

City of Rock Falls

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

Mayor

Rod Kleckler
815-380-5333

City Administrator

Robbin Blackert
815-564-1366



City Clerk

Pam Martinez
815-622-1100

City Treasurer

Kay Abner
815-622-1100

Rock Falls City Council Agenda
Council Chambers
603 W 10th Street, Rock Falls, IL 61071

February 15, 2022
5:30 p.m.

Call to Order at 5:30 p.m.
Pledge of Allegiance
Roll Call

Audience Requests

Community Affairs

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

Consent Agenda:

1. Approval of the minutes of the February 1, 2022, City Council Meeting ☞
2. Approval of bills as presented ☞

Ordinances 1st Reading:

1. Ordinance 2022-2556 - Amending Chapter 16, Article V Relating to the Definition of Restaurant ☞
2. Ordinance 2022-2557 - Amending Chapter 16, Article V Extending Authorization for the Delivery and Carry Out of Alcohol by Licensed Establishments ☞

Ordinances 2nd Reading & Adoption:

1. Ordinance 2022-2550 - Amending Chapter 16, Article XIII, Section 16-1521 Relating to annual fees for Video Gaming Terminals ☞
2. Ordinance 2022-2551 - Amending Chapter 2 Relating to Regular Meetings of the City Council and Appointment of Mayor Pro Tem ☞
3. Ordinance 2022-2552 - Amending Chapter 32, Article V - Relating to Interconnection with the City's Electric Distribution System and Customer-Owned Generating Facilities Interconnection Agreement ☞
4. Ordinance 2022-2553 - Amending Chapter 32 Relating to Utility Rate Increases
5. Ordinance 2022-2554 - Adopting Revised Zoning Map ☞
6. Ordinance 2022-2555 - Amending the Zoning Ordinance of the City of Rock Falls Regarding Multi-Family Dwellings in MU-1 Mixed Use District ☞

Resolutions:

1. Resolution 2022-875 – Transferring Jurisdiction and Control of Real Property to the Industrial Development Commission (2211 Canal Street) ↻

City Administrator Robbin Blackert**Information/Correspondence**

Matt Cole, City Attorney

Corey Buck, City Engineer

Alderman Reports/Committee Chairman Requests**Ward 1**

Alderman Bill Wangelin – Public Property/Public Works Committee Chairman

Alderman Gabriella McKanna – Finance/Insurance/Investment Committee Chairman

Ward 2

Alderman Brian Snow – Building Code Committee Chairman/Utility Committee Vice Chairman

1. Approve the Customer-Owned Generating Facilities Interconnection Agreement ↻

Alderman Casey Babel – Tourism Committee Chairman

Ward 3

Alderman Steve Dowd

Alderman Jessica Devers

Ward 4

Alderman Violet Sobottka – Ordinance/License/Personnel/Safety Committee Chairman

Alderman Marshall Doane

Mayor's Report:**Executive Session:**

1. Section 2(c)(1) – Employee hiring, firing, compensation, discipline and performance
2. Section 2(c)(11) – Litigation – Pending, probable or imminent litigation

Any Action Taken from Executive Session**Adjournment**

Next City Council meeting – March 1, 2022 at 5:30 p.m.

Posted: February 11, 2022

Michelle Conklin, Deputy 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.

City of Rock Falls

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

Regular meeting minutes of the Mayor and Aldermen of the City of Rock Falls

The regular meeting of the Mayor and City Council of Rock Falls, Illinois was called to order at 5:30 p.m. on February 1, 2022, in the Council Chambers by Mayor Rod Kleckier.

City Clerk Pam Martinez called the roll following the pledge of allegiance. A quorum was present including Mayor Kleckier, Aldermen McKanna, Wangelin, Snow, Babel, Dowd, Devers, Doane, and Sobottka. In addition, Attorney Matt Cole and City Administrator Robin Blackert were present.

Community Affairs:

None

Audience request:

Rene Sotelo – owner of the Cooler, remarked to keep the Video Gaming license fee to \$25 per machine since all other costs are going up as well.

Consent Agenda:

Consent Agenda items 1 and 2 were read aloud by City Clerk Pam Martinez.

1. Approval of the minutes of the January 17, 2022, City Council Meeting.
2. Approval of bills as presented.

A motion was made by Alderman Babel and second by Alderman Wangelin to approve the Consent Agenda.

Vote 8 aye, motion carried.

Ordinance 1st Reading:

1. 2022-2550 – Amending Chapter 16, Article XIII, Section 16-1521 Relating to annual fees for Video Gaming Terminals.
Mayor Kleckier motioned to have the fee for each video gaming machine raised to \$250. A motion was made by Alderwoman Devers and second by Alderman Dowd to raise Video Gaming License per machine to \$250 each.
Discussion amongst Council members.
Vote 5 aye, 2 no (Doane and Sobottka), 1 recused (Snow) motion carried.
2. 2022-2551 – Amending Chapter 2 Relating to Regular Meetings of the City Council and Appointment of Mayor Pro Tem.
A motion was made by Alderwoman Sobottka and second by Alderman Doane.
Vote 8 aye, motion carried.
3. 2022-2552 – Amending Chapter 32, Article V – Relating to Interconnection with the City's Electric Distribution system and Customer-Owned Generating Facilities Interconnection Agreement.
A motion was made by Alderman Snow and second by Alderwoman McKanna.
Vote 8 aye, motion carried.

City Administrator: none

City Attorney: none

City Departments: none

A motion was made by Alderwoman McKanna and second by Alderwoman Sobottka to approve Utility Office Write-offs – October 2021 through December 2021.

Vote 8 aye, motion carried.

A motion was made by Alderwoman McKanna and second by Alderman Wangelin to approve Water rate increase proposal for fiscal years 2023 through 2026, to be sent to City Attorneys to draft Ordinance change.

Vote 8 aye, motion carried.

A motion was made by Alderwoman McKanna and second by Alderman Snow to approve Wastewater rate (Capital Improvement Rate only) increase for fiscal years 2023 through 2027, send to City Attorneys to draft Ordinance change.

Vote 8 aye, motion carried.

A motion was made by Alderwoman McKanna and second by Alderman Snow to approve proposed \$0.00 increase to Electric Rates for fiscal year 2023.

Vote 8 aye, motion carried.

Alderwoman McKanna reminded Council Members of the Finance Committee Budget meeting – March 29, 2022, at 8:15 a.m.

A motion was made by Alderman Babel and second by Alderman Snow to approve Name and Likeness License Agreement between Francine "Mrs. B" Belison and the City of Rock Falls.

Vote 8 aye, motion carried.

Mayor's Report:

none

A motion was made by Alderman Snow and second by Alderwoman Sobottka to enter Executive Session for the purpose of discussing Section 2(c)(21) – Review of Closed Session Minutes and Section 2(c)(11) – Litigation – Pending, probable or imminent litigation.

Vote 8 aye, motion carried (5:50 p.m.)

A motion was made by Alderman Snow and second by Alderwoman Sobottka to return to regular session

Vote 8 aye, motion carried (6:27 p.m.)

A motion was made by Alderman Snow and second by Alderman Dowd to approve Section 2(c)(21) – Review of Closed Session minutes to keep minutes in Executive Session closed.

Vote 7 aye, 1 no (Devers), motion carried.

A motion was made by Alderman Snow and second by Alderwoman Sobottka to adjourn.

Viva Voice Vote, motion carried. (6:32 p.m.)



Pamela Martinez, City Clerk

CITY OF ROCK FALLS

Rock Falls, Illinois 02/15/2022

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	\$4,089.80
General Fund	\$59,811.33
Building Code Demolition Fund	\$25.16
Electric	\$547,665.02
Sewer	\$63,604.32
Water	\$41,272.53
Garbage Fund	\$43,923.93
Customer Service Center	\$6,756.36
Motor Fuel Tax Fund	\$21,663.33
Customer Utility Deposit	\$419.38
	\$789,231.16

Alderman Wangelin
Alderman Palmer
Alderman Doane
Alderman Devers

DATE: 02/03/2022
TIME: 14:12:24

CITY OF ROCK FALLS
DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 02/04/2022

VENDOR #	NAME	DESCRIPTION	AMOUNT DUE

TOURISM			
05	TOURISM		
	SAUK VALLEY MEDIA	SWEEPSTAKES 2022	1,199.00
	U.S. CELLULAR	MONTHLY SERVICE	81.04
	NORTHERN ILLINOIS UNIVERSITY	FLOCK TO THE ROCK/SPEAKER	109.76
	ROCK RIVER JAZZ BAND, INC	ART IN THE PARK PERFORM/DEPOSI	800.00
	RUDY VALLEJO	FLOCK TO THE ROCK/SPEAKER	200.00
	EXTREME RENTALS	TENT/DEPOSIT	200.00
		TOURISM	2,589.80
GENERAL FUND			
01	ADMINISTRATION		
	CIRCUIT CLERK OF OGLE COUNTY	ALEXIA S VINSON-ISHMON BAIL BO	300.00
	ROCK FALLS CHAMBER OF COMMERCE	CRF MONTHLY PAYMENT	500.00
		ADMINISTRATION	800.00
02	CITY ADMINISTRATOR		
	ROBBIN BLACKERT	CELLULAR PHONE REIMBURSEMENT	100.00
		CITY ADMINISTRATOR	100.00
04	BUILDING		
	MARK SEARING	CELL PHONE REIMBURSEMENT	40.00
	ELECTRONICS, INC.	RADIO INSTALL/EXPLORER	690.97
		BUILDING	730.97
05	CITY CLERK'S OFFICE		
	CAPITAL ONE	BATTERIES/DESK ORGANIZER	39.25
	PINNEY PRINTING CO	DBL WIND ENVELOPES	362.04
		CITY CLERK'S OFFICE	401.29
06	POLICE		
	CITY OF ROCK FALLS UTILITIES	UTILITY BILLINGS	40.10

INVOICES DUE ON/BEFORE 02/04/2022

VENDOR #	NAME	DESCRIPTION	AMOUNT DUE

GENERAL FUND			
06	POLICE		
		UTILITY BILLINGS	65.72
		UTILITY BILLINGS	1,035.35
		UTILITY BILLINGS	19.20
		UTILITY BILLINGS	42.00
IL DEPT OF INNOVATION &		COMMUNICATION CHARGES	398.43
MOORE TIRES INC.		TIRES/FEES	787.64
STAPLES ADVANTAGE		HANGING FILE FOLDERS	60.00
PANTHER UNIFORMS, INC.		UNIFORMS	485.44
COMCAST		MONTHLY CHARGE	6.33
KALEEL'S		UNIFORMS	37.00
ELECTRONICS, INC.		MONTHLY ALARM/RADIO SERVICE	318.00
MUNICIPAL ELECTRONICS DIV LLC		RADAR CERTIFICATIONS/REPAIR	379.84
VH BLACKINTON CO, INC		REPAIR/REFINISH	12.00
	POLICE		3,687.05
10	STREET		
	WILCO RENTAL	WACKER COMPACTOR REPAIRS	161.22
	CITY OF ROCK FALLS UTILITIES	UTILITY BILLINGS	549.10
		UTILITY BILLINGS	9.73
		UTILITY BILLINGS	21.28
		UTILITY BILLINGS	175.85
		UTILITY BILLINGS	50.62
	GRUMMERT'S HARDWARE - R.F.	ELBOWS	8.08
		KEROSENE	46.78
	STERLING NAPA	UJOINT	46.04
	O'REILLY AUTOMOTIVE INC	WIPER BLADES	94.56
	CORY SCHRYVER	REIMB TIER CHANGE	61.32
	CINTAS CORPORATION	FIRST AID SUPPLIES	41.53
	ARAMARK	UNIFORM/MATS/TOWEL SERVICES	44.57
		UNIFORM/MATS/TOWEL SERVICES	24.94
	S.J. SMITH CO INC	PROPANE	164.97
	ROCK RIVER CARTAGE INC	REPL BRAKE LIGHT SWITCH	183.70
	STREET		1,684.29
12	PUBLIC PROPERTY		
	CITY OF ROCK FALLS UTILITIES	UTILITY BILLINGS	86.85
		UTILITY BILLINGS	79.78
		UTILITY BILLINGS	7,693.17
		UTILITY BILLINGS	138.41

