

Monday, December 2, 2024
City Council Meeting at 6:30 pm

CITY COUNCIL MEETING AGENDA
Council Chambers - First Floor
212 Third Avenue
Zoom link
<https://us02web.zoom.us/j/88579591267>

1. Meeting Opening

Subject : A. Call to Order
Meeting : Dec 2, 2024 - City Council Meeting at 6:30 pm
Type : Procedural

1. Meeting Opening

Subject : B. Roll Call
Meeting : Dec 2, 2024 - City Council Meeting at 6:30 pm
Type : Procedural

1. Meeting Opening

Subject : C. Pledge of Allegiance
Meeting : Dec 2, 2024 - City Council Meeting at 6:30 pm
Type : Procedural

2. Communication from Visitors

Subject : A. Public Comment
Meeting : Dec 2, 2024 - 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 : Dec 2, 2024 - City Council Meeting at 6:30 pm
Type : Action (Consent)
Recommended Action : Approval of Minutes as presented

File Attachments

[cc11182024.pdf \(145 KB\)](#)

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 :	Dec 2, 2024 - City Council Meeting at 6:30 pm
Type :	Action (Consent)
Recommended Action :	Approval of Bills and Payroll as presented

Public Content

File Attachments

[Council Packet 12.2.2024.pdf \(200 KB\)](#)
[11.19.24-12.02.24 GL Distribution Report.pdf \(392 KB\)](#)

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.

6. Presentations and Awards

Subject :	A. Pinning of Fire Firefighter Dakota Simmons
Meeting :	Dec 2, 2024 - City Council Meeting at 6:30 pm
Type :	Presentation

Public Content

Dakota Simmons is being pinned to celebrate the successful completion of his probationary time. Firefighter Simmons is being pinned by his grandmother Patricia and his daughter Payton.

6. Presentations and Awards

Subject :	B. Recognition of Sterling Fire Department's Administrative Assistant, Angelica Dornes
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Meeting :Dec 2, 2024 - City Council Meeting at 6:30 pm

Type :Presentation

Public Content

Administrative Assistant Angelica Dornes has been instrumental in implementing the new Sterling Community Connect software. This program allows residents to share important information about their homes and businesses with the fire department. Information that can be shared is things like how many people or pets live in the home, utility information, contact information, and any special needs in the home or business.

Sterling's program was recently recognized in Fire Engineering magazine ([link](#)), Sauk Valley Media, and WQAD News Channel 8.

<https://www.fireengineering.com/fire-safety/il-fire-department-rolls-out-software-allowing-homes-businesses-to-share-critical-info/>

In addition to the Community Connect Program, Angelica has taken on the Department's Social Media presence.

8. Business Items

Subject :A. Ordinance 2024-12-28 Amending Chapter 38
Regulating Public Camping and Other Related Actions

Meeting :Dec 2, 2024 - City Council Meeting at 6:30 pm

Type :Action

Recommended Action :Approval of Ordinance 2024-12-28 Amending Chapter
38 Regulating Public Camping and Other Related Actions

Public Content

In *City of Grants Pass v. Johnson*, the Ninth Circuit Court of Appeals ruled anti-camping laws violate an individuals Eighth Amendment right prohibiting cruel and unusual punishment if those individuals lacked access to alternative shelter. Effectively, it required municipalities to provide sufficient facilities to accommodate people before being allowed to enforce anti-camping laws. Arguably, it only applied to the 9th District, but it left areas outside the 9th District unsure of the applicability. On June 28, 2024, the United States Supreme Court overturned the Ninth Circuit Court of Appeals decision.

The homeless epidemic has been on the rise across the U.S. Much of the rise in homelessness is attributable to mental health reasons and substance abuse issues. Housing first solutions have proven ineffective. Therapy and treatment programs have the most success in getting the homeless into permanent housing.

Unfortunately, compelling people to seek treatment, even when available, has proven difficult. Sterling has seen an increase and in interviews with the Sterling Police Department, were finding people are coming to Sterling from outside the area for local resources, but they are not wanting to seek treatment or help. There has been a rise in people complacent with the lifestyle and are refusing help, though arguably many are clouded by the effects of mental health issues or substance abuse.

The City has received increasing complaints from residents and businesses over the untreated homeless population that are disrupting businesses and recreation areas. We have reports and witnessed indecent

exposure in public places, stalking, untoward behavior around kids in parks, harassment of high school girls running for practice, inappropriate behavior and threats in businesses, misuse of equipment, illegal campfires next to buildings and trash and waste being left behind. A local non-profit is now locking doors during business hours when less than 2 people are present due to recent incidents.

