



City Council

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

MINUTES REGULAR MEETING Monday, March 2, 2009

CALL TO ORDER

With a quorum being present on Monday, March 2, 2009, at 6:00 pm the regular meeting of the Freeport Illinois City Council held in Council Chambers was called to order by Mayor George Gaulrapp.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Alderman O'Neill asked to move forward council agenda item #18. Appointments, following item #6. A motion to approve the agenda as presented was made by Alderman Endress, seconded by Alderman O'Neill. Motion passed by voice vote without dissent.

PUBLIC HEARING #1 – WEST AVENUE REDEVELOPMENT PLAN AND TIF

At 6:07 pm, Mayor George Gaulrapp stated this is a public hearing to consider the approval of a proposed redevelopment plan and the designation of that certain proposed redevelopment project area to be known as the West Avenue Redevelopment Project Area and the adoption of the tax increment allocation financing therefore.

Mayor Gaulrapp stated that anyone wishing to cross-examine a witness registered in advance of the public hearing and must assert an interest beyond that of the general public. Whether such interest exists shall be determined by the Council prior to the commencement of the public hearing. Mayor Gaulrapp reviewed the sign up list and there were three persons signed up requesting to cross examine on this issue.

The first person called was Betty Kurtz of 2303 Mallard Drive, Freeport, Illinois, stating that she and her husband own a transmission shop within the area considered for the TIF. Upon hearing this, a motion was given by Alderman O'Neill to find that both Ms. Kurtz and her husband, Lynn Kurtz, to have an interest beyond that of the general public, seconded by Alderman Klemm. Motion passed by voice vote without dissent.

The next person called was Ms. Kay Walker of 750 Skyline Drive, Freeport, Illinois. Ms. Walker stated that her property is surrounded on two sides by the area being considered. Upon hearing this, it was

MINUTES
REGULAR MEETING
Monday, March 2, 2009

motioned by Alderman Boldt to find that Ms. Walker has an interest beyond that of the general public, seconded by Alderman Endress. Motion passed by voice vote without dissent.

Mayor Gaulrapp declared the Public Hearing open.

Mayor Gaulrapp stated that Mary Riordan of Riordan & Pinta, Ltd, Redevelopment Attorney for the City is here this evening to present the information regarding the proposed Tax Increment Financing and, pursuant to Council rules, was sworn in by Mayor Gaulrapp prior to her presentation.

Ms. Riordan provided a brief history stating that back in December 2008, the City had a TIF Plan developed by Vandewalle & Associates and put it on file. The City also adopted an ordinance calling for this public hearing and a joint review board. The Joint Review Board Meeting was held on January 23, 2009, bringing to the table discussion which recommended changes to the plan regarding the issue of flood plains and these changes have been incorporated into the plan that is before the council this evening. Hopefully, there will be financing to handle it. Ms. Riordan stated that there were certain properties in the original plan that are not contained in the document this evening due to annexation issues. No additional properties are in this plan. Ms. Riordan submitted for the record the minutes of the JRB meeting held on January 23, 2009 stating that the Joint Review Board unanimously approved and agreed with the eligibility of the plan and found that the plan satisfied the requirements of the statutes. Ms Riordan then introduced Ms. Colleen Johnson of Vandewalle & Associates.

Ms. Colleen Johnson was sworn in by Mayor Gaulrapp. Ms. Johnson highlighted the plan, reviewed the eligibility issues, and spoke about the additions incorporated into the plan from the original plan based on the Joint Review Board recommendations. Ms. Johnson provided an overview of the boundaries of the Redevelopment Project Area (RPA) stating that is roughly bounded by West Avenue on the west, South Street to the north, Walnut Avenue and some properties just to the east side of Walnut on the east and Fairgrounds road to the south. The redevelopment project area was found to be eligible under the criteria for blighted factors under the Tax Increment Allocation Redevelopment Act and those factors were evaluated for both developed parcels and vacant parcels within the redevelopment project area. Ms. Johnson referred to redevelopment plan pages 23 and 24 describing the eligibility analysis findings. Ms. Johnson referred to the future land use map and pointed out the redevelopment project area by stating the land use categories including commercial, commercial/residential, floodplain which is consistent with the 100 year flood plain boundary, community facility, and commercial/community facility. Ms. Johnson stated that map provides a generalized guideline for future land use this does not supersede zoning or the comprehensive plan. Ms. Johnson reviewed the plan stating that four properties originally contained in the plan are not in this document due to a lack of annexation, so the current acreage of the TIF consists of 385 acres. Ms. Johnson stated that the equalized assessed valuation table was updated for the four parcels that were removed.