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CITY OF ROCK FALLS
DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 02/04/2022

VENDOR #	NAME	DESCRIPTION	AMOUNT DUE

GENERAL FUND			
12	PUBLIC PROPERTY		
		UTILITY BILLINGS	302.73
	ELECTRONICS, INC.	MONTHLY ALARM/RADIO SERVICE	50.00
		PUBLIC PROPERTY	8,350.94
13	FIRE		
		UTILITY BILLINGS	1,035.34
	CITY OF ROCK FALLS UTILITIES	UTILITY BILLINGS	19.20
		UTILITY BILLINGS	42.00
		UTILITY BILLINGS	40.10
		UTILITY BILLINGS	126.12
	CAPITAL ONE	ASPIRIN	2.48
		SHREDDER	56.62
	AT&T	MONTHLY SERVICE	81.48
	DINGES FIRE COMPANY	UNIFORM POLOS	200.25
	STAPLES ADVANTAGE	HANGING FILE FOLDERS	59.99
	FIRE TEXT RESPONSE, LLC	ANNUAL ALERT MESSAGING	600.00
	CITY OF NAPERVILLE	FF PHYSICAL ABILITY/AGILITY TE	150.00
		FIRE	2,413.58
ELECTRIC FUND			
20	OPERATION & MAINTENANCE		
		CYLINDERS	48.60
	AIRGAS USA LLC	UTILITY BILLINGS	11,132.85
	CITY OF ROCK FALLS UTILITIES	UTILITY BILLINGS	208.83
		UTILITY BILLINGS	108.79
		UTILITY BILLINGS	209.35
		UTILITY BILLINGS	456.77
	ASPLUNDH TREE EXPERT CO.	TREE TRIMMING	12,106.50
	CAPITAL ONE	TELEVISION/HDMI CABLE/TV MOUNT	576.97
	POWER LINE SUPPLY	LU100 100W HPS	295.68
		CREDIT/RETURN	-325.50
		CLAMP PARALLEL GROVE	26.55
		395.5W PARALLEL GROOVE CLAMP	552.00
	IMUA	DECEMBER SAFETY TRAINING	900.00
	TRI-COUNTY OPP COUNCIL	UTIL REFUND/1113 5TH AVE #407	398.22
	CLOUDPOINT GEOSPATIAL	MONTHLY GIS SERVICES	1,983.34
	MILLENNIUM	150-100044 DOME SPLICE CLOSURE	653.08
		SHIPPING	93.30
		SHIPPING	228.89

INVOICES DUE ON/BEFORE 02/04/2022

VENDOR #	NAME	DESCRIPTION	AMOUNT DUE

ELECTRIC FUND			
20	OPERATION & MAINTENANCE		
		500-140373 CABLE DROP	3,500.00
CINTAS CORPORATION		FIRST AID SUPPLIES	95.80
ILLINOIS COMMERCE COMMISSION		ANNUAL GROSS REVENUE TAX PYMT	29.10
CHRIS STAUFFER		HYD OIL TANK CRACK REPAIR	150.00
		HANDRAIL/LADDER REPAIRS	433.00
		BUCKET TRUCK/BOOM REPAIR	190.32
TYNDALE		UNIFORM CLOTHING	226.90
		CREDIT	-329.00
		UNIFORM CLOTHING	226.90
ROCK RIVER CARTAGE INC		FILTERS/OIL/SERVICE	340.08
		OPERATION & MAINTENANCE	34,517.32
SEWER FUND			
38	OPERATION & MAINTENANCE		
WILLETT, HOFMANN & ASSOCIATES		WWTP/HVAC MODIFICATIONS	15,199.15
CITY OF ROCK FALLS UTILITIES		UTILITY BILLINGS	21,373.34
		UTILITY BILLINGS	406.01
		UTILITY BILLINGS	449.27
		UTILITY BILLINGS	888.17
GRUMMERT'S HARDWARE - R.F.		CEILING HOOK	2.06
		PRUNING BLADE	22.49
		BROOM/DUSTER	18.88
MENARDS		TOOL HOLDER/HANGER/BACKET	25.94
		SHELF/PAINT SUPPLIES	513.01
CAPITAL ONE		CLEANING SUPPLIES	105.43
GRUMMERTS HARDWARE - STERLING		SHIPPING	16.18
WHITESIDE COUNTY RECORDER		SEWER WATER LIENS	86.00
DIXON GLASS CO		DOOR LEVER REPL	899.27
CLOUDPOINT GEOSPATIAL		MONTHLY GIS SERVICES	1,983.33
CINTAS CORPORATION		FIRST AID SUPPLIES	36.85
ELECTRONICS, INC.		MONTHLY ALARM/RADIO SERVICE	78.00
THE SHERWIN - WILLIAMS CO.		PAINT	355.00
		OPERATION & MAINTENANCE	42,458.38
WATER FUND			
40	WATER		
WILLETT, HOFMANN & ASSOCIATES		WATERMAIN REPLACEMENT	9,330.75
		WATER	9,330.75

INVOICES DUE ON/BEFORE 02/04/2022

VENDOR #	NAME	DESCRIPTION	AMOUNT DUE

WATER FUND			
48	OPERATION & MAINTENANCE		
	BONNELL INDUSTRIES, INC.	TOOL BOX	962.93
	SMITH ECOLOGICAL SYSTEMS CO	HYD LOAD CELL REPL/INDICATOR	1,580.57
	CITY OF ROCK FALLS UTILITIES	UTILITY BILLINGS	7,361.11
		UTILITY BILLINGS	160.15
		UTILITY BILLINGS	133.67
		UTILITY BILLINGS	350.34
	VIKING CHEMICAL CO	CHEMICALS	1,649.00
	GRUMMERT'S HARDWARE - R.F.	SAFETY BLUE SPRAY PAINT	17.98
		UTILITY LIGHTER	4.49
	MENARDS	TOOLS/GAUGE	149.87
	U.S. CELLULAR	MONTHLY SERVICE	318.00
	CAPITAL ONE	BATTERIES/CLOCK/CLEANING SUPPL	280.17
	GRUMMERTS HARDWARE - STERLING	PROPANE TANK	54.99
	WHITESIDE COUNTY RECORDER	SEWER WATER LIENS	86.00
	FERGUSON WATERWORKS #2516	COMP KIT/CONN KIT	1,058.13
	CLOUDPOINT GEOSPATIAL	MONTHLY GIS SERVICES	1,983.33
	CINTAS CORPORATION	FIRST AID SUPPLIES	27.90
	CHRIS STAUFFER	BACKHOE BUCKET PIN	40.00
	PACE ANALYTICAL SERVICES LLC	ANALYSIS	456.00
	UNITED CRAFTSMEN LTD	BACKHOE BUCKET PIN	75.00
		OPERATION & MAINTENANCE	16,749.63
CUSTOMER SERVICE CENTER			
51	CUSTOMER SERVICE CENTER		
	QUADIANT LEASING USA INC	LEASE/RENTAL MAR-MAY 2022	1,439.82
	ROCK FALLS POSTMASTER	POSTAGE BULK MAILING	3,500.00
	PINNEY PRINTING CO	ENVELOPES	1,816.54
		CUSTOMER SERVICE CENTER	6,756.36
MOTOR FUEL TAX FUND			
65	MOTOR FUEL TAX		
	WILLETT, HOFMANN & ASSOCIATES	2020 GENERAL PROJECTS	3,512.70
		E 11TH ST BRIDGE REPL	561.30
	COMPASS MINERALS AMERICA	BULK ICE CONTROL	5,729.47
		BULK ICE CONTROL	11,139.86
		MOTOR FUEL TAX	20,943.33

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CITY OF ROCK FALLS
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INVOICES DUE ON/BEFORE 02/04/2022

VENDOR #	NAME	DESCRIPTION	AMOUNT DUE

CUSTOMER UTILITY DEPOSITS			
75	CUSTOMER UTILITY DEPOSITS		
	TERRA CROWDER	UTILITY DEPOSIT REFUND	12.76
	KEITH DAVIS	UTILITY DEPOSIT REFUND	206.62
	KAY BRYANT	UTILITY DEPOSIT REFUND	200.00
		CUSTOMER UTILITY DEPOSITS	419.38
		TOTAL ALL DEPARTMENTS	151,933.07

DATE: 02/10/22
TIME: 14:37:11
ID: AP443000.WOW

CITY OF ROCK FALLS
DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 02/11/2022

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

TOURISM			
05	TOURISM		
T0003401	ROCK FALLS HIGH SCHOOL		300.00
T0005577	RUDY VALLEJO		200.00
T0005582	VIETNAM AND ALL VETERAN'S OF		1,000.00
	TOURISM		1,500.00
GENERAL FUND			
01	ADMINISTRATION		
4011	SAUK VALLEY BANK & TRUST CO.	988,717.30	26,929.73
795	SBM BUSINESS EQUIPMENT CENTER	13,442.46	18.00
	ADMINISTRATION		26,947.73
02	CITY ADMINISTRATOR		
795	SBM BUSINESS EQUIPMENT CENTER	13,442.46	18.00
	CITY ADMINISTRATOR		18.00
04	BUILDING		
4827	KELLEY WILLIAMSON COMPANY	12,094.05	59.99
5253	WEX BANK	72,181.44	159.06
5311	SAMSARA NETWORKS INC	8,140.66	20.00
795	SBM BUSINESS EQUIPMENT CENTER	13,442.46	37.39
	BUILDING		276.44
05	CITY CLERK'S OFFICE		
5308	LEAF	5,425.20	92.71
	CITY CLERK'S OFFICE		92.71
06	POLICE		
350	GISI BROS. INC.	19,608.73	312.56
4231	KIESLER POLICE SUPPLY INC		1,904.00

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CITY OF ROCK FALLS
DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 02/11/2022

