

**Rantoul Village Board of Trustees  
Regular Board Meeting  
March 10, 2009**

*Order of Business*

*Board Packet Page(s)*

- 1. Call to Order – Mayor Williams**  
Invocation – Pastor Nathan Feig, American Lutheran Church  
Pledge of Allegiance  
Roll Call
- 2. Approval of Agenda**
- 3. Public Participation**  
*Citizens wishing to address the Village Board with respect to any pending item of business listed upon the agenda or any matter not appearing on the agenda are asked to complete a public participation form and submit it to the Village Clerk prior to the meeting. Public comments will be limited to three minutes for each speaker.*
- 4. Administrator Report**
- 5. Recognition of Arbor Day Foundation Designations – Mayor Williams**  
*The Village of Rantoul has received the Tree Line USA Utility designation from the Arbor Day Foundation for the 8<sup>th</sup> year and the Tree City USA designation for the 23<sup>rd</sup> year*
- 6. Approval of Bills**

**Section A – Consent Agenda**

- 7. Approval of Consent Agenda by Omnibus Vote**  
*All items under the Consent Agenda are considered to be routine in nature and will be enacted by a single motion and subsequent roll call vote. There will be no separate discussion of these items unless a Village Board member so requests, in which event the item will be removed from the Consent Agenda and considered as the first item after approval of the Consent Agenda.*
  - (A) Approve Minutes of: Regular Study Session of February 3, 2009;  
and Regular Board Meeting of February 10, 2009
  - (B) Pass Ordinance No. 2174, AN ORDINANCE AMENDING SECTION 5.7.3 (b) OF CHAPTER 5 OF THE VILLAGE OF RANTOUL CODE – 1977, AS SUPPLEMENTED AND AMENDED, IN CONNECTION WITH IMPOUNDMENT FEES 29
  - (C) Pass Ordinance No. 2175, AN ORDINANCE OF THE VILLAGE OF RANTOUL, CHAMPAIGN COUNTY, ILLINOIS, TO PROTECT AGAINST THE POTENTIAL ADVERSE ECONOMIC IMPACT OF FERC ORDER 719 BY PRECLUDING CUSTOMERS OF THE VILLAGE'S ELECTRIC UTILITY FROM BIDDING DEMAND RESOURCES INTO THE MISO MARKETS 8-12, 30-32

**Section A – Consent Agenda (continued)**

- (D) Pass Ordinance No. 2176, AN ORDINANCE TO APPROVE THE ADMISSION OF THE VILLAGE OF RIVERTON, SANGAMON COUNTY, ILLINOIS, AS A MEMBER OF THE ILLINOIS MUNICIPAL ELECTRIC AGENCY 13-17, 33-36
- (E) Pass MFT Resolution No. 3-09-1074, A RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE 18-19

**8. Approval of Any Items Removed from Consent Agenda**

**Section B – Consideration of Bids, Contracts & Other Items of Expenditure**

9. Motion to authorize payment of \$58,800.00 to Burns & McDonnell for airport runway lighting upgrade design work performed by Crawford, Murphy & Tilly (CMT) 3
10. Motion to authorize the approval of Change Order No. 5 with Leander Construction to address various modifications to the Wastewater Treatment Plant improvement project - \$347.62 20-27

**Section C – Consideration of Ordinances & Resolutions**

11. Motion to pass Community Development Resolution No. 272, A RESOLUTION OF THE PRESIDENT AND BOARD OF TRUSTEES TO APPROVE THE CONSOLIDATED PLAN UPDATE AND TO FILE A SUBMISSION FOR THIRTY-FIFTH YEAR (B-09-MC-17-0019) ASSISTANCE UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT, AS AMENDED 4-7, Exhibit A\*
12. Motion to pass Ordinance No. 2177, AN ORDINANCE REVISING THE ANNUAL BUDGET (Public Works Landfill Fund) 28, 37-38

**Section D – New Business**

*Discussion of any items of new business not listed upon the formal agenda. No formal action will be taken on these items during this proceeding.*

**Section E – Public Announcements**

**Section F – Adjournment**

13. Motion to Adjourn

\* NOTE: "Exhibit A" is not included in the packet, but will be available for public inspection in Room 202 of the Rantoul Municipal Building.

