

**ROCHELLE CITY COUNCIL
REGULAR COUNCIL MEETING MINUTES
MONDAY, APRIL 12, 2010**

The Rochelle City Council met in Regular Session at 7:00 p.m. on Monday, April 12, 2010 in the Council Chambers of City Hall; 420 N. 6th Street; Rochelle, IL 61068.

PLEDGE TO THE FLAG:

PRAYER: The Prayer was said by City Clerk McKinney.

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

PROCLAMATION: **Administrative Professionals Week – April 18-April 24, 2010:** Read by Bruce McKinney and will be presented to IAAP.

REPORTS AND COMMUNICATIONS:

- **Mayor:**
 - Chris Limas gave a census update.
 - With two vacancies on the Planning & Zoning Commission left by David Casey and Dan Lundquist, the Mayor has decided to move Ed Rodriguez, already on the board, to a position of a voting member (as he is a Rochelle resident). Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **“I move the Council approve the Appointment of Planning & Zoning Commission Member Ed Rodriguez from a non-voting member to a voting member.”** Motion passed by voice vote without dissent.
- **Council Members:** None

BUSINESS ITEMS:

- 1) **CONSENT AGENDA ITEMS BY OMNIBUS VOTE** with Recommendations:
 - a) Approve Minutes of City Council Meeting – March 22, 2010
 - b) Accept and Place on File Minutes of Planning and Zoning Commission – March 1, 2010
 - c) Approve Bills 03/12/10-03/18/10, 03/19/10-03/25/10, 03/26/10-04/01/10
 - d) Approve Payroll 03/08/10-03/21/10
 - e) Accept and Place on File IEPA Water Report Dated March 22, 2010
 - f) Authorize Rochelle Lions Club Tootsie Pop Fund Raiser – May 7, 2010
 - g) Authorize the City’s Assistance with the Hospital Hustle 5K Fun Run/Walk – June 12, 2010
 - h) Approve Downtown Rochelle Association Requests for Maxwell Street Days – June 26-27, 2010
 - i) Approve Lincoln Highway Heritage Festival Requests – August 20-22, 2010
 - j) Resolution Lincoln Highway Heritage Festival Parade – August 22, 2010
 - k) Authorize the use of City Hall for National Day of Prayer – May 6, 2010

Moved by Councilman Eckhardt and seconded by Councilman D. McDermott, **“I move Consent Agenda Items (a) through (k) be approved by Omnibus Vote as Recommended.”** Roll call vote was taken. Ayes: Councilmembers D. McDermott, Berg, Hayes, Eckhardt, Hollonbeck, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

- 2) **Fiscal Year 2010-11 Budget – Public Hearing and Adoption:** “The Preliminary Budget has been prepared and was submitted to the City Council on March 24, 2010. A Committee of the Whole Budget Workshop was held on March 30th to review the budget and answer questions. The date for the Public Hearing, required by State law, was set for April 12, 2010. Final action on the Budget is required on or before April 30, 2010. The Preliminary 2010-11 Budget was available for public inspection since March 24th. General Fund revenues are budgeted at \$7,510,978. This represents a three percent increase over the approved 2009-2010 budget. Budgeted expenses total \$7,441,869 which is also approximately three percent over the previous budget, and results in a budget surplus of \$69,109. The budget includes one additional full-time employee in the Engineering Department, and reflects no tax increases. The combination of the General Fund with Special Revenue Funds, Enterprise Funds, Internal Service Funds, Trust and Agency Funds and Capital Project Funds results in budgeted revenues totaling \$56,445,998 and budgeted expenses totaling \$58,998,173. The combination of the current year budgeted revenues and accumulated capital project related reserves will exceed the budgeted expenses. There is a requirement to conduct a public hearing on the proposed budget during which citizens have the opportunity to provide comments to the Council. After the Council returns to regular session, members of the Council can propose modifications to the proposed budget, each of which will be voted on by the Council. The proposed budget as amended is then subject to a final Council vote for approval.” Chris Frye, Treasurer, gave a summary presentation of the 2010-11 budget, after which the council recessed into a public hearing. Moved by Councilwoman Hollonbeck and seconded by Councilman Berg, **“I move the Council recess into a Public Hearing for the Fiscal Year 2010-11 Budget.”** Roll call vote was taken. Ayes: Councilmembers D. McDermott, Berg, Hayes, Eckhardt, Hollonbeck, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0. There was no commentary for the public hearing. Moved by Councilman Berg and seconded by Councilwoman Hollonbeck, **“I move the Council return to Open Session.”** Motion passed by voice vote without dissent. Councilman Eckhardt thanked Chris and the staff for doing a great job on the budget. Mr. Alberts stated that the budget came together with the work of many, starting with the department heads that put together their needs, not their wants. Moved by Councilwoman Hollonbeck and seconded by Councilman D. McDermott, **“I move Budget 10-2010, the Fiscal Year 2010-2011 Budget, be approved.”** Roll call vote was taken. Ayes: Councilmembers D. McDermott, Berg, Hayes, Eckhardt, Hollonbeck, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.
- 3) **Resolution Establishing Minimum/Maximum Wage Rates for Fiscal Year 2010-11:** The Municipal Code requires that the City Council annually approve a resolution establishing minimum/maximum wage rates for all position classifications within the City. The proposed wage rate resolution is based upon a review completed by the Human Resource Manager and includes a small number of market adjustments. It applies to all employees and is based on job categories as defined by the Equal Employment Opportunity Commission. Most employees, not covered by a bargaining unit contract, will receive a 3% increase over the previous year's wage. The rates included in this resolution are consistent with those that were incorporated into the proposed City Budget for Fiscal 2010-11. Lynette Fischer was present to answer any questions. Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **“I move Resolution R10-12, A Resolution Establishing Minimum/Maximum Wage Rates for 2010-2011 Fiscal Year, be adopted.”** Roll call vote was taken. Ayes: Councilmembers D. McDermott, Berg, Hayes, Eckhardt, Hollonbeck, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