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

GENERAL FUND			
06	POLICE		
4508	LEXISNEXIS RISK SOLUTIONS	315.00	31.00
5253	WEX BANK	72,181.44	3,140.23
5277	PAPER RECOVERY SERVICE CORP	465.00	75.00
5308	LEAF	5,425.20	194.71
	POLICE		5,657.50
07	CODE HEARING DEPARTMENT		
4931	MUNICIPAL SYSTEMS LLC	7,173.56	724.34
	CODE HEARING DEPARTMENT		724.34
10	STREET		
4827	KELLEY WILLIAMSON COMPANY	12,094.05	1,455.90
5253	WEX BANK	72,181.44	415.16
5311	SAMSARA NETWORKS INC	8,140.66	200.00
	STREET		2,071.06
12	PUBLIC PROPERTY		
194	GRUMMERT'S HARDWARE - R.F.	5,773.78	19.79
T0005573	VALU PROS	2,500.00	700.00
	PUBLIC PROPERTY		719.79
13	FIRE		
3010	CUSTOM MONOGRAM	3,836.95	181.00
4447	FRANK'S SMALL ENGINE REPAIR	365.60	8.95
4543	CRIS BOUWENS	185.75	10.82
4902	MATT KOBEMAN	17.92	43.33
5253	WEX BANK	72,181.44	949.96
5308	LEAF	5,425.20	92.71
T0005368	MACQUEEN EMERGENCY		3,848.87
	FIRE		5,135.64

INVOICES DUE ON/BEFORE 02/11/2022

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

BUILDING CODE DEMOLITION FUND			
12	BUILDING CODE DEMOLITION FUND		
651	NICOR	52,961.97	25.16
	BUILDING CODE DEMOLITION FUND		25.16
ELECTRIC FUND			
20	OPERATION & MAINTENANCE		
2380	AUTOZONE	275.69	40.98
437	ILLINOIS MUNICIPAL ELECTRIC	3,418,223.50	506,485.21
4478	STERLING FENCE - GARAGE	5,492.15	290.00
4827	KELLEY WILLIAMSON COMPANY	12,094.05	40.44
4938	MICHLIG ENERGY LTD	159,226.22	126.00
5253	WEX BANK	72,181.44	1,676.72
5311	SAMSARA NETWORKS INC	8,140.66	279.22
533	ELECTRONICS, INC.	7,679.72	149.00
5332	TYNDALE	1,357.50	1,057.35
651	NICOR	52,961.97	3,002.78
	OPERATION & MAINTENANCE		513,147.70
SEWER FUND			
38	OPERATION & MAINTENANCE		
2517	WM CORPORATE SERVICES INC	12,065.90	1,469.25
4361	FERGUSON WATERWORKS #2516	90,122.37	3,430.07
4446	MORING DISPOSAL, INC.	408,480.25	900.00
466	J & K LOCKSMITH SERVICE	514.00	58.00
4684	SCHMITT PLUMBING & HEATING INC	13,162.60	9,842.25
4827	KELLEY WILLIAMSON COMPANY	12,094.05	318.58
5253	WEX BANK	72,181.44	789.71
5311	SAMSARA NETWORKS INC	8,140.66	120.00
5338	CERLIC ENVIRONMENTAL CONTROLS		3,960.62
651	NICOR	52,961.97	257.46
	OPERATION & MAINTENANCE		21,145.94
WATER FUND			
40	WATER		
4361	FERGUSON WATERWORKS #2516	90,122.37	3,430.08
	WATER		3,430.08

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CITY OF ROCK FALLS
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INVOICES DUE ON/BEFORE 02/11/2022

VENDOR #	NAME	PAID THIS FISCAL YEAR	AMOUNT DUE

WATER FUND			
48	OPERATION & MAINTENANCE		
1165	CEC OF THE SAUK VALLEY INC	22,499.28	2,303.92
1449	QUALITY READY MIX	32,443.00	4,111.24
2212	ALLIANCE MATERIALS, INC.	4,865.83	201.79
367	HACH COMPANY	1,844.38	959.00
4207	O'REILLY AUTOMOTIVE INC	6,620.60	8.82
4361	FERGUSON WATERWORKS #2516	90,122.37	1,667.33
4387	AMERICAN LEAK DETECTION	4,200.00	800.00
4827	KELLEY WILLIAMSON COMPANY	12,094.05	507.92
5253	WEX BANK	72,181.44	1,013.80
5311	SAMSARA NETWORKS INC	8,140.66	120.00
55	ARAMARK	6,853.47	68.25
	OPERATION & MAINTENANCE		11,762.07
GARBAGE FUND			
50	GARBAGE		
4446	MORING DISPOSAL, INC.	408,480.25	43,923.93
	GARBAGE		43,923.93
MOTOR FUEL TAX FUND			
65	MOTOR FUEL TAX		
5329	BF ENGINEERING PLLC	2,070.00	720.00
	MOTOR FUEL TAX		720.00
	TOTAL ALL DEPARTMENTS		637,298.09

CITY OF ROCK FALLS

ORDINANCE NO. 2022-2556

**ORDINANCE AMENDING CHAPTER 16, ARTICLE V
OF THE ROCK FALLS MUNICIPAL CODE
RELATING TO THE DEFINITION OF RESTAURANT**

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF ROCK FALLS

THIS _____ DAY OF _____, 2022

Published in pamphlet form by authority of the City Council of the City of Rock Falls, Illinois,
this _____ day of _____, 2022.

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 16, ARTICLE V
OF THE ROCK FALLS MUNICIPAL CODE
RELATING TO THE DEFINITION OF RESTAURANT**

WHEREAS, Section 4-1 of the Liquor Control Act of 1934, 235 ILCS 5/1-1 et. seq. (the “Act”), authorizes the Mayor and City Council (collectively, the “Corporate Authorities”) of the City of Rock Falls (the “City”) to establish regulations and restrictions on the sale and consumption of alcoholic liquor not inconsistent with the Act; and

WHEREAS, the City Council has discussed the need of amending certain provisions of the Rock Falls Municipal Code as it relates to the definition of a “restaurant” within the meaning of the issuance and holding of liquor licenses in the City; and

WHEREAS, after much discussion, the Corporate Authorities have determined it in the best interests of the City and its residents to amend the definition of a “restaurant” for purposes of holding a liquor license issued by the City, all as more specifically set forth herein.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Rock Falls, Whiteside County, Illinois as follows:

SECTION 1: The recitals contained in the preambles to this Ordinance are true and correct and are hereby incorporated into this Section 1 as if more fully set forth herein.

SECTION 2: The definition of “restaurant” as set forth in Chapter 16, Article V, Section 16-354 of the Rock Falls Municipal Code, as amended, is hereby further amended to read as follows:

“Sec. 16-354. – Definitions.

...

Restaurant means any public place kept, used, maintained, advertised and held out to the public as a place where meals are served, and where meals are actually and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. The sale of food and beverages at any restaurant shall represent at least sixty percent (60%) of the total sales derived from the business.”

SECTION 3: In all other respects, Chapter 16, Article V of the Rock Falls Municipal Code shall remain in full force and effect as previously adopted and/or amended.

SECTION 4: The changes set forth herein shall apply to all new liquor licenses issued after the effective date of this Ordinance and to all current liquor license holders upon the next annual renewal date of such license.

SECTION 5: The provisions and sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

SECTION 6: The City Clerk is directed to publish this Ordinance in pamphlet form.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Approved this _____ day of _____, 2021.

Mayor

ATTEST:

City Clerk

AYE

NAY

CITY OF ROCK FALLS

ORDINANCE NO. 2022-2557

**ORDINANCE AMENDING CHAPTER 16, ARTICLE V
EXTENDING AUTHORIZATION FOR
THE DELIVERY AND CARRY OUT OF ALCOHOL
BY LICENSED ESTABLISHMENTS**

ADOPTED BY THE

CITY COUNCIL

OF THE

CITY OF ROCK FALLS

THIS ____ DAY OF _____, 2022

Published in pamphlet form by authority of the City Council of the City of Rock Falls, Illinois,
this ____ day of _____, 2022.

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 16, ARTICLE V
EXTENDING AUTHORIZATION FOR
THE DELIVERY AND CARRY OUT OF ALCOHOL
BY LICENSED ESTABLISHMENTS**

WHEREAS, in response to the economic impact of COVID-19 on establishments holding liquor licenses for the retail sale of alcohol, on June 2, 2020, the State legislature amended the Illinois Liquor Control Act, 235 ILCS 5/1-1 et. seq. (the “Act”), to temporarily provide for the delivery and carry out of mixed drinks pursuant to Section 6-28.8 of the Act; and

WHEREAS, in connection with the foregoing amendment to the Act, the Illinois Liquor Control Commission issued guidance permitting licensed retailers to conduct “to go” sales, curbside deliveries, and home residential deliveries on a temporary basis for the duration of the COVID-19 pandemic; and

WHEREAS, thereafter, the Mayor and City Council (collectively, the “Corporate Authorities”) of the City adopted an ordinance creating Sections 16-399 and 16-400, which incorporated the foregoing authorizations with respect to holders of liquor licenses issued within the City; and

WHEREAS, the foregoing temporary authorizations expired on June 1, 2021; and

WHEREAS, on June 2, 2021 the Act was further amended to extend such authorizations until January 3, 2024; and

WHEREAS, the Mayor and City Council desire to amend the Rock Falls Municipal Code to similarly extend such authorizations in accordance with the Act, all as more specifically set forth herein.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Rock Falls, Whiteside County, Illinois as follows:

SECTION 1: The preambles to this Ordinance are true and correct and are hereby incorporated into this Section 1 as if more fully set forth herein.

SECTION 2: Chapter 16, Article V, Section 16-399(f) of the Rock Falls Municipal Code, as amended, is hereby further amended to read as follows:

“Sec. 16-399. – Delivery and Carry Out of Mixed Drinks.

...

(f) This section shall be effective beginning on and after its effective date and shall expire on January 3, 2024 unless further extended by ordinance approved by the city council and mayor.”

SECTION 3: Chapter 16, Article V, Section 16-400(a) and (e) of the Rock Falls Municipal Code, as amended, is hereby further amended to read as follows:

“Sec. 16-400. – Temporary Deliveries by Licensed Retailers.

(a) Temporary Deliveries Authorized. All licensees, to the extent permitted by their state-issued liquor license, shall be temporarily permitted to conduct “to go” sales, curbside deliveries, and home residential deliveries of alcoholic liquor in accordance with this section.

...

(e) This section shall be effective beginning on and after its effective date and shall expire on January 3, 2024 unless further extended by ordinance approved by the city council and mayor.”

SECTION 4: In all other respects, Chapter 16, Article V of the Rock Falls Municipal Code shall remain in full force and effect as previously adopted and/or amended.

SECTION 5: The provisions and sections of this Ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

SECTION 6: The City Clerk is directed to publish this Ordinance in pamphlet form.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Approved this ____ day of _____, 2022.

Mayor

ATTEST:

City Clerk

AYE

NAY

CITY OF ROCK FALLS

ORDINANCE NO. 2022-2550

**ORDINANCE AMENDING CHAPTER 16, ARTICLE XIII, SECTION 16-1521
RELATING TO ANNUAL FEES FOR VIDEO GAMING TERMINALS**

ADOPTED BY THE

CITY COUNCIL

OF THE

CITY OF ROCK FALLS

THIS _____ DAY OF _____, 2022

Published in pamphlet form by authority of the City Council of the City of Rock Falls, this _____
day of _____, 2022.

