

**REGULAR MEETING OF THE MAYOR AND ALDERMEN OF  
THE CITY OF ROCK FALLS  
June 1, 2004**

The regular meeting of the Mayor and Aldermen of the City of Rock Falls was called to order at the hour of 6:30 p.m., June 1, 2004 in Rock Falls, Illinois by Mayor Edward M. Mulvaney.

Deputy Clerk, Michelle Conklin, called the roll, present were Mayor Mulvaney, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton.

A motion was made by Alderman Hand and second by Alderman Stachowiak to enter into executive session for the purposes of discussing Threatened/Pending Litigation - Section 2 (c) (11). Upon roll call Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote: 8 aye. Motion carried. (6:31 p.m.)

A motion was made by Alderman Charnas and second by Alderman Stachowiak to return to regular session. Upon roll call Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote: 8 aye. Motion carried. (6:59 p.m.)

A motion was made by Alderman Hand and second by Alderman Folsom to approve the minutes from the regular session of May 18, 2004 and payment of bills as listed:

General Fund \$193,981.55, E.S.D.A. \$303.96, Electric O & M \$286,650.07, Sewer Revenue / O & M \$39,286.16, Water Revenue O & M \$30,160.16, Garbage \$360.12, Customer Service Center \$2,435.46, Employee Group Insurance \$65,739.37, DUI Fund \$593.66, Drug Fund \$115.77, Customer Utility Deposits \$103.44, IMRF/Social Security \$4,028.61

Upon roll call Alderman Stachowiak, Kuhlemier, Charnas, Hand, Folsom and Blanton voted aye. Alderman Searing and Straub abstained. Vote: 6 aye, 2 abstentions. Motion carried.

A motion was made by Alderman Blanton and second by Alderman Hand to approve request from Rock Falls Optimists asking for assistance from the City for the River Chase, to be held on July 10<sup>th</sup> and 11<sup>th</sup>, 2004. Upon roll call Alderman Stachowiak, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Alderman Searing abstained. Vote: 7 aye, 1 abstention. Motion carried.

Attorney Tom Sanders informed the Council that the Rock Falls Municipal Code does hold provision for the City to assess fines on property owners when they fail to comply with Sections 10-116 through 10-122 of the Municipal Code. There are many properties that the City has been receiving complaints on, regarding high grass and weeds, and the code allows the City to give notice to the property owner to comply and if the property owner does not, the City has the right to resolve the problem at the owners expense and also assess a \$100.00 fine. If the property owner does not pay the fine and expenses, the City may place a lien on the property. The only problem with that is that the Illinois State Statutes does not allow the City to recoup fees for liens, attorney fees or court costs. The fine according to statute can be up to \$750.00, but this may still not be enough to cover the expenses incurred. Also, with placing a lien on property,

the City is the last to recover it's expenses and in many situations the City would not be able to receive any compensation.

Police Chief Perez questioned Attorney Sanders about the ability of the City to tow abandoned vehicles. Attorney Sanders stated that if the proper notice is given under the provisions of the Municipal Code that this would be possible, but he would suggest getting a court order before towing any vehicle to insure the City against any liability.

A motion was made by Alderman Blanton and second by Alderman Searing to approve the first reading of an Ordinance amending the Comprehensive Plan of the City of Rock Falls. Upon roll call Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote: 8 aye. Motion carried.

A motion was made by Alderman Hand and second by Alderman Searing to approve the first reading of an Ordinance to amend the Zoning Map of the City of Rock Falls. Upon roll call Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote: 8 aye. Motion carried.

A motion was made by Alderman Hand and second by Alderman Stachowiak to approve Ordinance No. 2004-2091, amending Section 15-54 and Section 15-55 of the Rock Falls Municipal Code. Upon roll call Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote: 8 aye. Motion carried.

A motion was made by Alderman Stachowiak and second by Alderman Searing to approve Ordinance No. 2004-2092, Prevailing Wage Ordinance for 2004. Upon roll call Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote: 8 aye. Motion carried.

