

**REGULAR MEETING OF THE MAYOR AND ALDERMAN OF  
THE CITY OF ROCK FALLS  
FEBRUARY 17, 2004**

**Call to Order:**

The Regular meeting of the Mayor and Alderman of the City of Rock Falls was called to order at the hour of 6:30 p.m., February 17, 2004 in Rock Falls, Illinois by Mayor Edward M. Mulvaney. The Mayor, Alderman and all other parties stood for the Pledge of Allegiance to the Flag.

**Mayor Mulvaney inquired of Alderman Charnas, if there was any announcements that he would like to individually share with the Council before the start of this evenings meeting. Alderman Charnas informed the Council that he and his wife are the proud parents of a new baby girl, ALYSON NICHOLE CHARNAS, Born at 1:10 a.m. today and measures 20" in length and weights 6 lbs. 2 oz... The Council extends its congratulations to the Charnas Family.**

**Roll Call:**

City Clerk, William Wescott called the roll, Present were Mayor Mulvaney, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand , Folsom and Blanton.

**Approval of Minutes:**

**A motion** by Alderman Searing and second by Alderman Blanton to approve the minutes from the regular meeting of February 17, 2004. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, hand, Folsom and Blanton voted aye. Vote 8 ayes, **Motion carried.**

**Payment of Bills:**

**A motion** by Alderman Hand and second by Alderman Searing to approve the payment of bills as read:

Tourism \$225.00, General Fund \$106,161.38, ESDA \$93.76, Electric O&M \$65,347.41, Sewer Revenue O&M \$64,956.97, Water Revenue O&M \$22,698.61, Garbage Revenue \$34,330.98, DUI Fund \$31.84, Motor Fuel Tax Fund \$2,341.62, Industrial Development \$1,549.00, Customer Utility Deposits \$205.00, IMRF/Social Security \$4,171.15, Electronic Utility Collections \$24,979.84.

Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, **motion carried.**

**Audience Request:**

No Citizens with Business to present.

**Correspondence:**

Request from the Planning Commission/Zoning Board of Appeals to allow a business owner at 605 12<sup>th</sup> Avenue to place a free standing advertising sign on the City's right-of-way. City Attorney Reese questioned if a petition had been filed reference to this request. If not, why the Planning Commission. Zoning Board of Appeals had reviewed this request. Following a lengthy discussion concerning possible leases and easement variances, it was apparent the additional information would be required prior to any action being taken by the Council.

Recommendation from the Planning Commission/Zoning Board of Appeals to approve the initial concept of the Riverfront Development Plan (Tincher & Associates). This item was carried over until the March 16<sup>th</sup> meeting of the Council, following the Public Informational Hearing to be presented by the Rock Falls Community Development Corporation on March 4<sup>th</sup>, from 4-6 p.m. at 309 First Avenue, Rock Falls. **(Open Item)**

#### **Consent Agenda:**

**Motion by** Alderman Blanton and second by Alderman Stachowiak to approve the items that appear on the Consent Agenda:

1. Purchase of poles from Thomason Lumber at a cost of \$7,351.55
2. Purchase of Fiber Optic Cable from Haverstock Bowers & Associates at a cost of \$5,330.10

Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, **motion carried.**

#### **Appointments/Resignations:**

Mayor Mulvaney informed the Council that to remain consistent with Ordinances Section 2-27 and 2-28 he would request a joint motion for the following appointments. Appoint the Electric Committee Chairman (Alderman Blanton) to the Electric Utilities Director Search Committee to replace Sherry Wind and appoint Alderman Stachowiak as the representative the City of Rock Falls on the Community Development Board of Directors for a one year term (May 04-April 05).

**Motion by** Alderman Searing and second by Alderman Charnas to approve the above appointments on the request of the Mayor. Upon roll call, Alderman Searing, Kuhlemier, Straub, Charnas, Hand and Folsom voted aye. Alderman Stachowiak and Blanton abstained. Vote 6 ayes, 2 abstentions, **motion carried.**

Mayor Mulvaney requested a motion to approve the re-appointment of Alderman Hand and himself to the Rock Falls Community Youth Building Committee. **Motion by** Alderman Blanton and seconded by Alderman Straub. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Folsom and Blanton voted aye. Alderman Hand abstained. Vote 7 ayes, 1 abstention, **motion carried.**

#### **Alderman/Committee Reports:**

Alderman Stachowiak (Public Property) – No Report

Alderman Searing (Personnel) – Committee meeting scheduled for 24 February at 5:00 p.m. in the Council Chambers.

Alderman Kuhlemier (Finance/Safety) – Committee meeting scheduled for 24 February at 6:00 p.m. in the Council Chambers.

Mr. Kuhlemier wanted to congratulate the owners of the Family Table Restaurant on the completion of there new facility at the corner of Route 30 and 12<sup>th</sup> Avenue. It is a beautiful addition to the area and should serve the Community well. A ribbon cutting was held on February 16<sup>th</sup>. Everyone is encouraged to stop by and see the new facility.

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Alderman Charnas – Gave a brief perspective of the Budget process currently underway.

Alderman Hand (Ordinance/License) – No Report

Alderman Folsom (Insurance) – No Report

Alderman Blanton (Electric) - Mr. Blanton made a **motion** and was seconded by Alderman Searing, to enter into a 10 year lease with the IMECA for the City of Rock Falls to share the cost of establishing a Fiber Network between Batavia, Rochelle and Rock Falls at a cost of \$48,015.70 following the review of the contracts by the City Attorney. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, **motion carried**.

