



City Council

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

MINUTES REGULAR MEETING Monday, November 3, 2008

CALL TO ORDER

The meeting was called to order by Mayor George Gaulrapp at 6:00 p.m. with a quorum being present on Monday, November 3, 2008, in City Council Chambers of City Hall.

ROLL CALL

Present on roll call were council members Helms, O'Neill, Corbin, Klemm, Boldt, DeVine, and Endress (7). Alderman Bush was absent. Also present were Corporation Counsel Sarah Griffin and city department heads.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Alderman Endress motioned for approval of the agenda as presented, seconded by Alderman O'Neill. Motion passed by voice vote without dissent.

APPROVAL OF MINUTES

A motion to approve the minutes from the regular meeting on Monday, October 20, 2008, was made by Alderman Endress, seconded by Alderman DeVine. Motion passed by voice vote without dissent.

PRESENTATIONS/PROCLAMATIONS

A. Colleen Johnson of Vandewalle & Associates gave a presentation of County Hazard Mitigation Plan. Also present were Terry Groves of the Stephenson County Emergency Management Agency, and Shelly Griswold, Community Development Director. Ms. Johnson provided a PowerPoint presentation overview of the Draft Mitigation Plan, its adoption process, and then provided an opportunity for questions and comments. Hazard Mitigation is the action taken to reduce or eliminate long-term risk to human life and property from hazards, including strategies to make future hazards less common or severe, or to better protect people or property from the hazard. This plan focused on flooding, severe thunderstorms and windstorms, winter storms, drought, extreme temperatures and earthquakes, also addressed to a lesser extent human-caused and disease outbreak hazards. The plan is eligible to be adopted by the County and each village or city (requesting by December 4, 2008), plan to be adopted "as is" in order to maintain FEMA approval; opportunities to update plan provided annually; plan to be submitted to FEMA for final approval upon adoption by County; and adoption of plan by each jurisdiction makes jurisdiction eligible to apply for competitive FEMA mitigation project grants. Plan is available on website:www.vandewalle.com/work/stephenson_county.html.

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- B. An update was given by Cheryl Kneubuehl of Northwest Illinois Development Alliance (NIDA) in regard to activities in retail and food service developments. Ms. Kneubuehl also provided an update on the Mill Race Crossing development agreement and the ICSC shopping center conference stating that their booth received moderate activity.
- C. Mayor George Gaulrapp presented the Denny Garkey Award for Outstanding Citizen Leadership to the Freeport Beautification Committee Chairs - Loretta Barney and Cathy Helm. Mayor Gaulrapp thanked all of their volunteers for their hard work and energy in preparing Freeport for the Lincoln Douglas Sesquicentennial and hopes that their efforts continue in the future. Credit was given to the Neighborhood Housing Services and over 1,000 hours of volunteer time throughout the community.
- D. Diana Roemer, Executive Director of American Red Cross provided information about a grant received by the Community Foundation to update their website, the series of fundraisers for the recent hurricanes, and the upcoming Hometown Heroes campaign. The Red Cross will have an open house on Monday November 10 from 1:00 pm to 4:00 pm., and other functions planned over the year for the Red Cross.
- E. Mayor George Gaulrapp proclaimed November 2008 as National Hospice/Palliative Care Month.

PUBLIC COMMENTS – AGENDA ITEMS

Two people were signed up for public comments on agenda items this evening:

- LaFrancine Baker of 32 S. Howard Ave, Freeport, Illinois spoke to the council regarding County Hazard Mitigation and the views of the Eastside Task Force. Ms. Baker stated this committee was formed to address the east-side concerns over the years and a major concern is the issue of flooding. A mitigation committee was formed and they came up with a number of suggestions, none of which were included in the County Hazard Mitigation Plan as presented by Colleen Johnson this evening. Ms. Baker stated the east side residents were not a part of the planning and were only told what was best for the east side. Ms. Baker provided a partial listing of suggestions at this time 1) adding a pumping station on east side to eliminate nuisance flooding 2) removal of debris and obstruction from sewer drains that cause flooding 3) creation of a holding retention area for water run off 4) developing alternative energy to area using green ideas 5) using a levy system and extending the existing levy on the eastside 6) implement and practice storm water management and erosion control 7) protect structure and infra-structures from hazards of nature such as water and 8) work with appropriate agencies to clean-up and open up the Pecatonica River. Ms. Baker stated they would like to work with the city so the residents will not have to relocate. She asked to have the city treat them like other citizens. Ms. Baker asked that the council not vote on a formal plan until after they are given the opportunity to present a formal presentation to the council. Ms. Baker was told she would be on the next council agenda for November 17, 2008. Ms. Baker also asked and was informed that either two aldermen or the mayor are needed to add an item to the agenda but to please contact the mayors office if she would like to address council.
- Eric Pearson, 225 N Wilbur, Freeport, Illinois spoke to the council regarding County Hazard Mitigation and he is working on additional flood research and they are trying to bring everyone together by coming up with alternative. Mr. Pearson asked the council to be open-minded to the suggestions of the East Side Task Force.
- Mayor Gaulrapp stated this administration started the East Side Task Force and we did have Colleen Johnson of Vandewalle & Associates assure that the lines of communication were open in addition to giving appreciation for their attendance tonight.

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CONSENT AGENDA

- A. Approval to Receive and Place on File:
 - 1) Water and Sewer Monthly Report for October 2008
 - 2) Treasurer’s Report for period ending September 30, 2008
 - 3) Treasurer’s Monthly Investment Report for period ended September 30, 2008
- B. Approval of Water and Sewer Bills Payable (159, 160, 162, 163) --- \$223,019.36
- C. Approval of Payroll for pay period ending October 25, 2008 --- \$399,662.13
- D. Approval of Bills Payable (#158, 161, 164) ---- \$762,904.88

Alderman Endress moved to approve the consent agenda as presented, seconded by Alderman O’Neill. The motion was approved by roll call vote.

Yeas: Helms, O’Neill, Corbin, Klemm, Boldt, DeVine and Endress (7)

Nays – None (0)

Motion passed 7-0 and the Consent Agenda items were approved.

COMMUNICATION TO COUNCIL

The following items were included in the council packets for this meeting:

- A. 2009 Holiday Schedule
- B. 2009 Regular Meetings of the Freeport City Council
- C. Artspace Survey of Artists’ Space Needs and Preferences, October 2008 Report

ORDINANCES – THIRD READING

3RD READING OF ORDINANCE 2008-55:

An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2008, and Ending April 30, 2009 for the City of Freeport County of Stephenson, and State of Illinois

The first reading of this ordinance was held on October 6, 2008. A motion to approve was given by Alderman Klemm, seconded by Alderman Endress. The second reading was held on October 20, 2008, and it was automatically laid over to tonight’s meeting and it is properly on the floor.

Proposed City of Freeport Tax Levy	2007-2008	2008-2009
Firefighter Pension	\$566,873	572,471
Police Pension	750,388	825,056
IMRF	172,000	168,000
Corporate Fund	997,876	997,876
Total	\$2,487,137	\$2,563,403

City Treasurer Linda Buss stated that she is a representative of both the Fire and Police Pension Boards and requests the alderman to delay vote on this ordinance until the first meeting in December. This delay is requested because of a new pension reform law requiring pension funds to present a detailed report to council prior to their vote. The report must contain the results of an audit which have not been received by the pension boards. Each of the pension boards must then certify its appropriateness of the report. Alderman Klemm moved to lay over this ordinance until the first meeting of December 2008, seconded

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by Alderman Boldt. Motion passed by voice vote without dissent. Treasurer Buss stated the laying over of this levy does not affect the Library levy.

3RD READING OF ORDINANCE 2008-56:

An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2008, and Ending April 30, 2009 for the Public Library of the City of Freeport, County of Stephenson, and State of Illinois

