



## *City Council*

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

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### **MINUTES REGULAR MEETING Monday, December 15, 2008**

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#### **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, December 15, 2008, in City Council Chambers of City Hall.

#### **ROLL CALL**

Present on roll call were council members Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O'Neill (8). 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 Corbin.

#### **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, December 1, 2008, was made by Alderman O'Neill, seconded by Alderman Endress. Motion passed by voice vote without dissent.

#### **PUBLIC COMMENTS – AGENDA ITEMS**

Signed up for public comments on agenda items this evening:

- Marianne L. Garvens, 2532 E. River Road, stated her viewpoint on council agenda items by referring to hand-written notes distributed to the aldermen prior to the meeting stating that she was opposed to the winter parking regulation ordinance and she asked council to layover the resolution for the Multi-County Hazard Mitigation Plan. She stated that in the City of Freeport there is only 60 Federal Flood Insurance policies and 55 of them are on the east side. The average pay out per policy has been \$4,000 to \$6,000 when there has been an incident. Ms. Garvens is preparing DVD copies of the meeting of February 2008 when the eastside portion of the plan was presented and this DVD will be distributed to each council member by December 16, 2008.

#### **PRESENTATIONS**

Neil Richardson of Lindgren, Callihan, VanOsdol & Co introduced himself as the engagement partner for the City. He also introduced Brian Anderson as the lead auditor. Mr. Richardson provided a highlight of the Fiscal Year 2008 Annual Financial Report stating that they are fairly presented in all material respects, in conformity with U.S. generally accepted accounting principles. Mr. Richardson referred to page two of the Control Deficiencies Report dated November 5, 2008, in regard to segregation of duties considered a

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control deficiency but not as a material weakness as defined by government auditing standards. With that in mind, Mr. Richardson recommended establishment of compensating controls by reallocating duties between positions. Mr. Richardson referred to page 7 of the 2008 Financial Report pointing out total net assets of \$13,842,576 in 2008 and \$14,227,342 in 2007. He stated that the financial reports (Management Discussion and Analysis) are on full accrual basis as compared to the modified accrual basis used in the Basic Financial Statements presented. Mr. Richardson referred to the Annual Financial Statement and noted that the Net Pension Obligations of \$5,282,600 was put in because of full accrual accounting methods and what doesn't get booked is the tax effect. Mayor Gaulrapp asked if Freeport was consistent with their funding of obligations and Mr. Richardson answered yes.

The Aldermen were provided an opportunity to ask Mr. Richardson questions. Alderman Corbin asked about the control deficiency report asking about one person controlling monetary actions and the locking of signature stamps. Mr. Richardson referred to a cost-benefit of the segregation of duties stating that as the council this is something that they should be looking at. Mayor Gaulrapp assured the council that the signature stamps are locked and there are now checks and balances in place between the City Treasurer, City Accountant and Finance Directors responsibilities.

**CONSENT AGENDA**

A. Approval to Receive and Place on File:

- 1) Fire Department monthly activity report for November 2008
- 2) Police Department monthly activity report for November 2008
- 3) Community Development monthly activity reports for November 2008

B. Approval of Water and Sewer Bills Payable (#179, 180, 182, 183) --- \$258,960.56

C. Approval of Payroll for pay period ending December 12, 2008 --- \$410,390.97

D. Approval of Bills Payable (#178, 181, 184, 185) --- \$544,241.59

Alderman Corbin moved to approve the consent agenda as presented, seconded by Alderman O'Neill.

The motion was approved by roll call vote.

Yeas: 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.

**COMMUNICATION TO COUNCIL**

Alderman Klemm moved to place the Fiscal Year 2008 Annual Finance Report as submitted to the Finance Department by Lindgren, Callihan, Van Osdol & Co., Ltd., on file with the City, seconded by Alderman Endress. The motion was approved by voice vote without dissent.

**ORDINANCES – THIRD READING**

**3<sup>RD</sup> READING OF ORDINANCE 2008-64:**

**An Ordinance Repealing and Replacing Portions of Chapter 486 Snow Emergencies with Winter Parking Regulations (as amended 12/1/2008)**

The first reading of this ordinance was held on November 17, 2008. A motion to approve was given by Alderman Klemm, seconded by Alderman Endress. The second reading was held on December 1, 2008, and after an amendment to the ordinance was adopted it was automatically laid over to tonight's meeting.

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Deputy Chief Robert Smith stated that in the past even if a snow emergency was called, many people did not read it in the newspaper nor hear by way of radio or television broadcasts, so they continued parking on both sides of the streets. He stated with this ordinance the snow removal will be facilitated much better. Deputy Smith stated that currently there is 24 hour ordinance in place for parking and it is enforceable year round. All vehicles parked on City street must be moved every 24 hours and it really shows during snow events when mounds of snow cover vehicles for over a 24 hour period. Aldermen provided comments they had received regarding the ordinance and in particular questioned the business district parking due to people in the business district before 8:00 am and after midnight. Mayor Gaulrapp stated that the plow drivers have a terrible problem trying to get through city streets when vehicles parked on both sides. Alderman DeVine stated that there were many times when she had to walk to get students because busses could not make it through the streets. Signs will be posted at the entrances to the City. Alderman O'Neill moved make a motion to amend Ordinance 2008-64 to add wording to 486.03 Parking Prohibited Under Certain Conditions, item c) Streets that have a designated parking on one side only for an entire city block, shall be exempt from this section, seconded by Alderman Corbin. The motion for the amended wording was approved by roll call vote. Yeas: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O'Neill (8). Nays – None (0).