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 16, ARTICLE XIII, SECTION 16-1521
RELATING TO ANNUAL FEES FOR VIDEO GAMING TERMINALS**

WHEREAS, the Illinois General Assembly, pursuant to Public Act 102-0689, recently granted to non-home rule municipalities the authority to increase the annual fees chargeable to the operation of a video gaming terminal at licensed establishments from \$25.00 to \$250.00 per year; and

WHEREAS, the City of Rock Falls is a non-home rule municipality; and

WHEREAS, the Mayor and City Council have determined it to be appropriate to raise the per terminal fee, as provided by ordinance, consistent with the provision contained within Public Act 102-0689.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Rock Falls, Whiteside County, Illinois as follows:

SECTION 1: The preambles to this Ordinance are true and correct and hereby incorporated in this Section 1 as if more fully set forth herein.

SECTION 2: Chapter 16, Article XIII, Section 16-1521 of the Rock Falls Municipal Code, as amended, is hereby further amended to read as follows:

“Sec. 16-1521. – Imposition of annual fee.

Commencing upon adoption of this division, an annual fee of \$250.00 is hereby imposed upon each video gaming terminal operated by a licensed establishment, licensed fraternal establishment, licensed veterans establishment, licensed truck stop establishment, or licensed large truck stop establishment within the City in accordance with the provisions of the Illinois Gaming Act, 230 ILCS 40/1 et seq. (the “Act”). The fee paid for each video gaming terminal shall be for the fiscal year May 1 through April 30, and the fee paid during a fiscal year shall apply until the end of the fiscal year in which paid. Any continuing operation of a video gaming terminal shall require the payment of a new annual fee on or before May 1 of each year for the ensuing fiscal year. The cost of the annual fee imposed by this section shall be shared equally between the terminal operator and the applicable licensed establishment.”

SECTION 3: In all other respects Chapter 16, Article XIII of the Rock Falls Municipal Code shall remain in full force and effect as previously adopted and/or amended.

SECTION 4: The annual fee increase authorized pursuant to this Ordinance shall be applicable to (i) all new terminals placed within the City of Rock Falls subsequent to the adoption of this Ordinance, and (ii) to all existing terminals upon annual renewal as of May 1, 2022.

SECTION 5: The provisions and sections in this Ordinance shall be deemed to be separable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION 6: All ordinances, resolutions, motions, or parts thereof that may be in conflict herewith are hereby repealed.

SECTION 7: The City Clerk is directed to publish this Ordinance in pamphlet form.

SECTION 8: This Ordinance shall be in full force and effect from and after upon its passage, publication, and approval as provided by law.

Approved this 15th day of February, 2022.

Mayor

ATTEST:

City Clerk

AYE

NAY

CITY OF ROCK FALLS

ORDINANCE NO. 2022-2551

**ORDINANCE AMENDING CHAPTER 2
OF THE ROCK FALLS MUNICIPAL CODE
RELATING TO REGULAR MEETINGS OF THE CITY COUNCIL
AND APPOINTMENT OF MAYOR PRO TEM**

ADOPTED BY THE

CITY COUNCIL

OF THE

CITY OF ROCK FALLS

THIS _____ DAY OF _____, 2022

Published in pamphlet form by authority of the City Council of the City of Rock Falls, Illinois,
this _____ day of _____, 2022.

**ORDINANCE AMENDING CHAPTER 2
OF THE ROCK FALLS MUNICIPAL CODE
RELATING TO REGULAR MEETINGS OF THE CITY COUNCIL
AND APPOINTMENT OF MAYOR PRO TEM**

WHEREAS, the Mayor and City Council (collectively, the “Corporate Authorities”) of the City of Rock Falls (the “City”) may from time to time establish and determine the dates and times on which the regular meetings of the City Council take place; and

WHEREAS, the Corporate Authorities are further authorized to designate and appoint a mayor pro tem for purposes of performing the official duties of the Mayor in his or her absence; and

WHEREAS, the Corporate Authorities have determined to change the time at which the regular City Council meeting takes place from 6:30pm to 5:30pm; and

WHEREAS, the Corporate Authorities have further determined to set forth provisions relating to the designation and appointment of a mayor pro tem; and

WHEREAS, in connection therewith, the Corporate Authorities of the City have determined it in the best interests of the City and its residents to amend the Rock Falls Municipal Code, all as more specifically set forth herein.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Rock Falls, Whiteside County, Illinois as follows:

SECTION 1: The City hereby finds that all of the recitals contained in the preambles to this Ordinance are true and correct and does incorporate them into this Ordinance by this reference.

SECTION 2: Chapter 2, Article III of the Rock Falls Municipal Code, as amended, is hereby further amended by the addition of a new Section 2-52 entitled “Mayor pro tem” to read as follows:

“Sec. 2-52. – Mayor pro tem.

If the mayor's temporary absence from the city or a disability prevents the mayor from performing his or her duties, but does not create a vacancy in the office, the mayor pro tem shall perform the duties of the mayor. The mayor pro tem shall possess all rights and powers of the mayor, but shall retain his or her right to vote as an alderman. The mayor pro tem shall be appointed by the mayor from among the aldermen with the advice and consent of the city council at the first regular meeting in May of each year. Such

appointment shall be for a term of one (1) year. Upon the mayor's return from absence or recovery from disability, as applicable, the mayor pro tem shall cease to act and his or her authority to perform the duties of mayor shall terminate.”

SECTION 3: Chapter 2, Article IV, Section 2-76 of the Rock Falls Municipal Code, as amended, is hereby further amended to read as follows:

“Sec. 2-76. – Regular meetings.

The regular meeting of the city council shall be held on the first and third Tuesdays of each month at the hour of 5:30 p.m.; provided that, if the regular meeting falls on a legal holiday, the meeting shall take place on the next day following the holiday, at the same hour. Adjourned meetings may be held at such other times as the city council may determine.”

SECTION 4: In all other respects, Chapter 2 of the Rock Falls Municipal Code shall remain in full force and effect as previously adopted and/or amended.

SECTION 5: The provisions and sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

SECTION 6: The City Clerk is directed to publish this Ordinance in pamphlet form.

SECTION 7: This Ordinance shall be in full force and effect after its passage and approval and publication as required by law.

Approved this _____ day of _____, 2022.

Mayor

ATTEST:

City Clerk

AYE

NAY

CITY OF ROCK FALLS

ORDINANCE NO. 2022-2552

**ORDINANCE AMENDING CHAPTER 32, ARTICLE V
OF THE ROCK FALLS MUNICIPAL CODE
RELATING TO INTERCONNECTION WITH THE CITY'S
ELECTRIC DISTRIBUTION SYSTEM**

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF ROCK FALLS
THIS 15TH DAY OF FEBRUARY, 2022

Published in pamphlet form by authority of the City Council of the City of Rock Falls, Illinois,
this 15th day of February, 2022.

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 32, ARTICLE V
OF THE ROCK FALLS MUNICIPAL CODE
RELATING TO INTERCONNECTION WITH THE CITY'S
ELECTRIC DISTRIBUTION SYSTEM**

WHEREAS, Section 11-117-1 of the Illinois Municipal Code (65 ILCS 5/1-1-1 et. seq.) authorizes any municipality to acquire, construct, own and operate within the corporate limits of the municipality any public utility the product of which is to be supplied to its inhabitants, including but not limited to electric power; and

WHEREAS, pursuant to the foregoing, the City of Rock Falls (the "City") owns and operates its own electrical distribution system for the purpose of providing electrical power to the residents and businesses of the City; and

WHEREAS, on September 15, 2021, the general assembly of the State of Illinois adopted The Climate and Equitable Jobs Act, 220 ILCS 5/17-900 (the "Act"), which addresses customer rights for self-generation with regard to municipal electric systems; and

WHEREAS, the Act requires the City to update its policies for the interconnection and fair crediting of customer self-generation and storage by March 14, 2022; and

WHEREAS, the Mayor and City Council (collectively, the "Corporate Authorities") of the City have determined it in the best interests of the City and its residents to amend the provisions of the City Code as it relates to interconnection with the City's electric distribution system in order to comply with the Act, all as more specifically set forth herein.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Rock Falls, Whiteside County, Illinois as follows:

SECTION 1: The City hereby finds that all of the recitals contained in the preambles to this Ordinance are true and correct and does incorporate them into this Ordinance by this reference.

SECTION 2: Chapter 32, Article V, Section 32-351 of the Rock Falls Municipal Code, as amended, is hereby amended and restated in its entirety to read as follows:

"Sec. 32-351. – Interconnection with city electric distribution system; customer self-generation policy.

- (a) The City of Rock Falls Electric Department shall make available, upon request and application, interconnection and net metering service to any customer taking service or establishing service from the city electric distribution system who meets the requirements set forth in this section.

- (b) The following terms when used in this section shall have the following meanings ascribed to them:
- (1) “Interconnection services” refers to eligible on-site generating facilities connected to the city’s electric distribution system in a manner that will allow excess electricity generated by the eligible on-site generating facility to be safely delivered onto the city’s electric distribution system.
 - (2) “Net metering” means service to a customer under which electric energy generated by that customer from an eligible on-site generating facility owned by that customer and, under some circumstances, delivered to the local distribution facilities, may be used to offset electric energy provided by the city’s electric distribution system to the customer as provided for in this section. “Net metering” is not used as a limiting term, but rather is used in its general sense to include the full range of methods for valuing customer self-generation and implementing fair credits for excess energy delivered to the city’s electric distribution system by the customer.
 - (3) An “eligible on-site generating facility” means a renewable generating facility with a capacity of 25kW or less, such as a photovoltaic facility or small wind turbine, and may include technology to store renewable energy at the customer’s premises. Other forms of renewable generation shall be considered on a case-by-case basis. In all cases, facilities interconnected to the city’s electric distribution system must be deemed by the City of Rock Falls Electric Department to be renewable to qualify as an eligible on-site generating facility under this section. Renewable generating facilities with a capacity of greater than 25kW may be approved by the utility committee in their sole and absolute discretion on a case-by-case basis.
 - (4) Multi-unit residential and commercial customers qualify as a single “customer” if all units are on the same account. If individual units are separately metered and individual tenants have individual accounts, then the term “customer” only refers to the building owner and any usage by the owner. The city will not allocate renewable generation facilities to individual accounts in a multi-unit residential or commercial building. If individual units within a building are separately metered and individual tenants have individual separate accounts, the term “customer” only refers to the building owner and any usage by the owner.

(5) The term “avoided cost of energy” means: (x) for eligible on-site generating facilities that were approved and in service on or prior to February 15, 2022, the average cost in cents/kWh billed to the city by its wholesale power supplier for the previous year until April 30, 2032; and (y) for eligible on-site generating facilities that are placed in service after February 15, 2022, and after April 30, 2032 for those eligible on-site generating facilities referenced in the immediately preceding sentence, “avoided cost of energy” shall be equal to the sum of subsections (i) and (ii) below:

- i. the rate in cents per kWh as published and approved annually by the city based on the calculations and recommendation from the city’s electric wholesale supplier. Such rate shall be approved annually in a public meeting. The rate shall take into consideration the following factors:
 - a. historic real time pricing of prior calendar year of energy in the wholesale market as valued at the locational marginal pricing (LMP) for that location as defined by the appropriately located Regional Transmission Organization (RTO);
 - b. the simple average of the LMP weighted using solar weighting;
 - c. the appropriate RTO capacity price with solar factors applied for average system peak times; and
 - d. the appropriate RTO transmission cost recovery with solar factor applied for average peak times.
- ii. The rate in cents per kWh as calculated by the city for the avoidance of distribution system losses.