Ms. Johnson stated that language has now been included in the plan on page 18 reading, "Should the 100-year floodplain boundary expand in the future due to new data, development should be discouraged and be undertaken only as consistent with local, state and federal floodplain regulations, as well as consistent with the Stephenson County Multi-Hazard Mitigation Plan (see Appendix V) to mitigate potential flood impacts. To ensure that development is not undertaken in flood-prone areas that may not currently be

**MINUTES
REGULAR MEETING
Monday, March 2, 2009**

designated as 100-year floodplain, anyone proposing development on land in the RPA south of Meadows Drive shall be required to prepare engineering data and studies as necessary to update the delineation of the floodplain based on current site conditions. All development proposed to take place shall then be required to be consistent with these findings.” Additionally, Ms Johnson stated that updating the floodplain maps would be an eligible expense of the RPA and an appendix has been added to the plan for the Stephenson County, Illinois Multi-Hazard Mitigation Plan including it electronically on a disk. Ms. Johnson submitted the plan for the record and stated she is available to answer questions.

Mayor Gaulrapp asked if Lynn Kurtz, Betty Kurtz or Kay Walker had any questions of Ms. Riordan or Ms. Johnson.

Ms Betty Kurtz asked, “Where in the plan it told individual business owners what the consequences, she understands that you want to raise our taxes to do that we want to make it all nice and pretty and organized and planned, but, she continued, that we own a transmissions shop if that doesn’t fit in with your plan where it is at, what are the consequences to us and when will we know that?” Ms. Riordan answered that the whole idea of this TIF is to put it together. The City has had developers come in to try to develop it but the floodplain thing is such a big issue that there is really no, as Colleen Johnson pointed out, there is some land use concepts but there is no master plan or zoning per se. Ms. Riordan stated that hopefully the properties that are retail such as the one that you have would continue as retail as good use and a use that is desired within the TIF district . Ms. Riordan stated that, hopefully, any project that is done, your business will be incorporated into it. The purpose is not to run off successful business, it is to bring in more business. Ms. Riordan explained to Ms. Kurtz that there is no condemnation contemplated in the plan. Ms. Riordan explained that hopefully what the City can do is use the TIF money to enhance businesses and make things more cohesive, the intent is not to drive off thriving business.

Ms. Kay Walker asked why the fairground and their parking lot are in the TIF district. Ms. Riordan deferred to Mayor Gaulrapp for the answer. Mayor Gaulrapp stated that the City has talked to the County and asked if there was further use that they would like to have that parcel in the fairgrounds since it is in the City currently and there is no near future plans for the fairgrounds, but if there were something were to happen ten-fifteen years from now that there would need to be some relocation, or if the fair would want to relocate to another location they would be able to use TIF dollars to help them do that relocation Ms. Walker asked about the parking lot purchased by the fairgrounds and pointed out that it is zoned commercial/residential, does this mean eventually they could be businesses on this property...factories? Mayor Gaulrapp stated that yes that is a possibility, but that is not the intent of the plan. The plan is to make it broad-based for future use everything comes into the City and the annexations come in as B-3.

Mr. Steve Spudich was signed in to speak during a public hearing and stated that he was here this evening to provide testimony. Mr. Spudich was sworn in by Mayor Gaulrapp. Mr. Spudich of 1660 Gladewood Drive provided two copies of aerial photos to the council. Mr. Spudich stated that the aerial photos has a elevation of 770 feet from an old USA GIS map and he doesn’t know if the county is using an old GIS map but it is there, this 770 feet line has been over-flooded. This occurrence happened twice in 2002 for proof, if you go to a recently repaired bridge in Krape Park, the Demeter Street Bridge on the upstream side of it you can see how it was pounded with ice and the steel is all dented from prior floods prior to 2002 and the bottom was all licked by floods in 2002. Mr. Spudich stated the elevation of that

