

City of Rock Falls

603 W. 10th Street
Rock Falls, IL 61071-2854

Mayor

William B. Wescott
815-380-5333

City Administrator

Robbin D. Blackert
815-564-1366



City Clerk

Eric Arduini
815-622-1104

City Treasurer

Kay Abner
815-622-1100

City Council Agenda Rock Falls Council Chambers October 2nd, 2018 6:30 p.m.

Call to Order @ 6:30 p.m.
Pledge of Allegiance
Roll Call

Bid Opening

1. Bid opening for the sale of real estate at 1200 West 15th Street.

Audience Requests:

Special Recognition

Promotions:

1. Pinning of Deputy Chief Cris Bouwens
2. Pinning of Captain Kyle Sommers

Community Affairs:

Bethany Bland, President /CEO, Rock Falls Chamber of Commerce.

Consent Agenda:

1. Approval of the Minutes of the September 18th, 2018 Regular Council Meeting.
2. Approval of bills as presented.
3. Proclamation for Fire Prevention Week October 7th-13th, 2018
4. Proclamation for Public Power Week October 7th-13th, 2018

Ordinance First Reading

1. Approval of **Ordinance 2018-2399** authorizing lease of elevated water tower through June 15th, 2019 in the amount of \$300.00 per month.
2. Approval of **Ordinance 2018-2400** Declaration of Restrictive Covenants for the Schmitt Addition Redevelopment Site.

Ordinance Second Reading/ Adoption

1. Adoption of **Ordinance 2018-2397** amending Section 32-22 adding subsection (j) for transfer of services to landlord
2. Adoption of **Ordinance 2018-2398** amending Section 18-152(b) (78) for parking prohibited on Harley Davidson Drive.

City Administrator Robbin Blackert:

1. Approval of Supplemental Engineering Agreement No. 2 from Stanley Consultants 8501 West Higgins Road Suite 730, Chicago, IL for an additional \$19,410.00 as recommended by the Utilities Committee.
2. Approval of Supplemental Engineering Agreement No. 3 from Stanley Consultants 8501 West Higgins Road Suite 730, Chicago, IL for weekly construction observation in the amount of \$72,000.
3. Approval the low bid from Gensini Excavating Inc. 10602 IL-26, Princeton. IL 61356 for sewer and water extensions to the Schmitt property in the amount of \$1,959,497.50 as recommended by the Utilities Committee.

Information/Correspondence:

Eric Arduini, City Clerk
James Reese, City Attorney
Brian Frickenstein, City Engineer

Department Heads:

Water Reclamation- Ed Cox

1. Tentative award the Sanitary Sewer Rehabilitation contract to Insituform Technologies USA 17988 Edison Ave, Chesterfield, MO. in the amount of \$819,260.00 subject to approval of the low interest loan for this project by the Illinois Environmental Protection Agency.

Electric- Dick Simon

Police Chief- Chief Tammy Nelson

Fire Chief- Chief Gary Cook

Building Inspector- Mark Searing

1. Approval of the storage agreement / lease on the former P.A. site with KS Energy 3816 Carnation Street, Franklin Park, IL. for a Nicor project. Possible approval of ordinance authorizing lease.

Water – Ted Padilla

1. Approval of the quote for the Lincoln Street Watermain Extension with Kirby Cable Service, 17842 Sumner Rd, Pecatonica, IL 61063 not to exceed \$19,999.99 as recommended by the Utilities Committee.
2. Approval of the quote for materials from Ferguson 1720 State Street. Dekalb. IL 60116 for the Swallow to Lincoln water main extension in the amount of \$12,597.99 as recommended by the Utilities Committee.

Street - Larry Spinka

Utility Office - Diane Hatfield

Tourism

Broadband – Wayne Shafer

Ward Reports:

Ward 1

Ald. Reitzel

Ald. Logan

Ward 2

Ald. Kuhlemier

Ald. Snow

Ward 3

Ald. Schuneman

Ald. Kleckler

Ward 4

Ald. Folsom

Ald. Sobottka

Mayor's Report:

1. Re-appointment of City Administrator Robbin Blackert to the Whiteside County Enterprise Zone for the period October 16, 2018 – October 16, 2021.

Executive Session:

1. Section 2(c)(21) Review of closed session minutes.

Any action taken from Executive Session:

Adjournment:

Next City Council Meeting 10-16-2018

Posted 09-28-2018

Eric Arduini, City Clerk

The City of Rock Falls is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with Disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in the meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact Mark Searing, ADA Coordinator, at 1-815-622-1108; promptly to allow the City of Rock Falls to make reasonable accommodations within 48 hours of the scheduled meeting.

REGULAR MEETING MINUTES OF THE MAYOR AND
ALDERMEN OF THE CITY OF ROCK FALLS

September 18th, 2018

The regular meeting of the Mayor and City Council of Rock Falls, Illinois was called to order by Mayor William B. Wescott at 6:30 p.m. on September 18th, 2018 in the Council Chambers of Rock Falls.

City Clerk Eric Arduini called the roll following the pledge of allegiance. A quorum was present including Aldermen Daehle Reitzel, George Logan Jr., Brian Snow, Glen Kuhlemier, Jim Schuneman, Rod Kleckler, Lee Folsom, and Violet Sobottka. In addition City Administrator Robbin Blackert and Attorney Tom Sanders were present.

Consent Agenda:

The consent agenda was read aloud by City Clerk Eric Arduini. A motion to approve consent agenda items numbers 1, 2, 3, and 4 as read by omnibus designation was made by Alderman Snow and second by Alderman Sobottka.

1. Approval of the Minutes of the September 4th, 2018 Regular Council Meeting.
2. Approval of bills as presented.
3. Approval of the renewal request for the cash farm lease (Glen's Garden) with Ted Jacobs.
4. Approval of the renewal request for the lease of property at 2400 1st Avenue for the recycling center with Firehouse of God Ministries.

Vote 8 aye, motion carried

Alderman Kleckler asked for more information on Consent Agenda number five.

City Administrator Robbin Blackert explained that the Finance Committee had recommended paying \$120,000 of the fire pension with rural fire protection funds. This resolution allows the check to be written. A motion to approve **Resolution 2018-797** authorizing the transfer Rural Fire Protection Funds to the Rock Falls Firefighter Pension Fund was made by Alderman Kuhlemier, and second by Alderman Folsom.

Vote 8 aye, motion carried

Ordinance First Reading

A motion was made by Alderman Sobottka, and second by Alderman Folsom for the first reading of the following ordinances:

1. Approval of **Ordinance 2018-2397** amending Section 32-22 adding subsection (j) for transfer of services to landlord
2. Approval of **Ordinance 2018-2398** amending Section 18-152(b) (78) for parking prohibited on Harley Davidson Drive.

Viva Voce Vote, motion carried

City Administrator Robbin Blackert:

City Administrator Robbin Blackert informed the Council that the City has been working for three years on an IEPA Revolving Loan to help with brownfield projects in the City. The IEPA informed the City that they had set aside money for Rock Falls' projects, and the next day the City was informed that the City would receive no money, and the brownfield program was shut down. The IEPA sent a 32 page revolving loan fund agreement on Friday. It offers no forgiveness, even though the City should qualify for 30% forgiveness. It would lend \$1.5M to the city at no interest, and need to be paid back in ten years. Adm. Blackert pointed out page 29, and the new requirement of a pledge to a dedicated revenue source. The only revenue source that the City would have is the general fund. This is similar to a revenue bond. The new requirement will make it very difficult for communities that need the money to be able to get it, but easier for larger cities to use the revolving loan funds. Administrator Blackert recommends that the City wait until after the election since the IEPA Director position is appointed. There seems to be no reason not to wait, and the USEPA may be sweeping the unused funds on October 1st back to the federal government.

Mayor Wescott added that the forgiveness through the EPA is calculated through meritorious rewards. The City of Rock Falls has always done the right thing with brownfield funds. One large City, and 19 smaller cities have not paid back the IEPA for these loans as required. Instead of going after those communities, they are now making the entire brownfields program very difficult for the rest of the Illinois municipalities. This will no longer be a tool for small towns.

Alderman Kuhlemier stated that this is an unbudgeted amount.

Alderman Logan confirmed that the City has no current obligations to the IEPA for brownfields.

Mayor Wescott congratulated Administrator Blackert for representing the City of Rock Falls and presenting at a financial seminar in Peoria.

City Clerk - Eric Arduini

Clerk Arduini informed the Council that petitions can now be picked up in his office for the Consolidated Election on April 2nd, 2019.

Tourism-

Mayor Wescott thanked the residents, and the City employees for all of the help that helped make art in the park successful.

The Taste of Fiesta will be held this Saturday in the RB&W Park from 10:00am to 6:00pm. There will be entertainment set up from 1:00pm to 3:00pm and 3:00pm to 5:30pm.

The Rock Falls River Chase will be held on September 22nd and 23rd. The water is still high. Fire Department will be dragging the river on Thursday.

Ward Reports:

Ward 3:

Alderman Jim Schuneman reminded the Council that there will be a Tourism Committee on Thursday September 20th at 10:00am.

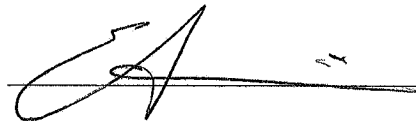
Mayor's Report:

Mayor Wescott informed the Council that there will be a Committee of the Whole Meeting on September 24th at 6:00pm. Please let him know if anyone would like to discuss items along with Section 16-390 and 16-391.

With nothing else for the good of the Council a motion was made by Alderman Folsom, and second by Alderman Sobottka to adjourn at 6:55pm.

Viva Voce Vote, motion carried

Meeting is adjourned at 6:55pm



Eric Arduini, City Clerk

CITY OF ROCK FALLS

Rock Falls, Illinois October 2, 2018

To the Mayor and City Council of the City of Rock Falls, Your Committee on Finance would respectfully report that they have examined the following bills presented against the City, and have found the same correct and would recommend the payment of the various amounts to the several claimants as follows:

Tourism		\$4,769.68
General Fund		\$163,507.19
Industrial Development		-\$330.00
Tax Increment Financing		\$2,354.50
Electric	Electric O & M	\$581,373.31
Fiber Optic/Broadband (Taxable)		\$8,930.73
Fiber Optic/Broadband (Tax Exempt)		\$301,515.11
Sewer	Sewer Revenue/O & M	\$40,699.35
Water	Water Revenue/O & M	\$18,767.08
Garbage		\$181.50
Customer Service Center		\$4,507.17
Safe Passage/Non Evidentiary		\$300.00
Motor Fuel Tax		\$8,750.00
Customer Utility Deposits		\$458.99
		<u>\$1,135,784.61</u>

Alderman Kuhlemier
Alderman Logan
Alderman Kleckler

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INVOICES DUE ON/BEFORE 09/20/2018

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

CUSTOMER SERVICE CENTER			
51	CUSTOMER SERVICE CENTER		
760	ROCK FALLS POSTMASTER	10,725.00	3,500.00
	CUSTOMER SERVICE CENTER		3,500.00
	TOTAL ALL DEPARTMENTS		3,500.00

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INVOICES DUE ON/BEFORE 09/21/2018

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

TOURISM			
05	TOURISM		
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	853.00
200	COM ED	1,029.75	25.71
5015	CARD SERVICE CENTER	32,040.09	579.74
5032	COMCAST	5,102.61	4.76
T0004325	JJM PRINTING INC	3,768.00	2,237.60
T0004936	MSK ENTERPRISES LLC		260.00
T0004937	CHICAGO LIFE		500.00
	TOURISM		4,460.81
GENERAL FUND			
01	ADMINISTRATION		
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	-7,030.50
5015	CARD SERVICE CENTER	32,040.09	178.48
5032	COMCAST	5,102.61	4.76
	ADMINISTRATION		-6,847.26
02	CITY ADMINISTRATOR		
5032	COMCAST	5,102.61	2.38
	CITY ADMINISTRATOR		2.38
03	PLANNING/ZONING		
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	1,592.50
	PLANNING/ZONING		1,592.50
04	BUILDING		
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	629.00
5032	COMCAST	5,102.61	9.51
	BUILDING		638.51
05	CITY CLERK'S OFFICE		

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VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE
GENERAL FUND			
05	CITY CLERK'S OFFICE		
5015	CARD SERVICE CENTER	32,040.09	31.86
5032	COMCAST	5,102.61	9.51
	CITY CLERK'S OFFICE		41.37
06	POLICE		
1448	IL DEPT OF CENTRAL MGMT SERV	1,195.29	398.43
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	2,052.50
1853	MOORE TIRES INC.	2,239.64	68.25
350	GISI BROS. INC.	3,440.51	78.87
4796	VERIZON WIRELESS	6,087.89	279.00
5015	CARD SERVICE CENTER	32,040.09	763.06
5032	COMCAST	5,102.61	73.63
	POLICE		3,713.74
07	CODE HEARING DEPARTMENT		
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	222.00
	CODE HEARING DEPARTMENT		222.00
10	STREET		
1449	QUALITY READY MIX	12,093.13	489.25
1466	ALARM DETECTION SYSTEMS, INC.	3,141.42	464.22
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	55.50
194	GRUMMERT'S HARDWARE - R.F.	2,405.01	20.58
4796	VERIZON WIRELESS	6,087.89	63.33
4862	HAMPTON EQUIPMENT CO INC	1,648.77	554.63
4963	CUSTOM PRODUCTS CORP	659.60	396.00
5032	COMCAST	5,102.61	4.76
5141	CINTAS CORPORATION	667.45	42.90
55	ARAMARK UNIFORM SERVICES, INC.	5,109.09	268.65
631	MURRAY & SONS EXCAVATING, INC	74,196.82	10,363.03
	STREET		12,722.85
12	PUBLIC PROPERTY		

INVOICES DUE ON/BEFORE 09/21/2018

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
12	PUBLIC PROPERTY		
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	2,608.50
2451	MENARDS	4,121.46	59.96
4520	ILLINOIS ENVIRONMENTAL		500.00
5015	CARD SERVICE CENTER	32,040.09	16.44
	PUBLIC PROPERTY		3,184.90
13	FIRE		
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	-382.50
4664	STAPLES BUSINESS ADVANTAGE	119.55	109.97
5015	CARD SERVICE CENTER	32,040.09	149.71
5032	COMCAST	5,102.61	16.64
	FIRE		-106.18
BUILDING CODE DEMOLITION FUND			
12	BUILDING CODE DEMOLITION FUND		
131	BURGER BROTHERS TRUCKING &	19,675.62	4,368.07
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	784.50
4027	WHITESIDE COUNTY RECORDER	2,070.00	390.00
	BUILDING CODE DEMOLITION FUND		5,542.57
INDUSTRIAL DEVELOPMENT FUND			
14	INDUSTRIAL DEVELOPMENT		
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	-330.00
	INDUSTRIAL DEVELOPMENT		-330.00
TAX INCREMENT FINANCING FUND			
16	TAX INCREMENT FINANCING		
5015	CARD SERVICE CENTER	32,040.09	375.00
	TAX INCREMENT FINANCING		375.00

INVOICES DUE ON/BEFORE 09/21/2018

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

TIF - DOWNTOWN REDEVELOPMENT			
19	DOWNTOWN REDEVELOPMENT		
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	1,979.50
	DOWNTOWN REDEVELOPMENT		1,979.50
ELECTRIC FUND			
20	OPERATION & MAINTENANCE		
1224	AIRGAS USA LLC	1,524.62	38.52
1449	QUALITY READY MIX	12,093.13	148.00
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	2,494.00
194	GRUMMERT'S HARDWARE - R.F.	2,405.01	18.41
2557	ASPLUNDH TREE EXPERT CO.	60,016.97	8,927.60
4358	BROWNSTOWN ELECTRIC SUPPLY CO	18,096.00	4,300.00
437	ILLINOIS MUNICIPAL ELECTRIC	1,734,278.71	509,897.99
4796	VERIZON WIRELESS	6,087.89	390.57
4938	MICHLIG ENERGY LTD	136,007.23	21,866.65
5008	POWER SYSTEM ENGINEERING INC	50,189.69	11,815.63
5015	CARD SERVICE CENTER	32,040.09	692.28
5032	COMCAST	5,102.61	23.78
5141	CINTAS CORPORATION	667.45	46.95
795	SBM BUSINESS EQUIPMENT CENTER	5,412.77	30.25
	OPERATION & MAINTENANCE		560,690.63
FIBER OPTIC BROADBAND/TAXABLE			
23	FIBER OPTIC BROADBAND/TAXABLE		
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	388.50
194	GRUMMERT'S HARDWARE - R.F.	2,405.01	53.96
219	CRESCENT ELECTRIC	720.02	578.94
4796	VERIZON WIRELESS	6,087.89	126.66
5015	CARD SERVICE CENTER	32,040.09	609.35
5018	USIC LOCATING SERVICES LLC	2,611.19	609.60
5207	INTERNET SERVICES PROVIDER NET	23,484.00	6,500.00
795	SBM BUSINESS EQUIPMENT CENTER	5,412.77	63.72
	FIBER OPTIC BROADBAND/TAXABLE		8,930.73
FIBER OPTIC BROADBAND/TXEXEMPT			
24	FIBER OPTIC BROADBAND/TXEXEMPT		