- 4) **Resolution – Rochelle City Council Meetings:** On May 1, 1995 the Mayor and Council passed a resolution which established the rules governing Rochelle City Council Meetings. On April 28, 2008 a subsequent resolution was passed to incorporate the City Manager organizational structure and reflect existing agenda preparation practices. A significant amount of public commentary in recent meetings has prompted the City Clerk to investigate how other boards handle public input during their meetings. The recommendation, as a result of that research, is to allow public commentary prior to the business item portion of the agenda with the exception of public hearings. Parties that desire to make public commentary would be required to register with the City Clerk prior to the meeting and be allowed a maximum of five minutes to speak. In addition, the distinction of a Sergeant at Arms at council meetings will allow the Chief of Police or his designee to assure that this etiquette is maintained. While it is extremely important to allow the public to voice their opinions and concerns on matters before the council, it is also important that the Mayor and Council have the ability to discuss matters before the council in a professional, orderly manner. Moved by Councilman Berg and seconded by Councilman T. McDermott, **“I move Resolution R10-13, A Resolution Establishing Council Order of Business, be adopted.”** Roll call vote was taken. Ayes: Councilmembers D. McDermott, Berg, Hayes, Eckhardt, Hollonbeck, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.
- 5) **Amendment to Chapter 98 (Utilities) of the Municipal Code of Rochelle to Authorize a Budget Payment Plan for Utility Customers:** Rochelle Municipal Utility customers have requested the option of an equalized payment plan for some time. This option would allow customers to pay consistent monthly payments and avoid the seasonal highs and lows associated with their utilities. This is a common practice among other utility providers in our area including Commonwealth Edison and Nicor. Recent software upgrades to the RMU utility billing system have now made it possible to offer the equalized payment option. In order to qualify for the program a residential customer must have received electricity from RMU for the previous 12 months and must have a current account. Customers will be allowed to enroll in the plan at anytime and all of their services provided through RMU will be included. The plan will be administered on a May 1 through April 30 schedule. All equalized payment plans will be reviewed in September and March, at which time payments will be adjusted as necessary based on the actual usage. Any credits or debits existing on a customer’s account from the previous plan year will be applied to their April statement. Customers may cancel their participation in the plan at any time by providing 30 days written notice. Barbara Bell, Superintendent of Customer Service, was present to answer any questions. The plan was discussed with Attorney Cooper to be sure it isn’t inconsistent with our code. Moved by Councilman McDermott and seconded by Councilman Hayes, **“I move Ordinance 10-3911, An Ordinance Amending Chapter 98 (“Utilities”) of the Municipal Code of the City of Rochelle to Authorize a Budget Payment Plan for Utility Customers, be adopted.”** Roll call vote was taken. Ayes: Councilmembers D. McDermott, Berg, Hayes, Eckhardt, Hollonbeck, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

6) **Rochelle Country Club Sign Variance Request – 531 South 7th Street:** The petitioner, Ronald Mershon, recently purchased the Rochelle Country Club located at 531 South Seventh Street and opened it to the public. In order to more effectively market the business, the petitioner has requested variances from the Rochelle Municipal Code sign provisions. The requested variances include the allowance of a third sign, a variance from the single sign allowed, and a setback of 24 feet from the property line instead of the required 35 feet. The proposed sign is 7 feet tall by 10 feet wide and would be installed 10 feet off the ground. It includes three lines of LED display which would be used to promote activities at the club and would be located approximately 32 feet southeast of the existing southern entrance monument. Chris Limas, Community Development Director, recommended approval of the requested variances. He concurred that the sign will assist in marketing the business and will not impact surrounding properties. At the April 5, 2010 meeting of the Planning and Zoning Commission a public hearing was conducted to consider the variances requested. The commission voted 5-0 to recommend approval of the sign variances as outlined. Chris Limas was present to answer any questions. Moved by Councilman Hayes and seconded by Councilman Berg, **“I move Ordinance 10-3912, An Ordinance Approving Certain Sign Variances (Rochelle Country Club-Ron Mershon), be adopted.”** Roll call vote was taken. Ayes: Councilmembers D. McDermott, Berg, Hayes, Hollonbeck, T. McDermott, and Mayor Olson. Nays: None. Abstain: Councilman Eckhardt (possible conflict of interest). Motion passed 6-0.

