

Monday, July 1, 2019  
City Council Meeting at 6:30 pm

CITY COUNCIL MEETING AGENDA  
Council Chambers - First Floor  
212 Third Avenue

## 1. Meeting Opening

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Subject : A. Call to Order  
Meeting : Jul 1, 2019 - City Council Meeting at 6:30 pm  
Type : Procedural

## 1. Meeting Opening

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Subject : B. Roll Call  
Meeting : Jul 1, 2019 - City Council Meeting at 6:30 pm  
Type : Procedural

## 1. Meeting Opening

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Subject : C. Pledge of Allegiance  
Meeting : Jul 1, 2019 - City Council Meeting at 6:30 pm  
Type : Procedural

## 2. Communication from Visitors

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Subject : A. Public Comment  
Meeting : Jul 1, 2019 - City Council Meeting at 6:30 pm  
Type : Information

### File Attachments

[public comment policy.pdf \(75 KB\)](#)

## 3. Consent Agenda

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Subject : A. Approval of Minutes  
Meeting : Jul 1, 2019 - City Council Meeting at 6:30 pm  
Type : Action (Consent)  
Recommended Action : Approval of Minutes as presented

### File Attachments

[cc061719.pdf \(142 KB\)](#)

### Consent

Our adopted rules of Parliamentary Procedure, Robert's Rules, provide for a consent agenda listing several items for approval of the Board by a single motion. Most of the items listed under the consent agenda have gone through Board subcommittee review and recommendation. Documentation concerning these items has been provided to all Board members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any board member.

### 3. Consent Agenda

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|                      |                                               |
|----------------------|-----------------------------------------------|
| Subject :            | B. Approval of Bills and Payroll              |
| Meeting :            | Jul 1, 2019 - City Council Meeting at 6:30 pm |
| Type :               | Action (Consent)                              |
| Recommended Action : | Approval of Bills and Payroll as presented    |

## Public Content

### File Attachments

[bills & pr 07 01 19.pdf \(426 KB\)](#)  
[ap by gl dist 07 01 19.pdf \(386 KB\)](#)

### Consent

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### 3. Consent Agenda

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|                      |                                                                                                                    |
|----------------------|--------------------------------------------------------------------------------------------------------------------|
| Subject :            | C. Close 500 block of Second Avenue for Fourth of July Celebration by Amazing Grace Church from 6:00 am to 6:00 pm |
| Meeting :            | Jul 1, 2019 - City Council Meeting at 6:30 pm                                                                      |
| Type :               | Action (Consent)                                                                                                   |
| Recommended Action : | Close 500 block of Second Avenue for Fourth of July Celebration by Amazing Grace Church from 6:00 am to 6:00 pm    |

## Public Content

Amazing Grace Church of Sterling has hosted a public Fourth of July celebration over the last few years. The event runs from noon to 4:00 pm. The church honors those people that serve and protect our community and nation. Emergency personnel who attend will be offered free food and drinks.

### File Attachments

[july 4th-amazing grace.pdf \(67 KB\)](#)

## Consent

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### 3. Consent Agenda

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|                      |                                                                                                            |
|----------------------|------------------------------------------------------------------------------------------------------------|
| Subject :            | D. Partial Pay Estimate #1 for the Avenue G Bridge Rehabilitation Project in the amount of \$90,136.72     |
| Meeting :            | Jul 1, 2019 - City Council Meeting at 6:30 pm                                                              |
| Type :               | Action (Consent)                                                                                           |
| Recommended Action : | Approve partial pay request #1 for the Avenue G Bridge Rehabilitation Project in the amount of \$90,136.72 |

## Public Content

Work continues on the Avenue G Bridge rehabilitation. Partial Payment #1 primarily covers the cost of the new joints that will be placed on the bridge and the removal of bad concrete at the slopewalls and at the piers below the deck.

## File Attachments

[Ave G Bridge Pay Request 1.pdf \(407 KB\)](#)

[Ave G bridge pp 1.jpg \(113 KB\)](#)

## Consent

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### 3. Consent Agenda

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|                      |                                                                                        |
|----------------------|----------------------------------------------------------------------------------------|
| Subject :            | E. Sterling Optimist Club to hold a Bucket Brigade on July 20,2019                     |
| Meeting :            | Jul 1, 2019 - City Council Meeting at 6:30 pm                                          |
| Type :               | Action (Consent)                                                                       |
| Recommended Action : | Approve petition from Sterling Optimist Club to hold a bucket brigade on July 20, 2019 |

## Public Content

Bucket Brigade will help to raise funds to give scholarships to local youth attending Sauk Valley Community College in the fall of 2020.

Scholarships go to graduating seniors in 2020 who plan to attend Sauk Valley Community College.