The first reading of this ordinance was held on October 6, 2008. A motion to approve was given by Alderman Endress, seconded by Alderman Boldt. The second reading was held on October 20, 2008 and it was automatically laid over to tonight’s meeting and it is properly on the floor. Alderman Helms extended his appreciation to the Library Board and Director Dickerson. He stated that the library taxation rate should not be raised and if it is needed it should go through a referendum. Alderman Helms asked that the library board do whatever they can do to maintain their current budget without increasing it due to our current economic times. Alderman Helms moved to lay over the Ordinance 2008-56 until the next regular scheduled meeting if the library board can meet prior to that time, seconded by Alderman Corbin. Alderman Boldt asked for direction from Corporation Counsel Sarah Griffin and she stated the council can ask the Library Board to go back and re-look at their budget, but you can’t change their budget or deny it. You are asking them as a courtesy to re-look at their figures and there is plenty of time for them to do so. At some point the council will need to levy the amount the Library Board requests. Alderman Helms read from the ordinance, “The city council finds that in 1981 the maximum tax rate for general public library purposes was increased from 0.15% to 0.40% of the value of all the taxable property within the City of Freeport, as equalized or assessed by the Illinois Department of Revenue upon referendum approval of the voters of the City.” The proposed levy is a 4.1% increase from last year as explained in Carole Dickerson’s October 16, 2008, memo attached to the ordinance. General library purposes are restricted by ordinance. The following is the proposed tax levy for 2008-2009 in comparison to last year:

Proposed Public Library Tax Levy	2007-2008	2008-2009
Property Tax for general library purposes	\$1,079,054	\$1,107,809
Special Tax for unemployment insurance	2,500	
Special Tax for worker’s comp	1,000	
Special Tax for FICA/Medicare	48,000	75,000
Special tax for Liability insurance	22,000	17,000
Total	\$1,152,554	\$1,199,809

Motion passed by roll call vote to lay over Ordinance 2008-56 to the next regularly scheduled meeting.
Yeas: Helms, Corbin, Klemm, Boldt, and Endress (5)
Nays – O’Neill and DeVine (2)

3RD READING OF ORDINANCE 2008-57:

Ordinance to Authorize an Intergovernmental Agreement Between the City of Freeport and Freeport School District #145 for a School Resource Officer Program

The first reading of this ordinance was held on October 6, 2008. A motion to approve was given by Alderman Helms, seconded by Alderman Klemm. The second reading was held on October 20, 2008 and it was automatically laid over to tonight’s meeting and it is properly on the floor.

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The motion was approved by roll call vote:

Yeas: Helms, O'Neill, Corbin, Klemm, Boldt, DeVine, and Endress (7)

Nays – None (0)

Ordinance 2008-57 was adopted.

ORDINANCES – SECOND READING

2nd Reading of Ordinance 2008-58:

Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport – request for amendment of Zoning Ordinance from B3 (Commercial and Wholesale Business District) to M1 (Limited Manufacturing District) by David M. Heitman DBA Perfection Cleaning & Restoration for the property located at 1745 South Ihm Boulevard, Freeport, Illinois. This ordinance was recommended to the City Council by the Planning Commission by unanimous approval on October 9, 2008. Additionally there were no objectors filed for this ordinance. The first reading of this ordinance as held on October 20, 2008. A motion to concur with the findings of the Planning Commission was made by Alderman Corbin, seconded by Alderman Endress. The second reading of this ordinance was held tonight and it was automatically laid over to the next meeting.

2nd Reading of Ordinance 2008-59:

Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport – request for amendment of Zoning Ordinance from R7 (Multi-family Residence) to B1-1 (Restricted Retail Business) by Paul A. Kijowski for the property located at 404 West Galena Avenue, Freeport, Illinois. This ordinance was recommended to the City Council by the Planning Commission by unanimous approval on October 9, 2008. Additionally there were no objectors filed for this ordinance. The first reading of this ordinance was held on October 20, 2008. Alderman Helms moved to concur with the findings of the Planning Commission, seconded by Alderman Endress. The second reading of this ordinance was held tonight. Director Griswold stated that at the Planning Commission meeting the applicant asked to have one of the readings waived in order to move up the closing date. Alderman Klemm moved to suspend the rules and waive one of the readings to vote on it tonight, seconded by Alderman Endress.

Roll call vote on suspension of the rules:

Yeas: O'Neill, Corbin, Klemm, DeVine, and Endress (5)

Nays – Helms and Boldt (2)

Motion passed 5-2. Mayor George Gaulrapp voted yea to pass the motion favorably 6-2.

Roll call vote on Ordinance 2008-59:

Yeas: Helms, O'Neill, Corbin, Klemm, Boldt, DeVine, and Endress (7)

Nays – None (0)

Ordinance 2008-59 was adopted.