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FIBER OPTIC	BROADBAND/TXEXEMPT		
24	FIBER OPTIC BROADBAND/TXEXEMPT		
5003	PIRTANO	837,923.25	142,754.75
5015	CARD SERVICE CENTER	32,040.09	149.95
5200	WALKER & ASSOCIATES, INC.	283,093.59	115,764.33
	FIBER OPTIC BROADBAND/TXEXEMPT		258,669.03
SEWER FUND			
30	SEWER		
T0004732	PRESCOTT BROTHERS INC		26,705.00
	SEWER		26,705.00
38	OPERATION & MAINTENANCE		
1165	COMPLETE ELECTRICAL CONTR. INC	74,981.04	466.50
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	172.50
194	GRUMMERT'S HARDWARE - R.F.	2,405.01	7.63
200	COM ED	1,029.75	272.56
423	AT&T	6,885.48	732.92
4796	VERIZON WIRELESS	6,087.89	226.10
5015	CARD SERVICE CENTER	32,040.09	65.81
5032	COMCAST	5,102.61	16.64
5141	CINTAS CORPORATION	667.45	54.77
5176	DIRECT IN SUPPLY	416.50	95.40
T0003190	FARLEY'S APPLIANCE		439.98
	OPERATION & MAINTENANCE		2,550.81
WATER FUND			
40	WATER		
4361	FERGUSON WATERWORKS #2516	31,664.21	1,615.44
	WATER		1,615.44
48	OPERATION & MAINTENANCE		
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	616.50
4361	FERGUSON WATERWORKS #2516	31,664.21	130.77

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INVOICES DUE ON/BEFORE 09/21/2018

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

WATER FUND			
48	OPERATION & MAINTENANCE		
4414	MCCROMETER INC	715.80	715.80
5015	CARD SERVICE CENTER	32,040.09	324.95
5032	COMCAST	5,102.61	11.89
5141	CINTAS CORPORATION	667.45	23.20
	OPERATION & MAINTENANCE		1,823.11
GARBAGE FUND			
50	GARBAGE		
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	-91.00
	GARBAGE		-91.00
CUSTOMER SERVICE CENTER			
51	CUSTOMER SERVICE CENTER		
1472	WARD, MURRAY, PACE & JOHNSON	40,630.49	518.00
5015	CARD SERVICE CENTER	32,040.09	108.51
5032	COMCAST	5,102.61	16.64
5146	DIANE HATFIELD		170.57
771	PINNEY PRINTING CO	2,379.40	155.68
	CUSTOMER SERVICE CENTER		969.40
SAFE PASSAGE/NON EVIDENTIARY			
57	SAFE PASSAGE/NON EVIDENTIARY		
4729	TAMMY NELSON	200.00	300.00
	SAFE PASSAGE/NON EVIDENTIARY		300.00
MOTOR FUEL TAX FUND			
65	MOTOR FUEL TAX		
5114	TRI STATE ASPHALT, LLC	8,754.21	8,750.00
	MOTOR FUEL TAX		8,750.00

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INVOICES DUE ON/BEFORE 09/21/2018

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

CUSTOMER UTILITY DEPOSITS			
75	CUSTOMER UTILITY DEPOSITS		
4620	TRI-COUNTY OPP COUNCIL	347.62	113.39
	CUSTOMER UTILITY DEPOSITS		113.39
	TOTAL ALL DEPARTMENTS		898,219.23

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INVOICES DUE ON/BEFORE 09/28/2018

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

TOURISM			
05	TOURISM		
2071	BLACKHAWK WATERWAYS	3,500.00	100.00
5032	COMCAST	5,297.51	18.87
5168	MWM CONSULTING GROUP, INC		190.00
	TOURISM		308.87
GENERAL FUND			
01	ADMINISTRATION		
4331	CIRCUIT CLERK OF LEE COUNTY	5,315.00	375.00
4571	CHARLES SCHWAB & CO INC	3,098.85	120,000.00
5032	COMCAST	5,297.51	18.87
5168	MWM CONSULTING GROUP, INC		14,900.00
	ADMINISTRATION		135,293.87
02	CITY ADMINISTRATOR		
5032	COMCAST	5,297.51	18.87
	CITY ADMINISTRATOR		18.87
04	BUILDING		
194	GRUMMERT'S HARDWARE - R.F.	2,505.59	17.85
4566	HARRIS COMPUTER SYSTEMS		96.00
5032	COMCAST	5,297.51	37.77
	BUILDING		151.62
05	CITY CLERK'S OFFICE		
4566	HARRIS COMPUTER SYSTEMS		504.00
5032	COMCAST	5,297.51	37.75
	CITY CLERK'S OFFICE		541.75
06	POLICE		

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INVOICES DUE ON/BEFORE 09/28/2018

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
06	POLICE		
2380	AUTOZONE	206.12	46.55
273	ECONOMY TROPHY CO.		3.50
350	GISI BROS. INC.	3,519.38	72.65
4544	UPS	76.18	7.80
5032	COMCAST	5,297.51	81.81
683	P. F. PETTIBONE & CO.	44.80	32.00
795	SBM BUSINESS EQUIPMENT CENTER	5,506.74	158.16
829	SELF HELP ENTERPRISE	46.00	54.00
T0001753	PUBLIC AGENCY TRAINING COUNCIL		325.00
T0004939	SUPERION LLC		1,350.00
	POLICE		2,131.47
07	CODE HEARING DEPARTMENT		
4929	TIMOTHY J SLAVIN	2,175.00	725.00
	CODE HEARING DEPARTMENT		725.00

10	STREET		
110	BONNELL INDUSTRIES, INC.	2,972.48	994.67
2771	WINDSTREAM	1,316.13	79.70
4207	O'REILLY AUTOMOTIVE INC	2,018.41	50.48
4522	TRI-STATE SPRAYING SYSTEMS		165.00
4862	HAMPTON EQUIPMENT CO INC	2,203.40	136.92
5032	COMCAST	5,297.51	18.87
55	ARAMARK UNIFORM SERVICES, INC.	5,377.74	134.64
852	S.J. SMITH CO INC	686.95	12.60
	STREET		1,592.88
12	PUBLIC PROPERTY		
194	GRUMMERT'S HARDWARE - R.F.	2,505.59	8.31
423	AT&T	7,618.40	355.67
4651	MOST PLUMBING & MECHANICAL LLC	3,912.03	966.00
	PUBLIC PROPERTY		1,329.98

INVOICES DUE ON/BEFORE 09/28/2018

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
13	FIRE		
3173	MUNICIPAL EMERGENCY SERVICES	3,416.66	278.00
4796	VERIZON WIRELESS	7,173.55	131.45
4902	MATT KOBEMAN	89.99	104.59
5032	COMCAST	5,297.51	76.50
5169	MOTOROLA SOLUTIONS		100.00
T0004940	THE BUTCHER SHOP LLC		200.39
	FIRE		890.93
EMPLOYEE GROUP INSURANCE			
15	EMPLOYEE GROUP INS		
2985	WALMART COMMUNITY/SYNCB	1,904.10	123.44
	EMPLOYEE GROUP INS		123.44
ELECTRIC FUND			
20	OPERATION & MAINTENANCE		
1527	RESCO	879.00	14,798.00
194	GRUMMERT'S HARDWARE - R.F.	2,505.59	83.77
2771	WINDSTREAM	1,316.13	171.09
2985	WALMART COMMUNITY/SYNCB	1,904.10	33.71
4215	POWER LINE SUPPLY	16,636.80	3,760.00
423	AT&T	7,618.40	32.64
4528	MODERN SHOE SHOP	1,133.94	292.49
4656	THOMPSON TRUCK AND TRAILER	977.53	399.68
5032	COMCAST	5,297.51	37.77
5168	MWM CONSULTING GROUP, INC		760.00
533	LECTRONICS, INC.	3,843.73	215.75
T0004943	██████████		97.78
	OPERATION & MAINTENANCE		20,682.68
FIBER OPTIC BROADBAND/TXEXEMPT			
24	FIBER OPTIC BROADBAND/TXEXEMPT		
5218	COMMUNICATIONS & ELECTRICAL	9,089.31	25,684.08
5224	TACHYON FIBER DESIGN LLC	101,903.02	17,162.00
	FIBER OPTIC BROADBAND/TXEXEMPT		42,846.08

INVOICES DUE ON/BEFORE 09/28/2018

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

SEWER FUND			
30	SEWER		
631	MURRAY & SONS EXCAVATING, INC	84,559.85	365.00
	SEWER		365.00
38	OPERATION & MAINTENANCE		
1165	COMPLETE ELECTRICAL CONTR. INC	75,447.54	486.00
211	CONTINENTAL RESEARCH CORP		2,999.85
2517	PRAIRIE HILL RDF	9,817.93	503.26
2985	WALMART COMMUNITY/SYNCB	1,904.10	108.51
4796	VERIZON WIRELESS	7,173.55	76.02
5032	COMCAST	5,297.51	18.87
5136	AQUA-AEROBIC SYSTEMS INC	41,360.76	980.72
5168	MWM CONSULTING GROUP, INC		380.00
631	MURRAY & SONS EXCAVATING, INC	84,559.85	4,950.00
T0002046	GIESON MOTORSPORTS		575.31
	OPERATION & MAINTENANCE		11,078.54
WATER FUND			
48	OPERATION & MAINTENANCE		
194	GRUMMERT'S HARDWARE - R.F.	2,505.59	35.08
2380	AUTOZONE	206.12	40.99
2771	WINDSTREAM	1,316.13	77.93
2985	WALMART COMMUNITY/SYNCB	1,904.10	77.28
4207	O'REILLY AUTOMOTIVE INC	2,018.41	73.25
423	AT&T	7,618.40	519.96
4655	WHEELHOUSE, INC.	2,880.75	173.00
4796	VERIZON WIRELESS	7,173.55	114.03
5032	COMCAST	5,297.51	18.87
5110	KUNES COUNTRY AUTO GROUP	1,695.81	61.46
5153	DAVE JACKLEY SEWER &		100.00
5168	MWM CONSULTING GROUP, INC		380.00
530	LAYNE CHRISTENSEN COMPANY		13,558.00
55	ARAMARK UNIFORM SERVICES, INC.	5,377.74	98.68
	OPERATION & MAINTENANCE		15,328.53
GARBAGE FUND			
50	GARBAGE		

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CITY OF ROCK FALLS
DEPARTMENT SUMMARY REPORT

PAGE: 5

INVOICES DUE ON/BEFORE 09/28/2018

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GARBAGE FUND			
50	GARBAGE		
4446	MORING DISPOSAL, INC.	186,205.48	82.50
5168	MWM CONSULTING GROUP, INC		190.00
	GARBAGE		272.50
CUSTOMER SERVICE CENTER			
51	CUSTOMER SERVICE CENTER		
5032	COMCAST	5,297.51	37.77
	CUSTOMER SERVICE CENTER		37.77
CUSTOMER UTILITY DEPOSITS			
75	CUSTOMER UTILITY DEPOSITS		
1289	CITY OF ROCK FALLS UTILITIES	209,412.29	96.75
T0004938			11.61
T0004941			134.14
T0004942			103.10
	CUSTOMER UTILITY DEPOSITS		345.60
	TOTAL ALL DEPARTMENTS		234,065.38

City of Rock Falls Mayor's Proclamation

WHEREAS, the city of Rock Falls, IL is committed to ensuring the safety and security of all those living in and visiting Rock Falls; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed 2,735 people in the United States in 2016, according to the National Fire Protection Association (NFPA), and fire departments in the United States responded to 352,000 home fires; and

WHEREAS, the majority of U.S. fire deaths (4 out of 5) occur at home each year; and

WHEREAS, the fire death rate per 1000 home fires reported to U.S. fire departments was 10 percent higher in 2016 than in 1980; and

WHEREAS, Rock Falls' residents should identify places in their home where fires can start and eliminate those hazards; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, Rock Falls' residents should install smoke alarms in every sleeping room, outside each separate sleeping area, and on every level of the home; and

WHEREAS, Rock Falls' residents should listen for the sound of the smoke alarm and when it sounds respond by going outside immediately to the designated meeting place;

WHEREAS, Rock Falls' residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, Rock Falls' first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Rock Falls' residents are responsive to public education measures and are able to take action to increase their safety from fire, especially in their homes; and

WHEREAS, the 2018 Fire Prevention Week theme, "Look. Listen. Learn. Be aware - fire can happen anywhere™" effectively serves to remind us that we need to take personal steps to increase our safety from fire.

THEREFORE, I Bill Wescott, Mayor of Rock Falls do hereby proclaim October 7-13, 2018, as Fire Prevention Week throughout this city, and I urge all the people of Rock Falls to be aware of their surroundings, look for available ways out in the event of a fire or other emergency, respond when the smoke alarm sounds by exiting the building immediately, and to support the many public safety activities and efforts of Rock Falls' fire and emergency services during Fire Prevention Week 2018.

Passed this 2nd day of October, 2018

William B. Wescott, Mayor

ATTEST: _____

Eric Arduini, City Clerk

Proclamation
Public Power Week 2018

**A PROCLAMATION RECOGNIZING PUBLIC POWER WEEK, OCT. 7-13:
A WEEK-LONG CELEBRATION OF THE ROCK FALLS ELECTRIC DEPARTMENT'S
YEAR-ROUND SERVICE TO THE CITY OF ROCK FALLS**

WHEREAS, we, the citizens of Rock Falls, Illinois place high value on local control over community services and therefore have chosen to operate a community-owned, not-for-profit electric utility and, as customers and owners of our electric utility, have a direct say in utility operations and policies;

WHEREAS, the Rock Falls Electric Department provides our homes, businesses, farms, social service, and local government agencies with reliable, efficient, and cost-effective electricity employing sound business practices designed to ensure the best possible service at not-for-profit rates;

WHEREAS, the Rock Falls Electric Department is a valuable community asset that contributes to the well-being of local citizens through energy efficiency, customer service, environmental protection, economic development, and safety awareness;

WHEREAS, the Rock Falls Electric Department has also taken on additional stewardship for our community's information infrastructure through a broadband network providing the foundations of Rock Falls Fibernet, expanding community and economic development opportunities;

WHEREAS, the Rock Falls Electric Department is a dependable and trustworthy institution whose local operation provides many consumer protections and continues to make our community a better place to live and work, and contributes to protecting the global environment;

NOW, THEREFORE BE IT RESOLVED: that the Rock Falls Electric Department will continue to work to bring low-cost, safe, reliable electricity to community homes and businesses just as it has since 1895, the year when the utility was created to serve all the citizens of Rock Falls; and

BE IT FURTHER RESOLVED: that the week of Oct. 7-13 be designated Public Power Week to recognize the Rock Falls Electric Department for its contributions to the community and to educate customer-owners, policy makers, and employees on the benefits of public power;

BE IT FURTHER RESOLVED: that our community joins hands with more than 2,000 other public power systems in the United States in this celebration of public power, which is best for consumers, business, the community, and the nation.

Passed this 2nd day of October, 2018

William B. Wescott, Mayor

ATTEST:

Eric Arduini, City Clerk

ORDINANCE NO. 2018-2399

AN ORDINANCE AUTHORIZING LEASE OF
ELEVATED WATER STORAGE TOWER SPACE
2109 9th AVENUE

WHEREAS, the City of Rock falls owns and controls an elevated water storage tank at 2109 9th Avenue in the City of Rock Falls, Illinois;

WHEREAS, an agreement has been made with Lectronics, Inc. an Iowa Corporation, to lease space at the top of said elevated water storage tank for the purpose of placement of radio broadcasting and antenna, in return for payment of a monthly rental amount; and

WHEREAS, the City Council has determined that lease of the space above the water tower will not interfere with nor cause damage to the ability of the City to utilize the tower or the space and that revenue may be gained for the City by entering into the lease as proposed; and

WHEREAS, attached hereto and incorporated herein is a copy of the agreement of tower space lease,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rock Falls that:

Section 1: The Mayor and City Clerk are hereby authorized and directed to execute on behalf of the City that form of Tower Space Lease, as it is attached hereto and incorporated herein, by which space above the elevated water tower of the City at 2109 9th Avenue, Rock Falls, Illinois, is leased to Lectronics, Inc. and Iowa Corporation for a term of three (3) years commencing on June 15, 2016 and ending on June 15, 2019 for payment of a monthly rental by Lectronics, Inc. of the amount of \$300.00 per month in advance.

Section 2. The Lease, upon execution by the mayor and City Clerk, shall be delivered over to Lectronics, Inc. upon receipt of a duly executed copy thereof by Lectronics, Inc.

Section 3. This ordinance shall be effective upon its adoption, passage and publication in pamphlet form.

Passed this 15th day of October, 2018

ATTEST:

Mayor William B Wescott

Eric Arduini, City Clerk

ORDINANCE NO. 2018-2400

AN ORDINANCE DECLARING RESTRICTIVE COVENANTS AND CONDITIONS AFFECTING AND APPLYING TO THE LOTS AND LANDS OF THE CITY OF ROCK FALLS, ILLINOIS, LOCATED WITHIN THE SCHMITT ADDITION REDEVELOPMENT SITE

WHEREAS, the City of Rock Falls, acting by and through its City Council being duly vested with authority to acquire, own, develop and sell real estate for commercial and residential purposes, has determined that it is in the best interest of the City that restrictive covenants and conditions of use, as set forth on the declaration attached hereto and labeled "Exhibit 1", which is incorporated herein, be adopted to apply to and govern the uses and development of the lands owned by the City designated generally as the "Schmitt Addition", said lands described within the attached Exhibit 1; and,

WHEREAS, the said restrictive covenants and conditions are adopted for the purpose of establishment and maintenance of character and quality of usage of the lots and lands located within the Schmitt Addition Redevelopment Site, and,

WHEREAS, the City Council finds and determines it is in the best interest of the City of Rock Falls to ensure the continued maintenance of character and quality of usage of the lots and lands located within the Schmitt Addition Redevelopment Site by adopting the covenants, conditions and restrictions herein;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rock Falls, that:

Section 1. The statements contained in the preamble paragraphs to this ordinance are declared and found to be true and accurate and are incorporated herein.

Section 2. The Declaration of Restrictive Covenants and Conditions Affecting and Applying to the Lots and Lands of the City of Rock Falls, Illinois, Located Within the Schmitt Addition Redevelopment Site, attached hereto labeled as Exhibit 1, is hereby adopted by the City of Rock Falls, Whiteside County, Illinois.

Section 3. The City Clerk is hereby directed to forthwith record an original signed Declaration of Restrictive Covenants and Conditions with the Recorder of Whiteside County, Illinois.