**MINUTES
REGULAR MEETING
Monday, March 2, 2009**

bridge is 771.9 feet. Mr. Spudich referred to a time that he was stopped on Route 26 one winter because the police were not letting people go over the bridge because of the chunks of ice and that same day he went over to Walnut Street and said the bridge was out of the water but just north of the bridge the water was going over the road. Mr. Spudich stated for the record that the 100-Year Old flood boundary is way out of date, there has been so much new building, roads, roofs, parking lot into parking lot that run off is so much faster and the parking lot has paved where it use to be gravel that water goes in and flooding is a major concern. Mr. Spudich stated there was a case where the City of Urbana was sued successfully by the Urbana Park district and the park district won. Mr. Spudich stated that any developer who builds on a flood plain can sue. Flooding does not just hinder those that build in a flood plain it bother the places around there because if they have improved their land and the water that can't go there will go on the neighbors. Ms. Riordan referred to page 18 of the Redevelopment Plan and the changes incorporated into the plan due to the Joint Review Board meeting and reiterated that the entire Stephenson County Hazard Mitigation Plan is now attached to the Redevelopment Plan. Ms. Riordan referred to page 8 of the Plan as one of the things to do with TIF dollars is to update floodplain boundary maps in the Yellow Creek floodplain, so that accurate delineation of where the floodplain is. Ms. Riordan stated with the City's stormwater ordinance now in effect there is a real control that a developer cannot increase the flow onto your property.

Alderman Bush stated that the flood plain is a major issue especially since people on the east side of town though they have supported the mitigation plan they still have concerns that they were told there are some things they cannot do and it needs to be more clearly stated what you are trying to do here because they are assuming that it is ok to go elsewhere and do things but they are still limited in what they can do.

Ms. Riordan pointed out on page 8 that there is \$42,000,000 estimated redevelopment project costs allocated to public works projects and improvements to help delineate the flood plain. Ms Riordan re-read page 18 wording written in red ink added due the Joint Review Board Meeting. Mayor Gaulrapp stated this wording was added in case there is a change in administration that it will be set in writing to not allow building in the floodplain without some type of mitigation and this area will be protected.

Alderman Helms asked leave of council to allow Mr. Spudich additional time for speaking. Seeing no objections, Mr. Spudich was called back to testify. Mr. Spudich stated that the Army Corps of Engineering only worries about bank to bank and Department of Natural Resources only worry about from the bank to the flood way. From the flood way to the flood plain is local City jurisdiction and that is what you are dealing with.

Mr. Spudich stated that he is aware of a huge mound of fill ready to be spread that has been trucked in at great expense and he is sure the developer would not have done it unless he felt that it is flood plain, and it needed to be raised and this fill is located behind the China Buffet and the Butts and Booze building from there all the way to Rosenstein Drive, there is a huge mound of fill ready to be spread. Ms. Riordan stated that there is no developer and there is not a project planned and, hopefully, making these plans is going to attract some development or redevelopment.

At 6:40 pm with there being no further questions by the council, Mayor Gaulrapp declared the public hearing closed. He stated a color copy of the Redevelopment Plan is on the website page Recent News.

MINUTES
REGULAR MEETING
Monday, March 2, 2009

APPROVAL OF MINUTES

A motion to approve the minutes from the regular meeting held on Tuesday, February 17, 2009, was made by Alderman Endress, seconded by Alderman O'Neill. Motion passed voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

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

PRESENTATION

Northern Illinois Development Alliance Executive Director Cheryl Kneubuehl provided an overview of the Acciona Wind Farm Project in Stephenson County. Ms. Kneubuehl listed economic benefits of the wind farms including; payment to each landowner of \$300,000 for use of their land, receipt of enterprise zone fees paid to Stephenson County, payment of \$1 million dollars to Winslow township for road improvements, increase in hotel and restaurant revenue from construction workers who dine and stay in local hotels, increase in revenue for local contractors who are used for concrete and other items, increase in employment opportunities because one permanent worker will be hired for every ten to fifteen wind mills, the opening of the HCC wind technical program, and revenue increase in property taxes received. Ms. Kneubuehl stated that Phase I is currently in the process, phase II will flow into Jo Daviess County being almost twice the size of Phase I and, in the future, Phase III is being planned which will be even larger. It is hopeful that Phase I will be operational this summer.

CONSENT AGENDA

A. Approval to Receive and Place on File:

- 1) City Treasurer Report for January 2009
- 2) Community Development Monthly Reports for January 2009 including: Cash & Misc. Receipts; Building Permits; and Electrical, HVAC, Plumbing & Sign Permits
- 3) Freeport Fire Department Year End Review – 2008
- 4) Water and Sewer Monthly Report for February 2009

B. Approval of Water and Sewer Bills Payable (#212, 214, 215, 216, 218) --- \$220,262.82

C. Approval of Payroll for pay period ending February 14, 2009 --- \$413,091.74

D. Approval of Bills Payable (#213, 217, 219) --- \$373,127.02

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

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

Nays – None (0)

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

APPOINTMENTS/REAPPOINTMENTS:

A motion to concur with the Mayoral appointment of Tiffany Vondra to the Americans with Disabilities Act Compliance Commission effective immediately was given by Alderman O'Neill, seconded by Alderman Endress. Motion passed voice vote without dissent.