A motion was made by Alderman Stachowiak and second by Alderman Searing to approve Ordinance No. 2004-2093, Amendment to Section 15-76, Water Rates. Upon roll call Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand and Blanton voted aye. Alderman Folsom voted nay. Vote: 7 aye, 1 nay. Motion carried.

A motion was made by Alderman Searing and second by Alderman Stachowiak to approve Ordinance No. 2004-2094, Amendment to Section 15-266, Sewer Rates. Upon roll call Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand and Blanton voted aye. Alderman Folsom voted nay. Vote: 7 aye, 1 nay. Motion carried.

A motion was made by Alderman Charnas and second by Alderman Blanton to approve Consent Agenda Items 1 -3:

1. Designating by Proclamation the 2<sup>nd</sup> week in July, annually, to be "Louie Bellson Week" throughout the City of Rock Falls

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2. Approval for Attorney Reese to attend the APPA Legal Seminar in San Francisco, CA, registration, air fare and hotel expenses not to exceed \$1,700.00.
3. Raffle License for NICIL

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

Ed Cox, Wastewater Superintendent, stated to the Council that he would like to reject all bids that were received for the Wastewater Treatment Plant Chlorine Building due to the cost being so much higher than the estimated costs given by Willett, Hofmann and Associates.

A motion was made by Alderman Blanton and second by Alderman Searing to reject all bids that were received for the Wastewater Treatment Plant Chlorine Building. Upon roll call Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote: 8 aye. Motion carried.

Police Chief Perez stated that he had reviewed the parking restrictions on the west side of 6<sup>th</sup> Avenue by the National Guard Armory. He would like to refer this the City Attorney. The City Council approved.

A motion was made by Alderman Blanton and second by Alderman Hand to approve the bids received for the Centennial Park Substation Modifications and direct the Mayor and City Clerk to execute contracts with:

1. Universal Utility Supply in the amount of \$20,600.00 for 34.5 KV breaker
2. Pederson Power Products in the amount of \$233,600.00 for metal clad switch gear

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

A motion was made by Alderman Kuhlemier and second by Alderman Hand to allow City Administrator Richard Downey to apply for financial assistance in implementing the Illinois Municipal Assistance Program for the City of Rock Falls. Upon roll call Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote: 8 aye. Motion carried.

Connie Selmi, Rock Falls Chamber of Commerce, informed the City Council that the Chamber will be holding a Pork Chop dinner during the Louie Bellson Celebration and the Decoration and Beautification Committee will be holding a calendar party on November 13, 2004.

Alderman Charnas wished good luck to the Rock Falls Boys Baseball team at the Super Sectional and the Rock Falls Girls Softball team at the State Tournament.

Alderman Hand announced a License/Ordinance Committee meeting to be held on June 10, 2004 at 6:30 p.m. at City Hall.

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Alderman Blanton announced a Public Utilities Committee meeting to be held on June 8, 2004 at 6:00 p.m. at City Hall.

Alderman Searing announce that there will be a Personnel/Public Safety meeting on June 3, 2004 at 6:30 p.m. and June 7, 2004 at 6:30 p.m.

Alderman Kuhlemier stated that the Finance Committee met on May 27, 2004, and would like to discuss upcoming budgets at the Council Meeting of June 15, 2004. Mayor Mulvaney suggested that the Council Meeting start date be moved from 6:30 to 6:00 for the purpose of discussing upcoming budgets, the City Council agreed.

Mayor Mulvaney stated that he had a list of properties that the City has had complaints on, and he would like to read that list of properties:

404 6<sup>th</sup> Avenue, 610 Dixon Avenue, 500 2<sup>nd</sup> Avenue, 509 W 20<sup>th</sup> Street,  
905 1/2 14<sup>th</sup> Avenue, 231 Avenue F, 1531 8<sup>th</sup> Avenue, 211 E 7<sup>th</sup> Street,  
210 W 14<sup>th</sup> Street, 1203 W 14<sup>th</sup> Street, 408 Martin Road, 812 Avenue A

A motion was made by Alderman Folsom and second by Alderman Hand to adjourn. Upon roll call Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote: 8 aye. Motion carried. (7:36 p.m.)

Approved: June 15, 2004

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Michelle Conklin, Deputy Clerk