Section 4. All prior ordinances in conflict herewith are hereby repealed.

Section 5. If any section, paragraph, sentence, clause or other portion of this ordinance is held or deemed to be unconstitutional or invalid, then such holding or finding of unconstitutionality or invalidity shall not affect the validity of the remaining provisions of this ordinance.

Section 6. This ordinance shall be effective upon its adoption, passage and publication in pamphlet form as provided by law.

Passed this ____ day of _____, 2018.

Mayor William B. Wescott

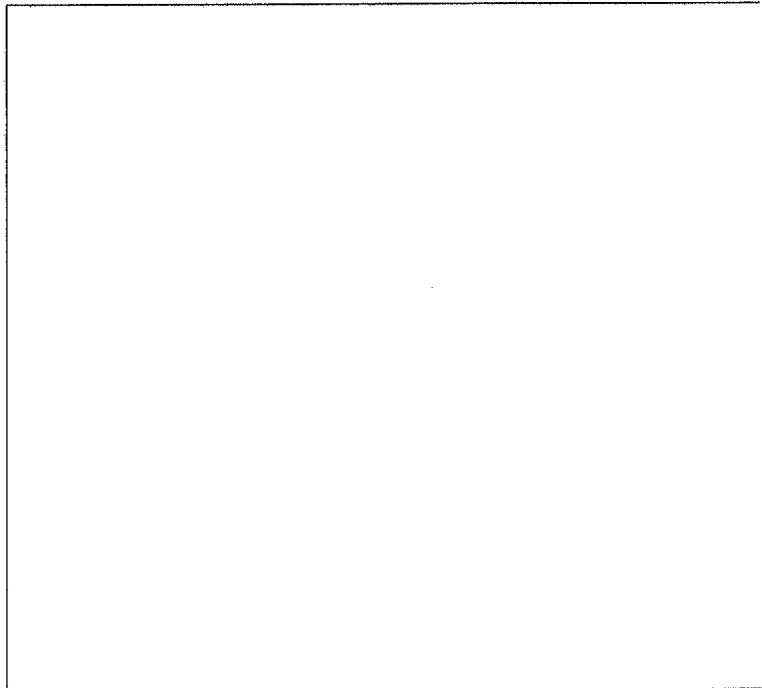
ATTEST:

City Clerk

Alderman Voting Aye

Alderman Voting Nay

**DECLARATION OF RESTRICTIVE
COVENANTS AND CONDITIONS
AFFECTING AND APPLYING TO THE LOTS
AND LANDS OF THE CITY OF ROCK FALLS,
ILLINOIS, LOCATED WITHIN THE Schmitt
Addition REDEVELOPMENT SITE:**



Parcel 1703100006

Part of the Northwest Quarter of Section 3, Township 20 North, Range 7 East of the Fourth Principal Meridian, Whiteside County, State of Illinois, described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 3; thence South 0 Degrees 00 minutes 40 seconds West, a distance of 1315.61 feet on the west line of said Northwest Quarter, to the south line of the North Half of the North Half of said Northwest Quarter; thence North 89 degrees 55 minutes 30 seconds East, a distance of 199.08 feet on the south line of the North Half of the North Half of said Northwest Quarter to the east right of way line of a public highway designated SB1 Route 88 (IL Route 40), and the point of beginning; thence North 0 degree 20 minutes 50 seconds West, a distance of 165.04 feet (165') on said right of way line; thence North 0 degree 41 minutes 27 seconds West, a distance of 432.90 feet (439.16') on said right of way line; thence South 89 degrees 34 minutes 58 seconds West, a distance of 69.00 feet on said right of way line; thence North 1 degree 51 minutes 58 seconds East, a distance of 507.78 feet (510.32') on said right of way line, to the south line of the premises conveyed to Commonwealth Edison; thence North 88 degrees 09 minutes 22 seconds East, a distance of 611.81 feet on the south line of said premises; thence North 89 degrees 35 minutes 58 seconds East, a distance of 577.63 feet on the south line of said premises; thence South 0 degrees 24 minutes 02 seconds East, a distance of 189 degrees 55 minutes 30 seconds West, a distance of 1138.31 feet on the south line of the North Half of the North Half of said Northwest Quarter, to the Point of Beginning, containing 30.00 acres, more or less.

Return to:

Rock Falls City Clerk
603 West 10th Street
Rock Falls, IL 61071

ROCK FALLS Schmitt Addition REDEVELOPMENT SITE

Restrictive Covenants

The City of Rock Falls, Illinois, a Municipal Corporation, acting by and through its City Council (referred to herein as "City Council") being duly vested with authority to acquire, own, develop and sell real estate for commercial and residential purposes, does hereby adopt the following as covenants, conditions and restrictions to be applicable to, binding upon and to be covenants to run with the land and be binding upon all successors in interest to any of the lots, lands, tenements and hereditaments of the real property of the City of Rock Falls to which these covenants, conditions and restrictions ("Covenants") are made applicable. Said Covenants are adopted for the purpose of establishment and maintenance of character and quality of usage of the lots and lands described herein.

1. Land described.

The following is the description of the lots and lands to which these Covenants are appended and to which these Covenants are made applicable:

Parcel 1703100006

Part of the Northwest Quarter of Section 3, Township 20 North, Range 7 East of the Fourth Principal Meridian, Whiteside County, State of Illinois, described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 3; thence South 0 Degrees 00 minutes 40 seconds West, a distance of 1315.61 feet on the west line of said Northwest Quarter, to the south line of the North Half of the North Half of said Northwest Quarter; thence North 89 degrees 55 minutes 30 seconds East, a distance of 199.08 feet on the south line of the North Half of the North Half of said Northwest Quarter to the east right of way line of a public highway designated SB1 Route 88 (IL Route 40), and the point of beginning; thence North 0 degree 20 minutes 50 seconds West, a distance of 165.04 feet (165') on said right of way line; thence North 0 degree 41 minutes 27 seconds West, a distance of 432.90 feet (439.16') on said right of way line; thence South 89 degrees 34 minutes 58 seconds West, a distance of 69.00 feet on said right of way line; thence North 1 degree 51 minutes 58 seconds East, a distance of 507.78 feet (510.32') on said right of way line, to the south line of the premises conveyed to Commonwealth Edison; thence North 88 degrees 09 minutes 22 seconds East, a distance of 611.81 feet on the south line of said premises; thence North 89 degrees 35 minutes 58 seconds East, a distance of 577.63 feet on the south line of said premises; thence South 0 degrees 24 minutes 02 seconds East, a distance of 189 degrees 55 minutes 30 seconds West, a distance of 1138.31 feet on the south line of the North Half of the North Half of said Northwest Quarter, to the Point of Beginning, containing 30.00 acres, more or less.

Said lots and lands are generally referred to herein as the "Schmitt Addition" and said reference, being singular, shall apply to each lot or parcel of real estate which may be subsequently separated or partitioned from all of that real estate described within this paragraph, and use of the words Schmitt Addition shall refer to each separate lot or parcel which may be subsequently set apart from or conveyed to a separate grantee.

1. Use

A. Approved Uses. Subject to applicable zoning regulations, specific prohibited uses as set forth in section B below, uses which are approved for the Schmitt Addition include all of those listed in section 34-307 of the Rock Falls code of ordinances permitted uses in the B-2 and similar uses that, in the opinion of the

Zoning Board of Appeals, would be compatible with the listed permitted uses and the quality, character, appearance and function of the Schmitt Addition as a whole.

B. Prohibited Uses. No use of the Schmitt Addition shall be permitted which is offensive by reason of odor, fumes, dust, smoke, noise, vibration or other pollution, nor shall any use be permitted which is hazardous by reason of excessive danger of fire or explosion, which may be injurious to any property or persons on or about the Schmitt Addition, and any dust, smoke or other airborne pollutants visible outside of the walls of the premises from which it emanates shall be considered offensive. Any noise generated from an indoor use shall be considered offensive if audible outside of the walls of the premises from which it emanates.

Uses that are prohibited include the following:

1. adult uses as enumerated in Sec. 34-480 of the Rock Falls Code of Ordinances
2. agriculture and livestock
3. assembly, fabrication and manufacturing
4. billboards
5. churches and other religious institutions
6. elementary, middle and high schools
7. day labor offices
8. detached single family homes
9. flea markets and pawn shops
10. for-profit blood or plasma donation centers
11. funeral homes and mortuaries
12. gold buyers
13. junkyards and auto wrecking yards
14. kennels
15. mini-storage, warehouses and freight terminals
16. outdoor storage of equipment or merchandise
17. mobile home and mobile home parks
18. pay day loan stores
19. shooting ranges
20. waste treatment and transfer facilities and composting and recycling facilities
21. similar uses that, in the opinion of the Zoning Board of Appeals, would be incompatible with the permitted uses and the quality, character, appearance and function of the Schmitt Addition as a whole

2. General provisions.

A. Purpose.

- (1) To improve the overall quality of nonresidential development in Rock Falls;
- (2) To ensure compatibility of nonresidential development with surrounding land uses;
- (3) To enhance site design of nonresidential development in the city, enhance pedestrian safety and walkability, and improve user-friendliness of the document and review process.

B. Applicability. The provisions of this section shall apply to the following types of developments:

- (1) Development of all projects in which the principal use is commercial, industrial, or institutional.
- (2) Any accessory use to one of the principal uses listed in [subsection] (a), including but not limited to lighting, accessory buildings over 144 square feet in floor area, telecommunications facilities, and exterior building alterations.
- (3) Any addition to an existing use listed in subsection (1) which existed as of October 2, 2018, that results in a total cumulative square foot expansion of 25 percent or more over the life of the development for any of the following:
 - (a) Building floor area;
 - (b) Outdoor storage area; or
 - (c) Parking lot area.

3. Process.

All projects shall be reviewed and approved by the building department and zoning committee.

A. Purpose. These guidelines and standards are intended to encourage an orderly and logical pattern of commercial development that is easily recognized by local residents, and that enhances the convenience and livability of Rock Falls. It is also the intent that these guidelines and standards encourage forethought and consideration of both a development's external relationships as well as its internal organization.

4. Preservation of natural features.

A. Purpose. To enhance local character; protect natural features' important functions, such as storm water management, air purification, and provision of shade; preserve and integrate natural features, including mature trees into new development.

- (1) Tree and vegetation preservation.
- (2) Tree survey/plan requirement. Developers shall submit an existing tree survey and preservation plan to show compliance with these guidelines and standards.
- (3) General guideline. Existing quality/specimen trees and vegetation should be preserved whenever possible to act as buffers between adjoining developments and as site amenities within the development.
- (4) Desirable trees. For purposes of this section, "significant" trees include the following:
 - (a) Deciduous trees with 12-inch minimum DBH.
 - (b) Evergreen trees 12 feet or more in height.

(c) Groups or stands of ten or more trees with a minimum DBH of six inches.

(d) Significant tree preservation and replacement standards.

(5) At least 50 percent of desirable trees shall be preserved or transplanted on site, to the maximum extent practicable.

(6) Desirable trees in appropriate locations, such as along drainages and along the perimeter of the site should be used to fulfill landscaping or buffering requirements.

(7) Tree replacement. If a significant tree or trees designated to be preserved is removed or substantially damaged during clearing, grading, or construction, the developer shall replace the removed or damaged tree or trees with a new tree or trees. Replacement trees shall be the same or similar species to the trees removed or damaged, or alternately a species native to Whiteside County and a minimum planting size of two and one-half inches diameter at breast height (DBH). Trees removed or damaged shall be replaced by the developer on a diameter inches for diameter inches basis.

(8) Desirable trees shall be protected during construction with the erection of barrier fencing.

(9) Grading shall be avoided within the root area or drip line of any existing preserved trees.

5. Land disturbance.

A. Intent. The natural rolling and vegetated topography is a key element in distinguishing Rock Falls and defining its character. Development should maintain natural site topography and minimize land disturbance. Extensive grading or unusual site improvements (e.g., large retaining walls) to force a design onto a property is strongly discouraged. Modifying the design of a commercial development to fit the site generally results in a reduced potential for environmental problems and an improved level of visual interest and variety.

B. Guidelines and standards.

(1) Prior approval of land disturbance. Where significant topographical issues are identified at a pre-application conference (for example, substantial differences in grade on site), the city may require the applicant to submit a preliminary grading plan. As applicable, no grading, excavation, or tree/vegetation removal shall occur on a site, whether to provide for a building site, for on-site utilities or services, or for any roads or driveways, before the city's approval of such preliminary grading plan.

(2) Natural topography. To the maximum extent feasible, the layout of commercial developments shall maintain natural site topography. Berms, channels, swales, and similar manmade changes to the landscape shall be designed and graded to be an integral part of the natural landscape and to provide a smooth transition in changes of slope.

(3) Maximum slope on graded or filled manmade slopes. The maximum slope of any manmade slope shall be 3:1, unless otherwise approved by the city.

(4) Site drainage patterns. Site drainage patterns shall be designed to prevent concentrated surface drainage from collecting on, and flowing across pedestrian paths, walks, and sidewalks. All site drainage shall comply with ARTICLE XVIII. - STORMWATER MANAGEMENT AND EROSION CONTROL ordinance in the City of Rock Falls Municipal Code.

6. Landscape and buffer regulations

A. General provisions.

(1) Purpose. Uniform landscape, screening, and tree preservation standards for development of property in the city and the review of plans to ensure that the city remains attractive, safe and comfortable.

(2) Applicability. Every development shall provide sufficient landscaping so that neighboring properties are shielded from detracting visual aspects, and the appearance and desirability of development contributes to the overall attractiveness and economic health of the city.

(3) Plan requirements.

(a) Landscape plan required. A landscape plan following the standards set forth in this section shall be required for all projects requiring building, site and operational (“BSO”) plan review. The landscape plan shall be prepared by a landscape architect, certified nursery professional, a reputable nursery or person with demonstrated experience. Landscaping on any existing or proposed street right-of-way shall comply with the requirements as set forth by the City of Rock Falls Building Inspector. Landscape plans shall be reviewed and approved as a part of the building site and operation plan procedures contained in section 6-152(b)(3).

(b) Content of landscape plan. All landscape plans shall include or have attached thereto the following information:

(i) North arrow, scale, date of plan and any subsequent revisions.

(ii) The location and dimensions of all existing and proposed buildings, structures, parking lots and driveways, roadways and rights-of-way, sidewalks, bicycle paths, signs, refuse disposal areas, fences, free standing electrical equipment, light fixtures, other surface utility structures, and other free standing structural features, recreational facilities, setbacks and easements. The landscape plan shall be drawn at a legible scale.

(iii) The location, quantity, size at planting, and both scientific and common names of all proposed plant materials.

(iv) Existing and proposed contours, including the location of all proposed berming, at a one foot contour interval. Also included shall be the location, extent and general elevations of all detention and retention areas and drainage ways.

(v) Specification of the type and boundaries of all proposed ground cover, including both scientific and common names of all proposed plant materials.

(vi) The designation, location, type, and size of all existing trees four inches and larger in diameter measured one foot above natural grade. Any trees to be removed should be clearly identified. Trees which will be used to meet landscape requirements shall also be indicated. If required for reasons of clarity, this information may be placed on an additional illustration. Where existing trees are grouped in a dense cluster, an overall tree mass may be used without a specific delineation of individual trees. If this technique is used, protected trees used to meet site landscape requirements must be tagged on-site and identified on the plan in tabular form.

(vii) Details of all fences and walls proposed to be constructed on the site.

(viii) Elevations, cross-sections and other site or construction details determined to be necessary by the building official.

(ix) The following notes shall be included on the face of all plans:

(x) Name and contact information of the property owner.

(xi) Name and contact information of the person/company who prepared the plan.

(4) Timing of landscape improvements.

(a) All required landscaping shall be installed prior to the issuance of a certificate of occupancy, unless otherwise approved by the building official.

(b) If weather conditions or other circumstances beyond the developer's control prevent installation of all or portions of the landscape materials and all other requirements for the issuance of a certificate of occupancy have been met, a letter of credit or a performance guarantee approved by the city attorney to insure completion of approved landscaping shall be filed with the city treasurer. The amount of the performance guarantee and the required completion date shall be based on a cost estimate submitted to the building inspector. If such a letter of credit or performance guarantee has already been submitted for the proposed landscape improvements, the city council may permit the developer to extend the performance guarantee for an additional specified period of time.

(5) Guarantee. All plantings shall be guaranteed to be in a healthy and flourishing condition for a period of 18 months.

B. The landscape installer must receive approval from the building inspector for any substitutions or alterations to the plan.

C. It is the responsibility of the landscape installer to have underground utilities located by JULIE prior to installation.