The unwanted behavior is limited to a small portion of the homeless, but it is also the same portion that is unwilling to seek help or treatment. This small population is negatively affecting the business climate and access to our public spaces for families.

The proposed ordinance does not seek to criminalize homelessness. The intent is to give officers a tool to push people toward assistance while giving the rest of the community the ability to feel safe leaving business doors unlocked during the day and allowing families and school athletes feel secure in being able to utilize our public spaces for recreation and exercise without threats from the minority causing the majority of the problems as repeat offenders.

A growing number of Illinois communities have passed similar ordinances. Communities that have not have found they are becoming the hubs for other communities most problematic people that they cannot get into treatment.

Our community is fortunate to have resources available to assist the homeless population. A partial list of available resources has been included below.

Staff recommends approval of this ordinance.

File Attachments

- [Ord 2024-12-28 Public Camping.pdf \(151 KB\)](#)
- [Microsoft Word - IRIS Partner List April 2024.pdf \(346 KB\)](#)
- [IMG_0234.jpg \(1,211 KB\)](#)
- [Local AA Meetings.pdf \(387 KB\)](#)
- [Tri County.pdf \(501 KB\)](#)
- [Resource Book Tri County.pdf \(354 KB\)](#)

8. Business Items

Subject :	B. Ordinance 2024-12-26 Amending Chapter 22 Implementing Hotel Tax
Meeting :	Dec 2, 2024 - City Council Meeting at 6:30 pm
Type :	Action
Recommended Action :	Staff Recommends Approving Ordinance 2024-12-26 Amending Chapter 22 Implementing Hotel Tax

Public Content

Hotel taxes are frequently used to promote tourism and events that attract further hotel stays. While the City has not had a hotel in many years, the City now has prospects for 1 or more plus the advent of Air BnB and VRBO types of rentals has made the hotel tax worth consideration.

With the implementation of a hotel tax, the City can invest in promoting tourism and economic development and marketing the City of Sterling as a destination. The City currently doesn't have a revenue source to fund events, which has been a regular issue for the City and its partners such as Sterling Main Street.

The proposed rate is 5%. Here are rates from around our region:

- Dixon - 5%
- Freeport - 5%
- Fulton - 5%
- Moline - 7%
- Rochelle - 5%
- Rock Falls - 5%
- Rock Island - 7%
- Rockford - 5% + 1%

File Attachments

[2024-12-26 Ord Amending Chapter 22 Implementing of Hotel Tax.pdf \(114 KB\)](#)

8. Business Items

Subject :	C. Ordinance 2024-12-27 Amending Chapter 22 To Implement a Municipal Grocery Retailers' Occupation Tax and a Municipal Grocery Service Occupation Tax
Meeting :	Dec 2, 2024 - City Council Meeting at 6:30 pm
Type :	Action
Recommended Action :	Staff Recommends Approving Ordinance 2024-12-27 Amending Chapter 22 To Implement a Municipal Grocery Retailers' Occupation Tax and a Municipal Grocery Service Occupation Tax

Public Content

Under Public Act 103-0781, the State of Illinois approved repealing the statewide 1% grocery tax as of January 1 , 2026. This tax is collected by the State Department of Revenue and redistributed to cities by where the tax is collected.

In repealing the tax, the State was able to claim a tax reduction while not losing any revenues as the revenues were all distributed to municipalities to help fund their general operations such as police, fire and public works.

However, under the Act, the State granted municipalities the opportunity to reinstate the tax with no loss of revenue by adopting an ordinance to retain the tax.

While the State does not provide direct numbers for grocery sales, staff estimated this could reduce City revenues by \$600,000 to upwards of \$750,000 based on overall sales from retailers that sell groceries in Sterling. These are revenues that go toward fire and police salaries among others and are not readily replaceable. Without adopting this ordinance, the City would need to choose between reductions in staffing or diverting the half of the local option sales tax for roads toward operations.

Staff recommends approving Ordinance 2024-12-27 to retain the already existing tax.

File Attachments

8. Business Items

Subject :	D. Letter Authorizing IDOT to proceed with 2nd Street reconstruction.
Meeting :	Dec 2, 2024 - City Council Meeting at 6:30 pm
Type :	Action
Recommended Action :	Approve Authorizing the Mayor to Send a Letter to IDOT in Support of Awarding the Low Bid for the ITEP and 2nd Street Reconstruction.

Public Content

The City of Sterling was awarded an Illinois Transportation Enhancement Program (ITEP) Grant in 2021. The Grant was to fund a multi-use path along 2nd Street connecting the downtown to Martin's Landing and the upper dam bridge.

Unfortunately, the time to get the necessary State approvals and comply with the grant terms has resulted in the project being put out for bid in 2024. The pricing has gone up significantly, particularly for the pedestrian bridge over IL Route 40 and associated railings for the project.