2nd Reading of Ordinance 2008-61:

Ordinance Amending Chapter 1030 (Special Events), Section 1030.02 (Permit Application) of the Codified Ordinances of the City of Freeport – The first reading of this ordinance was held on October 20, 2008. A motion to approve was given by Alderman Endress, seconded by Alderman Boldt. The second reading was held tonight. A letter from School District #145 Superintendent of Schools, Peter Flynn was read asking for waiver of the \$25.00 special event permit application of the Lantern Festival to

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be held on November 8, 2008 of which District #145 is a co-sponsor. Alderman Corbin moved to suspend the rules and waive one of the readings to vote on it tonight, seconded by Alderman Klemm.

Roll call vote on suspension of the rules:

Yeas: Corbin, Klemm, DeVine, and Endress (4)

Nays – Helms, O’Neill and Boldt (3)

Motion failed needing a super majority vote and the ordinance was automatically laid over to the next meeting.

2nd Reading of Ordinance 2008-62:

Ordinance Amending a Redevelopment Agreement by and Between BW Freeport, LLC and the City of Freeport, Stephenson County, Illinois - The first reading of this ordinance was held on October 20, 2008. A motion to approve was given by Alderman Endress, seconded by Alderman Corbin. The second reading was given tonight and the ordinance was automatically laid over to the next meeting.

ORDINANCES – FIRST READING

1st Reading of Ordinance 2008-63:

An Ordinance Authorizing Sale of Real Estate 512 E. Iroquois Street to Alfred Walker (A Single Individual) This ordinance was presented by Corporation Counsel Sarah Griffin stating that one bid for this property was received and approved by the council on October 6, 2008. This is the formal ordinance for that bid to authorize the sale of the property. A motion to approve was given by Alderman Boldt, seconded by Alderman O’Neill and it was automatically laid over to the next meeting.

ACTION ITEMS

REAPPOINTMENTS

A motion to accept the reappointment of Phillip Copus to the Freeport Planning Commission effective immediately and to expire on October 31, 2012 was made by Alderman Endress, seconded by Alderman Helms. Alderman Klemm asked about having two people from the same firm on a commission and Mayor Gaulrapp acknowledged that they are looking for more diverse commission but with the extensive land use plan coming before the Planning Commission he would like members with more experience and longevity. He recommends approval of Mr. Copus. Motion passed by roll call vote without dissent.

A motion to accept the reappointment of Christopher Schneiderman to the Water and Sewer Commission effective immediately and to expire on November 30, 2013 was made by Alderman Endress, seconded by Alderman Helms. Motion passed by roll call vote without dissent.

Mayor George Gaulrapp asked for names for appointments to the Water & Sewer Commission to be brought forth to his office or to Finance Director Craig Joesten.

RESOLUTIONS

Resolution #R-2008-75:

Resolution for Maintenance of Streets and Highways by Municipality under the Illinois Highway Code. This resolution was presented by Street Superintendent Tom Dole stating that each year \$600,000 is used from Motor Fuel Tax to fund \$500,000 for street improvements and \$100,000 for the Street Department for gravel, hot mix and aggregate products. A motion to approve the resolution as presented was made by Alderman Klemm, seconded by Alderman Helms.

The motion was approved by roll call vote:

Yeas: Helms, O'Neill, Corbin, Klemm, Boldt, DeVine, and Endress (7)

Nays – None (0)

Resolution 2008-75 was adopted.

Resolution #R-2008-76:

Resolution Authorizing the Execution of the IMLRMA Minimum/Maximum Contribution Agreement. This resolution was present by Finance Director Craig Joesten stating that a memo was sent in the last council packets explaining the quotes have been received for the property and casualty insurance which have gone up dramatically due to the adverse experience we have had on our program. The premium for the minimum/maximum can be reduced if paid early. This resolution authorizes execution of the IMLRMA contribution in accordance with the IMLRMA Minimum/Maximum Contribution Agreement which increase the annual premium from \$470,554.84 to \$512,136.24 by 8.8% and is the minimum contribution the City of Freeport would pay for year 2009. Notably the maximum contribution the City of Freeport would pay for year 2009 would be \$696,988.00 depending upon the claim experience for that year. The City Council finds it to be in the best interest of the municipality to make its IMLRMA contribution payment by the early renewal deadline of November 21, 2008, reducing the annual premium by an additional 2% (\$10,451.76) for the period beginning December 31, 2008 and ending on December 31, 2009. A motion to approve the resolution as presented was made by Alderman Helms, seconded by Alderman Klemm.

