



City Council

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

MINUTES REGULAR MEETING Monday, August 4, 2008

QUORUM

At 7:00 p.m. on Monday, August 4, 2008, in the City Council Chambers of City Hall with a quorum being present, the meeting was called to order by Mayor George Gaulrapp.

RECORD

Present on roll call were Aldermen Corbin, Klemm, Boldt, Bush, DeVine, Endress, and Helms (7). Also present was Corporation Counsel Sarah Griffin, Duane Price as City Clerk, and city department heads.

PLEDGE OF ALLEGIANCE

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

RECORD

Alderman O'Neill entered the room bringing the number of Aldermen present to eight (8). She stated that she was late due to weather related issues.

APPROVAL OF THE AGENDA

Mayor George Gaulrapp explained that the Fire Department was on a call, so the swearing in of Firefighter Arend Johnson may need to be postponed until later in the meeting. With this information, Alderman Endress motioned for approval of the agenda as presented, seconded by Alderman DeVine. Motion passed by voice vote without dissent.

APPROVAL OF MINUTES

A motion to approve the minutes from the regular meeting on Monday, July 21, 2008, was made by Alderman Endress, seconded by Alderman DeVine. Motion passed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

There was no one signed up for public comments on agenda items this evening.

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 of Water and Sewer Bills Payable (#115, 116, 119) --- \$336,189.54**
- B. Approval of Payroll for period ending July 19, 2008 ---\$405,426.95**

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C. Approval of Bills Payable (#117, 118, 120) ---- \$342,263.41

Motion to approve the Consent Agenda items as presented – Endress

Second – O’Neill

Roll Call Vote – Ayes: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O’Neill (8)

Nays – None (0)

Motion passed 8-0 and the Consent Agenda items were approved.

PRESENTATIONS

At this time, a ceremonial swearing in of Firefighter Arend Johnson by Mayor George Gaulrapp was performed and he was welcomed to the Fire Department by Fire Chief Kevin Countryman.

COMMUNICATION TO COUNCIL

Denise Blakely Ihrig, PE, Project Manager-United Water discussed her memorandum to the Freeport Water and Sewer Commission and council asked questions about specific items listed.

ORDINANCES –THIRD READING

3RD READING OF ORDINANCE #2008-45:

An Ordinance Repealing Chapter 1472 (Storm Water Detention) and Repealing and Replacing Chapter 1050 (Storm Sewers) – The first reading of this ordinance was held on July 7, 2008. A motion to approve the ordinance was given by Alderman Helms, seconded by Alderman Klemm. The second reading of this ordinance was held on July 21, 2008, and it was automatically laid over to tonight’s meeting. Alderman Klemm noted changes to the ordinance and asked Denise Blakely Ihrig, PE to review items in particular the grandfathering clause of the ordinance. She stated that developers will be able to follow the new language and that the new Walgreens will follow the guidelines without a problem. A motion was given by Alderman Klemm to lay over the ordinance to the first meeting in September 2008, seconded by Alderman Endress. Motion passed by voice vote without dissent.

3rd READING OF ORDINANCE #2008-46:

An Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport, Illinois for the property located at 941 West Stephenson Street for rezoning from P1 (Professional) to R6 (Multiple Family Residence) - This ordinance was recommended to the City Council by the Freeport Planning Commission on June 19, 2008, by unanimous vote and there were no objectors filed for this ordinance. The first reading of this ordinance was held on July 7, 2008. A motion to concur with the recommendation of the Planning Commission was given by Alderman Klemm, seconded by Alderman Boldt. The second reading of this ordinance was held on July 21, 2008 and it was automatically laid over to tonight’s meeting.

Roll Call Vote – Ayes: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O’Neill (8)

Nays – None (0)

Ordinance 2008-46 was adopted 8-0.

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ORDINANCES SECOND READING

2ND READING OF ORDINANCE #2008-48:

An Ordinance Extending Ordinances 2003-55 and 2003-80 Regarding Chapter 891 (Simplified Municipal Telecommunications Tax) For One Year – The first reading of this ordinance was held on July 21, 2008. A motion to approve was given by Alderman Klemm, seconded by Alderman Endress. A second reading of this ordinance was given and it was automatically laid over to the next scheduled meeting.