**ORDINANCE NO. 2174**

**AN ORDINANCE  
AMENDING SECTION 5.7.3(b) OF CHAPTER 5 OF THE  
VILLAGE OF RANTOUL CODE-1977, AS SUPPLEMENTED  
AND AMENDED, IN CONNECTION WITH IMPOUNDMENT FEES**

**WHEREAS**, the Village of Rantoul, Champaign County, Illinois (the “**Village**”) has recently entered into an Intergovernmental Agreement for Animal Impoundment Services with the County of Champaign, Illinois (the “**County**”); and

**WHEREAS**, as a result of such animal impoundment services now being provided by the County for and on behalf of the Village, the President and Board of Trustees of the Village now deem it necessary and desirable to increase the general impoundment fee from \$25.00 to \$50.00.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF RANTOUL, CHAMPAIGN COUNTY, ILLINOIS**, as follows:

**Section 1. Amendment to Village Code.** That subsection (b) of Section 5.6.3, entitled “Disposition of Impounded Animals”, of Article VII, entitled “IMPOUNDMENT”, of Chapter 5, entitled “ANIMALS” of the Village of Rantoul Code-1977, as supplemented and amended, be and the same is hereby further amended to provide as follows:

**Section 5.7.3. Disposition of Impounded Animals.**

(b) No Animal may be redeemed from impoundment unless its Owner first pays a general impoundment fee in the amount of \$50.00, a daily impoundment fee in the amount of \$10.00 per day or partial day, the rabies vaccination fee, and any other costs for spaying or neutering, veterinary or other care.

**Section 2. Effective Date.** The provisions of this Ordinance shall become effective following its passage and approval as required by law.

This Ordinance is hereby passed, the “aycs” and “nays” being called, by the concurrence of a majority of the members of the Corporate Authorities then holding office at a regular meeting on the date set forth below.

**PASSED** this 10th day of March, 2009.

\_\_\_\_\_  
Village Clerk

**APPROVED** this 10th day of March, 2009.

\_\_\_\_\_  
Village President

**ORDINANCE NO. 2175**

**AN ORDINANCE  
OF THE VILLAGE OF RANTOUL, CHAMPAIGN COUNTY, ILLINOIS  
TO PROTECT AGAINST THE POTENTIAL ADVERSE ECONOMIC  
IMPACT OF FERC ORDER 719 BY PRECLUDING CUSTOMERS OF  
THE VILLAGE'S ELECTRIC UTILITY FROM BIDDING DEMAND  
RESOURCES INTO THE MISO MARKETS**

**WHEREAS**, the Village of Rantoul, Champaign County, Illinois (the "**Municipality**") owns and operates its own municipal electric utility for the distribution and sale of electricity to its citizens and businesses; and

**WHEREAS**, under the laws of the State of Illinois, the Municipality is not subject to rate regulation or any other regulation by the Illinois Commerce Commission or any other agency of the State of Illinois, but rather the Municipality is the relevant retail regulatory authority that has jurisdiction over and establishes rates and policies with respect to electric customers within its service area; and

**WHEREAS**, also under the laws of the State of Illinois, the Municipality has the exclusive right to provide electric service to its customers located both inside and outside its corporate limits; and

**WHEREAS**, the Municipality is a Member of the Illinois Municipal Electric Agency ("**IMEA**") and has an existing Power Sales Contract pursuant to which the Municipality has contracted to purchase all of the power and energy requirements for its electric system; and

**WHEREAS**, the Municipality is the provider of last resort for its customers, and as such the Municipality and IMEA must plan for the capacity, energy and other electric service needs of all of the Municipality's customers, including the requirement to purchase sufficient capacity to cover its entire peak load for all customer usage; and

**WHEREAS**, the Federal Energy Regulatory Commission ("**FERC**") has issued its Final Rule regarding the centralized electric power markets operated by Regional Transmission Organizations ("**RTOs**"), Order No. 719, 125 FERC ¶ 61,071, 73 Fed. Reg. 64,099 (October 28, 2008); and