A motion to concur with the Mayoral appointment of Luke Beggin to the Library Board effective immediately through May 31, 2011 was given by Alderman Endress, seconded by Alderman O'Neill. Motion passed voice vote without dissent.

**MINUTES
REGULAR MEETING
Monday, March 2, 2009**

COMMUNICATIONS TO COUNCIL

The following items were included in the council packets this evening:

- 1) Health Care Committee Minutes from the meeting held on Friday, February 6, 2009
- 2) Nine Month Report by the Finance Department as requested by Council - Budget Comparison.

ORDINANCES –SECOND READING

2ND READING OF ORDINANCE 2009-13:

An Ordinance Annexing Certain Territory into the City of Freeport, Stephenson County, Illinois and Assigning a Zoning Classification and Election Ward to the Property (Pearl City Road and Forest Road)

The first reading of this ordinance was held on February 17, 2009. A motion to approve was given by Alderman Endress, seconded by Alderman Klemm. Upon the second reading this evening and upon no further discussion, the ordinance was automatically laid over to the next meeting.

ORDINANCES –FIRST READING WITH PUBLIC HEARINGS THEREFORE

Public Hearing #2 -

At 6:50 pm, Mayor George Gaulrapp stated that this is a public hearing regarding an annexation agreement with John G. Zajicek, Kirk R. Moll, and Mary Lou Moll, Trustee Of The Richard T. Moll Trust and the City Of Freeport for the westerly 350 Feet of tax pins 04-19-06-451-003 And 04-19-07-200-001 (Approximately 12.95 Acres)

In reviewing the sign in sheets for Public Hearing #2, there were no persons signed up to cross examine.

Mayor George Gaulrapp declared the public hearing open.

Corporation Counsel Sarah Griffin stated this is a public hearing regarding a proposed annexation agreement for approximately 12.95 acres of property owned by John G. Zajicek, Kirk R. Moll, and Mary Lou Moll, Trustee of the Richard T. Moll Trust and being the westerly 350 Feet of tax pins 04-19-06-451-003 and 04-19-07-200-001. This is a voluntary annexation via petition and there are no electors residing on the property. Terms of the annexation agreement include a request by the applicant that the City not attempt to change the assessment from farm land prior to any buildings being constructed, in addition, they have requested B-3 zoning which have a separate hearing before the Planning Commission on March 5 which is this Thursday, from which you will receive a separate report prior to voting on this ordinance. The applicant is present if there are any questions from City Council.

Mr. Steven Heitz was on Public Hearing #2 sign-up sheets to provide testimony. Mr. Heitz of 1 West Factory, Freeport Illinois was sworn in prior to testimony by Mayor Gaulrapp. Mr. Heitz stated that he owns property adjacent to this on the north and he stated there is a big water problem coming down Chicago Street, Oak Street, and Highland and all that drainage goes down that way and there is a drainage ditch that is supposed to be maintained open from Chicago Street on down and he knows there is a big flooding issue in that property. He stated that he knows there is plenty of buildings that are vacant to the west of the property that could be utilized and stated he feels this land should be utilized as farm land .

**MINUTES
REGULAR MEETING
Monday, March 2, 2009**

Mr. Heitz has worked with the Public Works department to try to keep that drainage ditch open and he stated that 2/3 of the property was under water due to the rains last week.

At 6:55 pm with there being no further evidence or questions by the council, Mayor Gaulrapp declared the public hearing closed.

1ST READING OF ORDINANCE 2009-16:

An Ordinance Authorizing The Execution Of An Annexation Agreement With John G. Zajicek, Kirk R. Moll And Mary Lou Moll, Trustee Of The Richard T. Moll Trust For The Westerly 350 Feet Of Tax Pins 04-19-06-451-003 And 04-19-07-200-001 (Approximately 12.95 Acres).

This ordinance was presented by Corporation Counsel Sarah Griffin on behalf of Community Development Director stating that this ordinance approved the annexation agreement and it precedes the annexation ordinance and it includes the terms stated in the public hearing.

