

Monday, November 18, 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 18, 2019 - City Council Meeting at 6:30 pm
Type : Procedural

1. Meeting Opening

Subject : B. Roll Call
Meeting : Nov 18, 2019 - City Council Meeting at 6:30 pm
Type : Procedural

1. Meeting Opening

Subject : C. Pledge of Allegiance
Meeting : Nov 18, 2019 - City Council Meeting at 6:30 pm
Type : Procedural

2. Communication from Visitors

Subject : A. Public Comment
Meeting : Nov 18, 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 18, 2019 - City Council Meeting at 6:30 pm
Type : Action (Consent)
Recommended Action : Approval of Minutes as presented

File Attachments

[cc110419.pdf \(132 KB\)](#)

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 18, 2019 - City Council Meeting at 6:30 pm
Type :	Action (Consent)
Recommended Action :	Approval of Bills and Payroll as presented

Public Content

File Attachments

[Balance Sheets 10-31-19.pdf \(333 KB\)](#)
[Budget Perform 10-31-19.pdf \(385 KB\)](#)
[Accts Pay 11-18-19.pdf \(325 KB\)](#)
[apsummary 11-18-19.pdf \(388 KB\)](#)

Consent

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3. Consent Agenda

Subject :	C. MFT General Maintenance #R2019-11-27
Meeting :	Nov 18, 2019 - City Council Meeting at 6:30 pm
Type :	Action (Consent)
Recommended Action :	Staff recommends Council authorize Resolution R2019-11-27 for Motor Fuel Tax expenditures in the amount of \$270,000.

Public Content

Each year the City Council must pass resolutions authorizing expenses for all Motor Fuel Tax (MFT) Funds. MFT funds are spent on cold patch, salt, labor for winter maintenance, labor for patching as well as street lighting expenses. The MFT calendar runs on a January-December fiscal calendar versus our May 1 fiscal calendar which generally results in subsequent amendment resolutions.

File Attachments

[R2019-11-27 MFT.pdf \(137 KB\)](#)

Consent

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3. Consent Agenda

Subject :	D. Pay Request for Northland Mall Detention Area for Martin Excavating in the amount of \$162,000.00
Meeting :	Nov 18, 2019 - City Council Meeting at 6:30 pm
Type :	Action (Consent)
Recommended Action :	Staff and the Consulting Engineers recommend Council approve Partial Pay Request #1 in the amount of \$162,000 to Martin and Company Excavating.

Public Content

As part of the stormwater improvement projects, stormwater detention near Northland Mall was identified as a priority project. At the August 5, 2019 City Council meeting, the Council approved a bid in the amount of \$2,022,213.45 to Martin and Company Excavating to construct a wet detention pond near Lynn Boulevard that will feed into a larger dry detention basin behind the mall. The excavated dirt will be hauled to the riverfront area where it will be compacted and graded to fill in the area where the warehouse was removed last winter. It will then be seeded with the same native prairie mix as the rest of the site.

The work on the Northland Regional Detention has begun in earnest. The tree clearing has been substantially completed and dirt excavation has begun.

File Attachments

[PPR1-mall detention.pdf \(355 KB\)](#)

Consent

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3. Consent Agenda

Subject :	E. Pay Request for Sterling Public Market to Porter Brothers Asphalts Sealing in the amount of \$128,352.68
Meeting :	Nov 18, 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 \$128,352.68 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 #4 includes work through October 23rd in the amount of \$128,352.68. The combined payments to date reflect approximately 43% 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#4 public market.pdf \(203 KB\)](#)

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3. Consent Agenda

Subject :

F. Pay Request For Streets Project Contract #1 to Civil Constructors in the amount of \$18,787.89

Meeting :

Nov 18, 2019 - City Council Meeting at 6:30 pm

Type :

Action (Consent)

Recommended Action :

Consulting Engineers and City Staff recommend approval of partial payment #4 in the amount of \$18,787.89 to Civil Constructors of Freeport, Illinois.

Public Content

Contract #1 to Civil Constructors, which included work completed on 2nd Ave., 6th Ave and E. 13th Street and the additions of W. 6th Street project, south of Harry Kidd field, the alley between TBK and Educators of Beauty and the alley in Sinnissippi between Windsor Road and Park Drive. Partial payment #4 for contract #1 primarily covers additional work that has been completed at W. 6th Street and the alleyways.

