

**REGULAR MEETING OF THE MAYOR AND THE ALDERMAN OF  
THE CITY OF ROCK FALLS  
December 7, 2004**

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., December 7, 2004 in Rock Falls, Illinois by Mayor Edward M. Mulvaney.

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

**AUDIENCE REQUESTS:**

Mr. Ronald Steeken, President, Director of Engineering of Willett, Hofmann & Associates introduced Mr. Brian Frickenstein to the City Council. Mr. Frickenstein will be taking over at the Sterling Office for Mike Hielsberg, who is being promoted and will be returning to the Dixon Office. Mike and Brian will work together until 12.15.04 to insure a smooth transition. Mr. Frickenstein brings 25 years of experience to Willett, Hofmann & Associates.

**ORDINANCES: (FIRST READING)**

Amendment to Section 8-938 – Addition of paragraph (e) not-for-profit organizations presented.

**CONSENT AGENDA:**

A motion by Alderman Stachowiak and second by Alderman Searing to approve Consent Agenda items 1-7:

1. Approval of Regular Session minutes from November 16, 2004
2. Payment of bills as printed. (attachment A)
3. Approve Broadband Business Proposal/Telecommunications Consulting Services from NI Solutions, Inc. of Carmel, Indiana at a cost not to exceed \$45,000 with completion date of March 31, 2005.
4. Recommendation from Plan Commission/Zoning Board of Appeals – Setback variance petition (vacant property on E. 11<sup>th</sup> St.) by US Cellular for a communications tower.
5. Proclamation – Newman Comets 1<sup>st</sup> Place Championship – designating December 9, 2004 as Newman Central Catholic High School Football Team Day.
6. Approval of Bucket Brigade – Rock Falls Lions Club, October 1, 2005
7. Approval of Bucket Brigade – Sterling-Rock Falls Elks Club, April 2, 2005.

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

**DEPARTMENT HEAD REPORTS:**

**Wastewater Treatment** – Mr. Cox requested Council approval to make repairs to the comminuter at a cost of \$5999, with the repairs to be completed by GasVoda, Calumet City, Illinois. Current replacement cost would exceed \$18,000. A motion was made by Alderman Blanton and second by Alderman Stachowiak to authorize repairs. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Hand, Charnas, Folsom and Hand voted aye. Vote 8 ayes, Motion carried.

**Water** - Mr. Padilla reported on bids that were opened for well #4 Rehabilitation. Bids were received from (2) providers, Layne Western (\$27,920.00) and Meadow Equipment (\$31,460.00). Mr. Padilla provided some history on well #4. It was rehabilitated in June 2003 by Wayne Western with the bore blast system and wire brushed with no chemical treatment. In October 2004, an iron bacteria test was taken to see if and what type of iron bacteria that is growing on the gravel pack and screen. The test resulted in a slime forming bacteria, which is strongly thought to be the problem that is clogging the well and limiting production from 1000 gallons per minute to only 875 gallons per minute.

Mr. Padilla recommends to the Council that we accept the bid of Meadow Equipment even though their bid came in \$3540 higher. The following reasons were presented for acceptance of the higher bid: 1) The air bursting technology available via (Meadow Equipment instead of bore blasting system (Layne Western) to open up the formation for chemical rehabilitation. 2) The guarantee of the chemical rehabilitation not an acid process that Meadow Equipment is willing to reimburse if process does not work. Layne Western process is an acid with concerns of the close proximity of the other wells does not guarantee the chemical part in the proposals, but believes it will work and add no additional production.

A motion was made by Alderman Blanton and second by Alderman Kuhlemier to accept the bid of Meadow Equipment Sales & Service, Inc. of Carol Stream, Illinois in the amount of \$31,460. Upon vote, Alderman Stachowiak, Searing, Kuhlemier, Straub, Hand, Folsom, Charnas and Blanton voted aye. Vote 8 ayes, Motion carried.

**Street** – Mr. White reported that all of the City vehicles are ready for snow plowing should the weather dictate. With the seasonally mild weather, they are continuing sweeping of streets and applying cold patch as necessary.

**Fire** – Chief Larson reminded the Council members, as well as, the Citizens viewing on the television to use caution during this Holiday season with the usage of decorative lights both inside and outside of the home. Keep plenty of water on live trees to limit the potential fire hazards. Citizens can go to NAPA.org for additional safety concerns during the Holiday Season.

**Building Department**- Mr. Whiting reported on continuing construction projects taking place in the City, specifically citing the Crowne Hill Estates project. He also report on the property case management plan that he is attempting to work on, but is restricted due to time constraints.

**Electric** – Mr. Jakubczak briefed the Council on the Hydro Plant repairs. The parts have been repaired and are due to be delivered to the plant tomorrow. The parts will be put into place and it is hoped that if all goes well, repairs should be completed by the January 2005.

#### **ADMINISTRATORS REPORT:**

Mr. Downey reported to the Council on the progress of the Grant applications to the IEPA for work at Reliant property as well as the old Parish Alford Complex. He additionally briefed the Council on the presence of an emergency response crew on site at the Reliant property performing removal of solvents and contents of the drums that have been in storage from earlier site visits.

He told the Council that the Electric Department was going to be installing an electrical drop for the crews working and that installation and electrical costs incurred by the City would be used as in kind services to off set our obligations. Work currently be done at the site is to be completed by 12.23.04.

Mr. Downey also informed the Council that he is working with a volunteer which is assisting in updating our Web Page with a new design.

**COMMUNITY AFFAIRS:**

Connie Selmi spoke representing the Rock Falls Chamber of Commerce. She told the Council members of three (3) upcoming ribbon cutting ceremonies: 12/8 Curves, 12/9 Angelo's II and 12/14 Candlelight Inn of Rock Falls. There will be a business after hours gathering at Gieson's on 12/16.