D. Landscape requirements. The following shall establish standards for the landscape improvements required to be installed as part of the development of new buildings, structures and uses of land governed by this section:

(1) Plantings Meeting Landscape Requirements of this chapter:

<u>Botanical Name</u>	<u>Common Name</u>	<u>Height/Spread</u>
*Acer freemanii	Freeman Maple	H 40-80 S 25-50
Acer nigrum	Black Maple	H 50-75 S 50
*Acer platanoides	Norway Maple	H 40-50 S 35-40
*Acer saccharum	Sugar Maple	H 50-75 S 50
*Acer Tataricum	Tartarian Maple	H 15-20 S 15-20
*Amelanchier	Serviceberry	H 25-30 S 25-30
Betula alleghaniensis	Yellow Birch	H 50-75 S 35-50
Betula populolia	Whitespire Birch	H 20-40 S 10-20
Carpinus caroliniana	Musclewood	H 25-30 S 25-30
Celtis occidentalis	Hackberry	H 60-75 S 40-60
Cercis Canadensis	Eastern Redbud	H 20-30 S 25-35
Cladrastis kentukea	American Yellowwood	H 30-50 S 40-55
Cornus alternifolia	Pagoda Dogwood	H 10-15 S 15-20

*Crataegus	Hawthorn	H 20-30 S 20-30
Ginkgo biloba (male only)	Ginkgo	H 40-80 S 30-40
*Gleditsia tricanthos	Honeylocust	H 30-60 S 30-45
Gymnocladus dioica	Kentucky Coffeetree	H 50-60 S 50-60
*Magnolia	Magnolia	H 20-30 S 15-35
*Malus	Crabapple	H 15-30 S 15-30
Ostrya virginiana	Ironwood	H 30 S 20
Prunus maacki	Amur Chokecherry	H 20-30 S 20-30
Pyrus calleryana	Callery Pear	H 30-50 S 20-35
Quercus bicolor	Swamp White Oak	H 50-60 S 50-60
Quercus bicolor x macrocarpa	Swamp White x Bur Oak	H 75 S 70
Quercus macrocarpa	Bur Oak	H 70-90 S 60-80
Quercus muehlenbergii	Chinkapin Oak	H 45-80 S 50-80
Quercus robur	English Oak	H 40-60 S 40-60
Quercus alba	White Oak	H 50-80 S 40-70
Syringa reticulata	Japanese Tree Lilac	H 20 S 15
*Tilia	Linden	H 50-70 S 35-50
*Ulmus	Elm Hybrid	H 50-70 S 45-60

Shrubs

- *Amelanchier Serviceberry
- *Aronia Chokeberry
- *Berberis Barberry
- *Buddleia Butterfly Bush
- *Cornus Dogwood
- *Corylus Hazelnut
- *Cotinus Smokebush
- *Cotoneaster Cotoneaster
- *Euonymus alatus Burning Bush
- *Forsythia Forsythia
- *Hydrangea Hydrangea
- *Hypericum St. Johnswort
- *Philadelphus Mockorange
- *Physocarpus Ninebark
- *Potentilla Potentilla
- *Rhus Sumac
- *Ribes Alpine Current
- *Rosa Rose
- *Salix Willow
- *Sambucus Elderberry
- *Spirea Spirea
- *Syringa Lilac
- *Viburnum Viburnum
- *Weigelia Weigelia
- *Yucca Yucca

Evergreens

- Abies concolor Concolor Fir H 30-50 S 15-30
- Abies balsamea Balsam Fir H 45-75 S 20-25
- Abies fraseri Fraser Fir H 30-40 S 20-25
- *Picea Spruce H 40-60 S 15-40
- *Pinus Pine H 50-80 S 20-40

*Thuja Arborvitae H 10-60 S 6-30
Tsuga canadensis Canadain Hemlock H 40-70 S 25-35
Larix decidua Common Larch H 70-75 S 25-30
Larix laricina Tamarack H 40-80 S 15-30

Evergreen Shrubs

*Juniperus Juniper
*Taxus Yew
Microbiota Russian Cypress
*Thuja Arborvitae (Globe & Compact)

Evergreen Broad Leaf

*Azalea Azalea
*Buxus Boxwood
*Euonymus Euonymus
Ilex crenata Holly
Ilex verticillata Winterberry
*Rhododendron Rhododendron

** Indicates many cultivars in each species.*

(2) Types of landscaped areas. This article regulates landscaping of four distinct areas of a parcel as follows:

- (a) Interior parkway;
- (b) Perimeter landscape area;
- (c) Foundation area;
- (d) Parking lots.

(3) Landscaped criteria.

(a) Interior parkway landscaping. An interior parkway shall be provided as identified in the Table 5.1. For corner lots, interior parkways shall be provided along both streets.

Figure 5.4: Landscaping Areas on a Typical Non-Residential Lot

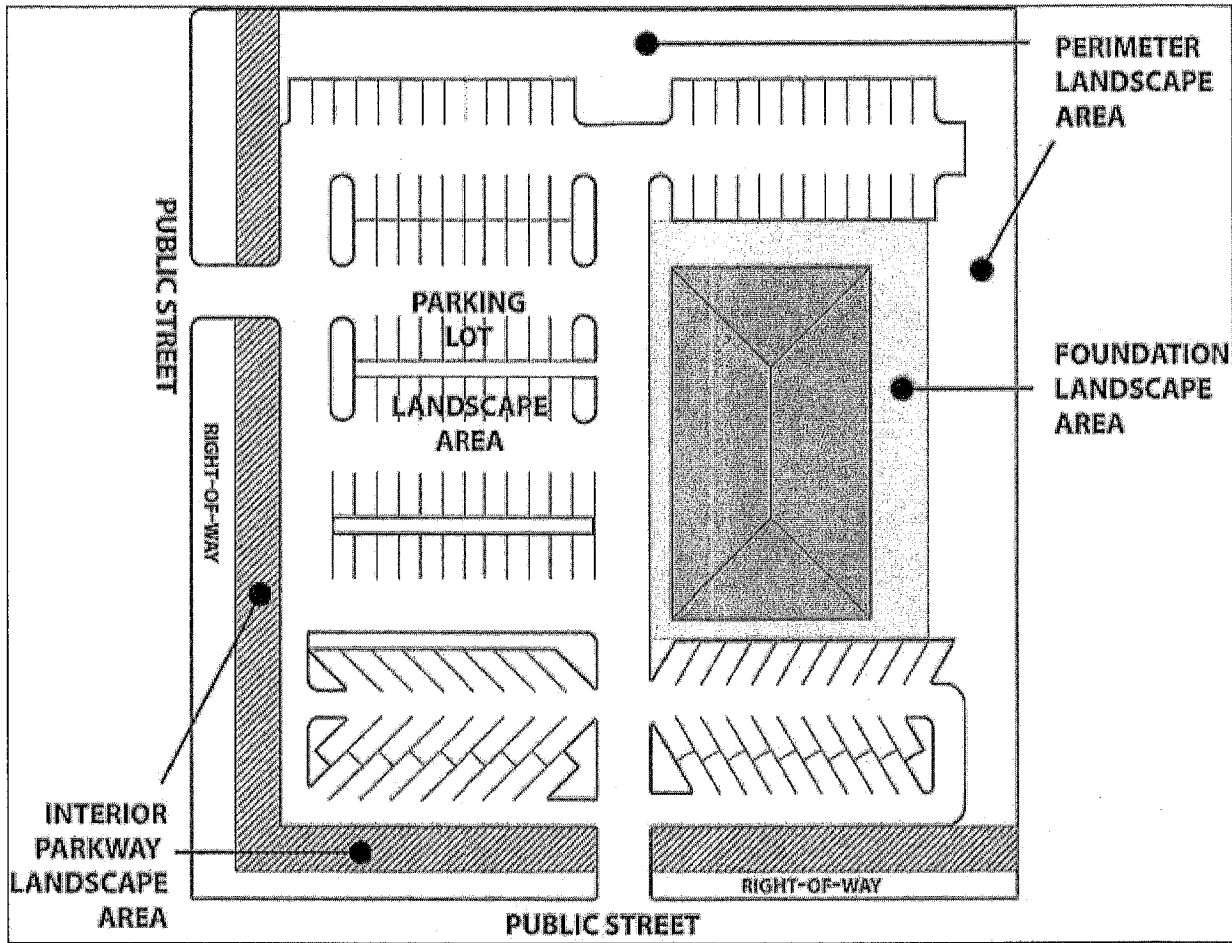


Table 5.1: Interior Parkway Depth

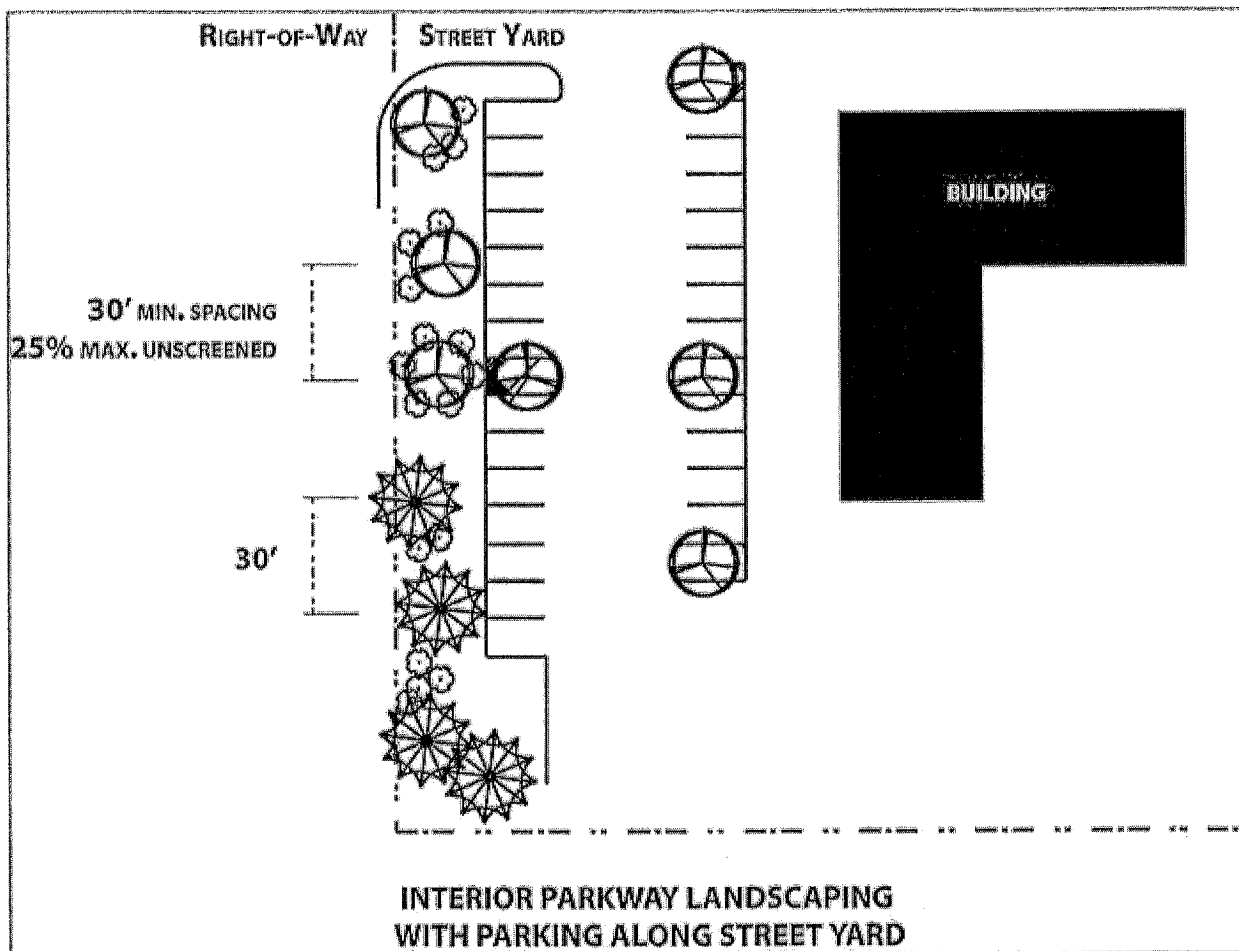
B-1 15'

Except for access drives, interior parkways shall be landscaped as follows:

(1) Parking along street yard. One tree per 40 feet of street frontage shall be provided. At least 50 percent of the required trees shall be appropriately sized or evergreen trees as identified in the recommended trees, shrubs, evergreen, and ground cover list outlined in section 5 (C) Species may vary depending on design intent.

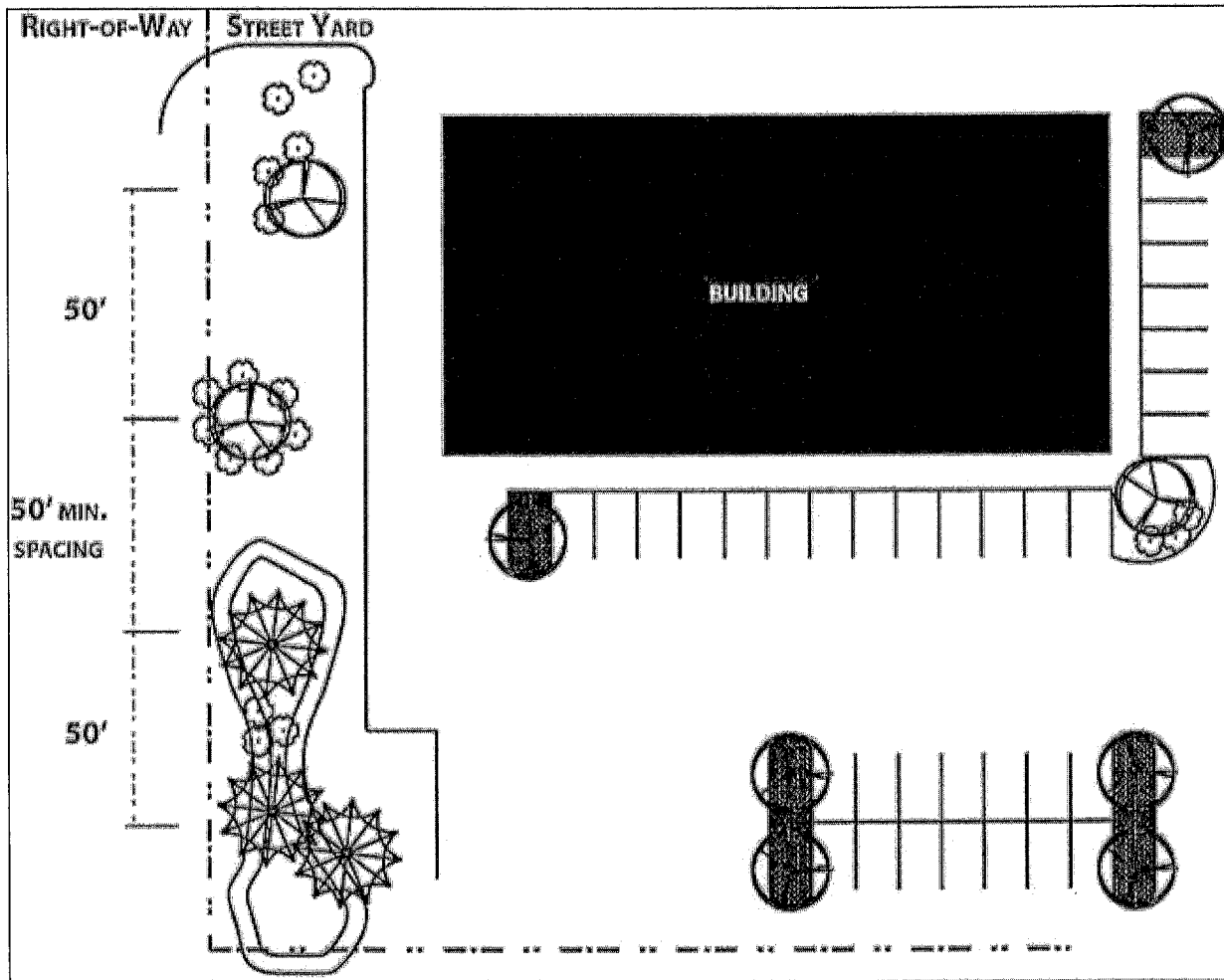
Shrub planting shall be a minimum of three feet in height and be located within the interior parkway to screen the parking area from the roadway. At intersections of access drives and streets, vision clearance triangles shall be maintained to allow unobstructed visibility between two and one-half feet and eight feet above grade. A maximum of 25 percent (measured at maturity) of the parking lot frontage may be left unscreened to permit design flexibility. The remainder of the interior parkway shall be planted with approved ground cover, flowers, or grass.

Figure 5.5: Interior Parkway Landscaping with Parking along a Street Yard



(1) No parking located along street yard. One tree per 50 feet of street frontage shall be provided. At least 50 percent of the required trees shall be appropriately sized or evergreen trees as identified in the recommended trees, shrubs, evergreen, and ground cover list. Tree type may vary depending on design intent. The remainder of the interior parkway shall be planted with shrubs, ground cover, flowers, or grass

Figure 5.6: Interior Parkway Landscaping with No Parking along Street Yard



(1) For corner lots, interior parkways shall be provided along both streets.

(a) Perimeter landscape area.

(i) The perimeter area shall be equal to the required zoning district side and rear yard setbacks for the property.

(ii) Within the perimeter areas, berming, trees, and shrubs shall be provided to create a visual separation between properties. Appropriate berm height will depend on the width of the landscape area, with no berm having a slope greater than 3:1. A minimum of 40 percent of the length of the perimeter shall be planted with shrubs that will reach a height of at least four feet. Trees shall be provided in a quantity equal to one tree per 75 feet of perimeter length. Tree spacing shall be determined by tree species and design considerations. Up to 50 percent of the required trees in this screening alternative may be small deciduous trees.

(b) Buffer yard screening.

(i) Screening between adjacent residential and non-residential uses. To provide a substantial buffer between residential and non-residential uses, one of the following three buffering alternatives shall be required. The property owner may select the buffering alternative which best meets the configuration of the site and the proposed development. All fences shall comply with ARTICLE XII. - FENCES

7. Site layout/development pattern.

(1) Intent. Site layout and building orientation often define the focus of activity that occurs at the front door or along the street. These standards are intended to use site planning and building orientation in order to:

- (a) Create a sense of place for users and passers-by.
- (b) Ensure that buildings relate appropriately to surrounding developments and streets and create a cohesive visual identity and attractive street scene.
- (c) Ensure that site circulation promotes contiguous pedestrian and vehicle circulation patterns.
- (d) Ensure that parking areas provide safe and efficient access to buildings.
- (e) Create a unique and identifiable image for development in Rock Falls.

(2) Location of parking.

(a) In order to reduce the scale of the paved surfaces and to shorten the walking distance between the parked car and the building, off-street parking for all non-residential developments shall be located according to one of the following options:

- (i) A minimum of 30 percent of the off-street surface parking spaces provided for all uses contained in the development's primary building shall be located other than between the front façade of the primary building and the primary abutting street (e.g., to the rear or side of the primary building); or
- (ii) More than 70 percent of the off-street surface parking spaces provided for all uses contained in the development's primary building may be located between the front façade of the primary building(s) and the primary abutting street, provided the amount of interior and perimeter parking lot landscaping required is increased by 50 percent.