**WHEREAS**, pursuant to Order No. 719, 18 C.F.R. § 35.28(g)(1)(i)(A) provides: "Every Commission-approved independent system operator or regional transmission organization that operates organized markets based on competitive bidding for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator's or regional transmission organization's tariff) must accept bids from demand response resources in these markets for that product on a basis comparable to any other resources, if the demand response resource meets the necessary technical requirements

under the tariff, and submits a bid under the Commission-approved independent system operator's or regional transmission organization's bidding rules at or below the market-clearing price, unless not permitted by the laws or regulations of the relevant electric retail regulatory authority"; and

**WHEREAS**, pursuant to Order No. 719, 18 C.F.R. § 35.28(g)(1)(iii) provides: "Each Commission-approved independent system operator and regional transmission organization must permit a qualified aggregator of retail customers to bid demand response on behalf of retail customers directly into the Commission-approved independent system operator's or regional transmission organization's organized markets, unless the laws and regulations of the relevant electric retail regulatory authority expressly do not permit a retail customer to participate"; and

**WHEREAS**, the Municipality is located in the geographic area served by the RTO, Midwest Independent Transmission System Operator, Inc. ("MISO"), and MISO has not yet made its compliance filing in accordance with FERC Order 719 to finalize its rules regarding demand response resources associated with retail customers; and

**WHEREAS**, since FERC Order 719 specifically recognizes that the Municipality as the relevant electric retail regulatory may have laws or regulations precluding its customers from participating in the RTO markets with demand response resources, and since the Municipality must make its initial decision on such laws or regulations before MISO has finalized its rules on this matter, it is appropriate for the Municipality to act to temporarily preclude its end-use customers from such participation so that the Municipality can evaluate the MISO's rules when they are issued and analyze whether participation in the markets by its customers will have any adverse economic impact on the Municipality and its other customers who are unable to participate in the MISO markets; and

**WHEREAS**, the President and Board of Trustees of the Municipality, having considered the foregoing, has determined that it is in the best interests of the Municipality to preclude the customers of its electric utility from bidding or selling demand response resources into the MISO markets or otherwise participating in the MISO markets with any such demand response resources whether directly or through a third-party aggregator.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF RANTOUL, CHAMPAIGN COUNTY, ILLINOIS**, as follows:

**Section 1.** The findings and determinations set forth in the preamble to this Ordinance are hereby made findings and determinations of the President and Board of Trustees of the Municipality and are incorporated into the text of this Ordinance by this reference.

**Section 2.** The customers of the Municipality's municipal electric utility are hereby restricted and precluded from bidding or selling demand response into any organized electric or ancillary services markets operated or administered by MISO (or any successor independent system operator or regional transmission organization) or otherwise participating in such markets with any demand response resources whether directly or through a third-party aggregator.

**Section 3.** The President and Board of Trustees of the Municipality will revisit this Ordinance once the MISO rules for implementing the FERC Order and Regulations have been put in place to determine if the protection afforded by this Ordinance is still required or whether customers of the Municipality's electric utility system will be permitted to participate in the MISO markets with any demand response resources, either directly, through a third-party aggregator or only through the Municipality or its designee.

**Section 4.** This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

This Ordinance is hereby passed, the "ayes" and "nays" being called, by the concurrence of a majority of the members of the Corporate Authorities then holding office at a regular meeting on the date set forth below.

