and disbursements to occur as improvements are completed. The Elementary District has approved the escrow agreement and the High School District plans to take action on the agreement at their meeting on October 21, 2009. Alan Cooper, City Attorney, gave further explanation of the changes:

- New stormwater management fee assessed (on Lot 3 and Lot 4);
- Waived fees to both schools and park district.

Moved by Councilman Berg and seconded by Councilman Eckhardt, **“I move the Council recess into a Public Hearing for Kings Crossing’s second amendment to Annexation Agreement.”** Roll call vote was taken. Ayes: Councilmembers Eckhardt, D. McDermott, Berg, Hayes, T. McDermott, and Mayor Olson. Nays: None. Motion passed 6-0. Commentaries were presented by:

Jamie Cravin, Superintendent of Rochelle Township High School:

- Access to 20th Street will allow better traffic pattern to the high school.

Todd Prusator, Superintendent of Elementary School District:

- Infrastructure
- With plans for building a school in the future, they will need 20th Street.
- School boards have approved escrow agreement.

Norm Jenkins, Sr.:

- Supports both school districts;
- Most important is the assisted living facility to be completed.

Rich Gerand – Developer for Wynland:

- Gave an overview of where they are at;
- Regional improvements;
- Putting cash into escrow (there is no financing at this time).

Moved by Councilman Berg and seconded by Councilman Hayes, **“I move the Council return to Open Session.”** Motion passed by voice vote without dissent. After some discussion by the council, it is felt that even though some were not in favor of the annexation agreement, it was voted in, therefore we should move forward with it. Moved by Councilman Berg and seconded by Councilman Hayes, **“I move Ordinance 09-3866, An Ordinance Approving Second Amendment to Annexation Agreement with Kings Crossing Development, be adopted.”** As it is an amendment, two-thirds vote of council is needed to pass. Roll call vote was taken. Ayes: Councilmembers Eckhardt, D. McDermott, Berg, Hayes, T. McDermott, and Mayor Olson. Nays: None. Motion passed 6-0. Moved by Councilman Berg and seconded by Councilman Eckhardt, **“I move Agreement 09-3867, An Escrow Agreement between the City of Rochelle, First National Bank and Trust Company of Rochelle, Wyndham Foxford, LLC and Rochelle School Districts #231 and #212, be approved.”** Roll call vote was taken. Ayes: Councilmembers Eckhardt, D. McDermott, Berg, Hayes, T. McDermott, and Mayor Olson. Nays: None. Motion passed 6-0.

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
MONDAY, OCTOBER 26, 2009**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, October 26, 2009 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

PLEDGE TO THE FLAG:

PRAYER: The Prayer was led by City Clerk McKinney.

ROLL CALL: Present on Roll Call were Councilmembers D. McDermott, Eckhardt, Hayes, Berg, T. McDermott and Mayor Olson. Absent: Councilwoman Hollonbeck. Also present were City Manager Alberts and City Clerk McKinney.

PROCLAMATIONS, COMMENDATIONS, ETC.: None

REPORTS AND COMMUNICATIONS:

- **Mayor:**
 - Had meeting with IML directors in Springfield. Discussed the future of fiber optic.
 - Recommended Edward Rodriguez to fill the recent vacancy on the Planning & Zoning Board. Moved by Councilman Eckhardt and seconded by Councilman Berg, **“I move that we appoint Edward Rodriguez to fill the vacancy as an “At-Large” member on the Planning and Zoning Commission, with term ending 7/1/11.”** Motion passed by voice vote without dissent.
 - Announced the Press Release that Wal-Mart purchased the property at Hwy 38 and Caron Road for their new Super Center.
- **Ken Alberts:** Recognized Sergeant Phil Frankenberry who rescued an individual from drowning in Spring Lake. Also recognized was Officer Emily Anderson who assisted him at the scene.
- **Council Members:** None

BUSINESS ITEMS:

1) CONSENT AGENDA ITEMS BY OMNIBUS VOTE with Recommendations:

- a) Approve Minutes of City Council Meeting – October 13, 2009;
- b) Approve Bills/Payrolls for the second half of October.2009;
- c) Approve Downtown Rochelle Association Request – Annual Christmas Walk;
- d) Authorize VFW Poppy Sales at 4th Avenue and Lincoln Highway as requested.

Moved by Councilman Hayes and seconded by Councilman Dan McDermott, **“I move Consent Agenda Items (a) through (d) be approved by Omnibus Vote as Recommended.”** Roll call vote was taken. Ayes: Councilmembers Eckhardt, D. McDermott, Berg, Hayes, T. McDermott, and Mayor Olson. Nays: None. Motion passed 6-0.

- 2) Public Hearing Second Amendment Annexation Agreement – Kings Crossing:** An Annexation Agreement between the City of Rochelle and Wyndham Foxford, LLC related to the Kings Crossing Development, consisting of 493 acres north of Flagg Road, was approved by the Mayor and City Council on April 10, 2006. On May 26, 2009 the Annexation Agreement was amended to modify specific provisions relating to Phase 1 of the development. A second amendment is being proposed and was the subject of a discussion item at the October 13, 2009 City Council Meeting. The proposed second amendment provides the Elementary School District and RMU the ability to obtain a recapture from the developer for any funds used to construct utility infrastructure, which the developer had agreed to construct, should it be necessary prior to construction by the developer. In addition, the City agrees to withhold