

Monday, November 4, 2019
City Council Meeting at 6:30 pm

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

1. Meeting Opening

Subject : A. Call to Order
Meeting : Nov 4, 2019 - City Council Meeting at 6:30 pm
Type : Procedural

1. Meeting Opening

Subject : B. Roll Call
Meeting : Nov 4, 2019 - City Council Meeting at 6:30 pm
Type : Procedural

1. Meeting Opening

Subject : C. Pledge of Allegiance
Meeting : Nov 4, 2019 - City Council Meeting at 6:30 pm
Type : Procedural

2. Communication from Visitors

Subject : A. Public Comment
Meeting : Nov 4, 2019 - City Council Meeting at 6:30 pm
Type : Information

File Attachments

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

3. Consent Agenda

Subject : A. Approval of Minutes
Meeting : Nov 4, 2019 - City Council Meeting at 6:30 pm
Type : Action (Consent)
Recommended Action : Approval of Minutes as presented

File Attachments

[cc102119.pdf \(115 KB\)](#)

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

Subject :	B. Approval of Bills and Payroll
Meeting :	Nov 4, 2019 - City Council Meeting at 6:30 pm
Type :	Action (Consent)
Recommended Action :	Approval of Bills and Payroll as presented

Public Content

File Attachments

[Accts Pay 11-04-19.pdf \(395 KB\)](#)
[apsummary 11-04-19.pdf \(394 KB\)](#)

Consent

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3. Consent Agenda

Subject :	C. Approval of Plan Commission Minutes
Meeting :	Nov 4, 2019 - City Council Meeting at 6:30 pm
Type :	

File Attachments

[9 19 19 PC Minutes.pdf \(145 KB\)](#)

3. Consent Agenda

Subject :	D. Final Pay Request for Douglas Park Neighborhood
Meeting :	Nov 4, 2019 - City Council Meeting at 6:30 pm
Type :	Action (Consent)
Recommended Action :	Strand Engineering and City Staff recommend approval of the final payment in the amount of \$180,853.54 to Fischer Excavating of Freeport Illinois

Public Content

This project consisted of stormwater drainage improvements including storm sewers and curb and gutter, as well as new streets and sidewalks for the Douglas Park Neighborhood, including Douglas Drive, Woodside Drive, Chestnut Ave, and Harvey Drive. Funding for this project came from the bond backed by the most recently adopted ½ cent local option sales tax referendum. The project is complete except for some tree planting restoration which is not covered by this contract.

File Attachments

[Final Pay Douglas Park.pdf \(2.394 KB\)](#)

Consent

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3. Consent Agenda

Subject :	E. Partial Pay Request #3 for Porter Brothers on the Sterling Public Market
Meeting :	Nov 4, 2019 - City Council Meeting at 6:30 pm
Type :	Action (Consent)
Recommended Action :	Consulting Engineers and City Staff recommend approval of partial payment #3 in the amount of \$146,283.33 to Porter Brothers Asphalt & Sealing of Rock Falls, Illinois

Public Content

At the May 20, 2019 Council Meeting, Porter Brothers was awarded the bid to build out a parking area and covered structure for use as a Public Market area adjacent to the indoor Twin City Market. The project also includes the reconstruction of 2nd Street including ADA improvements at the corners.

Partial Pay Request #3 includes work through October 23rd in the amount of \$146,283.33. The combined payments to date reflect approximately 28% of the total project being complete. It is anticipated the project will not be complete by the project timeline and the City will need to negotiate revised terms for timing with the contractor and possibly liquidated damages if satisfactory terms cannot be achieved.

The project is funded through TIF Central Business District West funds, Capital Funds and a donation from Sterling Today.

File Attachments

[PPR-market.pdf \(154 KB\)](#)

Consent

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3. Consent Agenda

Subject :	F. Resolution No. R2019-11-22 providing for the abatement of general real property taxes for General Obligation Refunding Bonds (Alternate Revenue Source), Series 2010A (Recovery Zone Facility Bonds)
Meeting :	Nov 4, 2019 - City Council Meeting at 6:30 pm
Type :	Action (Consent)
Recommended Action :	Please make a motion to approve Resolution No. R2019-11-22 abating the 2019 tax levy in the amount of \$489,002.50 for the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2010A (Recovery Zone Facility Bonds) if acceptable.