Example:

Solar Weighted LMP	Capacity	Transmission	Losses	Total Credit
\$0.0410	\$0.0004	\$0.0108	6%	\$0.0553/kWhr

- (6) “Solar weighting” means the expected production of each hour of a typical solar installation as determined using the National Renewable Energy Laboratory (NREL) System Advisory Model (SAM), as the same may be amended from time to time.
- (c) Before any project construction commences, the customer must submit an application to the city, in such form or forms as may be maintained by the city from time to time, and receive approval from the electric director and building inspector. Before the project in-service date, the responsible contractor must complete and deliver a certification of completion to the electric director and building inspector.
- (d) Requirements for interconnection services to the city’s electric distribution system:
- (1) only eligible on-site generating facilities that have been approved by the electric director or utility committee, as applicable, shall be interconnected with the city’s electric distribution system;
 - (2) all interconnections shall comply with the applicable codes and regulations established by the National Electrical Code (NEC), National Electrical Safety Code (NESC), Institute of Electrical and Electronics Engineers (IEEE), and Underwriters Laboratories (UL), as they may be amended from time to time;
 - (3) construction and development must comply with the city’s applicable building codes, permitting processes, and zoning rules;
 - (4) the customer shall enter into an interconnection agreement with the city in such form and containing such terms and conditions as may be approved by the city from time to time; and
 - (5) payment by the customer of any application fees associated with the request for interconnection services as may be required by the city from time to time.
 - (6) all on-site generating facilities shall be mounted on the roof or building of the principal structure situated on the property, provided, however, that a request for variance of this restriction may be submitted to the utility committee if the property is larger than two (2) acres and such proposed

ground-mounted on-site generating facilities will not interfere with any other existing city utilities or easements, as determined by the electric director in his or her sole discretion.

- (e) Net metering service requirements:
 - (1) upon application, net metering shall be made available to any residential or small commercial electric customer with an eligible on-site generating facility. The determination as to whether a customer is a residential or small commercial customer is based on the rate classification under which the customer takes electric service;
 - (2) the eligible on-site generating facility shall be located on the customer's premises and on the customer's side of the billing meter;
 - (3) the eligible on-site generating facility shall be sized to primarily produce only enough electricity to offset the customer's own electrical requirements, as determined pursuant to subsection (h);
 - (4) any customer that is not a residential or small commercial customer shall be considered on a case by case basis and shall not be approved absent the consent of the electrical director and utility committee, which consent may be withheld in their sole and absolute discretion; and
 - (5) notwithstanding anything to the contrary herein, any customer that does not qualify for net metering services hereunder shall be permitted to interconnect and self-generate if required by the Federal Energy Regulatory Commission's rules under the Public Utility Regulatory Policies Act. Any such allowance shall be processed under paragraph (4) above.
- (f) The city reserves the authority to withhold, deny or delay approval of the interconnection of any proposed eligible on-site generating facility and of net metering services pursuant to this section if the operation of the facility would be unsafe or pose a risk of adverse impact to the city's electric distribution system, or portions thereof, or to the property of other customers of the same. In addition, the city may require a customer with an approved eligible on-site generating facility that has been installed and begun to operate to suspend operations of the facility, or disconnect from the city's electric distribution system, if it becomes

unsafe or causes adverse impacts to the city's electric distribution system, or portions thereof, or to the property of other customers of the same.

(g) Credits for excess energy:

- (1) Energy generated by an eligible on-site generator during the billing period may supply all or a portion of the energy required by the customer's load. The customer shall be credited for excess energy delivered by the customer to the city's electric distribution system at the meter from the approved eligible on-site generating facility.
- (2) For eligible on-site generating facilities that were approved and in service on or prior to February 15, 2022, the following credit method shall be used to determine excess energy credit until April 30, 2032:
 - i. for any energy generated by the customer in excess of the energy required by the customer's loads for a given billing period, if any, a credit shall be carried forward to the customer's next billing period.
- (3) For all other eligible on-site generating facilities, and after April 30, 2032 for the customers referenced in subsection (g)(2), the following credit method shall be used to determine excess energy credit:
 - i. for energy delivered by the city to the customer at the meter, as reflected in the meter reading, it shall be billed at the full retail energy rate as charged by the city; and
 - ii. for any excess energy generated by the customer from an eligible on-site generating facility and delivered by the customer to the city's electric distribution system at the meter, as reflected in the meter reading, a credit shall be created and applied to the customer's bill based upon the lesser of the full retail energy rate for the customer class and the avoided cost of energy.
- (4) The city shall install an appropriate meter to measure both the energy delivered by the city to the customer at the meter and the energy delivered by the customer to the city at the meter from the eligible on-site generating facility.

- (5) Credits from electric energy delivered to the city's electrical distribution system by the customer shall be used to offset usage based electric energy (kWh) charges only. No such credits shall be applied to, and the customer shall remain responsible for, (i) taxes, fees, and other charges that would otherwise be applicable to the net amount of electric energy (kWh) purchased by the customer from the city or consumed by the customer, and (ii) other charges to the customer under any other rules, regulations or rates that are not based on per kilowatt-hour (kWh) charges, including but not limited to, basic service charges, customer service charges, facilities charges, demand charges, kVAR charges, transformation charges, taxes and assessments billed on other than kWh basis, rental fees, and late fees.
- (6) The city shall carry over any unused credits earned and apply those credits to subsequent billing periods to offset usage based electric energy (kWh) charges only for electric energy supplied to the customer by the city until all credits are used or until the end of the annual period. The annual period shall end each year on April 30; provided however for new net metering customers with generating facilities installed during an annual period, the annual period shall end on April 30 of the following year. At the end of the annual period or in the event that the customer terminates service at the service location with the city prior to the end of annual period, any remaining credits in the customer's account shall expire and no credit or payment shall be due to the customer for such expired credits. In the event of termination of an account qualifying for net metering under this policy, any outstanding credits are surrendered. No credit or payment shall be due to the customer for such surrendered credits. Under no circumstance will credits for excess energy transfer to a new customer at the service location after the customer's service with the city terminates.
- (h) The maximum size in kilowatts of the eligible on-site generating facility for an individual customer service location in the rate categories identified in subsection (e) shall be determined as follows:
 - (1) As part of the interconnection application, the customer's energy usage will be analyzed using 36-months of historical energy usage (if available) in order to calculate the customer's expected annual usage. If a customer provides documentation specifying why the usage has increased over that time, such as home renovation/addition or installation of electric heating or an electric vehicle charging station on the premises, then the previous 12-month period shall be used to determine the average for the expected annual usage. If the applicable months of data are not available for an individual customer, the average usage amounts by other similar

customers of the city, as determined by the city, shall be used to set the expected annual usage. If facilities are allowed for customers in other rate classes, the right-sizing shall be determined on a case by case basis.

- (2) In addition to the foregoing historic usage, the city shall consider potential adverse impacts to the distribution system and to other customers of the city that will be caused by or expected to be caused by the installation of the new facility at the particular customer service location as part of the interconnection application review. The maximum size of the eligible on-site generating facility for an individual customer service location shall be reduced below the expected annual usage of the customer to mitigate the potential adverse impacts to the distribution system or portions thereof and to the other customers of the city unless the customer pays for any necessary upgrade to the system or portion thereof to avoid the potential adverse impact.
 - (i) Any costs the city incurs associated with the interconnection of generating facilities by a customer, including but not limited to changes in metering (to include installation of a bi-directional meter), or other physical facilities, whether on the customer's premises or a reasonably necessary upgrade to the city's electrical distribution system, or a portion thereof, that is not on the customer's premises, shall be borne by the customer seeking to install or for whom the generating facility was installed; provided however that such costs shall be limited to a maximum of \$1,500 to each qualifying customer interconnecting facilities of 25 kW or less. For those facilities greater than 25 kW that are deemed to qualify under this policy, all costs associated with the interconnection of the generating facility shall be borne by the customer seeking to install or for whom the generating facility was installed. Costs assessed under this section shall be demonstrable and cost-based. Such costs shall not include or be based on reduced sales by or lost revenues to the city associated with net metering service.
 - (j) The city may require periodic testing of any in-service eligible on-site generating facility upon reasonable advance notice to the owner of the same.
 - (k) Any customer with an eligible on-site generating facility that was approved and in service on or prior to February 15, 2022, may elect to be treated as if it were placed in service after such date for purposes of the legacy netting and crediting provisions in subsections (b)(5) and (g). Upon such election, the customer shall request a re-inspection of the eligible on-site generating facility by the city and shall make any improvements or upgrades, at customer's expense, that are necessary to comply with the provisions of this section. The election by a customer for such treatment shall be irrevocable. Any customer desiring to make any such election shall do so prior to April 30, 2032.

- (1) Customer complaints, disputes or concerns, either generally with the requirements of this section or with respect to any decision made by the electric director or utility committee hereunder, shall be initially directed to the electrical director. If the matter cannot be resolved between the customer and electrical director, the issue shall be reduced to writing and forwarded to the utility committee to be placed on the agenda for discussion at the next regularly scheduled utility committee meeting. The customer may invite its contractor or other consultants, if any, to participate in the meeting. If the matter cannot be resolved with the utility committee, the matter will be referred to the city council for final determination at the next regularly scheduled city council meeting. The city council's decision shall be final and shall be binding upon the customer."

SECTION 3: In all other respects, Chapter 32, Article V of the Rock Falls Municipal Code shall remain in full force and effect as previously adopted and/or amended.

SECTION 4: The provisions and sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

SECTION 5: The City Clerk is directed to publish this Ordinance in pamphlet form.

SECTION 6: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Approved this 15th day of February, 2022.

Mayor

ATTEST:

City Clerk

AYE

NAY

CITY OF ROCK FALLS

ORDINANCE NO. 2022-2553

**ORDINANCE AMENDING CHAPTER 32
OF THE ROCK FALLS MUNICIPAL CODE
RELATING TO UTILITY RATE INCREASES**

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF ROCK FALLS

THIS 15TH DAY OF FEBRUARY, 2022

Published in pamphlet form by authority of the City Council of the City of Rock Falls, Illinois,
this 15th day of February, 2022.

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 32
OF THE ROCK FALLS MUNICIPAL CODE
RELATING TO UTILITY RATE INCREASES**

WHEREAS, the City of Rock Falls (“City”) owns and operates its own municipal utilities for the provision of water, sewer and electric services to residents and customers of the City; and

WHEREAS, the Mayor and City Council (collectively, the “Corporate Authorities”) of the City have discussed the needs of the City with respect to increasing the monthly charges for the provision of such utility services by the City; and

WHEREAS, the Mayor and City Council of the City have determined it in the best interests of the City and its residents to amend the provisions of the City Code as it relates to monthly utility charges, all as more specifically set forth herein.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Rock Falls, Whiteside County, Illinois as follows:

SECTION 1: The City hereby finds that all of the recitals contained in the preambles to this Ordinance are true and correct and does incorporate them into this Ordinance by this reference.

