



City Council

City Council Chambers ♦ 230 West Stephenson Street ♦ Freeport, IL 61032

MINUTES REGULAR MEETING Tuesday, February 19, 2008

QUORUM

At 7:00 p.m. a quorum being present, Mayor George Gaulrapp called this meeting to order.

RECORD

Present were Aldermen Endress, Helms, O'Neill, Corbin, Klemm, Boldt, Bush, and DeVine (8)

PLEDGE OF ALLEGIANCE

At this time, the Pledge of Allegiance was led by Alderman Endress.

MOMENT OF SILENCE

A moment of silence was shared for students, faculty, staff and their families in recognition of the Northern Illinois University tragedy that occurred on February 14, 2008.

PRESENTATIONS

- Public Works Director Craig LeBaron and Street Superintendent Tom Dole presented a plowing summary and an update on snow removal for winter 2007-2008. The council packets included maps of the fifteen plow routes including a breakdown of street priorities and a cost summary of the snow events this winter. During a snow event, all personnel are assigned a specific route. Before 1990, there were 208 centerline miles to maintain and 22 employees. In 2003 the snow events on an average took the crew 9.16 hours with 18 full time employees. Now in 2008, the street department has 258 center-line miles to plow and this work is done by 17 employees (minus 1 since mid-December). The average storm now takes 8.02 hours using the 16 full time employees. An additional worker from the Community Development Department helps with route #12, when available. With the expert crew, the purchase of new equipment, and many strategic plan changes, the Freeport Street Department has increased productivity by 12.4% with less people. In addition to the 258 centerline miles that the street department plows, they are also responsible for 11 municipal parking lots, 65 cul-de-sacs, 9 miles of alleyways, and pertinent sidewalks including those around City Hall. The 2007-2008 winter snow events have necessitated from December 1, 2007 through February 12, 2008 the following: 1,668 regular work hours, 1,347.50 hours of overtime, 5,111.82 tons of material to be spread, and 240 – 50# bags of salt used. The trucks have logged 24,210 miles and used 7,415.50 gallons of fuel during the 48 events tallied this winter. The council remarked about the difficulty the plows have when vehicles are left on the streets and the additional costs incurred by the city when residents and commercial plow services dump snow back on streets that have been cleared requiring the city to re-plow areas that were done previously. The council asked residents to understand street department must set priorities to the main streets versus a lesser traveled streets and alleyways. Residents and homeowners should also keep fire hydrants clear of snow.

MINUTES

REGULAR MEETING

Tuesday, February 19, 2008

- Stacy Wittfield, 739 W. Galena, Freeport, spoke to the council about the problem she has had on Galena Avenue where there is not enough room for the snow piles and the sidewalks.
- Alderman Ronnie Bush stated his concerns over the city hauling excess snow from the city downtown parking lots to the eastside called CMC at Henderson Road – an area considered in the flood plain.
- Franklin McGee, owner of the Freeport City Service Cab Company, spoke about the problems his business has had in regard to keeping cabs on the roads due to break-downs and service wait times for patrons. He also spoke about the difficulty of hiring cab drivers and requested interested/qualified parties should apply to his office. Mr. McGee stated that he is aware his company has had a decline in service and has not been able to keep up with the requirements. The council members spoke to Mr. McGee about their dissatisfaction about the Freeport City Service Cab Company.
- Mayor Gaulrapp asked the council for leave of the agenda in order to allow public comments at this point.