2ND READING OF ORDINANCE #2008-49:

An Ordinance Amending Chapter 480, Section 480.12 (Prohibited Parking Streets) of the Codified Ordinances of the City of Freeport – Bus Parking at schools. The first reading of this ordinance was held on July 21, 2008. A motion to approve was given by Alderman Endress, seconded by Alderman Helms. A second reading of this ordinance was held and it was automatically laid over to the next scheduled meeting.

2ND READING OF ORDINANCE #2008-50:

Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport, Illinois – application by Lynn Allen for property at 802-806 South Adams Avenue for rezoning from R5 (Two Family Residence) to B2-2 (Limited Service Business) - This ordinance recommended to City Council by unanimous approval by the Planning Commission at their meeting on July 9, 2008. Additionally, there were no objectors filed for this ordinance. The first reading of this ordinance was held on July 21, 2008. A motion to concur with the recommendation of the Planning Commission was given by Alderman Corbin, seconded by Alderwoman O'Neill. A second reading of this ordinance was held and it was automatically laid over to the next scheduled meeting.

2ND READING OF ORDINANCE #2008-51:

Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport, Illinois – application by Henrietta Willemssen for property at 1250-1250 ½ South Blackhawk Ave. for rezoning from R4 (One Family Residence) to R5 (Two Family Residence) - This ordinance recommended to City Council by unanimous approval by the Planning Commission at their meeting on July 9, 2008. Additionally, there were no objectors filed for this ordinance. The first reading of this ordinance was held on July 21, 2008. A motion to concur with the recommendation of the Planning Commission was given by Alderman Klemm, seconded by Alderman Endress. A second reading of this ordinance was held and it was automatically laid over to the next scheduled meeting.

ORDINANCES FIRST READING

1ST READING OF ORDINANCE #2008-52:

An Ordinance Amending Chapter 480, Section 480.11 (Prohibited Parking Streets) of the Codified Ordinances of the City of Freeport – Carriage Hills Parking. Public Works Director Craig LeBaron presented the ordinance as requested by Alderman Klemm from a petition received from the Carriage Hill neighborhood to make parking similar to Empire Court. This ordinance also corrects the wording for the parking as it stands on Empire Court. A motion to approve the ordinance was given by Alderman Klemm, seconded Alderman Endress and it was automatically laid over to the next meeting.

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1ST READING OF ORDINANCE #2008-53:

An Ordinance Amending Chapter 608, Alcoholic Liquor, Section 608.06 “Permitted Hours of Sales” of the Codified Ordinances of the City of Freeport – Class A Liquor Holders to permit sale of packaged goods 9:00 am to noon on Sunday. Corporation Counsel Sarah Griffin presented the ordinance as a recommendation from the Liquor Commission. The Class A liquor license holders also allow consumption on the premises in addition to selling packaged goods and this ordinance will allow the sale of packaged goods but will keep the portion of the business closed where consumption is allowed during those hours. Currently the City has ten class A license holders. A motion to approve the ordinance was given by Alderman Klemm, seconded Alderman Endress and it was automatically laid over to the next meeting.

ACTION ITEMS

APPOINTMENTS:

A motion to accept the appointment of Patricia Pasch to the Historic Preservation Commission effective immediately was given by Alderman Endress, seconded by Alderwoman O’Neill. Motion passed by voice vote without dissent.

A motion to accept the appointment of Larry Phillips to the Housing Authority Board effective immediately was given by Alderman Klemm, seconded by Alderman Endress. Motion passed by voice vote without dissent.

EXECUTIVE SESSION

Pursuant to Illinois Open Meetings Act – 5 ILCS, Act 120, Section 2(c) (21) – Discussion of minutes of meeting lawfully closed under this act and Section 2(c) (5) Purchase or Lease of Real Estate

A motion to enter executive session was given by Alderman Endress, seconded by Alderwoman O’Neill. On a roll call vote of ayes and nays; Alderman Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms and O’Neill voted aye. There were no nay votes. Motion passed 8-0.

A motion to return from executive session was given by Alderman Klemm, seconded by Alderman Endress. On a roll call vote of ayes and nays; Alderman Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms and O’Neill voted aye. There were no nay votes. Motion passed 8-0.

A motion was given by Alderwoman O’Neill authorizing destruction of tapes from the executive sessions held on September 18, 2006, February 7, 2005, May 17, 2004, and April 19, 2004, seconded by Alderman Klemm. These minutes were approved in the meeting held on July 21, 2008. Corporation Counsel Sarah Griffin stated that the Open Meeting Act permits governmental bodies to destroy the verbatim record of closed meetings over 18 months old as long as the governmental body has approved the written minutes of the closed meetings. On a roll call vote of ayes and nays; Alderman Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms and O’Neill voted aye. There were no nay votes. Motion passed 8-0.