SECTION 2: Chapter 32, Article III, Section 32-87(b)(1) through (b)(4) of the Rock Falls Municipal Code, as amended, shall be further amended to read as follows:

“Sec. 32-87. – Single-family residential dwellings, commercial and industrial users.

...

- (1) The following table specifies the rates and components of rates for all meter readings taken and billings on or after May 1, 2022, and through April 30, 2023:

Debt service charge	\$4.85
Customer service charge for capital improvements	\$3.50
Basic user charge	\$12.80
Basic user rate	\$5.00

- (2) The following table specifies the rates and components of rates for all meter readings taken and billings on or after May 1, 2023, and through April 30, 2024:

Debt service charge	\$4.85
Customer service charge for capital improvements	\$3.50
Basic user charge	\$13.00
Basic user rate	\$5.25

- (3) The following table specifies the rates and components of rates for all meter readings taken and billings on or after May 1, 2024, and through April 30, 2025:

Debt service charge	\$4.85
Customer service charge for capital improvements	\$3.50
Basic user charge	\$13.25
Basic user rate	\$5.45

- (4) The following table specifies the rates and components of rates for all meter readings taken and billings on or after May 1, 2025, and through April 30, 2026:

Debt service charge	\$4.85
Customer service charge for capital improvements	\$3.50
Basic user charge	\$13.45
Basic user rate	\$5.70

“

SECTION 3: Chapter 32, Article III, Section 32-87(c)(1) through (c)(4) of the Rock Falls Municipal Code, as amended, shall be further amended to read as follows:

“Sec. 32-87. – Single-family residential dwellings, commercial and industrial users.

...

- (1) For all meter readings taken and bills rendered up on or after May 1, 2022, and through and including April 30, 2023, rates and charges shall be determined in accordance with the following table:

Meter Size (in inches)	Minimum Monthly Charge	Water Usage Allowance Included in Minimum (in cubic feet)
5/8	\$21.15	300
3/4	\$26.15	400
1	\$41.15	700
1½	\$81.15	1,500
2	\$124.35	2,400
3	\$231.15	4,500
4	\$381.15	7,500
6	\$756.15	15,000

For all water used and consumed, as determined by water meter readings, in excess of the allowance included in the minimum charge, a charge of \$5.00 per 100 cubic feet per month shall be applied.

- (2) For all meter readings taken and bills rendered up on or after May 1, 2023, and through and including April 30, 2024, rates and charges shall be determined in accordance with the following table:

Meter Size (in inches)	Minimum Monthly Charge	Water Usage Allowance Included in Minimum (in cubic feet)
5/8	\$21.35	300
3/4	\$26.60	400
1	\$42.35	700
1½	\$84.35	1,500
2	\$131.60	2,400
3	\$241.85	4,500
4	\$399.35	7,500
6	\$793.10	15,000

For all water used and consumed, as determined by water meter readings, in excess of the allowance included in the minimum charge, a charge of \$5.25 per 100 cubic feet per month shall be applied.

- (3) For all meter readings taken and bills rendered up on or after May 1, 2024, and through and including April 30, 2025, rates and charges shall be determined in accordance with the following table:

Meter Size (in inches)	Minimum Monthly Charge	Water Usage Allowance Included in Minimum (in cubic feet)
5/8	\$21.60	300
¾	\$26.95	400
1	\$43.40	700
1½	\$87.00	1,500
2	\$135.95	2,400
3	\$250.50	4,500
4	\$414.00	7,500
6	\$822.75	15,000

For all water used and consumed, as determined by water meter readings, in excess of the allowance included in the minimum charge, a charge of \$5.45 per 100 cubic feet per month shall be applied.

- (4) For all meter readings taken and bills rendered up on or after May 1, 2025, and through and including April 30, 2026, rates and charges shall be determined in accordance with the following table:

Meter Size (in inches)	Minimum Monthly Charge	Water Usage Allowance Included in Minimum (in cubic feet)
5/8	\$21.80	300
¾	\$27.50	400
1	\$44.60	700
1½	\$90.20	1,500
2	\$141.50	2,400
3	\$261.20	4,500
4	\$432.20	7,500
6	\$859.70	15,000

For all water used and consumed, as determined by water meter readings, in excess of the allowance included in the minimum charge, a charge of \$5.70 per 100 cubic feet per month shall be applied.”

SECTION 4: The tables set forth in Chapter 32, Article IV, Section 32-304(c)(1), (c)(2) and (e)(2) of the Rock Falls Municipal Code, as amended, shall be further amended to read as follows:

“Sec. 32-304. – Basis, rates and charges for sewerage service.

...(c)(1)

a	b	c	d	e	f	g
Effective Date	DS	CI	C	R	RC	P
Pre-existing	\$0.00	\$3.66	\$21.46	\$6.70	\$25.50	\$0.85
05-01-22	\$0.00	\$6.00	\$21.46	\$6.70	\$25.50	\$0.85
05-01-23	\$0.00	\$6.00	\$21.46	\$6.70	\$25.50	\$0.85
05-01-24	\$0.00	\$6.00	\$21.46	\$6.70	\$25.50	\$0.85
05-01-25	\$0.00	\$6.00	\$21.46	\$6.70	\$25.50	\$0.85

...(c)(2)

a	b
Effective Date	Rate per 100 Cubic Feet
Pre-existing	\$2.28
05-01-22	\$2.28
05-01-23	\$2.28
05-01-24	\$2.28
05-01-25	\$2.28

...(e)(2)

a	b	c	d	e
Effective Date	Residential with 1 Resident	Residential with 2 Residents	Residential with 3 or More Residents	Commercial
Pre-existing	\$73.27	\$88.37	\$103.47	\$103.47
05-01-22	\$73.27	\$88.37	\$103.47	\$103.47
05-01-23	\$73.27	\$88.37	\$103.47	\$103.47
05-01-24	\$73.27	\$88.37	\$103.47	\$103.47
05-01-25	\$73.27	\$88.37	\$103.47	\$103.47

“

SECTION 5: The tables set forth in Chapter 32, Article IV, Section 32-313(b) of the Rock Falls Municipal Code, as amended, shall be further amended to read as follows:

“Sec. 32-313. – Service outside city limits; requirements; rates.

(b)...

Effective Date	Residential with 1 Resident	Residential with 2 Residents	Residential with 3 or More Residents
Pre-existing	\$146.54	\$176.74	\$206.94
05-01-22	\$146.54	\$176.74	\$206.94
05-01-23	\$146.54	\$176.74	\$206.94
05-01-24	\$146.54	\$176.74	\$206.94
05-01-25	\$146.54	\$176.74	\$206.94

“

SECTION 6: In all other respects, Chapter 32, Articles III and IV of the Rock Falls Municipal Code shall remain in full force and effect as previously adopted and/or amended.

SECTION 7: The City Council finds that the customary practice of requiring a first and second reading of ordinances is not applicable or necessary in the case of this ordinance, and a first reading preliminary to adoption hereof is hereby waived, and this ordinance shall become effective upon its passage.

SECTION 8: The provisions and sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

SECTION 9: The City Clerk is directed to publish this Ordinance in pamphlet form.

SECTION 10: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Approved this 15th day of February, 2022.

Mayor

ATTEST:

City Clerk

AYE

NAY

CITY OF ROCK FALLS

ORDINANCE NO. 2022-2554

ORDINANCE ADOPTING REVISED ZONING MAP

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF ROCK FALLS

THIS _____ DAY OF _____, 2022

Published in pamphlet form by authority of the City Council of the City of Rock Falls, Illinois,
this _____ day of _____, 2022.

ORDINANCE NO. 2022-

AN ORDINANCE ADOPTING REVISED ZONING MAP

WHEREAS, the City of Rock Falls has caused to be prepared a revised and corrected zoning map reflecting the current zoning status and classification of all lands and properties which are within the limits of the City of Rock Falls; and

WHEREAS, attached hereto is the revised and updated zoning map created pursuant to said direction, and the same should be adopted as the official zoning map of the City of Rock Falls effective as of February 15, 2022.

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

Section 1. The document attached here to identified as Zoning Map 2022 and labeled as Exhibit A is hereby adopted as the revised and updated official zoning map of the City of Rock Falls, effective February 15, 2022, said map reflecting the zoning classification status of all land and properties which are currently within the limits of the City of Rock Falls.

Section 2. All prior version of zoning maps are hereby declared to be no longer valid, and the document attached hereto, and true and accurate copies thereof shall serve as the official zoning map of the City until further revisions and changes are made pursuant to action of the City Council.

Section 3. All ordinances in conflict herewith are hereby repealed.

Section 4. 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 affect the validity of the remaining provisions of this ordinance.

Section 5. This ordinance shall be effective upon its adoption and publication in pamphlet form.

Passed this _____ day of _____, 2022.

Rod Kleckler, Mayor

ATTEST:

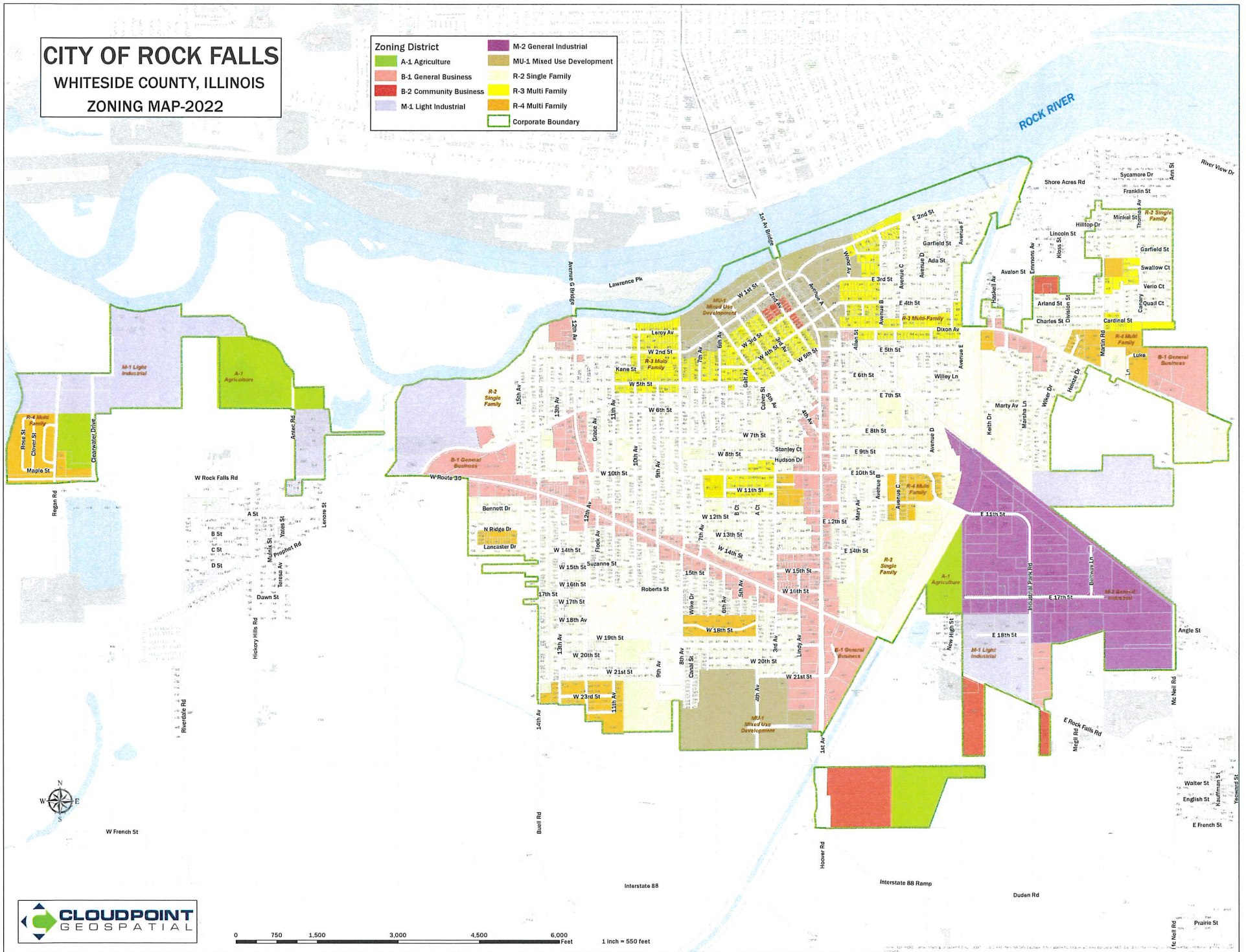
Pamela Martinez, City Clerk

CITY OF ROCK FALLS

WHITESIDE COUNTY, ILLINOIS

ZONING MAP-2022

Zoning District	
■ A-1 Agriculture	■ M-2 General Industrial
■ B-1 General Business	■ MU-1 Mixed Use Development
■ B-2 Community Business	■ R-2 Single Family
■ M-1 Light Industrial	■ R-3 Multi Family
■ Corporate Boundary	■ R-4 Multi Family