Public Content

Resolution No. R2019-11-22 provides for the abatement of general real property taxes for the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2010A (Recovery Zone Facility Bonds). The general real property taxes to be abated for the 2019 tax levy by Resolution No. R2019-11-22 totals \$489,002.50. The bond ordinance requires that each year taxes will be levied to pay for the upcoming years principal and interest unless there are significant revenues on hand to pay for same. Sufficient revenues should be available from the following sources, which will allow us to abate the levy: receipts derived from repayment of the loan by Continental 232 Fund LLC and sales and use taxes collected in connection with the project.

Attached is a copy of Resolution No. R2019-11-22 and a copy of the debt service schedule.

File Attachments

[R2019-11-22.pdf \(7 KB\)](#)
[2010A bond schedule.pdf \(79 KB\)](#)

Consent

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3. Consent Agenda

Subject :	G. Resolution No. R2019-11-23 providing for the abatement of general real property taxes for Taxable General Obligation Bonds (Alternate Revenue Source), Series
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2010D (Recovery Zone Economic Development Bonds Direct Payment)

Meeting : Nov 4, 2019 - City Council Meeting at 6:30 pm

Type : Action (Consent)

Recommended Action : Resolution No. R2019-11-23 providing for the abatement of general real property taxes for Taxable General Obligation Bonds (Alternate Revenue Source), Series 2010D (Recovery Zone Economic Development Bonds Direct Payment).

Public Content

Resolution No. R2019-11-23 provides for the abatement of general real property taxes for the Taxable General Obligation Bonds (Alternate Revenue Source), Series 2010D (Recovery Zone Economic Development Bonds Direct Payment). The general real property taxes to be abated for the 2019 tax levy by Resolution No. R2019-11-23 totals \$384,672.50. The bond ordinance requires that each year taxes will be levied to pay for the upcoming years principal and interest unless there are significant revenues on hand to pay for same. An accounting shows that there will be sufficient revenues available from sales taxes collected (other than the public infrastructure one-half cent sales taxes and the sales taxes related to the Kohls project).

Attached is a copy of Resolution No. R2019-11-23 and a copy of the debt service schedule.

File Attachments

[R2019-11-23.pdf \(80 KB\)](#)
[2010D bond schedule.pdf \(231 KB\)](#)

Consent

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3. Consent Agenda

Subject : H. Resolution No. R2019-11-24 providing for the abatement of general real property taxes for General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012

Meeting : Nov 4, 2019 - City Council Meeting at 6:30 pm

Type : Action (Consent)

Recommended Action : Please make a motion to approve Resolution No. R2019-11-24 abating the 2019 tax levy in the amount of \$3,377,500.00 for the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012 if acceptable.

Public Content

Resolution No. R2019-11-24 provides for the abatement of general real property taxes for the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2012. The general real property taxes to be abated for the 2019 tax levy by Resolution No. R2019-11-24 totals \$3,377,500.00. The bond ordinance requires that each year taxes will be levied to pay for the upcoming years principal and interest unless there are significant revenues on hand to pay for same. These bonds were issued on behalf of CGH Medical Center, which has assured the City that there are sufficient funds available to allow us to abate the levy.

Attached is a copy of Resolution No. R2019-11-24 and a copy of the debt service schedule.

File Attachments

[R2019-11-24.pdf \(7 KB\)](#)

[2012 CGH Bond schedule.pdf \(52 KB\)](#)

Consent

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3. Consent Agenda

Subject :	I. Resolution No. R2019-11-25 providing for the abatement of general real property taxes for General Obligation Refunding Bonds (Alternate Revenue Source), Series 2017
Meeting :	Nov 4, 2019 - City Council Meeting at 6:30 pm
Type :	Action (Consent)
Recommended Action :	Please make a motion to approve Resolution No. R2019-11-25 abating the 2019 tax levy in the amount of \$988,140.00 for the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2017 if acceptable.

Public Content

Resolution No. R2019-11-25 provides for the abatement of general real property taxes for the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2017. The general real property taxes to be abated for the 2019 tax levy by Resolution No. R2019-11-25 totals \$988,140.00. The bond ordinance requires that each year taxes will be levied to pay for the upcoming years principal and interest unless there are significant revenues on hand to pay for same. Sufficient revenues should be available from non-home rule sales taxes, which will allow us to abate the levy.