A roll call vote to adopt the Ordinance as amended was taken.

Yeas: Corbin, Bush, DeVine, and O'Neill (4)

Nays – Klemm, Boldt, Endress, and Helms (4)

Mayor George Gaulrapp voted yea. Ordinance 2008-64 as amended was adopted 5-4.

**ORDINANCES –SECOND READING**

**2<sup>nd</sup> Reading of Ordinance 2008-65:**

**An Ordinance Amending Chapter 480, Section 480.11 (Prohibited Parking Streets) of the Codified Ordinances of the City of Freeport - Willard Drive Parking** - The first reading of this ordinance was held on December 1, 2008. A motion to approve was given by Alderman Endress, seconded by Alderman Helm and it was automatically laid over to tonight's meeting. Upon the second reading, it was automatically laid over the first meeting in January.

**2<sup>nd</sup> Reading of Ordinance 2008-66:**

**An Ordinance Amending Chapter 222 (Ordinances and Resolutions) of the Codified Ordinances of the City of Freeport - Planning Commission and Zoning Board of Appeals considerations**

The first reading of this ordinance was held on December 1, 2008. A motion to approve was given by Alderman Boldt, seconded by Alderman Endress and it was automatically laid over to tonight's meeting. Upon the second reading, it was automatically laid over the first meeting in January.

**2<sup>nd</sup> Reading of Ordinance 2008-67:**

**An Ordinance Amending the Boundaries of the Joint City of Freeport – County of Stephenson Certified Enterprise Zone – Addition of Heritage Woods of Freeport, Supportive Living Facility (5.30 acres)** - The first reading of this ordinance was held on December 1, 2008. A motion to approve was given by Alderman O'Neill, seconded by Alderman Corbin and it was automatically laid over to tonight's meeting. Upon the second reading, it was automatically laid over the first meeting in January.

**ORDINANCES –FIRST READING**

**1<sup>st</sup> Reading of Ordinance 2009-01:**

**An Ordinance to Abate the 2008 Real Estate Tax Levy for Repayment of the General Obligation Bond Series 2000 – levied a real estate tax in the amount of \$415,010.00** - This ordinance was presented by Finance Director Craig Joesten by stating this information applies for all four abatement ordinances presented this evening. Director Joesten stated that if indebtedness of the bonds were taken out there was a defined revenue stream of the property taxes so every year we do not levy for repayment of these bonds, it is financed through the water and sewer rates.

A motion to approve the ordinance 2009-01 as presented was given by Alderman Helms, seconded by Alderman Klemm and it was automatically laid over to the next meeting.

**1<sup>st</sup> Reading of Ordinance 2009-02:**

**An Ordinance to Abate the 2008 Real Estate Tax Levy for Repayment of the General Obligation Bond Series 2003 - levied a real estate tax in the amount of \$387,300.00**

A motion to approve the ordinance 2009-02 as presented was given by Alderman Helms, seconded by Alderman Endress and it was automatically laid over to the next meeting.

**1<sup>st</sup> Reading of Ordinance 2009-03:**

**An Ordinance to Abate the 2008 Real Estate Tax Levy for Repayment of the General Obligation Bond Series 2004 - levied a real estate tax in the amount of \$1,161,535.00**

A motion to approve the ordinance 2009-03 as presented was given by Alderman Helms, seconded by Alderman Endress and it was automatically laid over to the next meeting.

**1<sup>st</sup> Reading of Ordinance 2009-04:**

**An Ordinance to Abate the 2008 Real Estate Tax Levy for Repayment of the General Obligation Bond Series 2006 - levied a real estate tax in the amount of \$892,850.00**

A motion to approve the ordinance 2009-04 as presented was given by Alderman Helms, seconded by Alderman Endress and it was automatically laid over to the next meeting.

**ACTION ITEMS**

**Appointments:**

A motion to approve the appointment of Paul Wimmer to the Historic Preservation Commission effective immediately through February 28, 2011, was made by Alderman Helms, seconded by Alderman Endress. Motion passed by voice vote without dissent.

Mayor George Gaulrapp reminded citizens we currently have open positions on commission and boards and he would encourage people to contact Aldermen or his office if interested.

**RESOLUTIONS**

**Resolution #R-2008-83:**

**Resolution Approving and Adopting the Stephenson County Multi-Hazard Mitigation Plan**

**(Adopted by the Stephenson County Board November 10, 2008)** – Community Development Director Shelly Griswold presented information to the council stating that the work of the plan is the result of over a year process with a steering committee comprised of local governments in Stephenson County, Stephenson County officials, people involved in emergency management, the Red Cross, Fire, Police as well as residents. There were many public meetings for the development of this plan. The Multi-Hazard Mitigation plan has been discussed at length during the city council meetings and also at a special meeting on December 8. A motion to place the resolution on the floor for approval was made by Alderman Boldt, seconded by Alderman Helms.