CITY OF ROCK FALLS

ORDINANCE NO. 2022-2555

**ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF ROCK FALLS
REGARDING MULTI-FAMILY DWELLINGS
IN MU-1 MIXED USE DISTRICTS**

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF ROCK FALLS

THIS _____ DAY OF _____, 2022

Published in pamphlet form by authority of the City Council of the City of Rock Falls, this
_____ day of _____, 2022.

ORDINANCE NO. _____

**ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF ROCK FALLS
REGARDING MULTI-FAMILY DWELLINGS
IN MU-1 MIXED USE DISTRICTS**

WHEREAS, Section 11-13-1 of the Illinois Municipal Code (65 ILCS 5/1-1-1 et. seq.) authorizes each municipality to, among other things, enact reasonable zoning ordinances to preserve the public health, safety, comfort, morals and welfare of the community, all as more specifically set forth therein; and

WHEREAS, the Mayor and City Council of the City of Rock Falls (collectively, the “Corporate Authorities”), have discussed the needs of the City with respect to limiting the use of multi-family dwellings as a permitted principal use within MU-1 Mixed Use Districts to a maximum of four (4) dwelling units; and

WHEREAS, the Corporate Authorities have referred to the Planning and Zoning Commission of the City of Rock Falls the consideration to amend the City’s zoning ordinance with respect to limiting the use of multi-family dwellings as a permitted principal use within MU-1 Mixed Use Districts to a maximum of four (4) dwelling units; and

WHEREAS, the Planning and Zoning Commission of the City of Rock Falls held a public hearing on February 10, 2022, to discuss limiting the use of multi-family dwellings as a permitted principal use within MU-1 Mixed Use Districts to a maximum of four (4) dwelling units; and

WHEREAS, public notice of the time and place of such public hearing was given not more than thirty (30) nor less than fifteen (15) days prior to said hearing by publishing notice at least once in a newspaper with a general circulation within the City; and

WHEREAS, after much deliberation and consideration, the Planning and Zoning Commission of the City of Rock Falls have voted to recommend to the City Council the adoption of an ordinance limiting the use of multi-family dwellings as a permitted principal use within MU-1 Mixed Use Districts to a maximum of four (4) dwelling units; and

WHEREAS, the Corporate Authorities have considered the recommendation of the Planning and Zoning Commission and deem it in the best interests of the City and its residents to adopt the recommendation of the Planning and Zoning Commission and amend the City zoning ordinance to limit the use of multi-family dwellings as a permitted principal use within MU-1 Mixed Use Districts to a maximum of four (4) dwelling units, all as more particularly set forth herein.

NOW, THEREFORE, be it ordained by the Mayor and City Council of the City of Rock Falls, Whiteside County, Illinois, as follows:

SECTION 1: The preambles to this Ordinance are true and correct and are hereby incorporated into this section as if fully set forth herein.

SECTION 2: Chapter 34, Article XI, Section 34-341(4) of the Rock Falls Municipal Code, as amended, is further amended to read as follows:

“Sec. 34-341. – Permitted principal uses.

The following are permitted principal uses:

...

(4) Multiple-family dwellings (maximum of four (4) dwelling units).”

SECTION 3: In all other respects, Chapter 34, Article XI, Section 34-341 of the Rock Falls Municipal Code shall remain in full force and effect as previously adopted and/or amended.

SECTION 4: Any property located within the City of Rock Falls that is zoned as MU-1 Mixed Use District, the principal use of which is as a multiple-family dwelling with more than four (4) dwelling units as of the date of this Ordinance, shall be permitted to continue such use until the earlier of (i) a change in the property’s zoning classification; (ii) discontinuance of the property for the principal use as a multiple-family dwelling; or (iii) a reduction in the number of dwelling units at the property to four (4) or less.

SECTION 5: The City Council finds that the customary practice of requiring a first and second reading of ordinances is not applicable or necessary in the case of this Ordinance, and a first reading preliminary to adoption hereof is hereby waived, and this Ordinance shall become effective upon its passage.

SECTION 6: The provisions and sections of this Ordinance shall be deemed to be separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

SECTION 7: The City Clerk is directed to publish this Ordinance in pamphlet form.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Passed by the Mayor and the City Council of the City of Rock Falls on the _____ day of _____, 2022.

Mayor

ATTEST:

City Clerk

AYE

NAY

CITY OF ROCK FALLS

RESOLUTION NO. 2022-875

**RESOLUTION TRANSFERRING JURISDICTION AND
CONTROL OF REAL PROPERTY TO THE
INDUSTRIAL DEVELOPMENT COMMISSION
(2211 CANAL STREET)**

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF ROCK FALLS

THIS _____ DAY OF _____, 2022

Published in pamphlet form by authority of the City Council of the City of Rock Falls, this _____
day of _____, 2022.

RESOLUTION NO. _____

**RESOLUTION TRANSFERRING JURISDICTION AND
CONTROL OF REAL PROPERTY TO THE
INDUSTRIAL DEVELOPMENT COMMISSION
(2211 CANAL STREET)**

WHEREAS, the City of Rock Falls (the “City”) is the owner of certain real property located at 2211 Canal Street, Rock Falls, IL 61071, and being more particularly described on Exhibit A, attached hereto (the “Property”); and

WHEREAS, the Property is zoned R-2 and is currently held by the City for purposes of development; and

WHEREAS, the City of Rock Falls, acting pursuant to the provisions of Section 11-74-4 (8) of the Illinois Municipal Code (65 ILCS 5/1-1-1 et. seq.), has established an Industrial Development Commission (the “Commission”), and invested in said Commission the power and authority described and as authorized within said Section 11-74-4(8); and,

WHEREAS, the City has, from time to time, transferred authority and jurisdiction to the Commission for the development, sale and/or lease of various parcels of surplus real property owned by the City; and,

WHEREAS, the Mayor and City Council (collectively, the “Corporate Authorities”) have considered the needs of the City with respect to the Property and have determined such Property to be surplus real property and no longer suitable for the needs or uses of the City; and

WHEREAS, the Corporate Authorities have determined it in the best interests of the City and its residents to transfer authority and jurisdiction of said Property to the Commission for the purposes herein stated.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Rock Falls, Whiteside County, Illinois as follows:

SECTION 1: The preambles to this resolution are true and correct and are hereby incorporated in this Section 1 as if more fully set forth herein.

SECTION 2: The City does hereby transfer to the Industrial Development Commission of the City of Rock Falls the authority and jurisdiction over and governing the Property, as more particularly described on Exhibit A, attached hereto, for all purposes in order to accomplish the ends envisioned and to be promoted by Section 11-74-4(8) of the Illinois Municipal Code, and does specifically transfer and convey unto the Industrial Development Commission of the City of Rock Falls the power and authority as set forth and enumerated therein with respect to such Property.

SECTION 3: The provisions and sections of this resolution shall be deemed to be separable, and the invalidity of any portion of this resolution shall not affect the validity of the remainder.

SECTION 4: All resolutions and parts of resolutions in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 5: This resolution shall be in full force and effect from and after its passage and approval and publication as required by law.

Passed by the Mayor and the City Council of the City of Rock Falls on the _____ day of _____, 2022.

Mayor

ATTEST:

City Clerk

AYE

NAY

EXHIBIT A

(the "Property")

Common Address: 2211 Canal Street, Rock Falls, IL 61071

Legal Description: PLAINVIEW SUB LOT 24 DOR 21-098-00021 423700x

PIN: 11-33-404-019

Zoning Classification: R-2

Administration. Specific codes are listed in Section 2.7 below as “**National Certification Codes and Standards**”. In addition, Manufacturer’s Ownership, Operating and Maintenance Manuals shall be reviewed and accepted by both Parties prior to beginning operation.

- 2.3 **Generating Facility Control and Operation.** The control system of the generating facility shall comply with the IEEE specifications and standards for parallel operation with the City and in particular as follows:
- a) Power output control system shall automatically disconnect from distribution system upon loss of City voltage and not reconnect until City voltage has been restored and stabilized by the City.
 - b) Power output control system shall ride through voltage fluctuations but shall automatically disconnect from distribution system if City or Customer-owned generation voltage fluctuates beyond plus or minus 10% (ten percent). The Customer shall provide adequate protection to prevent damage to the distribution system from inadvertent over/under voltage conditions originating in Customer’s generating facility and to protect the Customer’s generating facility from inadvertent over/under voltage conditions originating from the distribution system.
 - c) Power output control system shall ride through frequency fluctuations but shall automatically disconnect from City if frequency fluctuates beyond plus or minus two (2) cycles per second from sixty (60) cycles per second (Hertz).
 - d) Inverter output distortion shall meet IEEE requirements.
 - e) The generating facility shall meet the applicable IEEE standards concerning impacts to the distribution system with regard to harmonic distortion, voltage flicker, power factor, direct current injection and electromagnetic interference.
 - f) The voltage produced by the Customer’s generating facility must be balanced if it is a three-phase installation. The Customer is responsible for protecting the generating facility from an inadvertent phase imbalance in the City’s service voltage.
- 2.4 **Fault Current Contribution.** The generating facility shall be equipped with protective equipment designed to automatically disconnect during fault current conditions and remain disconnected until the voltage and frequency have stabilized.
- 2.5 **Reclosing Coordination.** The generating facility shall be coordinated with the distribution system reclosing devices by disconnecting from the system during

the initial de-energized operation and shall remain disconnected until the voltage and frequency have stabilized.

2.6 **Disconnect Device.** A safety manual disconnect switch of the visible load break type shall be installed by the customer. The disconnect switch shall be mounted within two feet of electrical meter and visible to and readily accessible by City personnel. The switch shall be capable of being locked in the open position and shall prevent the generator from supplying power to the distribution system.