File Attachments

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3. Consent Agenda

Subject :	G. Pay Request #1 for Dillon Avenue Phase 2 for Civil Constructors in the amount of \$242,275.14
Meeting :	Nov 18, 2019 - City Council Meeting at 6:30 pm
Type :	Action (Consent)
Recommended Action :	The Citys consulting engineer and staff recommend Council approve Pay Request #1 in the amount of \$242,275.14 to Civil Constructors for the Dillon Avenue Phase 2 Project

Public Content

As part of the stormwater improvement projects, Dillon Avenue was identified as a priority project for drainage and road improvements. Phase 1 was recently completed from Lefevre to 11th. At the August 5th, 2019 Council meeting, the Council awarded Phase 2 of the Dillon Avenue project from 11th Street to 4th Street to Civil Constructors of Freeport, Illinois in the amount of \$1,242,131.69. Phase 2 includes new storm sewers, roadways and sidewalks.

Partial Pay Request #1 to Civil Construction covers the beginning of the Phase 2. Work to date includes tree removal, some storm sewer installation and excavation work associated with a new detention basin to help manage stormwater runoff.

File Attachments

[PPR1-dillon#2.pdf \(160 KB\)](#)

Consent

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3. Consent Agenda

Subject :	H. Sterling-Rock Falls Jaycees to hold a bucket brigade on December 7, 2019
Meeting :	Nov 18, 2019 - City Council Meeting at 6:30 pm
Type :	Action (Consent)

Recommended Action :

Approve petition from Sterling-Rock Falls Jaycees to hold a bucket brigade on December 7, 2019

Public Content

This bucket brigade will help to offset the costs of the Sterling-Rock Falls Jaycees annual Christmas for Kids program, a program supporting local families around the Holidays.

File Attachments

[2019 jaycees.pdf \(384 KB\)](#)

Consent

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6. Presentations and Awards

Subject :	A. Proclamation for Small Business Saturday, November 30, 2019
Meeting :	Nov 18, 2019 - City Council Meeting at 6:30 pm
Type :	Action
Recommended Action :	Pass proclamation recognizing Small Business Saturday on November 30, 2019

Public Content

This serves as a reminder to shop local and support the businesses that support our community.

File Attachments

[proc-small bus sat.pdf \(393 KB\)](#)

7. Unfinished Business

Subject :	A. Ordinance #2019-10-29 Prohibiting the Feeding of Wild Animals
Meeting :	Nov 18, 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 :	A. Tax Levy Estimate
Meeting :	Nov 18, 2019 - City Council Meeting at 6:30 pm
Type :	Action
Recommended Action :	Staff recommends the City Council approve the Tax Levy Estimate which reflects an increase of 2.21%, which is below the 5% requirement for a Truth-in-Taxation hearing.

Public Content

Each year the City is required to prepare a Tax Levy Estimate prior to adopting the tax levy for the upcoming fiscal year in accordance with the Illinois Truth in Taxation law. The purpose of the tax levy estimate is to determine whether the estimated levy extension is 5% or greater than the previous years actual levy extension. If the upcoming levy extension is 5% or greater than the actual prior levy, the City must conduct a public hearing.

The projected Equalized Assessed Value (EAV) of the City is projected to increase 3.02%. This will provide a 3% dollar increase for levies such as police protection and fire protection if the levy rate remains unchanged, which has been the past practice. These levies are at the Statutory cap.

Pension funds do not have levy rate caps under State Statutes in order to provide a guaranteed source of funding for the pensions. The pension funds tax levies have grown far faster than inflation and EAV growth for most of the recent years. The actuary is recommending a minimum contribution to the fire pension fund of \$1,248,142 compared to \$1,189,446 for the prior year. This is a \$58,696 increase over last year, or a 4.93% increase. This amount represents 104% of payroll up from 101.9% of payroll. The City continues to pay more for firefighter pensions than for active firefighter payroll. No less, this is one of the smaller fire pension increase since 2008-09. This reflects the fire pension funds improved investment performance and additional capital in the fund due to past increased contributions using the actuaries recommendations.