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RESOLUTIONS

RESOLUTION #R-2008-59:

Resolution Amending Request for Temporary Closure of Streets for Lincoln-Douglas Sesquicentennial Debate Celebration Parade and to Request Lincoln-Douglas Society and Commission to Act as Agent for the City of Freeport. This resolution adds the closure of Clark Street and amends the times for the street closure. Clarification of the street closure was given by Mayor Gaulrapp stating that only the streets around the debate site will be closed all day on Saturday, August 30, 2008 as a safety for pedestrians in the area and the other streets will be during the parade time. A motion to approve resolution was made by Alderman Klemm, seconded by Alderman Endress.

Roll Call Vote – Ayes: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O’Neill (8)

Nays – None (0)

Resolution 2008-59 was adopted 8-0.

RESOLUTION #R-2008-60:

Resolution to Request Temporary Closure of Streets for Aquin Catholic High School Homecoming Parade – scheduled for Sunday, September 21, 2008 - Corporation Counsel Sarah Griffin stated a correction had been made to close of Galena Ave from it stating Route 26 to the correct route as 20. A motion to approve resolution was made by Alderman Endress, seconded by Alderman Klemm. Motion passed by voice vote without dissent (8-0) and Resolution R-2008-60 was adopted.

RESOLUTION #R-2008-61:

Resolution to Request Temporary Closure of Streets for Aquin Catholic Schools Four Mile Run and 8K Walk – scheduled for Saturday, September 27, 2008

This resolution requests temporary closure of the intersections at Empire and West Ave (Route 26) and also Empire and Galena Avenue (Route 20) to let the runners pass through. A motion to approve resolution was made by Alderman Endress, seconded by Alderman Klemm. Motion passed by voice vote without dissent (8-0) and Resolution R-2008-61 was adopted.

RESOLUTION #R-2008-62:

Resolution to Amend a Tax Increment Financing District Fund Expenditure Plan – this resolution was presented by Community Development Director Shelly Griswold stating the changes on the 2008 Downtown TIF Amended Expenditure Plan. Director Griswold explained that expenditures for the Rawleigh Building Power House were not used so some funds were reallocated. Initially \$98,000 in debt services had been allocated but spending will not be done at this time and \$15,000 will be used to repair a wall and the remainder of these funds will be used for Façade Improvements and to add a new line item called Rawleigh Corridor Brownfields Clean-up and Associated Expenses. With the award of two \$200,000 USEPA Brownfield Cleanup Grants received by the City, monies needed to be set aside for matching of the funds and this is included in the TIF budget by rearranging line items in the plan, not by adding an amount to bottom line of the plan. Alderman Helms requested additional information on the \$46,000 for debt service on the Rawleigh Office Building Bond and administration stated that the threshold had not been met and Mayor Gaulrapp stated this can be checked by the County Assessor to find a time line for assessed values. Alderman Helms asked how much was owed on the City Lights property and administration stated they would need to find this amount. A motion to approve resolution was made by Alderman Klemm, seconded by Alderman O’Neill. Roll Call Vote – Ayes: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O’Neill (8). Resolution 2008-62 was adopted 8-0.

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RESOLUTION #R-2008-63:

Resolution to Amend City of Freeport Façade Improvement Program

This resolution is related to the R-2008-62 which was voted on tonight and Community Development Director Shelly Griswold stated that this allocates an additional \$16,000 for Façade Improvement Grant and re-states the \$15,000 maximum for a dual façade job.

A motion to approve resolution was made by Alderman Klemm, seconded by Alderman Helms.

Roll Call Vote – Ayes: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O’Neill (8)

Nays – None (0)

Resolution 2008-63 was adopted 8-0.

RESOLUTION #R-2008-64:

Resolution to Approve Lease Agreement for Hardware for the Pretzel City Transit Program - This

resolution was presented by Community Development Director Shelly Griswold stating that this is for the 5311 Transportation Grant in which bids for hardware to run the central dispatch office were requested through area publications in addition to a bid list from the Illinois Department of Transportation. Only one bid was received and it was by Stewart and Associates. The lease prices were listed in the summary of proposals included in the packets. IDOT requires a lease of the equipment rather than a purchase. The Stewart and Associates bid is a three year lease with option to renew for two additional years in the amount of \$2,499.00 for the first three years, and \$1,200.00 for year four and five.