A discussion was held about the Hazard Mitigation Plan that it contains the wording requested by the Eastside Task Force to include five of their eight requests. A question was asked by Alderman Bush as to how to add wording to resolution so the plan could be reviewed annually. Corporation Counsel Sarah Griffin stated it would be appropriate to add section 4, “This plan shall be reviewed annually” and then renumber accordingly. A motion was made by Alderman Bush to annually review this Hazard Mitigation Plan, seconded by Alderman Endress. Community Development Director Shelly Griswold clarified to council that the Hazard Mitigation Plan can not be amended; we can review it and add an addendum to it. If it is reviewed an addendum is found appropriate at that time an addendum would be made and then at five years it could actually be adopted for grant funding. The motion for the amended wording was approved by roll call vote. Yeas: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O’Neill (8). There were no nay votes. Mayor Gaulrapp stated that the resolution is properly upon the floor and amended as requested. He asked the council if there were any other questions. Upon no further questions, he asked for a roll call vote.

The motion was approved by roll call vote.

Yeas: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O’Neill (8)

Nays – None (0)

Resolution 2008-83 was adopted 8-0.

**Resolution #R-2008-84:**

**Resolution Authorizing Vehicle Lease Agreement Between the City of Freeport and Pretzel City Transit, LLC**

- This resolution was presented by Community Development Director Shelly Griswold stating that this is a lease agreement between Pretzel City Transit, LLC and the City of Freeport for a Chevrolet Van. The lease itself is identical to the lease accepted for the Senior Center except for the other party, date, and the specifics about the vehicle. It is a five year lease agreement. Alderman Helms asked about the \$100 per year in payment for the lease agreement and Director Griswold stated that it is upon request of IDOT.

Alderman Helms moved to approve the resolution as presented, seconded by Alderman Klemm.

The motion was approved by roll call vote.

Yeas: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms, and O’Neill (8)

Nays – None (0)

Resolution 2008-84 was adopted 8-0.

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**DEPARTMENT HEAD REPORTS**

**Community Development**

Community Development Director Shelly Griswold stated that due to weather related issues, the Community Planning Workshop has been re-scheduled for Tuesday, January 13, 2009 at 7:00 pm at the Freeport Public Library and she encouraged everyone to attend.

**Finance**

Finance Director Craig Joesten spoke about the six month review of revenues and expenses presented at the last council meeting in which he projected a \$240,000 short-fall in the budget. Since the council meeting, the department heads met to discuss cuts and deferrals to deal with the short-fall. He stated that the department heads showed full cooperation and presented deferrals or cuts in their budgets equal to almost \$200,000. Director Joesten said that more small items will be reviewed, hoping that it will add up to offset the projected deficit. Director Joesten assured that council that staff and service cuts are not anticipated and, in addition, he is not contemplating any tax increases at this time. Alderman Helms requested the list of items to be cut.

**Executive Session**

At 7:00 pm, Alderman Helms moved to enter executive session pursuant to Illinois Open Meetings Act 5 ILCS 120/2 (c) (5) Purchase or Lease of Real Estate and 5 ILCS 120/2 (c) (2) – Collective Bargaining, seconded by Alderman Klemm.

The motion was approved by roll call vote.

Yeas: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms and O'Neill (8)

Nays – None (0)

At 7:15 pm, the council returned from Executive Session. Alderman Helms moved to return from executive session, seconded by Alderman Endress.

The motion was approved by roll call vote.

Yeas: Corbin, Klemm, Boldt, Bush, DeVine, Endress, Helms and O'Neill (8)

Nays – None (0)

**MAYOR'S REPORT**

Mayor Gaulrapp thanked the council for the participation and discussions in the third readings of the ordinances lately and light it put forth on what is included in the Hazard Mitigation Plan. He looks forward to focusing on economic development in 2009.

**NEW BUSINESS**

Each council member was given an opportunity to publicly address significant items of interest. Alderman Helms requested that in early 2009 to have the City disposal haulers come to a council meeting to discuss about their recycling programs and trash pick-up. The date the snow ordinance will go into effect was discussed and it will be publicized in the newspaper and then be effective 10 days after that.

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**PUBLIC COMMENTS**

Marianne Garvens spoke about passing a resolution to put a referendum on the ballot to consider staggering the aldermanic terms as it was not addressed when the city council was down-sized and she stated a deadline of December 20, 2008. She also stated that back in 2002 there was interest in re-considering the council at 14 members and the reason that the election board took it off the ballot was that it did not match the municipal election cycle and she suggested it be put on the thing to let the citizens respond. She encouraged the City Council to pass a resolution that the governor would resign. She recommended this also be added as a referendum to the ballot for the citizens to provide additional support for the Attorney General and the Senate in seeking his impeachment.

An adjournment of the meeting was motioned at 7:25 p.m.

Respectfully submitted,

Meg Zuravel, City Clerk