The actuary recommended a minimum contribution to the police pension fund of \$1,219,667 this year versus \$1,180,013 the prior year. This is a \$39,654 or 3.4% increase over the prior year. The new amount represents 75.63% of projected payroll, up from 73.21% last year. This reflects the police pension funds improved investment performance and additional capital in the fund due to past increased contributions using the actuaries recommendations.

There are a few factors to consider when setting next years levy, including: property tax rates to businesses and citizens, increasing funding ratios and statutory requirements. Further, concern has also been expressed about attempting to level out the increases in the future. Most recently, the proposal to consolidate pension funds

Staff has always expressed concerns over the ramifications of not funding the pensions by the amount recommended by the actuary, if not more. The sooner the City contributes funds to the pension funds for investment, the more the compounding interest will work in our favor to reduce pension levy increases over the long-term future, lower the risk of funding spikes to meet the State requirements for funding ratios and reduce the risk of the State from seizing our local funding in the event our fire and police pension funds are not adequately funded as State statute allows. Failure to fund adequately today creates higher future tax increases due to the loss of funds for investment. Costs for fire and police services provided today and in yesteryear should not be borne by the next generation. Further, with the probable consolidation of the local pension funds, the more assets we have in the funds, the lower our mandatory contributions to the statewide consolidated fund. Future contributions will change depending on the actuarial assumptions the statewide consolidated funds will choose to use. The consolidated systems should work similar to the successful IMRF system which requires mandatory payments as calculated by the statewide funds. Like IMRF, each city will have its own account with contributions based on each citys own assets and liabilities. The better condition the Sterling funds are going in, the lower our contributions once combined.

Staff is proposing a tax levy estimate of \$4,969,395, an increase of \$107,540 or 2.21%. Last years increase was 3.91%. Because the overall EAV increased 3.02% and the levy *amount* is proposed to increase 2.21%, the proposed property tax *rate* is actually slightly *lower* (3.002 vs 3.0258 or 0.8%). This would be the third year in a row the levy rate posted a light decrease. If the median home value of an owner occupied home of \$83,300 remained unchanged, the owner would see a decrease of \$5.11 for the year in the City portion of the property taxes.

The tax levy estimate staff is proposing actually funds the pensions at higher levels than the minimum recommended contributions (\$34,858 more for the fire pension and \$34,333 more for the police pension). There were three reasons the staff is recommending this: 1) Even with relatively lower recommended contribution increases than in the past, the percentage of payroll continues to climb as were still trying to recover from a combination of Great Recession investment losses and a large number of personnel in police and fire choosing to retire and collect pensions in the years immediately following the Great Recession. This is evidenced by the City now needing to contribute more to the firefighters pension than what we anticipate spending on payroll for firefighters next year; 2) Our funding ratios, while very slightly improved, remain in critical territory. The fire pension funding ratio increased just 0.76 percentage points to 50.4% and the police pension funding ratio also rose just 0.76 percentage points to 55.49%. The State average for downstate fire and police pension funds in 2016 was 57.1% and 57.9%. We need to be aggressive, or at least not passive, in trying to return to stable footing. As of now, State law requires us to be 90% funded by 2040. Thats 22 years to make up 40 and 35 percentage points. 3) If were going to strive to level out levy increases as discussed in 2017, we have to put in more in the low years if there is hope to put in less in the high years. Putting in more now helps reduce the risk of a higher increase next year. The City Council also contributed more than the minimum required last year to help smooth the peaks and valleys of levy increases to cover the pension costs.

File Attachments

[Tax Levy Estimate 2019.pdf \(18 KB\)](#)

8. Business Items

Subject :	B. Resolution #R2019-11-28 supporting Grant for Brownfield Clean Up
Meeting :	Nov 18, 2019 - City Council Meeting at 6:30 pm
Type :	Action
Recommended Action :	Staff recommends Council approve Resolution No.

Public Content

At the November 4th Council Meeting, Joel Zirkle of Fehr Graham overviewed the steps to complete the USEPA Brownfield Cleanup Grant application for a portion of the Lawrence Brothers site. Resolution No. R2019-11-28 authorizes application for the grant and acknowledges the City must provide a 20% match for grant funds received. Matching funds would come from the Capital Fund reserves.