Attached is a copy of Resolution No. R2019-11-25 and a copy of the debt service schedule.

File Attachments

[R2019-11-25.pdf \(7 KB\)](#)

[2017 bond schedule.pdf \(55 KB\)](#)

Consent

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3. Consent Agenda

Subject :	J. Resolution No. R2019-11-26 to close streets for Christmas Walk on Friday, December 6, 2019
Meeting :	Nov 4, 2019 - City Council Meeting at 6:30 pm
Type :	Action (Consent)
Recommended Action :	Approve Resolution No. R2019-11-26 to close streets for Christmas Walk on Friday, December 6, 2019

Public Content

Sterling Main Street and the Sauk Valley Area Chamber are preparing the Christmas Walk to be held on Friday, December 6, 2019. This Resolution outlines the time of closures for IDOT. Attached is a press release of planned activities.

File Attachments

[R2019-11-26 christmas walk.pdf \(128 KB\)](#)

[Christmas Walk 2019.pdf \(267 KB\)](#)

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

Subject :	K. YMCA Drumstick Dash 5K Run on Thanksgiving Day November 28, 2019
Meeting :	Nov 4, 2019 - City Council Meeting at 6:30 pm
Type :	

File Attachments

[YMCA Drumstick Dash 2019.jpg \(67 KB\)](#)

6. Presentations and Awards

Subject : A. Comprehensive Economic Development Strategy

Meeting : Nov 4, 2019 - City Council Meeting at 6:30 pm

Type : Discussion

Public Content

Blackhawk Hills Regional Council is Northwest Illinois regional planning organization. They provide support for community and economic development, natural resources conservation, and planning. Dan Payette is presenting the Comprehensive Economic Development Strategy document for the Council.

File Attachments

[blackhawk hills regional council.pdf \(10,370 KB\)](#)
[Sterling CEDS Presentation.pdf \(4.062 KB\)](#)

6. Presentations and Awards

Subject : B. Actuarial Report

Meeting : Nov 4, 2019 - City Council Meeting at 6:30 pm

Type : Presentation

Public Content

Lauterbach & Amen have completed the fire pension fund and police pension fund actuarial reports. Our funding ratios, while slightly improved, remain in critical territory. The fire pension funding ratio increased .76 points to 50.40% and the police pension funding ratio rose .76 points to 55.49%.

The report recommends a minimum contribution to the fire pension fund of \$1,248,142, compared to \$1,189,446 for the prior year, a \$58,696 increase. This amount represents 103.99% of payroll up from 101.90% of payroll. In other words, the City is paying more for firefighter pensions than for active firefighter payroll.

The actuary recommends a minimum contribution to the police pension fund of \$1,219,667 this year versus \$1,180,013 for the prior year, a \$39,654 or 3.4% increase. The new amount represents 75.63% of projected payroll, up from 73.21% last year.

Kevin Cavanaugh from Lauterbach & Amen will be at the meeting to present the actuarial reports and answer any questions.

File Attachments

[actuarial report fire.pdf \(460 KB\)](#)
[actuarial report police.pdf \(461 KB\)](#)
[actuary report.pdf \(263 KB\)](#)

8. Business Items

Subject : A. Resolution #R2019-10-20 Referring to Plan

Commission for Consideration to Annex Territory Wholly Bounded by the City of Sterling North of the Union Pacific Railway

Meeting :

Nov 4, 2019 - City Council Meeting at 6:30 pm

Type :

Action

Recommended Action :

Approve Resolution #R2019-10-20 Referring Consideration to Annex Territory Wholly Bounded by the City of Sterling North of the Union Pacific Railway to the Plan Commission for a public hearing on November 21, 2019

Public Content

These 31 parcels are wholly surrounded by the City of Sterling. All 31 property owners received notification of the proposed annexations.

File Attachments

[R2019-11-20 annex surrounded.pdf \(119 KB\)](#)

[R2019-11-20 ex B.pdf \(286 KB\)](#)

8. Business Items

Subject :

B. Resolution #R2019-10-21 Referring Consideration to Annex Certain Territory Contiguous to the City of Sterling (Steelton Subdivision - Group 1)

Meeting :

Nov 4, 2019 - City Council Meeting at 6:30 pm

Type :

Action

Recommended Action :

Approve Resolution #R2019-10-21 Referring Consideration to Annex Certain Territory Contiguous to the City of Sterling (Steelton Subdivision - Group 1) to the Plan Commission for a public hearing on November 21, 2019

Public Content

These 6 parcels have connected to city sewer and have annexation agreements to annex once contiguous. This is the start of the process to annex Steelton subdivision. The 6 property owners have received notification of the proposed annexations.