7) **Resolution for Maintenance of Streets and Highways – Sealcoat Bids:** Engineer Sam Tesreau, with the assistance of staff, has developed a 10-year capital plan which includes maintenance requirements of existing infrastructure. As a result of that plan numerous existing roadways have been identified for maintenance this year including among others: sections of Woolf Court, Westview Drive, and North 10th Street. Several streets and avenues in the southeast quadrant of the City and Lakeview Subdivision have also been incorporated into this year’s plan. The application of a seal coat surface treatment is proposed for these roadways as a cost effective way to extend the life of these surfaces. Subsequent to the required public notice, bids were opened on March 18, 2010, with three contractors submitting bids. City Engineer, Sam Tesreau reviewed the bids and recommends the acceptance of the apparent low bidder, Road Oil, Inc., with a bid of \$211,912.95. The 2010-11 Capital Improvements Fund budget includes \$229,000 for sealcoat resurfacing of miscellaneous streets which will be funded through a transfer of Motor Fuel Tax funds. Sam Tesreau was present to give an overview and answer any questions. Moved by Councilman Eckhardt and seconded by Councilwoman Hollonbeck, **“I move Resolution R10-14, A Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code (BLR 14230) for 2010, be adopted.”** . Roll call vote was taken. Ayes: Councilmembers D. McDermott, Berg, Hayes, Eckhardt, Hollonbeck, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0. Moved by Councilman Hayes and seconded by Councilman Eckhardt, **“I move Council accept bid C10-06 for 2010-2011 Seal Coat Street Maintenance from Road Oil, Inc. in the amount of \$211,912.95 and reject all other bids.”**

Roll call vote was taken. Ayes: Councilmembers D. McDermott, Berg, Hayes, Eckhardt, Hollonbeck, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

- 8) **2010 Sidewalk Project:** Street Division personnel inspected and rated the condition of sidewalks in March of 2006. Based on their condition, the sidewalks were organized into a seven-year program to address remaining deficiencies. Year five of the program includes replacement of approximately 10,700 linear feet of sidewalk in the Brookside Drive, Turkington Terrace, and Southview Drive neighborhoods and 31 accessibility ramps. The engineer's estimate for the project was \$275,000 and is included in the 2010-11 Capital Improvements Fund budget for sidewalk improvements. Subsequent to the required public notice, bids were opened on March 25, 2010, with seven contractors submitting bids. City Engineer, Sam Tesreau reviewed the bids and recommended the acceptance of the apparent low bidder, O'Rorke Construction, with a bid of \$248,165.89. The City of Rochelle will purchase the detectable warning plates, at an approximate cost of \$6,500, for use on the accessibility ramps and the contractor will provide curb replacement around the handicap ramp locations. Sam Testreau gave additional information and answered questions. At this time the sidewalks are being widened to 48" in compliance with ADA requirements. Moved by Councilwoman Hollonbeck and seconded by Councilman D. McDermott, **"I move Council accept bid C10-07 for 2010 Sidewalk Project from O'Rorke Construction in the amount of \$248,165.89 and reject all other bids."** Roll call vote was taken. Ayes: Councilmembers D. McDermott, Berg, Hayes, Eckhardt, Hollonbeck, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

PUBLIC COMMENTARY:

- **Diane McNeilly:** Glad that the council is moving forward with approving the resolution establishing order of business for council meetings and having the agenda available to the public on the Internet.

DISCUSSION ITEMS:

- 1) **Discussion Item #1:** The City of Rochelle through Rochelle Municipal Utilities endorses energy efficiency and conservation. To promote this objective, RMU Staff has developed two new programs which will provide incentives for residents and businesses to replace existing inefficient appliances and fixtures with more energy efficient equipment. Customer Service Supervisor, Barbara Bell, provided the council with a Power Point presentation of the programs and responded to any questions the Mayor and City Council had.

EXECUTIVE SESSION: At 8:03 p.m., moved by Councilman Berg and seconded by Councilman Eckhardt, **"I move the Council recess into executive session to discuss:**

- **The performance of a specific employee; Section (c)(2).**
- **Discussion of minutes of meetings lawfully closed under this Act for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated; Section (c)(21) and to adjourn meeting immediately following executive session."**

Roll call vote was taken. Ayes: Councilmembers D. McDermott, Berg, Hayes, Eckhardt, Hollonbeck, T. McDermott, and Mayor Olson. Nays: None. Motion passed 7-0.

At 8:57 p.m., moved by Councilman Berg and seconded by Councilman D. McDermott, **"I move the Council return to Open Session."** Motion passed by voice vote without dissent.

ADJOURNMENT: At 8:57 pm, the meeting was adjourned.