File Attachments

[R2019-11-28 EPA.pdf \(163 KB\)](#)

8. Business Items

Subject :	C. Ordinance No. 2019-11-33 establishes the monthly solid waste collection charge at \$18.05. This represents a 35 cent increase over the previous charge. The change is effective January 1, 2020
Meeting :	Nov 18, 2019 - City Council Meeting at 6:30 pm
Type :	Action
Recommended Action :	Staff recommends Council approve Ordinance No. R2019-11-33 establishing the monthly solid waste collection charge at \$18.05 effective January 1, 2020.

Public Content

Last year China restricted imports of certain recyclables, including mixed paper and most plastics. Waste-management companies across the country are struggling as there is no longer a market for their recycling. Municipalities have two choices: pay higher rates to get rid of recycling or put recyclables in the landfill. The Council recognized the importance of recycling to the community and the environment and through consensus voiced a desire to continue the recycling program. Republic Services proposed a \$0.70 per month per customer increase to cover the increased recycling costs brought on by Chinas ban on most recycling imports. It was the consensus that the City would use its solid waste reserves to cover half of the increase.

File Attachments

[2019-11-33 garbage increase.pdf \(118 KB\)](#)

8. Business Items

Subject :	D. Personnel Manual Updates
Meeting :	Nov 18, 2019 - City Council Meeting at 6:30 pm
Type :	Action
Recommended Action :	Staff recommends approval of modifications to City personnel policy as outlined.

Public Content

Members of the City staff have made suggestions for revisions to the Personnel Manual. The edits are minor and do not reflect any substantial changes. The proposed changes are as follows:

- Changing sick time usage from 1 hour to half-hour increments
- Retitling the Police Lieutenants to Deputy Chiefs to match the change made in the City Ordinances
- Adding language to allow police patrol Sergeants working 12 hour shifts to accumulate and use Personal Days the same as the patrol officers
- Clarifying when a dependent can be enrolled in health insurance if an employee fails to inform the City within thirty-one (31) days of acquiring a dependent
- Revises a paragraph regarding the Employee Assistance Program to instead refer employees to the insurance plan for specific details.

A copy of the revised manual with marked edits is attached.

File Attachments

[Personnel Manual Nov 2019.pdf \(629 KB\)](#)

8. Business Items

Subject :	E. Intergovernmental Agreement between the City of Sterling and Sterling Public Schools for the Sterling Municipal Band
Meeting :	Nov 18, 2019 - City Council Meeting at 6:30 pm
Type :	Action (Consent)
Recommended Action :	Staff recommends Council authorize an Intergovernmental Agreement between the City of Sterling and Sterling Public Schools to coordinate and cooperate with the Sterling Municipal Band.

Public Content

The Intergovernmental Agreement (IGA) between the City of Sterling and Sterling Public Schools allows the Sterling Municipal Band free use and access of school facilities for rehearsals and as a rainout location for the summer series. It also reaffirms the sharing of some equipment and music library space for the Municipal and school bands. The agreement term is for 5 years and updates a now expired agreement. The Sterling Band Commission has approved the IGA.

File Attachments

[IGA Band & SHS.pdf \(356 KB\)](#)

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8. Business Items

Subject :	F. Intergovernmental Agreement between the City of Sterling and City of Rock Falls to create a Joint Emergency Response Team
Meeting :	Nov 18, 2019 - City Council Meeting at 6:30 pm
Type :	Action
Recommended Action :	Staff recommends Council authorize an Intergovernmental Agreement between the City of Sterling and the City of Rock Falls to create a joint Emergency Response Team.

Public Content

A new Emergency Response Team Agreement has been proposed and agreed to by the Chiefs of Police for the cities of Sterling and Rock Falls. The intergovernmental agreement allows for the planning, coordination, mobilization and oversight of a police emergency response team. The new Twin City Emergency Response Team agreement replaces the former intergovernmental agreement with the Whiteside County Emergency Response Team. The Intergovernmental Agreement with Whiteside County was terminated August 1, 2019, after negotiations with the Sheriff for an updated county-wide emergency response agreement ultimately proved unsuccessful.

File Attachments

[R2019-11-29 IGA Police.pdf \(87 KB\)](#)

[R2019-11-29 IGA Emergency Response.pdf \(189 KB\)](#)