(3) Multiple-building developments.

(a) Applicability. When there is more than one building in a commercial development, the development shall comply with the following standards, except that multiple-building developments located at the intersection of two thoroughfare streets shall comply instead with the standards stated in section (5) site layout and building orientation at two intersecting thoroughfare streets.

(b) Site layout and building orientation. All primary and pad site buildings shall be arranged and grouped so that their primary orientation complements adjacent development and:

- (i) Avoids linear, "strip commercial" development patterns.
- (ii) Frames the corner of an adjacent street intersection.

(iii) Frames and encloses a "main street" pedestrian and/or vehicle access corridor within the development site.

(iv) Frames and encloses parking areas, public spaces, or other site amenities.

(4) Alternatives. An applicant may submit an alternative development pattern, provided such pattern achieves the intent of the above standards and this section. Strictly linear or "strip commercial" development patterns shall be avoided.

8. Single-building developments.

A. Applicability. Unless part of a larger planned development or commercial center, when there is only one building in a proposed commercial development, the development shall comply with the following standards, except that single-building developments located at the intersection of two thoroughfare streets shall comply instead with the standards stated in section 5 of this chapter, site layout and building orientation at two intersecting thoroughfare streets.

B. Single-tenant building. Unless part of a larger planned development or commercial center, when there is only one building in a proposed commercial development that will be occupied by a single tenant, such building shall be oriented toward the primary abutting street and shall otherwise comply with section 2 of this chapter, location of parking. Deep setbacks behind large expanses of parking areas or vacant land shall be avoided.

C. Multi-tenant building. Unless part of a larger planned development or commercial center, when there is only one building in a proposed commercial development that will be occupied by multiple tenants, at least 50 percent of the building's "active" wall shall be oriented toward the primary abutting street and shall otherwise comply with section 2 of this chapter, location of parking. Deep setbacks behind large expanses of parking areas or vacant land should be avoided.

D. Site layout and building orientation at two intersecting thoroughfare streets.

(1) Intent. Major intersections of commercial activity in Rock Falls need special attention so that all four corners are linked and function as a whole, and so that a sense of place and "arrival" unique to Rock Falls is created.

(2) Applicability. All new office, and commercial developments located at the intersection of two thoroughfare (arterial) streets shall comply with this subsection's site layout and building orientation standards.

(3) Site layout and building orientation. To the maximum extent practicable, within each intersection quadrant, primary buildings and/or pad site buildings shall be arranged to orient to the thoroughfare streets and to frame the corner at the intersection of the two thoroughfares. Deep building setbacks behind large expanses of parking areas or vacant land shall be avoided.

(4) Focal point required. On each of the four corners of a thoroughfare/ thoroughfare street intersection, developments shall provide a "focal point" within a 200-foot radius from the intersection of the centerlines of the two thoroughfare streets. A "focal point" shall be visible from the intersecting thoroughfare streets and may be either:

(a) A distinctively-designed building, which may include a pad site building, preferably with a vertical element.

- (b) An architectural feature that is a minimum of 15 feet tall and a maximum 25 feet tall (e.g., a clock tower, spire, or interesting roof form).
- (c) Public art or sculpture.
- (d) Fountains or other water feature.
- (e) Public plazas or other open space.
- (f) Landscape feature.

9. Pad/out lot sites.

A. Intent. The siting and design of smaller retail stores, commonly referred to as "pads" or "outlots," can create a more inviting appearance in a larger development by visibly reducing the project's scale and by expanding the range of activities and businesses found within a single development. The location, orientation of the entry, and architecture of pad site buildings also provide opportunities to frame entries into larger developments and contribute to the development's visual interest by placing storefront spaces closer to the street and creating a street scene. Accordingly, pad site structures shall be compatible with the main buildings on a commercial site. The layout of pad site buildings shall relate coherently to the public street and surroundings (outward) as well as to the main center (inward), and specific siting decisions shall further the general intent of creating a "sense of place," focal points, site amenities, and arrival into the commercial center.

B. Design guidelines and standards.

(1) General guideline. The number, location, and design of independent pad sites shall reinforce, rather than obscure, the identity and function of a commercial development.

(2) Clustering of pad sites. To the maximum extent practicable, pad sites shall be clustered together to define street edges and entry points or to enclose and create interesting places between buildings. Even dispersal of pad sites in a widely-spaced pattern within the development, even if along the street edge(s), is discouraged. Placement of pad sites shall be consistent with the requirements for overall development pattern and site layout.

(3) Spaces between adjacent pad sites. Wherever practicable, spaces between adjacent pad site buildings should be improved to provide small pockets (preferably heavily-landscaped) of customer parking, pedestrian connections, small-scale project amenities, or focal points. Examples include, without limitation:

- (a) A landscaped pedestrian walkway linking customer entrances between two or more pad site buildings.
- (b) A public seating or outdoor eating area.
- (c) An area landscaped with a variety of living materials emphasizing four-season colors, textures, and varieties.

C. Sculptures or fountains.

(1) Building orientation on pad sites. The primary façade of a building located on a pad site, typically the façade containing the primary customer entrance, may be oriented in a variety of ways, including, without limitation, toward the primary access street, toward an internal street, framing a primary entrance to the development, toward the side (especially when that side faces another pad site building), or toward the interior of the development.

(2) Pad site building design.

D. Pad site buildings shall incorporate the same materials and colors as those on the primary commercial building(s) in the development or center.

E. Pad site entrances are appropriate locations to express individual building character or identity. Customer entrances shall be emphasized through incorporation of a building recess, projection, canopy, or similar design element.

10. Site amenities.

A. Intent. Site amenities and pedestrian-scale features (e.g., outdoor plazas, street furniture, playgrounds, statuary, and sidewalk cafes) in commercial developments offer attractive spaces for customer and visitor interaction and create an inviting image for both customers and employees. The use of site amenities can also provide pedestrian spaces at the entry to buildings, can break up expanses of parking, enhance the overall development quality, and contribute to the character of an area.

B. Design guidelines and standards.

C. General guideline. Site amenities and gathering places can vary widely in size, in type, and in degree of amenity. Buildings, trees, walls, topography, and other site features within a commercial development should be oriented and arranged to enclose such gathering places and lend a human scale. Permitted site amenities.

(1) Patio or plaza with seating area.

(2) Mini-parks, squares, or greens.

(3) Customer walkways or pass-throughs containing window displays.

(4) Water feature.

(5) Clock tower.

(6) Public art.

(7) Any other similar, deliberately shaped area and/or focal feature that, in the city's judgment, adequately enhances such development and serves as a gathering place.

D. Site amenities as focal points. A site amenity may qualify as a focal point required under subsection C(5), site layout and building orientation at two intersecting thoroughfare streets, provided the site amenity meets all applicable requirements for focal points stated in subsection C(5)(d).

11. Lighting.

All lighting shall comply with the regulations outlined in the design guidelines.

The purpose of this article is to indicate the requirements for access, visibility, off-street parking, off-street loading, exterior storage, exterior lighting, vibration, noise, air pollution, odors, electromagnetic radiation, glare and heat, fire and explosion, toxic and noxious materials, waste materials, drainage, exterior construction materials, and hazardous materials for all development occurring within the jurisdiction of this chapter.

A. Applicability. All public and private outdoor lighting installed in the City of Rock Falls shall be in conformance with the requirements set forth in this section.

B. General design factors:

(1) Style. The style of the light and light standard shall be consistent with the architectural style of the principal building.

(2) Locations. No exterior light fixture may be located within three feet of a property line.

(3) Base. The base for all lighting fixtures shall be no greater than six inches as measured from grade. Lighting fixtures shall be located inside landscape islands or behind curb lines and pavement edges for protection.

(4) Fixtures. All off-street lighting fixtures shall be 90-degree down-cast, cutoff fixtures. Drop-lens fixtures are prohibited.

(5) Height. Fixture height shall be measured from grade to top of the fixture, including the base.

(a) Pathways, sidewalks, and trails shall be lighted with low level fixtures not to exceed 12 feet in pole height.

(b) The total height of all fixtures for non-residential developments shall not exceed the lesser of 20 feet or the ridge line of the principal structure.

(6) Lamps. Lamp-types and wattages shall not be restricted regardless of application. The site must comply with the lighting level standards and requirements as specific in [subsection] (C) below.

(7) Glare control. All lighting shall include glare controls and shall be shielded. Floodlighting is discouraged, and if used, shall be shielded to prevent disability glare for drivers or pedestrians.

(8) Building-mounted lighting. Building-mounted lighting may be used to highlight architectural features or illuminate primary customer or building entrances. General floodlighting or the neon outlining of building façades is not permitted.

(9) Canopy lighting.

(a) The maximum average maintained foot-candles under a canopy shall be 20 foot-candles. Areas outside the canopy shall be regulated by the standards in subsection (c) below.

(b) All canopy fixtures shall be recessed, incorporating a flat lens cover to shield against glare.

C. Lighting level standards and requirements:

(1) Lighting levels. Lighting shall be provided in accordance with the standards of the Illuminating Engineering Society of North America (IESNA) as follows for parking and pedestrian areas of all uses, with the exception of automotive sales establishments as specified in subsection (c)(2):

Table 6.1: IESNA Lighting Level Standards for Parking and Pedestrian

Areas of Activity	Description	Foot-Candle Levels
Feature display area	The first row of vehicles adjacent to a major/minor arterial, including the area in front of the vehicle up to the property line and behind the vehicle up to the merchandise area and/or the circulation area including drive aisles.	Maximum of 40 fc
Merchandise area	All other rows of vehicles on a lot used for general auto sales, including all areas surrounding the vehicle up to the defined circulation area including related drive aisles, including site entrances.	Maximum of 10 fc
Circulation area	Includes all portions of the lot dedicated to customer parking, employee parking, and inventory areas including related drive aisles.	Maximum of 10 fc
Security Lighting Monday--Sunday	The average amount of light found on the entire site within each of the areas of activity, including the feature display area, merchandise area, and circulation area from 10:00 p.m. until sunrise.	Average of 10 fc

(2) Lighting for automotive sales establishments.

(a) Lighting shall be provided in accordance with the standards of the IESNA as follows for automotive dealerships:

Table 6.2: IESNA Lighting Standards for Automotive Sales Establishments

Areas of Activity	Description	Foot-Candle Levels
Feature display area	The first row of vehicles adjacent to a major/minor arterial, including the area in front of the vehicle up to the property line and behind the vehicle up to the merchandise area and/or the circulation area including drive aisles.	Maximum of 40 fc
Merchandise area	All other rows of vehicles on a lot used for general auto sales, including all areas surrounding the vehicle up to the defined circulation area including related drive aisles, including site entrances.	Maximum of 10 fc
Circulation area	Includes all portions of the lot dedicated to customer parking, employee parking, and inventory areas including related drive aisles.	Maximum of 10 fc
Security lighting Monday—Sunday	The average amount of light found on the entire site within each of the areas of activity, including the feature display area, merchandise area, and circulation area from 10:00 p.m. until sunrise.	Average of 10 fc

(b) Height of luminaire at automotive sales establishments. The maximum height of a luminaire at an automotive sales establishment shall comply with the regulations outlined in subsection (b)(5) above.

(c) Drop lenses are prohibited from use on all car dealership luminaries. All existing dealerships using drop lenses at the time of adoption date hereof, will be considered legal nonconforming for the sole purpose of its lens type. All new or replacement fixtures shall have flat lenses that shield glare.

(d) Light shields used by car dealerships to control light and reduce glare shall be made of non-reflective material.

(3) Lighting levels at property/right-of-way lines. Exterior lighting shall be designed at or below the following average maintained foot-candles at the property/right-of-way line:

Table 6.3: Lighting Levels at Property/Right-of-Way Lines

Location	Maximum Horizontal Foot-Candle (HFC) Level at Property/ROW Line
Residential to residential	0.10 hfc
Nonresidential to nonresidential	0.50 hfc
Nonresidential to residential	0.10 hfc
Intensity at adjoining right-of-way, including automotive sales establishments.	0.50 hfc

D. Measuring light levels:

(1) Metering equipment. Light levels of both direct and indirect light shall be measured in foot-candles with a direct reading, portable light meter. Readings shall be taken only after the cell has been exposed long enough to provide a constant reading.

(2) Method of measurement. Foot-candle horizontal measurements shall be taken at a height of three and one-half feet above grade.

(3) Measuring average foot-candle levels. In determining the average foot-candle standard, all foot-candle measurements shall be taken from the ground at ten-foot increments throughout the areas of activity.

E. Exceptions. The following are exempt from the lighting requirements of this section, except that the director of community services may take steps to eliminate the impact of the exempted items when deemed necessary to protect the health, safety and welfare of the public:

(1) Lighting fixtures and standards required by the Federal Communications Commission, Federal Aviation Administration, Federal and State Occupational Safety and Health Administrations, or other federal or state agencies (to include streets, walkways, street lights, traffic signals and signage within public rights-of-way maintained by the city and/or IDOT).

(2) Lighting fixtures for public recreation and athletic facilities, including ball diamonds, playing fields, tennis courts, and other outdoor recreational facilities shall be exempted from the general standards of this section. Lighting for outdoor recreational facilities shall be shielded to minimize light and glare from spilling onto adjacent residential properties. The maximum permitted illumination at adjoining residential property lines shall be one foot-candle. The maximum permitted illumination at adjoining nonresidential property lines shall be two foot-candles. Lighting fixtures for private recreation and athletic facilities may be approved by special use.

(3) Illumination of flags of the United States, the State of Illinois, or a principal business or corporation provided such lighting does not exceed 100 watts and is focused primarily on the individual flag or flags.

(4) Temporary emergency lighting used by police, firefighters, and other emergency services, as well as all vehicular luminaires shall be exempt.

F. Nonconforming luminaires. Exterior lighting luminaires in existence on the effective date of this section shall be exempt from the standards of this section and shall be considered legally nonconforming. Such fixtures may be repaired and maintained. However, if any legal nonconforming luminaire is moved or damaged by any means to an extent that replacement is necessary, the luminaire, or replacement, shall comply with this section. At such time as 60 percent of the existing fixtures on-site are replaced, full compliance for all fixtures shall be required. For development activity involving improved property, all existing luminaires shall be required to comply with this section when the floor area of any building or structure, or parking areas, or any combination thereof, is increased by 40 percent or greater.

G. Exterior lighting plan required:

(1) A lighting plan shall be required any time exterior lighting is proposed, or modified, that is associated with a residential use of greater density than a one- or two-family dwelling or with any commercial, office, industrial or other use. The lighting plan shall be submitted with the site plan information as required in this chapter.

(2) The lighting plan shall include a site plan indicating: the location, height, type, design, orientation, anchorage, and wattage of all proposed of light fixtures; a photometric plan prepared by a lighting professional showing spot illumination levels at regularly spaced intervals on the lot and at all lot lines and average proposed illumination levels on the site; a summary table containing average foot-candles, minimum foot-candles, maximum foot-candles, uniformity ratio (average/minimum), catalog cuts of the proposed fixtures. The plan shall also contain a certification by the property owner or agent and the preparer of the plan that the exterior lighting depicted on the plan complies with the requirements of this article and the criteria of the Illuminating Engineering Society of North America (IESNA) recommendations for outdoor lighting. Once the plan is approved, the exterior lighting of the property shall conform to the plan.

12. Signage.

All signage shall comply with the regulations outlined in Chapter 24 of the Rock Falls Municipal Code.

13. Relationship to surrounding development.

A. Intent. To ensure convenient pedestrian and vehicle access and connections to adjacent uses whenever practicable; encourage architectural, land use, and open space transitions, such as reduced building mass next to residential uses, reduced intensity between commercial and residential uses, front-to-front building orientations, green spaces, and preserved natural features.

B. Connectivity between land uses.

C. Transitions between land uses.

D. Transitions shall be required in the following situations:

(1) Changes in use between adjoining properties, especially from commercial to residential.

(2) Changes in intensity of use between adjoining properties, such as from commercial centers to multi-family residential.

(3) Views, uses, or activities on the commercial development site that could be a nuisance for neighbors, such as commercial loading and service areas.

(4) Preferred techniques. When a transition is required, an applicant shall incorporate, to the maximum extent practicable, the architectural and green/open space transition techniques tools outlined below:

(5) Architectural transitions. To the maximum extent practicable, commercial development incorporate the following techniques to ensure compatibility with surrounding development, including adjacent residential development:

(a) Use similar building setback.

(b) Use similar building height.

(c) Use similar roof form.

(d) Mitigate the larger mass of commercial buildings with façade articulation.

E. Use front-to-front building orientations, especially with commercial uses that are pedestrian-intensive (e.g., restaurants, banks). Other building-to-building orientations may be utilized except that a back-to-front building orientation is not an acceptable transition tool.

F. Green/open space transitions. Commercial development may employ the following technique to provide transitions and ensure compatibility between the commercial development and surrounding development:

(1) Use small green spaces, courts, squares, parks, plazas, and similar spaces that can also function as community gathering places.

(2) Use existing natural features as transitions, including natural differences in topography (not retaining walls), streams, existing stands of trees, and similar features. When existing natural features are used as transitions, the city may still require that adequate pedestrian connections to adjacent land uses be accommodated.

(3) Landscaping and screening transitions. Where other transition tools are not possible, or where the city determines other transition tools by themselves do not create an adequate transition to, or buffer for, less intensive land uses, alternative plans may be considered by the Zoning Board of Appeals.

G. Vehicle connections with adjacent properties.

(1) Adjacent non-residential uses.

(a) To the maximum extent feasible, connections between adjacent nonresidential development parcels shall be provided by constructing a logical array of access points continuous to the adjacent development.