PUBLIC COMMENTS

- Lois Fisher, 334 E. Empire Street, Freeport, spoke on behalf of the student body at Highland Community College on the lack of adequate public transportation and in particular the poor service by Freeport City Service Cab Company. Ms. Fisher stated numerous complaints registered by the students at Highland including one hour to eight hour wait times for cabs.
- Stacy Wittfield, 739 W. Galena Avenue, Freeport, spoke on the need for better taxi service in Freeport. She stated the difficulty of being transported to and from classes at Highland Community College and how a cab left her at Highland to have to walk home to Galena Ave.
- Dan Polhill, 917 W. Empire Street, Freeport, spoke on behalf of the Highland Community College student body and their need for quality cab service. Transportation is the number one reason why students drop out of Highland Community College. Faculty has had to take students home from night classes – sometimes taking home 3-4 students.
- Brad Whistle, 1506 Field Circle Apt #4, Freeport, spoke in favor of keeping a cab service in Freeport due to his vision he is dependent on the service to and from his employment. City needs to work together with the cab company because so many people are dependent on it. He will have to move out of Freeport if there is no cab service.
- Kimberly Jackson, 211 ½ E. Empire spoke against the cab service that is currently available in the city. Ms. Jackson stated the dispatchers have been rude and wait times are long.
- Brenda Harless, 639 N. Waddell, Freeport, spoke on the need for better mass transit in the city and understands the plight of the cab service since she used to be a driver. Ms. Harless asked if they throw out Freeport City Service Cab, then what are you going to do?
- Community Development Director Shelly Griswold stated that the 5311 and the licensing of the Freeport City Service Cab Company are two separate issues and the grant assistance may be rescinded without an affect on the license. The Freeport City Service Cab has received many warnings and requests for documentation to bring the company in compliance for the 5311.
- Windy Pearson, 711 S. Carroll Avenue, Freeport, spoke on behalf of the Boys and Girls Club of Freeport and Stephenson County giving thanks to the City Council members and City Hall staff for their help in waiting tables at the Golden Corral benefit. In addition she thanked those who had helped in the efforts to raise the funds in that will allow the Boys and Girls Club to open.

MINUTES

REGULAR MEETING

Tuesday, February 19, 2008

APPROVAL OF AGENDA

Alderman Helms moved, seconded by Alderwoman O'Neill to approve the agenda. The agenda was approved 6-0 (Alderman Endress and Klemm stepped out of the meeting for a short time.)

APPROVAL OF MINUTES

Alderman Helms moved to approve the minutes of the regular meeting on Monday, February 4, 2008. This motion was seconded by Alderwoman O'Neill. On a roll call vote Alderman Helms, O'Neill, Corbin, Boldt, Bush and DeVine voted aye. Not present – Alderman Endress and Klemm. Motion passed 6-0.

CONSENT AGENDA

All items on the Consent Agenda are considered to be routine in nature and will be enacted in one motion. There will be no separate discussion of these items unless a Council 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. Approval to Receive and Place on File:

- 1) Treasurer's Schedule of Tax Receipts for period ended January 31, 2008
- 2) Treasurer's Report for period ended January 31, 2008
- 3) Police Department Activities for January 2008
- 4) Police Department Year End Activities Summary for 2007
- 5) Fire Department - Fire/Ambulance Activities for January 2008
- 6) Fire Department Year End Review for 2007

B. Approval of Payroll for period ended February 2, 2008 --- \$399,128.00

C. Approval of Bills Payable for February 2008 (#58, 59, 60, & 61) ---- \$346,122.67

D. Approval of Water and Sewer Disbursements as of February 2008 ---- \$158,720.08

Motion to approve Consent Agenda – O'Neill

Seconded – DeVine

Ayes – Endress, Helms, O'Neill, Corbin, Klemm, Boldt, Bush, DeVine

The consent agenda was approved.

ORDINANCES – SECOND READING

2ND READING OF ORDINANCE #2008-08:

An Ordinance Amending Portions of Chapter 288 Officers and Employees Generally – a change to life insurance benefit from \$15,000 to \$25,000 in term life insurance coverage for non-bargaining employees was presented for approval. The first reading of this ordinance was held on February 4, 2008. A motion to approve was given by Alderwoman O'Neill, seconded by Alderman Helms and it was automatically laid over to tonight's meeting.

Ayes – Endress, Helms, O'Neill, Corbin, Klemm, Boldt, Bush, DeVine - 8

Nays - 0

The ordinance was adopted.

MINUTES

REGULAR MEETING

Tuesday, February 19, 2008

ORDINANCES – FIRST READING

1ST READING OF ORDINANCE #2008-09:

An Ordinance Amending Chapter 893 (Motor Fuel Tax) of the Codified Ordinances of the City of Freeport to Extend Such Tax for a One Year Period of Time - This ordinance was recommended to the City Council by the Committee of the Whole on February 4, 2008, by unanimous vote on a motion by Alderwoman O’Neill and a second by Alderman Klemm.