A motion to approve resolution was made by Alderman Klemm, seconded by Alderman Endress.

Roll Call Vote – Ayes: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O’Neill (8)

Nays – None (0)

Resolution 2008-64 was adopted 8-0.

RESOLUTION #R-2008-65:

Resolution to Approve Lease Agreement for Software for the Pretzel City Transit Program - This

resolution was presented by Community Development Director Shelly Griswold stating that proposals were received for the Computer Software to be used for the Pretzel City Transit Program. The council packets included information from proposals received from Stratagen, Shah Software, RouteMatch, and Mobilitat. Neither Shah Software nor Mobilitat met the threshold criteria set forth in the request for proposals. The second two proposals that met the criteria set forth were from Stratagen and RouteMatch, both scoring very well on the ranking criteria with Route Match scoring higher in addition to being used in Macomb and DeKalb, two areas used as comparison programs to follow. After the packets were delivered, Community Development Director Shelly Griswold further reviewed the proposals and felt that the RouteMatch Software more closely follows and has more advantages over the Stratagen Software in addition they have more experience working with IDOT. She stated the price differential is striking by \$6,000 more per year. She then listed the advantages of RouteMatch to put them over and above the software proposal of Stratagen. Director Griswold requested the council to consider allowing staff and the administration the ability to negotiate with RouteMatch for a lower lease price within given perimeters and then, if that fails, accept the Statagen proposal. Director Griswold stated that we reserved the right to negotiate with any of the qualified proposals but as staff she didn’t have the right to negotiate without council approval. She asked to be allowed to negotiate for a lower lease price stating that she doubted to be able to renegotiate from \$97,000 to \$63,000 but they have front-loaded their bid for the first year in the amount of \$34,000 and that is over what is in the budget for the 5311 budget of \$20,000. The advantages

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of the RouteMatch are significant enough to negotiate down to the lower \$80's. Corporation Counsel Sarah Griffin stated this bid is more in the realm of professional services and if there is more criteria than cost alone such as working with IDOT, Macomb, or DeKalb then it would be sufficient reason. Director Griswold stated that Stratagen is not deficient it is just that RouteMatch is that much better. Both met the threshold criteria. A motion to approve the resolution as written as Stratagen was given by Alderman Helms, seconded by Alderman Bush. An amendment to allow Director Griswold and the administration to go out and negotiate and come back to council with their final proposal was given by Alderman Boldt, seconded by Endress. Director Griswold stated that there is not time to come back and present the proposals again and still meet the date to get the program up and running by October 1, 2008. Alderman Klemm asked for clarification of Director Griswold in respect to who she will renegotiate with and she stated that the only parties that she would speak to were RouteMatch and Stratagen due to their meeting the threshold criteria. Alderman Boldt asked to withdraw his motion, seconded by Alderman Endress. A motion was made by Alderman Klemm to "offer an amendment to go back to negotiate with the two people that provided bids so that they may be brought in at the time frame required and to offer Community Development Director Shelly Griswold the ability to negotiate with the two bidders." This motion was seconded by Alderman Endress. Director Griswold asked for clarification whether she will be allowed to negotiate and then enter into agreement with and it was agreed that she would be allowed to negotiate and then enter into an agreement. Alderman Boldt asked for clarification as to whether Director Griswold would be able to spend \$97,000 and it was answered that as long as that amount is not appropriated in the budget Director Griswold would only be able to negotiate up to an amount appropriated in the budget. Director Griswold clarified that the contract is only good as long as we have funds from IDOT is granted. \$20,000 is in this year's budget. A roll call vote was taken of ayes and nays with Alderman Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O'Neill voting aye (8). There were no nay votes. The amendment passed 8-0. Mayor Gaulrapp stated there is a motion on the floor with an amendment to it and asked if there were any questions to the motion on the floor.

Roll Call Vote – Ayes: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O'Neill (8)

Nays – None (0)

The motion passes 8-0.

RESOLUTION #R-2008-66:

Resolution to Approve an Agreement Between the City of Freeport and the Regional Office of Education #08 for participation in the WIA Youth for Success Internship Program – This resolution was presented by Corporation Counsel Sarah Griffin stating that this is a federally funded program for pay and for providing worker's compensation and other insurance for recent GED graduates to help them find employment by giving them experience. A motion to approve the resolution was made by Alderwoman O'Neill, seconded by Alderman Boldt. Motion passed by voice vote without dissent and Resolution R-2008-66 was adopted.