(b) To the maximum extent feasible, common or shared service and delivery access shall be provided between adjacent parcels and/or buildings.

(c) The city may require access easements to ensure that pad sites or adjacent parcels have adequate access if ownership patterns change.

14. Emergency access.

All commercial developments shall comply with the currently-adopted building code provisions regarding emergency vehicle access and fire lanes.

Pedestrian access and circulation. Applicants shall submit a detailed pedestrian circulation plan with all development applications that shows compliance with the following guidelines and standards:

(1) Required pedestrian connections. An on-site system of pedestrian walkways shall be designed to provide direct access and connections to and between the following:

(a) The primary entrance or entrances to each commercial building, including pad site buildings.

(b) Any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the commercial development.

(c) Any public sidewalk system along the perimeter streets adjacent to the commercial development (see subsection (3)), pedestrian connections to perimeter public sidewalks.

(d) Where practicable and appropriate, adjacent land uses and developments, including but not limited to adjacent residential developments, retail shopping centers, office buildings, or restaurants.

(e) Where practicable and appropriate, any adjacent public park, greenway, or other public or civic use including but not limited to schools, places of worship, public recreational facilities, or government offices.

(2) Pedestrian connections from buildings to parking areas, pad sites, and site amenities. In addition to the connections required in subsection (1), required pedestrian connections, on-site pedestrian walkways shall connect each primary entrance of a commercial building to a pedestrian network serving:

(a) All parking areas or parking structures that serve such primary building.

(b) Site amenities or gathering places provided pursuant to the lighting section of the guide.

(3) Pedestrian connections to perimeter public sidewalks. Connections between the on-site (internal) pedestrian walkway network and any public sidewalk system located along adjacent perimeter streets shall be provided at regular intervals along the perimeter street as appropriate to provide easy access from the public sidewalk to the interior walkway network. Where public sidewalk does not exist adjacent to the development, the developer or property owner shall be responsible for the installation/construction of public sidewalk to serve the development.

(4) Walkways along buildings. Continuous pedestrian walkways shall be provided along the full length of a primary building along any façade featuring a customer entrance and along any façade abutting customer parking areas. Such walkways shall be located away from the façade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the façade.

(5) Walkways through vehicle areas. At each point that the on-site pedestrian walkway system crosses a parking lot or internal street or driveway, the walkway or crosswalk shall be clearly marked through the use of a change in paving materials distinguished by their color, texture, or height, and have a minimum width of seven feet.

15. Building design.

A. Intent. Create commercial/retail/office developments with a recognizable image as a distinct place; vary massing to provide visual interest; as applicable, ensure compatibility with surrounding developments; and use building height and massing to emphasize important corners, designate points of entry, and create a visible skyline to differentiate new Rock Falls commercial areas from other activity nodes.

B. Building massing and façade treatment except where noted, all new commercial development shall comply with the following standards:

(1) Variation in massing. A single, large, dominant building mass shall be avoided.

(2) Building façade treatment standards.

(a) Architectural style. Style is not restricted; evaluation of the appearance of a project shall be based on professional quality of its design, architectural interest and variety, relationship to surroundings and the community, and relationship to human scale.

(b) Four-sided architecture. Continuing an architectural theme on all exposed exterior surfaces through the use of the same building materials shall be required.

(c) Minimum wall articulation. There shall be no blank, unarticulated building walls exceeding 75 feet in length. Long walls shall include at least one change in wall plane, such as projections or recesses, having a depth of at least one foot, or a change in building materials to provide visual interest. All building walls shall include materials and design characteristics consistent with those on the front.

(3) Building walls facing public areas. Building walls that face public streets, connecting walkways, or adjacent development shall be subdivided and proportioned using features such as windows, entrances, arcades, arbors, awnings, trellises with vines, or alternate architectural detail that defines human scale.

(4) Customer entrances. See subsection C (5), customer entrances.

(5) Awnings.

(a) Fabric awnings are encouraged; canvas awnings with a matte finish are preferred.

(b) Rigid frame awnings are allowed, but shall stop at the top section and shall not be included in the valance.

(c) Awning colors shall be compatible with the overall color scheme of the façade from which it projects.

(6) Downspouts. To the maximum extent practical, downspouts should be concealed or integrated into the design of the building.

C. Building materials/colors. All commercial/retail/office development shall comply with the following design guidelines and standards.

(1) Intent. Achieve unity of design through compatible materials and colors throughout commercial developments; select building materials that are durable, attractive, and have low maintenance requirements; and utilize colors that reflect natural tones found in the environment of Rock Falls.

(2) Submittal requirement. Applicants shall submit a color palette and building materials board or graphic as part of their BSO plan application.

(3) Building materials:

(a) Materials shall have good durability and quality and shall be selected for compatibility with adjacent buildings and the surrounding developments.

(b) The façade of any building facing a public right-of-way shall be faced with clay brick, brick veneer, architectural pre-cast concrete panels, natural or engineered wood, architectural composite wall panel systems, or decorative (architectural) concrete masonry, stone, glass, or similar materials.

(c) Metal siding shall not be utilized for any building elevation abutting a public right-of-way and may only be utilized for other elevations in conjunction with a clay brick, stone, natural or engineered wood, architectural composite wall panel systems, or decorative (architectural) concrete masonry. The use of metal/steel for roofing material is permissible and shall be approved by the building inspector based upon context and overall site design.

(d) Building elevations along a public right-of-way shall wrap around a minimum of 20 feet or to a natural dividing point. Elevations facing side or rear yards shall be finished with materials complementary to the street elevations. Side and rear elevations that do not incorporate a significant proportion of the building material outlined above shall incorporate enhanced landscape and screening measures. Appropriateness and effectiveness shall be subject to building inspector approval.

(e) Building elevations abutting a residential land use shall be enhanced with clay brick, brick veneer, architecturally pre-cast textured concrete panels, decorative (architectural) concrete masonry, stone, glass, or similar materials. Landscape and screening measures shall comply with the regulations outlined in section 102-520, landscape regulations. Appropriateness and effectiveness shall be subject to building inspector approval.

(4) Building color.

(a) Color schemes shall tie building elements together, relate separate (freestanding) buildings within the same development to each other, and shall be used to enhance the architectural form of a building.

(b) Color schemes should utilize earth and other natural tones as found in the soil types and/or plant material found in Sterling and, more specifically, that area immediately adjacent to the development site.

(c) All building projections, including, but not limited to, chimneys, flues, vents, and gutters, shall match or complement the color of the surface from which they project.

(d) Intense, bright, black, or fluorescent colors shall be used sparingly and only as accents; such colors shall not be used as the predominant color on any wall or roof of any building. Permitted sign areas shall be excluded from this standard.

(5) Customer entrances. All commercial development shall comply with the following design guidelines and standards:

(a) Number of entrances required.

(i) Each principal commercial building greater than 75,000 square feet (gross floor area) shall provide at least two customer entrances. Entrances shall be sufficiently separated or located on separate building façades.

(ii) Principal commercial buildings smaller than 75,000 square feet (gross floor area) are encouraged to provide multiple customer entrances on sides of the building that face an abutting public street or parking area.

(iii) Where additional stores will be located in the primary building, each such store may have an exterior customer entrance, which shall comply with the prominent entrance requirement below.

(b) Prominent entrances required. Each primary building on a site, regardless of size, shall have clearly-defined, highly-visible customer entrances incorporating some of the following design features:

(i) Canopies or porticos.

(ii) Overhangs.

(iii) Recesses/projections.

(iv) Arcades.

(v) Raised corniced parapets over the door.

(vi) Peaked roof forms.

(vii) Arches.

(viii) Outdoor patios.

(ix) Display windows.

(x) Architectural detail such as tile work and moldings integrated into the building structure and design.

(xi) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

16. Multiple buildings in commercial centers.

Commercial centers that contain multiple buildings, including pad sites, shall comply with the following design guidelines and standards:

(1) Use of similar building materials in a commercial center. In order to achieve unity between all buildings in a commercial center, all buildings in the center, including pad site buildings, shall be constructed of building materials from the color and materials palette approved for the center.

(2) Use of similar architectural styles or theme in a commercial center. A consistent architectural style or theme should be used throughout a commercial center, and in particular to tie outlying pad site buildings to the primary building. Building entrances are appropriate locations to express individual building character or identity.

17. Service, loading, outdoor storage and mechanical areas.

A. Purpose. Landscaping or other forms of screening shall be provided around outdoor service, storage, loading and mechanical areas to provide sensory (visual, olfactory, auditory) screening from adjacent properties, streets, affected pedestrian circulation routes, and affected pedestrian-oriented spaces.

B. General. Integrate outdoor storage areas and loading facilities into the site design to minimize their size, reduce visual impact, and where appropriate allow for pedestrian and vehicular movement between sites.

C. Outdoor storage areas. Outdoor storage.

(1) Approval. Outdoor storage shall comply with the provisions for building, site, and operation plans.

(2) Location. Outdoor storage shall not be permitted in a required yard.

(3) Visibility. Outdoor storage shall not be visible from any:

(a) Public street or freeway;

(b) Publicly accessible open space area, parking area, access driveway, or other similar thoroughfare;

(c) Publicly accessible space; or

(d) Undeveloped property where public access to areas adjoining the outdoor storage use is likely.

(4) Screening. The following minimum screening requirements shall apply to outdoor storage adjacent to or potentially visible from public streets and publicly accessible areas identified in [subsection] (2) of this section:

(a) An opaque fence or solid masonry wall or not more than eight feet high. Screening walls and fences shall be architecturally compatible with the principal structure.

(b) No storage may exceed the height of the screening wall or fence.

(c) Screening landscaping in the street frontage yard, located in front of the wall or fence, to soften the view shall be required.

(d) No screening wall or fence shall be located within a required yard.

(5) Surfacing. Outdoor storage areas shall be located on a concrete or bituminous surface draining to an approved stormwater management system. Outdoor storage areas may be surfaced with partially permeable materials with building inspector approval.

(a) Loading areas. All loading areas shall comply with the regulations outlined in the design guidelines.

(b) Mechanical/utility equipment. Mechanical and utility equipment can detract from the quality of a development and the character of an area. These standards mitigate the negative visual and acoustic impacts of mechanical and utility equipment systems located in a commercial development.

(c) Locate and screen mechanical equipment so that the equipment is not visible when viewed from ground level of adjacent properties. Low-profile mechanical units on rooftops that are not visible from public ways should be used. Mechanical units shall be set back from the building edge and located in areas that are not visible or obtrusive. Screen or match the color of roof mounted equipment with the exposed color of the roof to minimize visual impacts when roof mounted equipment is visible from nearby buildings and higher elevations.

(d) Locate and screen utility meters, electrical conduit, and other service and utilities apparatus so as not to be visible from adjoining and nearby streets.

(6) Outside refuse/trash areas.

(a) Trash enclosures shall be located in convenient but not prominent areas, such as inside parking courts, or at the end of parking bays. They should be well screened with landscaping and designed to protect adjacent uses from noise and odors. A clear and safe pedestrian route shall be established to each trash area.

(b) Trash enclosures shall be constructed from solid materials and adequately screened from adjacent units with landscaping. Architectural screening elements should be constructed of the same materials and finishes as adjacent buildings, and the color should be compatible with the adjacent buildings. Gates should be of a solid material and painted to match the architectural screening elements on nearby fences and walls. Chain-link fencing is not permissible.

(c) Trash receptacles should be accessible for trash collection but should not block circulation drives near loading areas or conflict with parking. For security reasons, trash enclosure locations should not create blind spots or hiding areas.

18. Development Approval.

Prior to the commencement of construction, addition or reconstruction of any improvement to the Schmitt Addition (including buildings, auxiliary buildings, signs, walls, fences, outside lighting, landscaping, driveways and parking areas), the owner or prospective owner thereof must submit receive approval from the Zoning Board of Appeals per the provisions of these section.

A. Development Review Process

(1) Plan preparation and submittal – All property owners and prospective purchasers of land or buildings within the Schmitt Addition shall submit three sets of complete plans and specifications for the proposed construction, alteration or reconstruction to the Building Department. All plans and specifications submitted shall be prepared by a qualified, registered architect or contractor who shall

certify in writing that he/she has and will prepare the plans in accordance with all zoning, building, health and safety ordinances, codes and laws and in accordance with all applicable easements, design guidelines and other development standards pertaining to the Schmitt Addition. The plans and specifications shall require all contractors and subcontractors on the proposed project to acknowledge receipt of and agree to abide by these conditions. The plans and specifications shall include such detail as the Zoning Board of Appeals shall require to show the size, shape, floor plans, section details, square footage, height (including elevation drawings of all exterior walls), site plan, foundation plan, roof plans, all grading and landscaping plans, any proposed changes to be made in the elevation or surface conditions of the Schmitt Addition, all exterior improvements, and building materials.

(2) Completeness review – The Building Department shall have five business days to review the plans for completeness. If plans are deemed to be incomplete, the Building Department shall provide a written notification to the applicant detailing those items that are incomplete. If the plans are deemed to be complete, the Building Department shall schedule a Zoning Board of Appeals meeting to act on the plans, which meeting shall take place within 30 days of the date the plans were deemed to be complete.

(3) Committee review and action – The Zoning Board of Appeals shall make its determination on approval of the plans and specifications, lot grading, and landscaping plans based upon: their consistency with the Guidelines, permitted uses, and other development standards and provisions contained in these Covenants; the suitability and durability of the proposed construction; the quality of the building materials and overall construction; the harmony of external design; and the effect and appearance of such proposed project as viewed from the streets and neighboring properties. The Zoning Board of Appeals shall have 30 days from the date the plans and specifications were deemed to be complete to render either a written approval or written rejection thereof stating specifically the basis of objections. A rejection also may contain suggestions for changes to the plans and specifications, etc. that would make such project acceptable. If the Zoning Board of Appeals gives no response within 30 days from the date the plans and specifications were deemed to be complete, the plans and specification as submitted shall be deemed to be approved.

B. Code compliance. All plans and specifications and methods of construction shall be in full compliance with all applicable codes and regulations of the City of Rock Falls and State of Illinois. To the extent that an applicant is intending to seek a variance, waiver or change in any code or regulation applicable to the applicant's project, such intention shall be fully disclosed to the building inspector as part of the submitted application materials. Approval of the project plans and specifications by the building inspector shall be required prior to the applicant seeking action on the proposed variance, waiver or change by the appropriate authority; however, such approval by the building inspector shall not constitute an endorsement of the proposed variance, waiver or change by the building inspector unless the building inspector so indicates in a separate written document.

C. Disclaimer. The building inspector's review of submissions is only for the purpose of assuring the character and value of the Schmitt Addition and shall not be relied upon by anyone as a representation as to structural soundness, fitness for a particular purpose or compliance with zoning, building, health or safety codes or ordinances or any other restrictions on the construction or property, other than the restrictive covenants contained herein.

19. Project Construction.

A. Approved plans. Construction of a project approved by the Zoning Board of Appeals in accordance with Article IV herein shall be in accordance with the plans and specifications approved by the Committee.

B. Construction Site Standards. Construction and the conduct thereof shall comply with all governmental requirements as to health and safety. In addition, building and site plans of the owner shall address, at a minimum, erosion control, parking for construction workmen, office trailers on the Schmitt Site, materials storage locations, security, design, location and disposal of sewage during construction, cleaning and policing of the construction site and protection of streets, street right-of-ways and property adjoining the building site. These may be addressed in plan notes or letter form. When the construction of the project is begun, work therein shall be prosecuted diligently and continuously, as determined by the building inspector and City Building Code time frames, until full completion. Any building shall be substantially completed prior to occupancy of any part thereof, and landscaping shall be fully completed within 30 days following initial occupancy, weather permitting or as determined by the building inspector.

20. Utilities

All electric, telephone and other utility lines in or servicing facilities on the Schmitt Addition Site must be underground. It is the responsibility of the owner or occupant of the facility to make arrangements with the suppliers of electrical, water, sewer, telecommunications and other utility appurtenances extend said utilities to the owner's facility consistent with the requirements contained in these covenants.

21. Utility Easements.

No improvements other than landscaping made be constructed or installed within a utility easement as set forth on the plat of the Schmitt Addition Site without the approval of the building inspector. Anyone making use of said utility easements shall be responsible for restoration of all grades and landscaping disturbed by such work.

Consistent with any restrictions recorded as part of a utility easement, the building inspector may allow paving and fences and other minor improvements of a similar nature to be constructed in a utility easement, provided that the owner of such improvements shall be responsible for the continued maintenance, replacement or removal should they be disturbed by anyone making appropriate use of said easement.

A. Notice and Right to Abate and Lien. If, in the opinion of the building inspector, anyone who fails in any given responsibility set forth in this article, then the building inspector may give such owner notice of failure and such owner must, within 10 days of receipt of such notice, undertake the work required to restore said owner's site to a safe, clean, attractive and lawful condition complying with these covenants. Should any such owner fail to timely fulfill this duty and responsibility after such notice, then the City of Rock Falls shall have the right, license and power, but not the obligation, to perform such area maintenance. The owner of a lot shall be liable for the cost of any such work, and shall reimburse the City for all reasonable expenses, including attorney fees, incurred in collecting such costs. In addition each owner of a lot subject to this paragraph hereby consents to and gives and grants to the City a lien upon such lot to serve as collateral for the repayment of the costs and expenses owed, which lien may be perfected by the filing by the City in the Recorder's Office of Whiteside County, Illinois, of a Notice of Claim for Lien setting forth the amount owed, the lot to which the lien applies, the name and last known address of the owner of said lot, and the general nature of the work performed giving rise to the claim.

22. Waiver of Right to Object to Special Taxing Districts.

While these Covenants remain in effect, all owners, lease holders and tenants within the Schmitt Addition Site agree to waive their rights to object, as may otherwise be provided under state law, to the creation of a Special Service Area or Business Development District by the City of Rock Falls covering all or a portion of the Schmitt Addition Site provided the maximum annual levy imposed under a Special Service Area would

not exceed \$2,000,000 and the maximum sales and hotel occupancy taxes imposed under a Business Development District would not exceed statutory maximum.