Motion to adopt ordinance – Helms

Second- O’Neill

Ordinance 2008-09 will be automatically laid over to March 3, 2008.

1ST READING OF ORDINANCE #2008-10:

An Ordinance Amending Chapter 889 (Electricity Kilowatt – Hours Use Tax) of the Codified Ordinances of the City of Freeport to Extend the Increase on Such Tax For a One Year Period of Time - This ordinance was recommended to the City Council by the Committee of the Whole on February 4, 2008, by unanimous vote on a motion by Alderman Klemm and a second by Alderman Endress

Motion to adopt ordinance – Helms

Second- Endress

Ordinance 2008-10 will be automatically laid over to March 3, 2008.

1ST READING OF ORDINANCE #2008-11:

An Ordinance Amending Chapter 1052 (Water and Sewer Capital Improvement Fund) of the Codified Ordinances of the City of Freeport, Illinois for a Period of One Year - This ordinance was recommended to the City Council as amended by the Committee of the Whole on February 4, 2008, by unanimous vote on a motion by Alderman Boldt and a second by Alderman Corbin.

Motion to adopt ordinance – Helms

Second- Endress

Ordinance 2008-11 will be automatically laid over to March 3, 2008.

1ST READING OF ORDINANCE #2008-12:

An Ordinance Amending Chapter 220 “Council”, Section 220.10 “Rules of Council”, Subsection (10) “Order of Business”; Chapter 220 “Council”, Section 220.11 “Council Committees” and Chapter 222 “Ordinances and Resolutions” of the Codified Ordinances of the City of Freeport - This ordinance was recommended to the City Council as amended by the Committee of the Whole on February 4, 2008, by unanimous vote on a motion by Alderwoman O’Neill and a second by Alderman Klemm. Alderman Helms explained that this is not an elimination of the process or of any public input into the process and it includes three readings of the ordinances.

Motion to adopt ordinance – Helms

Second- Endress

Ordinance 2008-12 will be automatically laid over to March 3, 2008.

MINUTES

REGULAR MEETING

Tuesday, February 19, 2008

1ST READING OF ORDINANCE #2008-13:

Special Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport, Illinois, requesting a Variance to Section 1262.03 (h)(2) to allow an unpaved parking area at 1910 South Walnut, Freeport, Illinois – Freeport Raceway Park, Inc - This ordinance was recommended to the City Council by the Zoning Board of Appeals on February 7, 2008, by unanimous vote based on conditions 1-6 listed on Exhibit B – Special Conditions or Provisions. Since there was an objector to this variance, Mr. John Zajicek owner of property across the street from the Raceway, this ordinance is required to have two readings. Director Griswold will include a copy of the letter from Mr. Zajicek with the packet information for the next council meeting.

Motion to adopt ordinance – Klemm

Second- Endress

Ordinance 2008-13 will be automatically laid over to March 3, 2008.

1ST READING OF ORDINANCE #2008-14:

An Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport, Illinois, requesting a Variance for the property located at 1003 South Saxby Avenue – fence around property. This ordinance was recommended to the City Council by the Zoning Board of Appeals on February 7, 2008, by unanimous vote for item #1 for denial, items 2 & 4 for approval, and item #3 being withdrawn.

Motion to adopt ordinance – Klemm

Second- Endress

Ordinance 2008-14 will be automatically laid over to March 3, 2008.

1ST READING OF ORDINANCE #2008-15:

A Special Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport, Illinois, requesting a zoning change from B1-1 (Restricted Retail Business) to B2-1 (General Retail Business District) for the property located at 1121 West Empire Street - This ordinance was recommended to the City Council by the Planning Commission by unanimous vote on February 7, 2008.

Motion to adopt ordinance – Klemm

Second- Endress

Ordinance 2008-15 will be automatically laid over to March 3, 2008.