The motion was approved by roll call vote:

Yeas: Helms, O'Neill, Corbin, Klemm, Boldt, DeVine, and Endress (7)

Nays – None (0)

Resolution 2008-76 was adopted.

Resolution #R-2008-77:

Resolution of Support for a Community Development Assistance Program (CDAP) Housing Rehabilitation Grant. This resolution was presented by Community Development Director Shelly Griswold stating that the public hearing for this grant was immediately prior to the council meeting. The grant application seeks \$350.00 to do housing rehabilitation on West Avenue between Stephenson Street north to Galena Avenue through the Illinois Department of Commerce and Economic Development. This grant is due mid-November. A motion to approve the resolution as presented was made by Alderman Klemm, seconded by Alderman Endress.

The motion was approved by roll call vote:

Yeas: Helms, O'Neill, Corbin, Klemm, Boldt, DeVine, and Endress (7)

Nays – None (0)

Resolution 2008-77 was adopted.

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DEPARTMENT HEAD REPORTS

Police

Chief of Police Jerry Whitmore thanked all the grade schools for their participation in Red Ribbon Week food drive collecting over 11,000 nonperishable food items.

Community Development

Community Development Director Shelly Griswold reported the city will have its bulky waste pickup scheduled the week of November 17, 2008. All items must be on the curb by 5:00 am starting Monday for a cost per household of \$42.64 to be added to a resident's water and sewer billing by calling either Moring or Gills Disposal Company. She announced the winner of the Chili Cook-Off for the third year running as the Freeport Police Department, second place was RAMP and third place was NHS.

Public Works

Street Superintendent Tom Dole spoke about the 600 feet of curb and widening of street of McKinley Avenue that will have the material cost reimbursed by the Freeport Park District. Leaf pick-up is in full operation and leaves should be brought curbside and pick up will be through the first snow fall.

MAYOR'S REPORT

Mayor Gaulrapp stated that a meeting has been set up on Monday with the Illinois Attorney General regarding the high salt prices and the contracts through CMS. Even with the increase in the cost of salt the city has been running for the last six months with a surplus to the budget for the third year in a row. Mayor Gaulrapp spoke about the letter to the editor chastising the administration on residential projects and he stated for the viewing audience that the City has increased appropriations for demolitions to an amount of \$195,000. Our street crews and private demolition crews have demolished several homes in Freeport. Mayor Gaulrapp stated that Alderman Bush called about placing the Eastside Task Force on the agenda on Friday afternoon and he was told that it the Hazard Mitigation is on the council agenda and they could speak during the first public comments portion of the meeting and he was fine with it.

NEW BUSINESS

Each council member was given an opportunity to publicly address significant items of interest. Alderman Helms spoke to the council about donating salaries of Alderman for November and December to the Salvation Army and FACC. Alderman Corbin spoke about the Lincoln Douglas Kiwanis and Police Department's "Say No to Drugs" program. Alderman Klemm spoke about the All Veteran's Memorial Park fundraiser and Malcolm Eaton Enterprises "A Very PUNny Info Session" to be held on November 13, 2008. Alderman Boldt spoke about honoring the commitment not to waive readings unless it is an absolute emergency, making a donation to pay for the Lantern Festival special event permit, the Library Tax Levy, and donations during the Christmas season. The Aldermen each took turns reminding people to vote on November 4.

PUBLIC COMMENT

Lee Butler of 1550 Woodside Drive spoke about attending a town meeting and the news of the cement boat ramp at Tutty's Crossing. Mayor Gaulrapp stated that a grant has been applied for and a low interest loan which the money will be in this budget cycle and, hopefully, it will be approved before next spring.

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He asked if cement will be poured in April and the Mayor said that we will have to wait for approval of the budget.

An adjournment of the meeting was motioned at 7:35 p.m.

Respectfully submitted,

Meg Zuravel, City Clerk