Alderman Straub (Public Works) – Mr. Straub made a **motion** to direct Willett, Hoffman & Associates to draft a Regional Wastewater Treatment Plant Feasibility Report at a cost not to exceed \$10,000.00. The cost of the study will be split 50/50 with the City of Sterling, each City’s portion not to exceed \$5,000.00, seconded by Alderman Blanton. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, **motion carried**

Alderman Straub made a **motion** and was seconded by Alderman Blanton to enter into a 3 year contract with PDC Laboratories for testing of the City’s water supply at a cost of \$10,604.00. This will produce a savings of \$27,196.00 over the three year period versus utilizing the resources of the State of Illinois. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, **motion carried**.

Alderman Straub informed the Council that the Public Works Committee had talked about and is going to continue to look at the issue of reorganization within the Utilities Customer Service Office. They would eventually like to see it as a separate department with a Supervisor position to oversee daily operations. This position would also coordinate with the Utilities in regard to policies and procedures. (No action)

**Administrative Report:**

Mr. Downey addressed the council on a number of issues which are summarized on attachment A of these minutes.

Information and Updates:

City Clerk Wescott, reported on the bid opening for materials proposed for the 2004 General Maintenance. He requested the Council accept the proposals to furnish materials and award contracts for the various items as follows:

- 1) Agricultural Ground Limestone Alliance Materials, Inc. 100 Ton \$ 2.00 /Ton
- 2) Bit. Patching Mixture Northwest Illinois Constr. 200 Ton \$27.00/Ton
- 3) Bit. Conc. Surface Course Northwest Illinois Constr. 350 Ton \$24.00/Ton
- 4) Aggregate Surface Crse., Type B Bob Propheter Constr., L.L.C. 1,200 Ton  
\$ 3.50/Ton
- 5) Fine Aggregate Alliance Materials, Inc. 100 Ton \$ 3.50/Ton

**Motion** by Alderman Blanton and seconded by Alderman Charnas to accept the low bidders as read. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier,

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Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, **motion carried**.

Attorney Reese reported that Mr. Downey had received correspondence from the Developers of the Route 30 & 40 properties (Walgreen’s) requesting that the City vacate the utility easement for the property. The current easement runs in a ten foot wide corridor from Route 40 westward towards Lindy Avenue. Following a discussion concerning the placement of the current utilities and the effect or lack of by this request, a **motion** was made by Alderman Hand and seconded by Alderman Searing to authorize the City Attorney to prepare an Ordinance to vacate the utility easement which lies on the

Walgreen Property. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, **motion carried.**

**Department Head Reports:**

Building Department – Pete Whiting	No Report
Electric Department – Bob O’Donnell	No Report
Police Chief – Beto Perez	No Report
Street Department – Jim White	No Report
Water Department – Ted Padilla	No Report
Wastewater Treatment – Ed Cox	No Report

Fire Chief – J. W. Larson Chief Larson responded to questions from Mayor Mulvaney concerning the new MABAS informational flyer which is being distributed. Additionally, Mayor Mulvaney informed the Council that Deputy Chief Cook has been elected President of MABAS Division 30 which encompasses the entire Department within Whiteside County.

**Community Affairs:**

No Reports

**Mayor’s Report:**

Mayor Mulvaney reported briefly on the APPA Legislative Lobby Day that he attended in Washington

D.C. . . . Due to a risen scare, the Senate Office Buildings were all shut down. A second scare and potent ional incident in the Capital Building also resulted in the closure of that facility. The Offices of House Members were open, however, due to an ice storm that moved through the area, it was not a fruitful day in regards to speaking with members of the legislature. Due to the fact that this is an election year it is doubtful that any Energy initiatives will be presented. Everyone is taking a wait and see attitude. Mayor Mulvaney also reported that there were 13 Mayors present in there group.

Mayor Mulvaney called for a motion to go into executive session for the purposes of:

- 1) To discuss employee hiring, firing, compensation, discipline and performance. Section 2 (c)(1)
- 2) To consider collective negotiating matters. Section 2 (c) (2)

**Motion** made by Alderman Stachowiak and seconded by Alderman Searing to invite additionally Eric Patrick, Richard Simon, Norma Last, Jane Saldivar, Chief Beto Perez and Commander Tammy Nelson into Session 1. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8ayes, **motion carried.** Closed session began at 7:20 p.m...

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**Motion** by Alderman Folsom and seconded by Alderman Kuhlemier to return to Open Session. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, **motion carried.**

**Executive Session Action Items:**

**Motion** by Alderman Kuhlemier and seconded by Alderman Charnas for the City Council to approve the tentative agreement with the IBEW and the IBEW Clerical Unit and to direct City Attorney Reese to draft the final form of the agreement. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, **motion carried.**

**Motion** by Alderman Searing and seconded by Alderman Charnas, “The City Council finds that the employee in question has failed to perform the duties assigned to her. At

this time , the Council does not want to suspend the employee with pay, but instead, the employee is put on notice that any further failure to perform her assigned duties, will result in further discipline action being taken.” Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, **motion carried.**

**Motion by** Alderman Folsom and seconded by Alderman Blanton to adjourn. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, **motion carried.** Time 8:42 p.m..

Approved: March 2, 2004

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William B. Wescott, City Clerk