

Vice-Mayor Viering called a meeting of the Sterling City Council to order at 6:30 p.m. on Monday, February 7, 2005. Present: Aldermen Adell, Cox, Francis, Lee, and Martin. Absent: Mayor Aggen.

The Pledge of Allegiance was recited.

Alderman Cox made a motion to approve the items on the Consent Agenda, as follows:

- 1) City Council Minutes of January 17, 2005
- 2) Bills and Payroll totaling \$737,991.28
- 3) Plan Commission Minutes of November 18, 2004
- 4) Kiwanis Club of Sterling to solicit donations for peanuts on Saturday, May 14 at Second Street/Second Avenue, Third Street/First Avenue and Fourth Street/Second Avenue from 8:00 a.m. to 4:00 p.m.
- 5) American Red Cross Lincoln Land Chapter to hold a bucket brigade fundraiser on Saturday, March 5, at Second Street/Second Avenue and Locust/Third Street from 8:00 a.m. to 12:00 noon

The motion was seconded by Alderman Adell. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Lee made a motion to approve Ordinance No. 2005-02-03, repealing Ordinance No. 2004-11-29 and replacing with Ordinance No. 2005-02-03 An Ordinance Providing for the Imposition of a Non-Home Rule Municipal Retailers' Occupation Tax and Non-Home Rule Municipal Service Occupation Tax; seconded by Alderman Martin. Assistant City Manager Shumard explained that the Illinois Department of Revenue requested minor changes, changing prepositional phrases and reflecting the effective date. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Francis made a motion to approve Ordinance No. 2005-02-04, An Ordinance Regarding Front Yard Fences; seconded by Alderman Martin. Alderman Adell asked to clarify that the ordinance allows 10 lineal foot sections. Building and Zoning Services Coordinator Mike Wolber stated that the ordinance provides for two 10 lineal foot sections as requested by the City Council because split rail sections are sold in 10' lengths. Voting: Ayes – Cox, Francis, Lee, Martin and Viering. Nays – Adell. Motion carried.

Alderman Cox made a motion to approve Ordinance No. 2005-02-05, An Ordinance Granting a Special Use Permit for St. Paul Evangelical Lutheran Church at 1505 East 18th Street; seconded by Alderman Adell. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Cox made a motion to approve Ordinance No. 2005-02-06, An Ordinance Granting a Special Use Permit for Park View Place, LLC and Melvin Schaver at 1225 West 11th Street; seconded by Alderman Francis. Wolber verified that the rezoning is for an R-1 Special Use, in the event that project does not move forward, the property would remain as an R-1. Richard Hess of C & H Group explained that he plans to construct a 76 unit supported living facility at this site. Application has been submitted to the state for funding. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Adell made a motion to approve Ordinance No. 2005-02-07, An Ordinance relating to Gang Activity and Truancy; seconded by Alderman Martin. Chief Potthoff explained the additions to the ordinance, which included caretakers being responsible for calling children off of school. The ordinance provides for fining caretakers who habitually call students off of school. The second addition to existing City Code on gang activity pertains to owners of property to be responsible for removal of graffiti. Superintendent Wil Booker stated primary concerns about school attendance that relate to academics, state assessments and average daily attendance which affects state funding. Booker noted that the proposed ordinance revising City code as it relates to the truancy would help Unit 5 and the Regional Office of Education address a concern that school administration has not previously been able to control. Discussion ensued, pertaining to:

- responsibility of school versus police for tracking truant students
- adding responsibilities to the understaffed Police Department
- Regional Office of Education's responsibility for handling truanancies
- the ordinance giving more substance for enforcement
- ages this ordinance may affect – 15 to 17 year olds
- Court support of tickets is questionable – school administration needs to meet with Circuit Judges to impress the importance of this issue and Associate Judges handling cases can be made aware
- percentage of truant students in high school -- approximately 2%
- funding lost through truancy – approximately \$500,000 over three years
- students in classes, eliminate time on the streets or in trouble
- 80% of drop-outs end up in the court system
- school administration will be prepare for tickets to be issued and probably appear in court, if necessary

Voting: Ayes – Adell, Francis, Lee, Martin, and Viering. Nays – Cox. Motion carried.

Alderman Adell made a motion to approve Resolution No. 2005-02-05, A Resolution for Maintaining Streets and Highways by Municipality Under the Illinois Highway Code, appropriating \$153,000; seconded by Alderman Martin. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Lee made a motion to authorize Vice Mayor Viering to execute an Agreement for Engineering Services with Willett, Hofmann & Associates for Lynn Boulevard from Avenue E, west to Industrial Road, not to exceed \$12,000; seconded by Alderman Francis. Manager Wieland explained that this engineering estimate also included the section of Oak Grove Avenue from 23rd Street to Lynn Boulevard, to provide accessible corridors on Lynn Boulevard. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Adell made a motion to approve Final Pay Request for the 2004 Street Project Contract #1 in the amount of \$6,782.37 to Guerrieri Construction; seconded by Alderman Cox. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Lee made a motion to accept ownership of sanitary sewer on East 23rd Street, from approximately 20th to 21st Avenue; seconded by Alderman Martin. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Adell made a motion to authorize the Sterling-Rock Falls Child Care to purchase fuel through the City of Sterling; seconded by Alderman Martin. Attorney Coplan stated that agencies purchasing fuel through the City must have a not-for-profit status. Voting: Ayes – All. Nays – None. Motion carried.

Alderman Cox made a motion approve the purchase of a new police patrol vehicle from Miles Chevrolet of Decatur, Illinois, in the amount of \$17,689.10; seconded by Alderman Martin. Manager Wieland stated that this was the only bid received and that Miles Chevrolet holds the state contract. Local dealers are unable to compete with the state bid price since the manufacturers do not afford them to same volume pricing. Voting: Ayes – All. Nays – None. Motion carried.

Attorney Coplan stated that the pre-trial hearing is set for the McFalls case on February 18. Several defendants are represented by Mike Albert who will be accepting a position as Associate Judge on the 22nd and Coplan is unsure what will happen to the hearing.

Coplan also informed the Council that he will be moving forward with two demolition suits through the Property Maintenance Code, after tracking various owners across the United States.

Clerk Rombouts reminded Council members to complete their Statements of Economic Interest and drop them off with the Clerk's office for mailing, if they desired.

Manager Wieland reminded the Council that there is an opening on the Fire-Police Commission and would appreciate recommendations.

Vice-Mayor Viering reported that Mayor Aggen is progressing well. She informed the Council that an invitation was received for a visit with Barack O'Bama in Rock Falls on

February 11 at 11:00 a.m. She also reported that the ground breaking took place for utilities at the Wal-Mart distribution center.

With no further business to discuss, Alderman Martin made a motion to adjourn; seconded by Alderman Adell. Voting: Ayes – All. Nays – None. Motion carried. Meeting adjourned at 8:40 p.m.

Marie Rombouts
City Clerk