2.7 **Standards for Interconnection, Safety, and Operating Reliability.** The interconnection of a generating facility and associated interconnection equipment to the City's electric distribution system shall meet the applicable provisions of the following publications:

- a) ANSI/IEEE1547-2018 Standard for Interconnecting Distributed Resources with Electric Power Systems (including use of IEEE 1547.1-2020 testing protocols to establish conformity) as they may be amended from time to time. The following standards shall be used as guidance in applying IEEE 1547:
 - i. IEEE Std 519-2014, IEEE Recommended Practices and Requirements for Harmonic Control in Electrical Power Systems;
 - ii. IEEE1453, IEEE Recommended Practice for the Analysis of Fluctuating Installation on Power Systems;
 - iii. UL1741 requirement for inverter based generation;
 - iv. NESC Electric Safety Code;
 - v. ANSI/NFPA 70, National Electrical Code; and
 - vi. OSHA (29 CFR § 1910.269).

Article III Inspection, Testing, Authorization, and Right to Access

3.1 Equipment Testing and Inspection.

- a) Upon completing construction, the Customer shall test and inspect its generating facility including the interconnection equipment prior to interconnection in accordance with updated IEEE standards 1547 and IEEE standard 1547.1 by the City. The Customer shall not operate its

generating facility in parallel with distribution system without prior written authorization by the City.

- b) All interconnection related protective functions and associated direct current supplies shall be tested prior to commencement of commercial service, and (if nameplate rating of Customer's generating facilities is greater than 25 kW_{AC}) periodically tested thereafter no less than every three (3) years.

3.2 **Certification of Completion.** The Customer shall provide the City with a copy of the Certificate of Completion with all relevant and necessary information fully completed by the Customer, as well as an inspection form from the City demonstrating that the generating facility passed inspection.

3.3 **Witness Test.**

- a) The City shall perform a witness test after construction of the generating facility is completed but before parallel operation, unless the City specifically waives the witness test. The Customer shall provide the City at least thirty (30) business days' notice of the planned commissioning test for the generating facility. If the City performs a witness test at a time that is not concurrent with the commissioning test, it shall contact the Customer to schedule the witness test at a mutually agreeable time within ten (10) business days after the commissioning test, the witness test is deemed waived unless the parties mutually agree to extend the date for scheduling the witness test, or unless the City cannot do so for good cause, in which case, the parties shall agree to another date for scheduling the test within ten (10) business day of the original scheduled date. For systems sized less than 25 kW_{AC} the thirty (30) business days' notice shall be waived.
- b) If the witness test is not acceptable to the City, the Customer has thirty (30) business days to address and resolve any deficiencies. This time period may be extended upon agreement between the City and Customer. If the Customer fails to address and resolve the deficiencies to the satisfaction of the City, this Agreement shall be terminated. The Customer shall, if requested by the City, provide a copy of all documentation in its possession regarding testing conducted pursuant to IEEE standard 1547.1.
- c) After the generating facility passes the witness testing, the City shall affix an authorized signature to the Certificate of Completion

and return it to the Customer approving the interconnection and authorization parallel operation.

- 3.4 **Right of Access.** The City must have access to the disconnect switch and metering equipment of the generating facility at all times without notice. When practical, the City shall provide notice to the Customer prior to using its right of access.

Article IV Effective Date, Term, Termination, and Disconnection

- 4.1 **Effective Date.** This Agreement shall become effective upon execution by all parties.
- 4.2 **Term of Agreement.** This Agreement shall become effective on the effective date and shall remain in effect unless terminated earlier in accordance with Article 4.4 of this Agreement.
- 4.3 **Governing Law, Regulatory Authority, and Rules.** The validity, interpretation and enforcement of this Agreement and each of its provisions shall be governed by the Codes and Regulations of the City as well as the laws of the State of Illinois without regard to its choice of law principals. Nothing in this Agreement is intended to affect any other agreement between the City and the Customer.
- 4.4 **Termination.** This Agreement may be terminated under the following conditions:
- a) By Customer - The Customer may terminate this Agreement by providing written notice of such termination to the City. If the Customer ceases operation of the generating facility, the Customer must notify the City.
 - b) By the City - The City may terminate this Agreement if the Customer fails to remedy a violation of the terms of this Agreement within thirty (30) calendar days after notice, or such other date as may be mutually agreed to prior to the expiration of the thirty (30) calendar day remedy period. The termination date shall be no less than thirty (30) calendar days after the Customer receives notice of its violation from the City.
 - c) Upon termination of this Agreement, the generating facility will be permanently disconnected from the City's electric distribution system. Terminating this Agreement does not relieve either party

of its liabilities and obligations that are owed or continuing when the Agreement is terminated.

- d) Upon termination of this Agreement, the City shall open and padlock the manual disconnect switch on Customer's premises.

4.5 **Disconnection.** The City may temporarily disconnect the generating facility upon any of the following conditions, but must reconnect the generating facility once the condition is cured:

- a) For scheduled outages, provided that the generating facility is treated in the same manner as City's load Customers;
- b) For unscheduled outages or emergency conditions;
- c) If the generating facility does not operate in the manner consistent with this Agreement;
- d) Improper installation or failure to pass the witness test;
- e) If the generating facility is creating a safety, reliability or a power quality problem;
- f) The interconnection equipment used by the generating facility is de-listed by the nationally recognized testing Laboratory that provided the listing at the time the interconnection was approved;
or
- g) Failure of the customer to obtain or maintain the insurance coverage set forth in Article 7 of this Agreement.

4.6 **Modification of Generating Facility.** The Customer must receive written authorization from the City before making any changes to the generating facility that could affect the distribution system. If the Customer makes such modifications without the City's prior written authorization, the City shall have the right to disconnect the generating facility immediately.

4.7 **Permanent Disconnection.** In the event the Agreement is terminated, the City shall have the right to disconnect its distribution system or direct the Customer to disconnect its generating facility.

- 4.8 **Lost Opportunity.** The City is not responsible for any lost opportunity or other costs incurred by the Customer as a result of an interruption of service under this Article 4.

Article V Cost Responsibility for Interconnection Facilities and Distribution Upgrades

5.1 **Interconnection Facilities.**

- a) The Customer is responsible for the cost of additional interconnection facilities necessary to interconnect the generating facility with the distribution system.
- b) The Customer is responsible for its expenses, including overheads, associated with owning, operation, maintaining, repairing, and replacing its interconnection equipment
- c) **Distribution System Upgrades.** The City shall design, procure, construct, install, and own any distribution system upgrades. The cost of the distribution system upgrades shall be directly assigned to the Customer whose generating facility caused the need for the distribution system upgrades.

- 5.2 **Cost for Small Systems.** For qualifying systems sized 25 kW_{AC} or less, the cost provided for in Section 5.1 shall not exceed \$1,500.

Article VI Assignment, Limitation on Damages, Indemnity, Force Majeure

- 6.1 **Assignment/Transfer of Ownership of the Generating Facility.** This Agreement shall terminate upon the transfer of ownership of the generating facility to a new owner unless the transferring owner assigns the Agreement to the new owner, the new owner agrees in writing to the terms of this Agreement, and the transferring owner so notifies the City in writing prior to the transfer of ownership. Notwithstanding the foregoing, under no circumstance will credits for excess energy transfer by the transferring owner transfer to the new owner.

- 6.2 **Limitation of Liability.** Each Party's liability to the other Party for any loss, cost, claim, injury, liability, or expense, including reasonable attorney's fees, relating to or arising from any act or omission in its performance of this Agreement, shall be limited to the amount of direct damage actually incurred. In no event shall either Party be liable to the other Party for any indirect, incidental, special, consequential, or punitive damages of any kind whatsoever.

- 6.3 **Indemnification.** The Customer shall indemnify and defend the City and its elected officials, directors, officers, employees, and agents from all damages and expenses resulting from any third party claim arising out of or based upon the Customer's (a) negligence or willful misconduct; (b) breach of this Agreement; or (c) the operation of the Customer's generating facility, regardless of Customer's negligence or willful misconduct, except when and to the extent the loss occurs due to the grossly negligent actions of the City. The City shall indemnify and defend the Customer and the Customer's directors, officers, employees, and agents from all damages and expenses resulting from a third party claim arising out of or based upon the City's (a) negligence or willful misconduct or (b) breach of this Agreement.
- 6.4 **Force Majeure.** If a force majeure event prevents a Party from fulfilling any obligations under this Agreement, the Party effected by the force majeure event (the "**Affected Party**") shall notify the other Party of the existence of the force majeure event within one (1) business day. The notification must specify the circumstances of the force majeure event, the expected duration, and the steps that the Affected Party is taking and will take to mitigate the effects of the event on its performance. If the initial notification is verbal, it must be followed up with a written notification within one business day. The Affected Party shall keep the other Party informed on a continuing basis of developments relating to the force majeure event until the event ends. The Affected Party may suspend or modify its obligations under this Agreement. The term "force majeure" shall mean any act of God, labor disturbance, act of the public enemy, war, insurrection, riot, fire, storm or flood, explosion, epidemic, pandemic, breakage or accident to machinery or equipment, an order, regulation or restriction imposed by governmental, military or lawfully established civilian authorities, or any other cause beyond a Party's reasonable control. A Force Majeure event does not include an act of negligence or intentional wrongdoing by the Party claiming Force Majeure.

Article VII Insurance

- 7.1 **Insurance.** The Customer shall carry general liability insurance coverage, such as, but not limited to, homeowner's insurance or commercial general liability insurance. The Customer shall provide the City with proof of such insurance. The Customer shall name the City as an additional insured on all such policies and shall cause its insurance company to issue a Certificate of Insurance to the City to that effect. The Customer shall notify the City immediately if such insurance policy is terminated or cancelled prior to the end of its term and if the insurance company has communicated an intent not to renew the policy.

Article VIII

Documents and Notices

8.1 **Documents.** This Agreement includes the following documents, which are attached and incorporated by reference:

- a) One-line drawing
- b) Interconnection Request Application Form
- c) System Upgrade Estimated Costs
- d) Certificate of Completion

8.2 **Notice.** The Parties may mutually agree to provide notices, demands, comments, or requests by electronic means such as e-mail. Absent agreement to electronic communication, or unless otherwise provided in this Agreement, any written notice, demand, or request required or authorized in connection with this Agreement shall be deemed properly given if delivered in person, delivered by recognized national courier service, or sent by first class mail, postage prepaid, to the person specified below:

If to Customer:

Use the contact information provided in the Customer's application. The Customer is responsible for notifying the City of any change in the contact party information, including change of ownership.

If to City:

Use the contact information provided below. The City is responsible for notifying the Customer of any change in the contact party information.

Name:

Mailing Address:

City: _____ State: _____ Zip Code: _____

Telephone (Daytime): _____ (Evening): _____

Fax Number: _____ E-Mail Address: _____

Article IX

Signatures

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their respective duly authorized representatives.

CITY OF ROCK FALLS,
an Illinois municipal corporation

By: _____

Its: _____

CUSTOMER:

Name: _____

Title: _____

Signature: _____

APPENDIX A

Sample One-line Interconnection Diagram