23. Further Subdivision Prohibited.

No lot which has been designated as a building lot on the original plat of subdivision of any subdivision to which these covenants and restrictions apply shall be further subdivided by any future owner thereof except with the express written consent of the City of Rock Falls. This shall include the creation of a condominium association, housing cooperative, timeshare or any other form of divided ownership of land or improvements as allowed by Illinois law. Any such proposed re-subdivision or division shall be treated as a subdivision and shall be subject to the requirements for approval provided in Chapter 28 of the Rock Falls Municipal Code.

24. Additional Restrictions.

The owner shall not, without the prior written consent of the City of Rock Falls, impose any additional covenants or restrictions on the Schmitt Addition Site or any part thereof, but the City may include in any contract or deed hereinafter made and covering all or any portion of said "Part" any additional covenants or restrictions applicable to the Schmitt Addition Site which are not consistent with and which do not lower the standards of the Covenants set forth herein.

25. Violations.

If any person, firm, corporation or other entity owning or holding any interest in any lot, land or part of the subdivisions to which these restrictive Covenants apply shall violate any of the Covenants, then in order to redress such violations, the City of Rock Falls shall have the following powers and authority, all of which shall be cumulative and not exclusive:

(1) To file and maintain in the name of the City of Rock Falls an action at law for the recovery of damages from the person or persons violating these covenants, and including in such recovery all costs and expenses incurred in such action, including but not limited to reasonable attorney fees.

(2) To file and maintain an action seeking a temporary restraining order, preliminary injunction and permanent injunctive relief, including mandatory injunctive relief for the purpose of preventing or enjoining any violation or the continuation of any violation of these covenants and restrictions. For this purpose, each owner of any lot, land or portion of the subdivisions to which these Covenants apply does hereby acknowledge and agree that a remedy at law may be inadequate to secure redress and remedy arising from violation of these Covenants, and does further acknowledge and agree that damages may be inadequate to properly compensate the City of Rock Falls for damage arising from violation of these Covenants. Each such owner of any lot, land or portion of the subdivisions does therefore acknowledge and agree that a court of competent jurisdiction shall have full authority to enter mandatory or prohibitory injunctions, preliminary or permanent, and restraining orders in accord with and pursuant to this provision.

26. Titles.

The addition of titles to the various paragraphs in this instrument are for convenience and identification only and the use of such titles shall not be construed to limit, enlarge, change, or otherwise modify any of the provisions hereof, each and all of which shall be construed as if not titled.

27. Severability.

Invalidity of any one or more of the provisions of these Covenants shall not affect the validity or enforceability of any of the other provisions, hereof, which shall remain in full force and effect.

28. Duration and Amendment.

These Covenants shall continue and be binding for a period of twenty-five (25) years from the date hereof. These Covenants shall automatically be continued thereafter for successive periods of twenty (20) years each unless affirmatively discontinued by action of the City Council approved within sixty (60) days after the expiration of the then applicable 25 or 20 year period. Provided, however, that said Covenants may be amended or altered in accordance with the following:

(1) So long as any of the lots or lands within the subdivision to which these Covenants are applicable are owned by the City of Rock Falls, then said Covenants may be amended by adoption by the City Council of the City of Rock Falls, by two-thirds (2/3) majority vote, of the corporate authorities then holding office of an ordinance amending the same. This same process also shall be used to exempt and exclude application of any one or more, including all, of these Covenants to any one lot or parcel within the subdivisions to which these Covenants are applicable provided, however, that no such amendment, exemption or exclusion shall permit the construction of any improvement or the use of any lot or parcel in any manner which would be in violation of any duly adopted ordinance or code then in effect within the City of Rock Falls.

(2) Any amendment, alteration, exemption or exclusion in or from the application of these Covenants shall be effective only from the time a duly adopted and executed original thereof shall have been recorded in the Office of the Recorder of Whiteside County, Illinois."

The above and foregoing Restrictive Covenants and conditions consisting of thirty (30) pages was signed by the City of Rock Falls, Whiteside County, Illinois, as Owner this ____ day of _____, 2018.

City of Rock Falls, Illinois

By: _____
Mayor

Attest: _____
City Clerk

ORDINANCE NO. 2018-2397

**AN ORDINANCE AMENDING SECTION 32-22
BILLS GENERALLY; DELAYED PAYMENT.**

BE IT ORDAINED, by the City Council of the City of Rock Falls that the Municipal Code of the City of Rock Falls be and the same is hereby amended as follows:

SECTION 1. Section 32-22 of the Municipal Code is hereby amended to read as follows:

“Sec. 32-22. - Bills generally; delayed payment.

- (a) The rates specified within this Code for electrical, water, sanitary sewer and garbage collection services shall be applied to the service utilized by each customer of a utility department, and a written bill shall be prepared by the city's customer service office. Each bill prepared shall be mailed to the customer at the address provided therefor by the customer to the customer service office. Each bill shall contain the following information:
- (1) The time period and number of days of utility services provided for each service;
 - (2) The amount owed for each utility service supplied;
 - (3) The date when complete payment is due, which date shall be not less than 15 days after the date the bill is prepared;
 - (4) Notice whether the bill for each service is based upon actual or estimated measurement of the amount of utility services supplied; and
 - (5) Notice that residential customers may call the customer service office, city hall, at the telephone number listed on the bill, in order to:
 - a. Dispute the amount of any utility charge;
 - b. Avoid termination of utility services for non-payment in accordance with the provisions of this article; or
 - c. Request the restoration of any utility service previously terminated.
- (b) The customer service office shall upon request by any customer provide information as to the following:
- (1) The procedure to dispute any charge for utility services;
 - (2) The procedure to avoid termination of any utility service due to non-payment of charges;
 - (3) The procedure for a tenant of any residential property to avoid termination of utility services due to failure by the landlord to pay the utility charges; and
 - (4) The procedure to obtain reinstatement of utility services.
- (c) Any time before the date specified within any notice to a customer as the date of termination of utility services for non-payment of a bill, or for violation of any provision of this Code, or within ten days following the giving of a notice of rejection for utility services, the customer may dispute the basis for the proposed termination of services or the basis for the rejection; provided, however, that the customer shall not be entitled to dispute the basis of termination or rejection for services if the basis was the subject of a previous dispute which was either:
- (1) Adjudicated pursuant to this section; or
 - (2) Not properly challenged by the customer's failure to follow the procedure set out in this section.

- (d) The procedure to dispute termination of services or rejection for services shall be as follows:
- (1) Before the date specified in the notice for termination of services or within ten days following receipt of notice of rejection for services, the customer shall notify the supervisor of the customer service office of the city, in writing, that the customer disputes all or part of the amounts shown on the bill, or disputes the basis for rejection of services, or that the customer claims other reasons for disputing the right of the city to terminate services or the right of the city to reject the customer for services. Such writing shall state as completely as possible the basis and nature of the dispute.
 - (2) If the supervisor of the customer service office determines that the dispute is untimely, or that the customer previously disputed the termination or the rejection upon the same basis, the supervisor shall mail to the customer a notice stating that the present dispute is untimely or invalid for prior adjudication. A dispute is untimely if filed after service has been terminated.
 - (3) If the supervisor of the customer service office determines that the dispute is not untimely or invalid under this section, the supervisor shall, within three days after receipt of the customer's notice, arrange an informal meeting between the customer and the superintendent of each affected utility department.
 - (4) The superintendent of each affected utility department shall attempt to resolve the dispute in a manner satisfactory to the department and the customer, based upon the department's records, the customer's allegations and other relevant materials available to the superintendent, at such meeting. The superintendent of each affected utility department shall, within five days after the meeting with the customer, mail to the customer a copy of the superintendent's decision resolving the dispute.
 - (5) If the decision of the superintendent is unsatisfactory to the customer, the customer, within five days of mailing of the decision by the superintendent of the affected department, may file in writing with the supervisor of the customer service office a request for a formal hearing before the utilities committee of the city council. Upon filing of the request by the customer, a formal hearing shall be held by the utilities committee within ten days following receipt of the customer's request for such hearing.
 - (6) At the hearing before the utilities committee, the superintendent of the affected utility department and the customer shall be entitled to present all evidence that, in the view of the utilities committee, is relevant and material to the dispute, and the committee shall be entitled to examine and cross examine witnesses. A record of the hearing shall be maintained.
 - (7) At the conclusion of the hearing, the utilities committee shall render a decision on the dispute. Such decision shall be reduced to writing and a copy thereof shall be mailed to the customer within five days of the hearing. The decision shall be final and binding on the affected utility department, and on the customer.
- (e) Utilization of the dispute procedure provided for in this section shall not relieve a customer of the obligation to timely and completely pay all other undisputed utility charges for services supplied by the city or to timely and completely pay undisputed portions of amounts which are subject to the instant dispute, or to otherwise comply with the requirements of this Code. Failure by the customer to timely and completely pay all such undisputed amounts or to otherwise comply with requirements of this Code shall be cause for termination of the utility service in accordance with the provisions of this article.
- (f) Until the date of the decision of the affected utility department superintendent becomes final, or until the date of the decision of the utilities committee (if the customer shall have appealed the superintendent's decision) the utility service which has been the subject of the dispute shall not be terminated based solely upon the matters in dispute; provided, however, that nothing shall prohibit termination of the utility service for other cause which is undisputed by the customer. If the decision of the superintendent or the utilities committee, as applicable, is unfavorable to the customer disputing the charge, the notice to the customer of such unfavorable decision shall specify a date not less than five days after such notice within which all disputed amounts must be paid or within which other such corrective action must be taken by the customer in order to avoid termination of the utility services.

Failure by the customer to pay or take such other action within the time specified in such notice shall then be cause for termination of the utility services at the expiration of the time period.

- (g) Except as otherwise provided in subsection (f) of this section, the provisions of this subsection shall govern all termination of utility service for non-payment of utility charges or for failure to comply with other requirements of this Code.
- (1) If, by the payment date shown on any bill for utility services, the city shall not have received complete payment of the amounts shown on the bill or if the violations alleged within any notice of violation of provisions of this Code shall have not been corrected by the date specified in such violation notice, the customer service office shall mail to or personally serve upon the customer a notice of termination of utility services.
 - (2) The notice of termination shall contain the following information:
 - a. The amount to be paid or the nature of the violation to be corrected;
 - b. The date of the notice of termination;
 - c. The date after which termination of utility services shall be made, which date shall be at least eight days from the date of the notice of termination;
 - d. Notice that unless the payment of the amounts specified or that the affected utility department superintendent has certified that the violation has been corrected prior to the date of termination, that the utility service shall be terminated under this subsection (g);
 - e. Notice that in lieu of paying the entire amount shown, a customer, prior to the date of termination, may notify the customer service office that he disputes the correctness of all or part of the amount shown or that he disputes that he is in violation of provisions of this Code cited as authority for the termination notice, provided that the basis of the dispute shall not have been the subject of a previous dispute either waived or adjudicated.
 - (3) If, prior to the date specified within the notice after which utility services will be terminated, the city shall not have received complete payment of the amounts shown on the notice of termination and if no notice of dispute under subsection (f) of this section shall have been received by the city, or if the customer shall not have corrected any violation of provisions of this Code as shown on the notice of termination, then the utility services which are the subject of the notice of termination shall be terminated and disconnected. If, however, the customer pays the entire amount shown on the notice of termination, or if the superintendent of the affected utility department certifies that the violations of this Code serving as the basis for the notice of termination have been corrected, then such payment or correction shall be considered timely, and the notice of termination shall be ineffective.
- (h) (1) Utility services shall be terminated for non-payment only during the hours of 8:00 a.m. to 4:00 p.m. Monday through Thursday; and on Friday during the hours of 8:00 a.m. to 12:00 p.m.
- (2) No terminations shall be permitted on a legal holiday or on the day before a legal holiday, and a federal holiday or on the day before a federal holiday.
 - (3) No terminations of utility services shall be permitted on a day when the low temperature forecast for the following 24 hours, as reported by the National Weather Service at its first order station nearest the residence, includes a forecast that the temperature will be below 20 degrees Fahrenheit. If the utility service to a residential customer has been terminated and not reinstated by 5:00 p.m. on the day of termination, when the low temperature within the previous 24 hours, as reported by the National Weather Service at its first order station nearest residence, was below 32 degrees Fahrenheit, the customer service office shall notify the police department of the city on the day of termination of the following:
 - a. The name of the customer;
 - b. The address and location of the residence no longer receiving such utility services;
 - c. The possible threat to the health and life of all persons residing at the residence.

- (i) In the event of termination of utility services in accordance with the provisions of this section, such utility services shall be reinstated to the customer within one full working day of receipt by the customer service office of complete payment of the amount prompting the termination (including required deposits) and any reconnection charges, or receipt of notice from the superintendent of the affected utility department that the violation of the provision of this Code giving rise to the termination has been corrected. Such payment or correction of violations shall not be considered timely for purposes of this article.
- (j) Forty (40) days from the termination of services of a tenant, billing of capital improvement and debt charges become the responsibility of the landlord. Tenant will be final billed and billing shall be thereafter set up in the landlord's name.
- (k) In computing any period of time prescribed by this section, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so completed shall be included, unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the next day which is not a Saturday, Sunday or legal holiday. When the period of time prescribed is less than seven days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation.
- (l) In addition to being subject to a termination of service pursuant to this section, each bill for utility services which shall not have been paid by the customer on or prior to the due date shown on the monthly bill, shall have added to the bill the amount of five percent of the monthly bill as a late payment penalty, unless the customer listed on the bill is 65 years or older before the time listed as the due date, or if the customer is receiving federal Social Security Disability and can provide proof of coverage to city staff.

SECTION 2. All prior ordinances in conflict herewith are hereby repealed.

SECTION 3. If any section, paragraph, sentence, clause or other portion of this ordinance is held or deemed to be unenforceable or invalid, then such holding or finding of unenforceability or invalidity shall not effect the validity of the remaining provisions of this ordinance.

SECTION 4. This ordinance shall be effective upon its adoption, passage and publication in pamphlet form.

Passed this _____ day of _____, 2018.

Mayor William B. Wescott

ATTEST:

City Clerk

Alderman Voting Aye

Alderman Voting Nay

ORDINANCE NO. 2018-2398

BE IT ORDAINED, by the City Council of the City of Rock Falls that the Municipal Code of the City of Rock Falls be and the same is hereby amended by the addition of a new subparagraph (b)(78) to read as follows:

Section 1. Section 18-152 (b) Specific locations. Parking is prohibited on the following named streets

(78) On both sides of Harley Davidson Drive.

Section 2. All prior ordinances in conflict herewith are hereby repealed.

Section 3. If any section, paragraph, sentence, clause or other portion of this ordinance is held or deemed to be unenforceable or invalid, then such holding or finding of unenforceability or invalidity shall not effect the validity of the remaining provisions of this ordinance.

Section 4. This ordinance shall be effective upon its adoption, passage and publication in pamphlet form.

Passed this ____ day of _____, 2018.

Mayor William B. Wescott

ATTEST:

Eric Arduini- City Clerk

SUPPLEMENTAL AGREEMENT NO. 2

SCHMITT PROPERTY WATER & SEWER EXTENSIONS DESIGN ADDITIONAL SURVEY & EASEMENTS ELECTRICAL POWER & FIBER OPTIC CABLE CONDUITS

This Supplemental Agreement, made and entered into by and between STANLEY CONSULTANTS (CONSULTANT) and CITY OF ROCK FALLS (CLIENT) amends their approved contract for CONSULTANT to provide services to the CLIENT for the Schmitt Property Water & Sewer Extensions Project. The additional services included in this supplement consist of: (1) supplementary survey and easement work required for the design of the water and sewer improvements; (2) electrical power supply fiber optic cable conduits design; and (3) reassignment of previously approved funding. The agreement modifications are as follows:

EXHIBIT 1 – SCOPE OF SERVICES

Add the following paragraphs to the Project Scope of Services:

PART 5 - SUPPLEMENTARY SURVEY & EASEMENTS

1. Provide additional topographic surveys to accommodate revisions to the layout of the water mains and sewer lines. The survey work provided additional information regarding existing utilities and topography of areas outside of the state highway right-of-way.
2. Provide legal survey documentation for the purpose of preparing easements documents needed for the construction of utility improvements on private property.
3. This work is being completed by Subconsultant, American Surveying & Engineering. There is no markup on these invoice costs.
4. A copy of the Subconsultant's proposal is attached to this Supplement.
5. The costs of this portion of the work will be divided evenly between the Water and Sewer accounts.

PART 6 – ELECTRICAL POWER SUPPLY & FIBER OPTIC CABLE CONDUITS DESIGN

1. Prepare specifications, cost estimate and design documents needed for the installation of electrical power conduits and fiber optic cable conduits and associated junction boxes. This work is to be completed in conjunction with the water main construction.
2. Modify water main and force main designs to accommodate the conduits.
3. Electrical power and fiber optic cable conduits work will be incorporated into the water and sewer documents and submittals. One contractor will be responsible for all work.
4. These costs will be assigned to the Electrical Power account.

PART 7 – REASSIGNMENT OF PREVIOUSLY APPROVED FUNDING

In Supplemental Agreement No. 1 to this Contract the CLIENT authorized preparation of documentation required for procurement of an Illinois Environmental Protection Agency low interest loan. This effort was subsequently suspended when the work was partially completed because of changes in the project schedule to accommodate the accelerated construction of the Project. Other engineering costs associated with the design of the Project have been greater than anticipated. This Part 7 is a request by the CONSULTANT to shift the remaining IEPA loan procurement funds to the engineering design work. There is no additional cost added to the Contract.