**PASSED** this 10th day of March, 2009.

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Village Clerk

**APPROVED** this 10th day of March, 2009.

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Village President

**ORDINANCE NO. 2176**

**AN ORDINANCE TO APPROVE THE ADMISSION OF THE VILLAGE OF RIVERTON, SANGAMON COUNTY, ILLINOIS AS A MEMBER OF THE ILLINOIS MUNICIPAL ELECTRIC AGENCY**

**WHEREAS**, the Village of Rantoul, Champaign County, Illinois (the “Village”), is a member of Illinois Municipal Electric Agency (“IMEA”); and

**WHEREAS**, the Village of Riverton, Sangamon County, Illinois, (“Riverton”) desires to become a member of IMEA; and

**WHEREAS**, on February 16, 2009, Riverton passed an Ordinance to join as a member of IMEA, which adopted and approved the terms and conditions of the Agency Agreement of the Illinois Municipal Electric Agency, dated May 16, 1984, as amended; and

**WHEREAS**, Riverton has executed a Supplement No. 15 to the Agency Agreement substantially similar to the Supplement Number 15 that is attached hereto and incorporated herein and has agreed to comply with the conditions for membership in IMEA as established by IMEA’s Board of Directors; and

**WHEREAS**, following approval of Riverton’s membership by the appropriate number of existing IMEA Members and the satisfaction of any other conditions for membership in IMEA as established by IMEA’s Board of Directors, the Board of Directors of IMEA shall by Ordinance approve the Supplement to its Agency Agreement which will cause Riverton to become a member of the Agency.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF RANTOUL, CHAMPAIGN COUNTY, ILLINOIS**, as follows:

**Section 1:** The findings and determinations set forth in the preamble to this Ordinance are hereby made findings and determinations of the Board of Trustees of the Village and incorporated into the text of this Ordinance by this reference.

**Section 2:** Riverton is hereby approved as a member of the Illinois Municipal Electric Agency.

**Section 3:** The President of the Village is hereby authorized and directed to execute and the Village Clerk shall attest, pursuant to this Ordinance, the Supplement to the Agency Agreement, substantially in the same form attached hereto, for the admission of Riverton as a members of the IMEA. By executing the Supplement to the Agency Agreement, the President of the Village shall approve the terms and conditions of the Agency Agreement and the Supplement to the Agency Agreement.

**Section 4:** This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

This Ordinance is hereby passed, the "ayes" and "nays" being called, by the concurrence of a majority of the members of the Corporate Authorities then holding office at a regular meeting on the date set forth below.

**PASSED** this 10th day of March, 2009.

\_\_\_\_\_  
Village Clerk

**APPROVED** this 10th day of March, 2009.

\_\_\_\_\_  
Village President

**SUPPLEMENT NUMBER 15  
TO THE AGENCY AGREEMENT OF THE  
THE ILLINOIS MUNICIPAL ELECTRIC AGENCY**

This document is a Supplement to the Agency Agreement, dated as of May 16, 1984, between and among the municipalities of the State of Illinois listed therein and as Supplemented thereafter from time to time (hereinafter referred to as "**Agency Agreement**"), which Agency Agreement created the Illinois Municipal Electric Agency (hereinafter referred to as the "**IMEA**").

This Supplement shall serve as a republication and readoption of all of the terms and conditions of the Agency Agreement as the Agency Agreement applies to IMEA members on the date that this Supplement is executed by the Village of Riverton, Sangamon County, Illinois (hereinafter referred to as "**Riverton**").

This Supplement is the Agreement between and among the member municipalities of the IMEA and Riverton which sets the conditions and approves the admission of Riverton as a new member of the IMEA.

This Supplement conditions approval of admission of the Village of Riverton, Sangamon County, Illinois upon the following:

1. Riverton agrees to adopt by ordinance the Agency Agreement as supplemented; and
2. Riverton agrees to adopt this Supplement by ordinance and execute this Supplement; and
3. Riverton agrees to comply with the conditions for admission as established by the IMEA Board of Directors.

This Supplement amends the Agency Agreement as supplemented in the following manner:

On the face page of the Agency Agreement: add "Village of Riverton, Sangamon County, Illinois" immediately after the last municipality named in the list of "qualified Illinois cities, villages and incorporated towns becoming a party to this Agency Agreement pursuant to its terms after the date hereof" and prior to the date notation of May 16, 1984.

On page 1 of the Agency Agreement: add "Village of Riverton, Sangamon County, Illinois ("**Riverton**")" immediately after the last municipality named in the list of "Illinois cities, villages and incorporated towns becoming parties to this Agency Agreement in accordance with its terms after the date hereof".