1ST READING OF ORDINANCE #2008-16:

An Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport, Illinois, requesting a variance to allow an eleven foot front yard at 1121 West Empire Street - This ordinance was recommended to the City Council by the Zoning Board of Appeals by unanimous vote on February 7, 2008 – Community Development Director Shelly Griswold is asking the council to layover the ordinance to March 3, 2008, to coincide with the decision of Ordinance 2008-15.

Motion to adopt ordinance – O’Neill

Second- Klemm

Ordinance 2008-16 will be automatically laid over to March 3, 2008.

ACTION ITEMS

APPOINTMENTS:

Alderman Klemm made a motion to accept the appointment of Cheryl Kneubuehl to the Community Development Revolving Loan Fund Committee, seconded by Alderman Endress. Vote to approve 8-0.

MINUTES

REGULAR MEETING

Tuesday, February 19, 2008

RESOLUTIONS

RESOLUTION #R-2008-08:

A Resolution Requesting Funds in Support of the Freeport Lincoln-Douglas Debate Sesquicentennial Celebration - This resolution was recommended to the City Council by the Committee of the Whole on February 4, 2008, by unanimous vote on a motion by Alderman Klemm and a second by Alderman Endress.

Motion to adopt resolution – Klemm

Second – O’Neill

Alderman Helms asked to have some solid economic return numbers furnished to council.

Ayes – Endress, Helms, O’Neill, Corbin, Klemm, Boldt, Bush, DeVine - 8

Nays - 0

The resolution was adopted.

RESOLUTION #R-2008-09:

A Resolution to Approve Amendments to the Final Plat for Deer Creek Subdivision Section 3 was presented by Community Development Director Shelly Griswold. Director Griswold stated this resolution was presented the Freeport Planning Commission on February 7, 2008, involving subdividing Lots 70 and 71 into Lots 70A, 72, 73, 74 and 75 and changing the easement previously listed on the plat on lot 70 to Outlot “F” to be deeded to the homeowner association for maintenance purposes. The Resolution was unanimously recommended that the City Council approve amendments to the final plat for Deer Creek Subdivision Section 3 with the following conditions:

1. That the developer install the bike path as noted on the original plat of the property; and
2. That ownership and maintenance of all storm sewers, storm sewer easements and other storm water management facilities included on the plat remain the responsibility of the private property owner and not the City of Freeport.

Alderman Helms asked about the requirement of sidewalks in the Plat. Public Works Director Craig LeBaron stated that the previous administration did not include documentation to the amendments to the plats as to why sidewalks were not included. The administration was instructed to research the sidewalk issue and bring the information to the next council meeting. Alderman Helms asked if the council should include the information in the current plat before the council.

Motion to layover resolution to next meeting - Helms

Second - Boldt

Ayes – Endress, Helms, O’Neill, Corbin, Klemm, Boldt, Bush, DeVine - 8

Nays - 0

The resolution was laid over.

RESOLUTION #R-2008-10:

A Resolution Authorizing Request for Federal Infrastructure Funding for the Rawleigh Corridor in Downtown Freeport – request for funding to be made to Congressman Donald Manzullo by the City in the amount of \$500,000 for public infrastructure improvements in the Rawleigh Corridor. This resolution was presented to the City Council by Community Development Director Shelly Griswold to request infrastructure improvements in the Rawleigh Corridor in downtown Freeport.

Motion to approve resolution – O’Neill

Second – Endress

On a voice vote of council 8-0, the resolution was adopted.

MINUTES

REGULAR MEETING

Tuesday, February 19, 2008

RESOLUTION #R-2008-11:

A Resolution to Enter into an Agreement with Artspace Projects, Inc. for Phase II of a Feasibility Study for a Proposed Artist Live-Work Development within the Rawleigh Complex - this resolution was presented at the Committee of the Whole meeting this evening by Community Development Director Shelly Griswold. At the Committee of the Whole meeting a motion was made by Alderwoman O'Neill to adopt the resolution, seconded by Alderman Klemm. On a roll call vote the resolution was unanimously approved. The administration requested to have this resolution move forward to council this evening and this was motioned by Alderman Klemm, seconded by Alderman Corbin and approved by unanimous vote.