EXHIBIT 2 – COMPENSATION

Add the following paragraphs to Exhibit 2 – Compensation:

5. Supplementary Survey & Easement Work

The CONSULTANT's allowance for Part 5 Supplementary Survey & Easements as described above is an additional cost of $\$3,830 + \$6,480 = \$10,310$, with 50% allocated to the Water Fund and 50% to the

28079

Wastewater Fund.

Item	Survey Costs
Additional Water Survey & Easement Fee	\$5155
Additional Wastewater Survey & Easement Fee	\$5155

6. Electrical Power and Fiber Optic Cable Conduits Design

The CONSULTANT'S fee for Part 6 Electrical Power and Fiber Optic Cable Conduits Design as described above is based on approximately 70 hours that are estimated to be needed for completion of the additional design and drafting work. The not-to-exceed fee to complete this work is \$9,100. This amount is allocated in its entirety to the Electrical Power Fund.

7. Reassignment of Previously Approved Funding

There is no additional fee requested for this item. Current project funding will be reallocated.

The total increase to the Contract for Supplement 2 is \$19,410 increasing the total contract value to \$127,510.

Time of Beginning and Completion

The services required for this supplemental agreement begin upon authorization of the work by the CLIENT and will be completed within 30 days.

Except as specifically amended by this Supplemental Agreement, all the terms and conditions of the original Agreement dated shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Supplemental Agreement No. 2 to be executed on the date below indicated.

STANLEY CONSULTANTS, INC

CITY OF ROCK FALLS, ILLINOIS



Larry Thomas, P.E.

Date: 7/26/18

Date: _____

Attest:



SUPPLEMENTAL AGREEMENT NO. 3

SCHIMTT PROPERTY WATER & SEWER EXTENSIONS CONSTRUCTION OBSERVATION & ADMINISTRATION

This Supplemental Agreement, made and entered into by and between STANLEY CONSULTANTS (CONSULTANT) and CITY OF ROCK FALLS (CLIENT) amends their Agreement for Schmitt Property, Water & Sewer Extensions. The additional services included in this supplement consist of construction administrative and observation services during the construction phase of the Project. The Agreement modifications are as follows:

EXHIBIT 1 – SCOPE OF SERVICES

Delete existing "Part 1 - Basic Services; Section 4 Construction Phase" in Exhibit 1 and replace it with the following:

PART 1 – BASIC SERVICES

4. Construction Phase

The CONSULTANT shall provide the following services during the Construction Phase of the Project:

- 4.1. Preconstruction Conference: Attend preconstruction conference prior to commencement of work at site. Prepare agenda, run meeting, prepare and distribute meeting notes.
- 4.2. Furnish 3 copies of Contract Documents to Contractor for construction purposes.
- 4.3. Provide clarifications and Interpretations of the Contract Documents during the progress of the work.
- 4.4. Review shop drawings and samples and other data which Contractor is required to submit but only for conformance with information given in Contract Documents and compatibility with design concept of completed Project as a functioning whole as indicated in Contract Documents. Such reviews will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto. CONSULTANT will perform submittal review per contract document requirements.
- 4.5. Evaluate and respond to Requests for Information (RFIs) from Contractor. Prepare and issue necessary clarifications and interpretations of Contract Documents in form of Instructions to Contractor as required to respond to RFIs.
- 4.6. Recommend change orders to CLIENT, as appropriate, and prepare design-initiated change orders as required. Prepare and process change orders related to Contractor-initiated changes that are advantageous to CLIENT.
- 4.7. Provide part time construction observation during the duration of the work. For the purposes of this Project, part time construction observation is defined as visiting the site and observing construction activities an average of one day per week for the duration of the project with a total of 30 construction observation days. Maintain daily project diary, daily observation reports, photos and other pertinent records on those days that a construction observer is present. Services listed under 4.8, 4.9, 4.11, 4.12, and 4.14 are included in the construction observation budget.
- 4.8. Confirm Contractor compliance with IEPA permits and erosion control on days observer is present.
- 4.9. Review inspection and test certificates for purpose of determining that test result certificates indicate compliance with Contract Documents. These reviews will not constitute an independent evaluation that content or procedures of such inspections, tests, or approvals comply with requirements of Contract Documents. CONSULTANT shall be entitled to rely on results of such tests.
- 4.10. Review Contractor pay applications and make recommendations to CLIENT on payment amounts.

- 4.11. Conduct walk-through of the Work with CLIENT and Contractor promptly after Contractor submits notice that entire Work is ready for its intended use, to determine if Work is Substantially Complete. If, after considering any objections of CLIENT, CONSULTANT considers Work Substantially Complete, CONSULTANT shall deliver Certificate of Substantial Completion to CLIENT and Contractor. Prepare written list of deficiencies in event Work is not considered to be substantially complete.
- 4.12. Conduct final walk-through of the Work to determine if Work is complete and acceptable so that CONSULTANT may recommend Contractor's final payment.
- 4.13. Incorporate construction phase changes based on markups provided by the Contractor, the resident engineer, and the CLIENT to produce Record Drawings. Furnish one hard copy for Client records.
- 4.14. Hold progress meetings during construction as determined to be needed by the CONSULTANT to review construction progress, the updated project schedule provided by Contractor, the status of pay applications and submittals, and future work activities. CONSULTANT will conduct meeting, prepare meeting notes, and distribute notes to meeting attendees.
- 4.15. Attend Council and committee meetings as requested by CLIENT.

EXHIBIT 2 – COMPENSATION

Add the following paragraphs to Exhibit 2 – COMPENSATION:

4. Compensation for Construction Observation & Administration Services

The CONSULTANT'S fee for Section 4 Construction Phase services as described above will be based on the actual hours and reimbursable costs required to perform construction observation and administrative services. Approximately 400 hours are estimated to be required for the duration of the construction phase of the Project with 120 hours allocated to construction administration, 240 hours allocated to construction observation, and 40 hours allocated to as-built drawings. Additionally, vehicles will be utilized on a payment for mileage basis during the duration of the project. Based on the estimated hours and expenses, the estimated project fee to complete this work is \$72,000. The division of costs between utilities based on the Contractor's bid is as follows:

Utility	Percentage of Total Construction cost	Construction Observation & Administration Allocations
Water	46.7%	\$33,624
Sewer	34.1%	\$24,552
Electric	19.2%	\$13,824
Total	100.0%	\$72,000

Time of Beginning and Completion

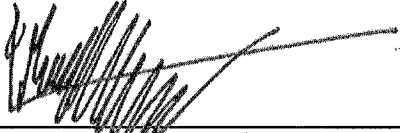
The services required for this supplemental agreement begin upon authorization of the work by the CLIENT and will be completed when construction of the project is complete.

Except as specifically amended by this Supplemental Agreement, all the terms and conditions of the original Agreement dated shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Supplemental Agreement to be executed on the date below indicated.

STANLEY CONSULTANTS, INC

CITY OF ROCK FALLS, ILLINOIS



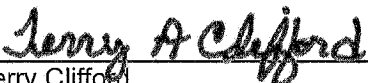
Tony Mardam, Vice President

Date: September 28, 2018

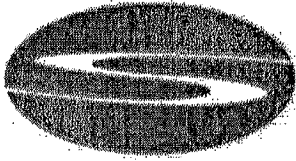
Date: _____

Attest: _____

Attest: _____



Terry Clifford



STANLEYCONSULTANTS, Inc

8501 West Higgins Road, Suite 750, Chicago, IL 60631
773.693.9624, stanleyconsultants.com

September 17, 2018

Ms. Robbin Blackert
City Administrator
City of Rock Falls
603 West 10th Street
Rock Falls, IL 61115

Subject: Schmitt Property Water & Sewer Extensions
Recommendation for Award of Contract

Dear Robbin:

The City received three bids for the Schmitt Property Water & Sewer Extensions project on September 12, 2018. The results of the bidding are summarized in the table below.

Contractor	Amount	Substantial Completion	Final Completion
Gensini Excavating	\$1,959,497.50	300 days	330 days
McCarthy Improvement Company	\$2,149,775.35	180 days	270 days
Fischer Excavating	\$2,789,513.82	270 days	15 days

The bids were reviewed and the math in each was found to be correct and complete as submitted.

The engineers estimate for the work was \$2,019,613.

Gensini Excavating previously completed the RB&W Riverfront Park project for the City. Staff reports that the City was pleased with the quality of work and responsiveness of the contractor. On September 17, 2018 we discussed the project schedule with Mr. Michael Garland of Gensini Excavation. It is the contractor's intent to start construction in the mid-January to mid-February timeframe with boring and jacking of the casing pipe under the highway followed by pipeline work through the spring with completion of the work and restoration by early summer. He has not determined the actual staging plan at this time, but there should be no disruption of the Day's Inn property until next spring.

Based on our review of the low bidder and their schedule, it is our opinion that the apparent lowest cost, responsive, and qualified bidder for the Schmitt Property Water & Sewer Extensions project is Gensini Excavating, Inc of Princeton, Illinois.

We recommend the City award the Schmitt Property Water & Sewer Extensions contract to Gensini Excavating, Inc. in the amount of \$1,959,497.50. Please note that this is a unit price contract and the final contract amount at the end of the project will be dependent on the actual number units used for each line item.



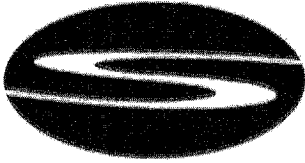
Ms. Robbin Blackert
September 17, 2018

Please let me know if you have any questions or comments.

Sincerely,

Stanley Consultants, Inc.

Lawrence Thomas, PE
Water/Wastewater Department Manager



STANLEYCONSULTANTS, Inc

8501 West Higgins Road > Suite 730 > Chicago, IL 60631
773.693.9624 > stanleyconsultants.com

September 27, 2018

Ms. Robbin Blackert
City Administrator
City of Rock Falls
603 West 10th Street
Rock Falls, IL 61115

Subject: Sanitary Sewer Rehabilitation
Recommendation for Tentative Award of Contract

Dear Robbin:

The City received three bids for the Sanitary Sewer Rehabilitation project on September 26, 2018. The results of the bidding are summarized in the table below.

Contractor	Amount
Insituform Technologies USA	\$819,260.00
Hoerr Construction	\$1,007,033.00
Visu-Sewer of Illinois	\$1,038,188.00

The bids were reviewed and the math in each was found to be correct and complete as submitted. The engineers estimate for the work was \$900,000.

Insituform Technologies USA is known to us and is, in our opinion, qualified to complete the sewer rehabilitation work successfully. Based on the received bids, it is our opinion that the apparent lowest cost, responsive, and qualified bidder for the Sanitary Sewer Rehabilitation project is Insituform Technologies USA of Chesterfield Missouri.

We have gone through Insituform's bid submittal in detail and have found three administrative items that need to be addressed with the provision of additional information for purposes of satisfying the requirements of the IEPA loan. We will work with the contractor to get these items completed so that the package can be submitted to the state for their review.

We recommend the City **tentatively** award the Sanitary Sewer Rehabilitation contract to Insituform Technologies USA in the amount of \$819,260.00 subject to approval of the low interest loan for this project by the Illinois Environmental Protection Agency and subsequent return of the contract to the Council for final approval.

Please note that this is a unit price contract and the final contract amount at the end of the project will be dependent on the actual number of units used for each line item.



Ms. Robbin Blackert
September 27, 2018

Please let me know if you have any questions or comments.

Sincerely,

Stanley Consultants, Inc.

A handwritten signature in black ink that reads "Lawrence Thomas".

Lawrence Thomas, PE
Water/Wastewater Department Manager



A POWERTEAM  SERVICES COMPANY

3816 Carnation Street, Franklin Park, IL 60131 Office 708-236-9202 Fax 708-236-9272

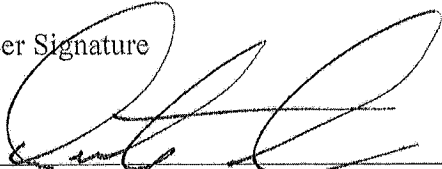
September 27, 2018

Mark Searing
60 W 10th Street
Rock Falls, IL 61071

KS Energy Services, LLC has been employed by Nicor Gas, to furnish pipe and appurtenances for the said premises, in the Town of Rock Falls. KS proposes the use of a lot located at LeRoy and 8th Street, Rock Falls throughout the duration of this project to store pipe and equipment. Specifications include no dumping of spoil or material i.e. gravel, screenings, or coal patch.

Dustin Storm hereby agrees to the aforementioned terms to this date by the undersigned. If you should have any questions, feel free to contact me at dstorm@ksenergyservices.com.

Officer Signature



Dustin Storm, Area Manager

Thank you,


KS CARES
SAFETY IS ALL
ABOUT FAMILY



Request for Bid or Quote (Services)

TO: Kirby Cable Service
Company Name

ATTENTION: _____

BID DEADLINE: DATE _____ TIME _____

Location of Work: **Lincoln and Garfield dead Loop**

Description and Scope of Work: **Contractor will sub contract to the City of Rock Falls Water Department and install 770 feet of Certlock watermain pipe**

Total Cost for Project \$ 19,999.⁰⁰

Quote Valid for 90 Days

Payment Terms: _____

SIGNATURE OF COMPANY REP: Meg Doman DATE: 9/17/18

Please fax or email BID or Quote to: earduini@rockfalls61071.com

Attention: Ted Padilla any questions email: tpadilla@rockfalls61071.com

"Signature of this quote acknowledges that all rules and requirements of the Illinois Department of Labor Prevailing Wage Act must be followed along with the Certificate of Insurance form below". Contractors awarded the Project will Contact the City Clerk to file all proper paperwork as required

ADDENDUM TO PROPOSAL AND AGREEMENT

Contractor -- Kirby Cable Service
Address 17842 Sumner Rd Pecatonica, IL 61063
Owner-- City of Rock Falls, Illinois

This addendum supplements and is incorporated into the terms and provisions of the agreement between the Contractor and Owner for Rock Falls, Whiteside County, Illinois.

Contractor agrees that not less than the prevailing rate of wages, as found by the Department of Labor of the State of Illinois, shall be paid to all laborers, workers and mechanics performing work under the contract, and Contractor agrees that all subcontracts and lower tiered subcontracts shall contain a written stipulation that not less than the prevailing rate of wages shall be paid to all laborers, workers and mechanics performing work under such subcontract or lower tiered subcontract, all as determined by the Department of Labor of the State of Illinois. The prevailing rate of wages are revised by the Illinois Department of Labor, and are available on the Department's official website.

Contractor also agrees that it shall:

1. Make and keep for a period of not less than three (3) years, records of all laborers, mechanics and other workers employed on the project, including each worker's name, address, telephone number when available, social security number, classification or classifications, hourly wages paid in each pay period, number of hours worked each day, and the starting and ending times of work each day; and
2. Submit monthly, in person, by mail or electronically, a certified payroll to the Owner, consisting of a complete copy of the records identified in subparagraph 1 hereof, except that the record may exclude the starting and ending times of work each day, and also that the certified payroll shall be accompanied by a statement signed by the Contractor or subcontractor that certifies that such records are true and accurate, that the hourly rate paid to each worker is not less than the general prevailing rate of wage required by the Illinois Prevailing Wage Act, and that the Contractor or subcontractor is aware that filing a certified payroll which he knows to be false is a Class B misdemeanor.

At the time of request for each progress payment, Contractor shall deliver to Owner a contractor's affidavit listing all suppliers of labor and material, the work performed by each, the amounts paid to each to date, the amount due for work performed to date and a waiver of lien for any payments made to any such supplier signed by such supplier.

Contractor:
Kirby Cable Service

Owner:
City of Rock Falls, Illinois

By: Mary Dura

By: _____
Mayor



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

9/17/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER HUB International Iowa dba Ruhl & Ruhl Insurance 212 Brady St., Ste 4B Davenport IA 52801	CONTACT NAME: Walt Zimmerer, CIC PHONE (A/C, No., Ext.): 563-324-1981 FAX (A/C, No.): E-MAIL ADDRESS: walter.zimmerer@hubinternational.com												
INSURED Kirby Cable Service Inc P O Box 37 Pecatonica IL 61063	INSURER(S) AFFORDING COVERAGE <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">INSURER A: Continental Western Insurance Company</td> <td style="width: 20%;">NAIC # 10804</td> </tr> <tr> <td>INSURER B: Union Insurance Company</td> <td>26844</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER A: Continental Western Insurance Company	NAIC # 10804	INSURER B: Union Insurance Company	26844	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
INSURER A: Continental Western Insurance Company	NAIC # 10804												
INSURER B: Union Insurance Company	26844												
INSURER C:													
INSURER D:													
INSURER E:													
INSURER F:													

COVERAGES **CERTIFICATE NUMBER: 1109201697** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	SUBROGATION WAIVED	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			CPA305805024	4/29/2018	4/29/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGO \$ 2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY			CPA305805024	4/29/2018	4/29/2019	COMBINED SINGLE LIMIT (Per accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0			CPA305805024	4/29/2018	4/29/2019	EACH OCCURRENCE \$ 9,000,000 AGGREGATE \$ 9,000,000 \$
B	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WCA305804924	4/29/2018	4/29/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 City of Rock Falls and all officials and employees of the city as to any and all projects are included as an additional insured as required by written agreement on the general liability policy shown above for work performed by the Named Insured on a primary and non-contributory basis, subject to policy forms, terms, conditions and exclusions. A Waiver of subrogation applies in favor of additional insured for the general liability and workers compensation policies if required in written contract subject to policy forms, terms, conditions and exclusions.

CERTIFICATE HOLDER City of Rock Falls Building Department 603 West 10th Street Rock Falls IL 61071-0000	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	--

Material Quote Sheet

Swallow Street to Lincoln Street Watermain Extension Project

Company	Address	Phone	Total
Suppliers			
Ferguson	1720 State Street Dekalb, IL 60116		\$12,597.99
Core & Main	6829 Irene Rd Belvidere, IL 61008		\$13,255.00