On page 2 of the Agency Agreement immediately before the word "WITNESSETH": add the following text and list of municipalities that have withdrawn from membership in the IMEA, but remove the reference to Riverton from said list:

“and it being further noted that the following Illinois municipalities, which were previously signatories to this Agency Agreement and Members of the Agency, have taken all necessary action to withdraw from membership in and are no longer Members of the Agency:

City of Batavia, Kane County  
City of Geneseo, Henry County  
City of Geneva, Kane County  
City of McLeansboro, Hamilton County  
City of Rochelle, Ogle County  
City of Springfield, Sangamon County  
Village of Albany, Whiteside County  
Village of Allendale, Wabash County  
Village of Riverton, Sangamon County

On page 6 of the Agency Agreement: add the following information immediately after the last municipality named in Section 2.5:

<u>Municipality</u>	<u>Initial Director</u>	<u>Business Address</u>
Riverton	Richard Pottier	1200 E. Riverton Rd. Riverton, Illinois 62561

This Supplement becomes effective as to all member municipalities of the IMEA and Riverton upon approval by the Governing Bodies of a majority of the members of the IMEA which are members on the date of execution of this Supplement by Riverton.

**IN WITNESS WHEREOF**, the undersigned have executed this Supplement as of the \_\_\_\_\_ day of March, 2009, in counterpart copies, each of which shall constitute an original copy but all of which together shall constitute one and the same instrument.

VILLAGE OF RANTOUI,  
CHAMPAIGN COUNTY, ILLINOIS

By: \_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Village Clerk

**ORDINANCE NO. 2177**

**AN ORDINANCE  
REVISING THE ANNUAL BUDGET  
(Public Works Landfill Fund)**

**VILLAGE OF RANTOUL  
CHAMPAIGN COUNTY, ILLINOIS**

**CERTIFICATE OF PUBLICATION**

Published in pamphlet form this 10th day of March, 2009, by authority of the President and Board of Trustees of the Village of Rantoul, Champaign County, Illinois.

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Village Clerk

**ORDINANCE NO. 2177**

**AN ORDINANCE  
REVISING THE ANNUAL BUDGET  
(Public Works Landfill Fund)**

**WHEREAS**, the annual budget for the fiscal year beginning May 1, 2008 and ending April 30, 2009 (the "**Annual Budget**") of the Village of Rantoul, Champaign County, Illinois (the "**Village**") was duly approved by the President and Board of Trustees (the "**Corporate Authorities**") of the Village under and pursuant to Ordinance No. 2133, passed and approved at a regular meeting on April 8, 2008; and

**WHEREAS**, the Corporate Authorities now desire to supplement and amend the Annual Budget in order to add to, delete, change or otherwise revise the Annual Budget by providing for certain transfers between or among the funds or accounts so designated or for certain authorized expenditures from unexpended balances or other additional revenues so designated; and

**WHEREAS**, funds are available to effectuate such revisions.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF RANTOUL, CHAMPAIGN COUNTY, ILLINOIS**, as follows:

**Section 1. Revision(s) to Annual Budget.** The Annual Budget, as heretofore supplemented and amended, is hereby further supplemented and amended in order to add to, delete, change or otherwise revise the Annual Budget by providing for such transfers between or among the funds or accounts so designated or such authorized expenditures from the unappropriated balances or other additional revenues so designated, all as set forth in the form of the Budget Amendment document(s) (BA-FY-09-11), a copy of which are attached hereto and hereby incorporated herein by this reference thereto.

**Section 2. Effective Date.** The provisions of this ordinance shall become effective ten (10) days after its passage, approval and publication as provided by law.

**Section 3. Publication.** The Village Clerk is hereby authorized and directed to cause this ordinance to be published in pamphlet form.

This ordinance is hereby passed, the "ayes" and "nays" being called, by the vote of two-thirds of the members of the Corporate Authorities then holding office at a regular meeting on the date set forth below.

**PASSED** this 10th day of March, 2009.

\_\_\_\_\_  
Village Clerk

**APPROVED** this 10th day of March, 2009.

\_\_\_\_\_  
Village President