## File Attachments

[optimist bb 2019.pdf \(344 KB\)](#)

## Consent

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## 8. Business Items

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|                      |                                                                                                                                                                                          |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Subject :            | A. Ordinance #2019-07-22 Authorizing the purchase of Real Property Commonly Known as Lots 3 and 14 of Oak Grove Subdivision (northwest corner of Oak Grove Avenue and West LeFevre)      |
| Meeting :            | Jul 1, 2019 - City Council Meeting at 6:30 pm                                                                                                                                            |
| Type :               | Action                                                                                                                                                                                   |
| Recommended Action : | Approve Ordinance #2019-07-22 Authorizing the purchase of Real Property Commonly Known as Lots 3 and 14 of Oak Grove Subdivision (northwest corner of Oak Grove Avenue and West LeFevre) |

## Public Content

The City has been mowing PIN:1117454017 (the south lot) for over 2 years. PIN:1117454016 (the north lot) is outside of the City and the maintenance has been done on a less frequent basis by the Township. The taxes have gone unpaid on both lots for the past few years. Staff proposes purchasing the lots from the Whiteside County Trustee. Because the taxes are unpaid, the City is collecting nothing from the property while still doing some maintenance. Further, the City has an old 48 brick sewer line running through the south property with no evidence found of a recorded easement. The City proposes taking both properties so that the City may record an easement on the south lot, annex the north lot, then market and sell the lots together when possible. Each lot purchase price is \$793 including recording fees for a total of \$1,586.

## File Attachments

[2019-7-22 purchase property - back taxes.pdf \(279 KB\)](#)

[Oak Grove Acquisition.jpg \(3,499 KB\)](#)

[oak grove land.jpg \(757 KB\)](#)

## 8. Business Items

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|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Subject : | B. Resolution #R2019-07-17 Authorizing Approval of an Entry into an Amended Donation Agreement, relative to the Stanley National Properties and Authorization to Indicate |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Approval of the Proposed Remedial Action Plan to be  
Submitted by Stanley National to the Illinois Environmental  
Protection Agency

Meeting :

Jul 1, 2019 - City Council Meeting at 6:30 pm

Type :

Action

Recommended Action :

Pass Resolution #R2019-07-17 Authorizing Approval of an Entry into an Amended Donation Agreement, relative to the Stanley National Properties and Authorization to Indicate Approval of the Proposed Remedial Action Plan to be Submitted by Stanley National to the Illinois Environmental Protection Agency.

## Public Content

In April of 2014, the City entered into a Donation Agreement with Stanley Black & Decker that would donate the former National Manufacturing property to the City of Sterling, provided that first, Stanley received IEPA approval of a Remedial Action Plan (RAP) for environment remediation of subsurface contaminants. Upon IEPA approval of a Remedial Action Plan, the property would become the City's and Stanley would be required to clean the subsurface in accordance with the Remedial Action Plan to receive a No Further Remediation (NFR) letter.

After a number of tests and analysis with different methodologies, it has been determined that treating the soil contamination in place is not feasible. The contaminated areas below the surface will need to be removed and taken to a hazardous waste landfill. Treating in place was the preferred strategy as it is generally less expensive than excavating and hauling hazardous materials to a hazardous waste site. Further complicating the excavation method is the location of the boiler house building and the seawall along the Rock River. **In proximity to the contaminated soil.** To fully excavate all the contaminated material, there is a potential and serious risk to the foundation of the boiler house and more importantly, the integrity of the seawall along the Rock River.

Stanley is now proposing it will seek a technical impracticability (TI) waiver from the IEPA to leave some of the remnants in the soil in areas where excavation could jeopardize the seawall and foundation. The Donation Agreement calls for the City to accept the Remedial Action Plan submitted to the IEPA. An incomplete cleanup could introduce potential risk to the City for future cleanup. To mitigate some risk, the City's legal counsel has negotiated with Stanley to have Stanley indemnify the City for 4 years following the receipt of a No Further Remediation (NFR) letter from the IEPA. Should the IEPA not accept the proposed Remedial Action Plan (RAP) that includes the technical impracticability waiver, then it is back on Stanley to come up with a new plan for cleanup and the property remains theirs. The scenario where the IEPA rejects a RAP that includes the technical impracticability waiver, even with the City's support, is a real possibility that would further prolong redevelopment efforts.

Legal counsel and I agree that this is the best alternative we can reasonably expect to get. If the City chooses not to accept the modified Donation Agreement, Stanley could attempt to argue they have made a good faith effort to submit a RAP that cleans everything as is required in the original Donation Agreement, but that they can't do it all due to the technical impracticability areas.

## File Attachments

[R2019-7-17 national.pdf \(84 KB\)](#)

[National-Stanley agreement amendment.pdf \(528 KB\)](#)

[Pages from Sterling RAP Tier 3 2018 DRAFT.pdf \(724 KB\)](#)

[20190119 SBD Nat Mfg Sterling IL WSP Draft.pdf \(207 KB\)](#)