Christian Tscheschok, Executive Director of the Rock Falls Community Development Corporation conducted a general briefing to the Council into inquires in the Industrial Park, economic inquires being generated in the area from the Rochelle Railroad Park. Additionally, he provided an update on the I-88 corridor project which has been awarded a \$100,000 grant. Lastly, he spoke briefly on the continued efforts in regards to a grocery store for our community.

**APPOINTMENTS/RESIGNATIONS:**

Mayor Mulvaney requested the Council appoint Mr. Bill Groleau to the Planning Commission/Zoning Board of Appeals for a (3) three year term ending April 30, 2007. A motion was made by Alderman Stachowiak and second by Alderman Kuhlemier to approve the appointment as presented. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, Motion carried

**COUNCIL COMMITTEE REPORTS/MEMBER REQUESTS:**

Public Utilities/Public Property – Mr. Blanton called a Committee meeting for 12.04.04 at 6:00 p.m. in the Council Chambers.

Finance/Insurance – Mr. Kuhlimier advised the Council that the tentative Tax levy for the year 2005 is completed and currently stands at 110% which would require a Public Hearing at the 12.21.04 Council Meeting. Mr. Downey went through all of the line items on the Tax levy identifying limits which have caps and explaining our needs in the other areas. The total value may be lowered once the actuarially report concerning the Police and Fire pensions is received. A Finance Committee meeting is scheduled for 12.14.04 at 5: 00 p.m. in the Council Chambers.

Ordinance/License – Mr. Hand spoke to the Council about a needed amendment/verbiage change to Chapter 15, Division 2. Sewerage Department, Sec. 15-223 Superintendent-Appointment: duties generally in order to complete the contractual agreement between the City and current Supt. Ed Cox. In addition the language in Section 9 of the employment agreement between Mr. Cox and the City of Rock Falls would require change as well. The language change in both documents needs to read, “The superintendent is appointed by the Mayor with the approval of the City Council.” A motion by Alderman Hand and second by Alderman Stachowiak to make both of the above changes was made. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, Motion carried.

Personnel/Public Safety – Mr. Searing told the Council that the work on the City’s Safety Manual is complete. Currently it has been sent to our Insurance carrier for review and suggested changes if any. Additionally, he reminded his Committee members of the Personnel meeting scheduled for 12.13.04 at 6:00 p.m. in the Council Chambers.

**MAYOR’S REPORT:**

The Mayor told the Council of a program that he and Mr. Downey have been investigating called, Healthy Illinois. A Public/Private collaboration looking into means by which to make available affordable health care to residents of the State of Illinois. The City of Edwardsville currently is utilizing this system. Mr. Downey presented a brief overview, in which he advised that the program is based on communities with 50 or less employees. It is uncertain as to whether or not we would qualify unless they look at each of our funding sources (ie, general, electric, water, sewer) as separate entities. The idea is to join all of the communities together in a bigger pool to facilitate better costs. The State of Maine has had success with this model and it is thought that Illinois could do well do to a potentially large pool. The Council agreed to continue looking at this information as it becomes available for future considerations.

Mayor also briefed the Council on a recent ruling by a Cook County Judge which found the recently imposed Industrial Commission Fees imposed by the State of Illinois were unconstitutional, because it violated a state statute by which taxes must be uniform and reasonable. The recent wastewater fees were cited as an example of those which are unfair due to the large differences in populations in the Chicago area versus rural areas such as ours. It is anticipated that many of the fees imposed by the current State Administration will be coming under review.

Mayor Mulvaney asked Mr. Whiting the building Inspector if he had much success with contacting the owners of business properties along Route 30 in regards to fencing between these properties and residential properties. Mr. Whiting told the Mayor that with all of his other duties, he has not had the time to start that project as of yet. He has looked at several of the properties but that is it. Mayor Mulvaney stated that this is something that has to be accomplished to be compliant with current Ordinances. Mr. Whiting stated that he would have a report on these issues by the end of January.

Mr. Reese spoke to the Council about an agreement that was approved in June 04 with the IMBCA for the use of (2) two of the fibers in the Fiber Optic Network that runs along the Interstate. The IMBCA has proposed an amendment to that agreement for the purposes of allowing Northern Illinois University to join as an additional participant. In reviewing the proposed amendment, there are a couple of issues that Mr. Reese would like to get clarification too. Following a short discussion and with input from Mr. Jakubczak it was agreed that this issue would be brought forth for approval at the next meeting of the Council scheduled for 12.21.04.

**EXECUTIVE SESSION:**

Mayor Mulvaney requested a motion to go into executive session for the purposes of discussing: Collective bargaining matters-Section 2 (C) (2). A motion was made by Alderman Kuhlemier and second by Alderman Searing to enter into executive session. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, Motion carried. The Council entered into executive session at 7:46 p.m...

A motion was made by Alderman Hand and second by Alderman Straub to return to Open session at 8:22 p.m... Upon roll call, alderman Stachowiak, Searing, Straub, Kuhlemier, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, Motion carried.

Mr. Brian Snow asked to address the Council on an issue that had already been approved in the Consent Agenda items earlier in the meeting. His request was denied by mayor Mulvaney.

Motion made by Alderman Folsom and second by Alderman Searing to adjourn. Upon roll call, Alderman Stachowiak, Searing, Kuhlemier, Straub, Charnas, Hand, Folsom and Blanton voted aye. Vote 8 ayes, Motion carried. (8:26 p.m.)

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William B. Wescott, City Clerk

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Ordinance/License – Mr. Hand addressed the Council on making a change to the language in the current Ordinance