Motion to approve resolution – O'Neill

Second – Klemm

Ayes – Endress, Helms, O'Neill, Corbin, Klemm, Boldt, Bush, DeVine - 8

Nays - 0

The resolution was adopted.

RESOLUTION #R-2008-12:

A Resolution Authorizing an Application for a Commonwealth Edison Transformation Grant for Phase II of a Feasibility Study for a Proposed Artist Live-Work Development within the Rawleigh Complex – grant application requesting \$10,000 to be made to Commonwealth Edison through their Transformation Grant program. The resolution was presented by Community Development Director Shelly Griswold.

Motion to approve resolution – O'Neill

Second – Helms

On a voice vote of council 8-0, the resolution was adopted.

RESOLUTION #R-2008-13:

A Resolution Authorizing an Application for a Freeport Community Foundation Grant for Phase II of a Feasibility Study for a Proposed Artist Live-Work Development within the Rawleigh Complex - this grant application for \$15,000 for the Freeport Community Foundation was presented by Community Development Director Shelly Griswold.

Motion to approve resolution – O'Neill

Second – Endress

On a voice vote of council 8-0, the resolution was adopted.

RESOLUTION #R-2008-14:

A Resolution to Authorize Approval of Agreement with Larson and Darby Group for Plan to Repair Rawleigh Powerhouse Roof and Building – this resolution was presented at the Committee of the Whole meeting this evening by Public Works Director Craig LeBaron. Director LeBaron explained the RFQ'S process to obtain bids from companies to look at the Powerhouse roof – this does not include repair costs. Over 50 letters were sent out to prospective bidders with ten being returned and presented to the committee for review. The Rawleigh Building Committee recommended Larson & Darby Group to develop a plan to repair the Powerhouse Roof and Building in the Rawleigh Complex. The Larson & Darby project understanding, professional services, compensation package, deliverables, work not included, and schedule were provided to the Committee of the Whole with the resolution. Compensation for the professional services outlined in the letter dated January 22, 2008 from Larson & Darby Group is \$14,000.00 excluding reimbursable expenses. Reimbursable costs for lift rental, printing and postage are estimated to be \$1,200.00. Only one quote was received by a contractor from Freeport and the committee

MINUTES

REGULAR MEETING

Tuesday, February 19, 2008

felt the experience that Larson & Darby had with historic buildings made them a better fit for this task. At the Committee of the Whole meeting this evening a motion to approve resolution was made by Alderman Klemm, seconded by Alderwoman O'Neill. On a roll call vote of ayes and nays: Aldermen Klemm, Endress, O'Neill, Corbin and Helms voted aye. Alderwoman DeVine abstained. There were no nay votes. Motion passed 6-0. It was requested to move this resolution forward to the council this evening on a motion by Alderman Klemm, seconded by Alderwoman O'Neill. Motion passed 6-0 in favor.

Motion to approve resolution – Klemm

Second – Endress

Ayes – Endress, Helms, O'Neill, Corbin, Klemm, Boldt, Bush, DeVine - 8

Nays - 0

The resolution was adopted.

DEPARTMENT HEAD REPORTS

Community Development

- Consideration of revocation of 5311 grant provider status for Freeport City Service Cab Company Alderman Corbin made a motion to withdraw the 5311 assistance funding from the Freeport City Service Cab Company, seconded by Alderman Bush. Community Development Director Shelly Griswold stated the Freeport City Service Cab Company has not supplied the city with the correct documentation and so the city has been withholding the payment of funds since November 2007. Due to the fact that so many of the residents in the city are dependent on the cab service, Director Griswold implored the council to allow two weeks for them to come in compliance. Alderman Klemm motioned to allow the Freeport City Service Cab Company two weeks (14 days) to come in compliance with the 5311, seconded by Alderman Helms. Vote to approve motion 8-0.

MAYOR'S REPORT

The mayor spoke about the meetings the city has had with Farm and Fleet and their proposed site plans for the vacated Wal-Mart building.

New Business

Alderwoman O'Neill spoke about the ADA Compliance in the City and encouraged support of a Relay for Life Fundraiser at Highland Women's Care.

Adjournment of the meeting at 9:35 p.m.

Respectfully submitted:

Meg Zuravel, City Clerk