IDOT opened bids for the project on November 8, 2024. The Engineers Estimate was \$5,346,334.65. 4 bids were received.

- \$6,232,139.76
- \$6,435,527.23
- \$6,527,148.93
- \$7,085,829.29

Because the bids were so high compared to the Engineer's estimate, IDOT flagged it to not award. The City can either ask to rebid the project or reject the project and grant or ask that IDOT proceed with awarding the contract via a Special Award Letter.

After discussing the project with various engineers, it was felt that rebidding the project wasn't likely to result in a lower bid. The three lowest bids were already competitive and the steel pricing wasn't assured of being lower in the future. Given the condition of 2nd Street and the unlikelihood of better pricing, it is recommended the Council authorize the Mayor to send a Special Award Letter to IDOT asking to award the low bid to Gensini.

File Attachments

8. Business Items

Subject :	E. Waive the Bid Process and Purchase Park Playground Equipment from Kompan in the amount of \$54,452
Meeting :	Dec 2, 2024 - City Council Meeting at 6:30 pm
Type :	Action
Fiscal Impact :	Yes

Budgeted :	Yes
Budget Source :	Capital Fun
Recommended Action :	Staff recommends Council waive the Bid Process and Purchase Park Playground Equipment from Kompan in the amount of \$54,452.00

Public Content

The City budgeted \$50,000 in the Capital Fund to replace playground ground equipment at Wallace Park. The existing equipment is more than 25 years old and is showing rot on the flooring, side panels, roof panels and some support posts. Much of the deterioration is due to time and weather, but the equipment has been subjected to vandalism as well.

The City sought proposals from 3 vendors. Staff chose the top 6 options and posted them to social media for feedback. The Kompan PCE205621received the most votes online.

The equipment was \$47,771.20 + \$6,680.80 for shipping for a total of \$54,452.00. This is 8.9% over budget, but was teh preferred play set by online voting.

File Attachments

[PCE205621_US_ASTM_en-US_Imperial_comma_point.pdf \(1.567 KB\)](#)
[Sales_Proposal_SP145013.pdf \(282 KB\)](#)
[Kompan General Assumptions Exclusions.pdf \(179 KB\)](#)

8. Business Items

Subject :	F. Resolution No. R2024-12-27 Transferring Jurisdiction and Control of Real Property to the Industrial Development Commission
Meeting :	Dec 2, 2024 - City Council Meeting at 6:30 pm
Type :	Action
Recommended Action :	Staff recommends approval of Resolution No. R2024-12-27 Transferring Jurisdiction and Control of Real Property to the Industrial Development Commission

Public Content

Public Act 102239 allows forlocal industrial development commission to "use or disposal ofsurplus real estate owned by the municipality." The statutes that govern the Sterling Industrial Development Commission (SIDC) allow for more option in selling surplus property. By transferring jurisdiction and control of various lots in the City to the SIDC, the SIDC can then work to sell and dispose of these lots. By Statute, the SIDC has more flexibility in how lots can be sold.

PIN 1121333006

PIN 1121333008

Both properties are located in the 200 block of West 7th Street. The middle parcel was transferred to SIDC in December 2021.

These properties were obtained from Rock Island Economic Growth in April of 2024 for the sum of \$7,200 each.

The City has identified a potential developer to put housing on these lots and is actively working with the developer on a final deal to place duplexes in this area.

File Attachments

[Resolution 2024-12-27 Transferring to SIDC.pdf \(98 KB\)](#)

8. Business Items

Subject :	G. Authorize the Mayor to Enter into a Side Agreement With the Teamsters Local 722
Meeting :	Dec 2, 2024 - City Council Meeting at 6:30 pm
Type :	Action
Recommended Action :	Authorize the Mayor to Enter into a Side Agreement With the Teamsters Local 722

Public Content

The City staff has been reviewing its wages and compensation. One area of concern has been Public Works. Although Public Works entered into a collective bargain agreement between the City and Teamster Local 722, their wages have fallen well below similar sized agencies doing similar work in the region. This has resulted in excess turnover within the Sterling Public Works Department. City staff proposed a new wage table to the Teamsters in hopes of retaining the existing workforce and being able to fill vacancies. After negotiation, the Teamsters and staff agreed on a new wage table that brings Sterling Public Works employees wages in-line with other public works departments in the area through a series of increases every six months from November 1, 2024 through May 1, 2026. This also extends the term of the contract by one year. The existing contract was set to expire April 30, 2025.

File Attachments

[Side Letter 2024.pdf \(305 KB\)](#)
[Nov 20 2024 Proposal.pdf \(87 KB\)](#)