File Attachments

[R2019-11-21 annex Steelton 1.pdf \(311 KB\)](#)

[R2019-11-21 annex Steelton 1 ex b.pdf \(238 KB\)](#)

8. Business Items

Subject :

C. Ordinance #2019-10-29 Prohibiting the Feeding of Wild Animals

Meeting :

Nov 4, 2019 - City Council Meeting at 6:30 pm

Type :

Action

Recommended Action :

Approve Ordinance #2019-10-29 Amending Chapter 14 (Animals) to add a new section 14-13 Prohibiting the feeding of wild animals within the City limits of Sterling and adding a new section 14-14 providing for rules applicable to the feeding of cats.

Public Content

The City was approached by concerned citizens about property damaged caused by the feeding of wild animals which attracted additional animals to the area. The City then met with representatives from Happy Tails and Whiteside County Animal Control, as well as the citizens that brought the matter to the City's attention to develop a consensus on an Ordinance to address the feeding of wild animals. The City has had a history of complaints regarding damage and nuisances created by people feeding wild animals with no recourse. Most State DNR's and Humane Society Chapters discourage feeding wildlife. Feeding wildlife changes animals habits, can increase the spread of disease among animals, and increase their dependency on humans while also losing their fear of humans, leading to nuisance and safety issues.

File Attachments

[2019-10-29 feed wild animals.pdf \(174 KB\)](#)

8. Business Items

Subject :	D. Ordinance #2019-11-31 Amending the Sterling City Code for the Regulation of Cannabis and Cannabis Business Establishments
Meeting :	Nov 4, 2019 - City Council Meeting at 6:30 pm
Type :	Action
Recommended Action :	Staff Recommends Approval of Ordinance #2019-11-31 Amending the Sterling City Code for the Regulation of Cannabis and Cannabis Business Establishments

Public Content

This Ordinance Amends the City code for the regulation of cannabis and cannabis business establishments. It creates a licensing and fee structure as provided for in the new State Statute. Licenses and fees are established for craft growing, cultivating, dispensing, processing and transporting. The Ordinance also addresses usage, home cultivation and age restrictions in line with the language provided for in State Statute.

File Attachments

[2019-11-31 Regulation of Rec Marijuana.pdf \(241 KB\)](#)

8. Business Items

Subject :	E. Ordinance #2019-11-32 Amending Chapter 102 of the Sterling City Code Establishing Zoning Regulations for Cannabis Business Establishments
Meeting :	Nov 4, 2019 - City Council Meeting at 6:30 pm
Type :	Action

Recommended Action :

Approve Ordinance #2019-11-32 Amending Chapter 102 of the Sterling City Code Establishing Zoning Regulations for Cannabis Business Establishments

Public Content

City Council referred this matter to the Plan Commission on August 5, 2019 for discussion and a recommendation. A lengthy discussion was held during the regularly scheduled Plan Commission meeting in September. The Plan Commission held a public hearing on October 24, 2019 in regards to the cannabis business establishments. The recommendation from the Plan Commission is the attached ordinance.

File Attachments

[2019-11-32 cannabis zoning.pdf \(159 KB\)](#)

11. Adjourn to Study Session

Subject :	A. Discussion for USEPA Cleanup Grant Application for Lawrence Brothers
Meeting :	Nov 4, 2019 - City Council Meeting at 6:30 pm
Type :	Report

Public Content

Joel Zirkle of Fehr Graham will discuss steps required for the USEPA Cleanup Grant Application process

11. Adjourn to Study Session

Subject :	B. USEPA Presentation "Intersection of Real Estate and Brownfields"
Meeting :	Nov 4, 2019 - City Council Meeting at 6:30 pm
Type :	Information

Public Content

USEPA Presentation: Intersection of Real Estate and Brownfields This 50 minute webinar presentation was originally delivered in September by the USEPAs Office of Brownfields & Land Revitalization. It overviews the redevelopment process for brownfield properties and the roles of the public and private sectors in redevelopment.