DEPARTMENT HEAD REPORTS

Community Development

- Community Development Director Shelly Griswold presented information regarding the Comprehensive Plan stating that Alderman Corbin had been on the committee not Alderman Helms as previously stated. Director Griswold referred to information submitted to council stated the Planning Commission review committee narrowed down the proposals from 12 to 5.

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The Planning Commission reviewed the five and decided to interview three proposals. The committee unanimously recommended Houseal Lavigne Associates. An agreement has not been negotiated nor has a time frame been developed. Their base cost is \$94,000 and this is over the budgeted amount. A planning grant is available through the State of Illinois for funds and the City will be applying for those. Director Griswold asked for the council's approval to go ahead and start on working on drafting an agreement with Houseal Lavigne Associates in order to bring it back to council. A motion to begin to proceed on working with Houseal Lavigne Associates was made by Alderman Corbin, seconded by Alderman Klemm. Roll Call Vote – Ayes: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O'Neill (8). Nays – None (0). The motion passes 8-0.

- Façade Improvement Grant Recommendations were reviewed from the memorandum dated August 4, 2008 to council members in the total amount of \$22,333.50 which Community Development Director Shelly Griswold recommends funding. The three recipients would be Inky Printer for a maximum grant amount of \$12,700, REALTOR Association of Northwest Illinois for a maximum grant of \$1,483.50 and FA Read Center for a maximum grant of \$8,150.00. A motion to approve the recommendations of Community Development Director Shelly Griswold was made by Alderman Klemm, seconded by Alderman Endress. Roll Call Vote – Ayes: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O'Neill (8). Nays – None (0). The motion passes 8-0.

- An update property code violation report was given to council members by Director Griswold reporting that the Street Department workers demolished two homes on Johanna Street (61 South Johanna and 67 South Johanna) so items #2 and #3 on the list are completed. Alderman Helms asked about the ability of the City to recoup any of the costs involved with the demolition and it was answered that the City places a demolition lien on the property.

- NHS will be giving a report to council at the next meeting which will include a delinquency report by NHS.

- The transportation program dollars have been reimbursed by the Illinois Department of Transportation in the amount of \$77,104.72 in downstate operating assistance funds for last year 2007-2008 fiscal year.

Fire Department

- The Fire Department is assisting Alderman Bush with the collection of backpacks and school supplies for the Back to School Celebration and anyone wishing to help out may drop off donations at the Fire Stations until August 16, 2008.

- Included in the packets was a request for purchase of a lawn tractor/snow blower for Fire Station #1 by Fire Chief Kevin Countryman. Quotes were received from Freeport Lawn and Leisure, AC McCartney Implement, and Curtis and Sons. It was recommended by Chief Countryman, based upon price and past experience with Freeport Lawn and Leisure, to purchase a John Deere in the amount of \$5,950.00 with Fire Improvement Funds. A motion to approve the recommendation of Chief Countryman was made by Alderman Helms, seconded by Alderman Klemm. Roll Call Vote – Ayes: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O'Neill (8). Nays – None (0). The motion passed 8-0.

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MAYOR'S REPORT

- Cruise Night, held on August 2, was great success and many thanks to the volunteers for their work hard to make it a success.
- Freeport Beautification still needs volunteers for planting and clean-up projects that they have planned.
- The transportation for seniors is moving forward with the cooperation of the Senior Center.

NEW BUSINESS

Each council member was given an opportunity to publicly address significant items of interest. Alderman Bush asked about mowing and Consolidation Grain and Director Griswold answered his concerns. Alderwoman DeVine spoke about the neighborhood watch in the area of Ordway. Mayor Gaulrapp spoke about a new policy for the Neighborhood Watch signs and reimbursement of the expenses if the group has been in force for one year. Alderman Helms asked about South Harlem sewer project and whether the walking path will be filled back in and asked to have a report back to him at the next meeting. Alderwoman O'Neill recommended viewing a display for the Sesquicentennial at the Stephenson County Visitors Center.

PUBLIC COMMENTS - AGENDA OR NON- AGENDA ITEMS

There was no one signed up for public comments at this time.

An adjournment of the meeting was motioned at 8:28 p.m.

Respectfully submitted,
Meg Zuravel, City Clerk