Alderman Helms asked if there was planned development in the area and it was answered by Mayor Gaulrapp that no, not at this time. Alderman O'Neill made a motion for approval of the Ordinance 2009-16 as presented, seconded by Alderman Endress and the ordinance was properly upon the floor. Upon no further discussion, the ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE 2009-17:

An Ordinance Annexing Certain Territory into the City of Freeport, Stephenson County, Illinois and Assigning a Zoning Classification and Election Ward to the Property - Westerly 350 Feet Of Tax Pins 04-19-06-451-003 And 04-19-07-200-001 (Approximately 12.95 Acres)

This ordinance was presented by Corporation Counsel Sarah Griffin stating this ordinance approves the annexation and that on March 5, 2009, the Planning Commission will consider the zoning classification to B-3 and the election ward will be seven (7). Alderman O'Neill made a motion for approval of the Ordinance 2009-17 as presented, seconded by Alderman Endress and the ordinance was properly upon the floor. Upon no further discussion, the ordinance was automatically laid over to the next meeting.

Public Hearing #3

Mayor George Gaulrapp stated that this is a public hearing regarding an annexation agreement with First Illini Group, Inc., for certain real property situated in Sections 6 and 7 of Silver Creek Township East of IL Route 26, South of Meadows Drive and North of Yellow Creek Consisting of Approximately 43.80 Acres.

In reviewing the sign in sheets for Public Hearing #3, there were no persons signed up to cross examine.

At 7:00 pm, Mayor George Gaulrapp declared the public hearing open.

Corporation Counsel Sarah Griffin stated this is a public hearing regarding a proposed annexation agreement for approximately 43.80 acres of property owned by First Illini Group, Inc. for certain real property situated in Sections 6 and 7 of Silver Creek Township East of IL Route 26, South of Meadows Drive and North of Yellow Creek. This is a voluntary annexation via petition and there are no electors residing on the property. Terms of the annexation agreement include a request by the applicant that the City not attempt to change the assessment from farm land prior to any buildings being constructed, in

**MINUTES
REGULAR MEETING
Monday, March 2, 2009**

addition, they have requested B-3 zoning which have a separate hearing before the Planning Commission on March 5, from which you will receive a separate report. The applicant is present if there are any questions from City Council.

In reviewing the sign-up sheets for Public Hearing #3, there are no persons wishing to offer evidence. At 7:02 pm with there being no further evidence or questions by the council, Mayor Gaulrapp declared the public hearing closed.

1ST READING OF ORDINANCE 2009-18:

An Ordinance Authorizing The Execution Of An Annexation Agreement With First Illini Group, Inc. for Certain Real Property Situated in Sections 6 and 7 of Silver Creek Township East of IL Route 26, South of Meadows Drive and North of Yellow Creek Consisting of Approximately 43.80 Acres

This ordinance was presented by Corporation Counsel Sarah Griffin stating that this ordinance approved the annexation agreement with First Illini Group, Inc. and has the terms stated that she spoke of in the public hearing. Alderman Helms asked if there was planned development for these parcels and it was answered by Mayor Gaulrapp not at this time, there were some preliminary plans from years ago, but nothing at the present.

Alderman Klemm made a motion for approval of the Ordinance 2009-18 as presented, seconded by Alderman Endress and the ordinance was properly upon the floor. Upon no further discussion, the ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE 2009-19:

An Ordinance Annexing Certain Territory into the City of Freeport, Stephenson County, Illinois and Assigning a Zoning Classification and Election Ward to the Property - Certain Real Property Situated in Sections 6 and 7 of Silver Creek Township East of IL Route 26, South of Meadows Drive and North of Yellow Creek Consisting of Approximately 43.80 Acres

This ordinance was presented by Corporation Counsel Sarah Griffin stating that this is the ordinance for the annexation for First Illini Group for 43.80 acres and that on March 5, 2009, the Planning Commission will consider the zoning classification to B-3. Counsel Griffin stated the election ward has an odd situation because it is between two county precinct lines so it is split in wards 6 and 7 down Rosenstiel Drive and with the census coming up it will be changed. There are no electors residing in the area.

Alderman Endress motioned for approval of the Ordinance 2009-19 as presented, seconded by Alderman Klemm and the ordinance was properly upon the floor. Upon no further discussion, the ordinance was automatically laid over to the next meeting.

ORDINANCES - FIRST READINGS WITHOUT PUBLIC HEARINGS

1ST READING OF ORDINANCE 2009-20:

An Ordinance Extending 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 presented by Water & Sewer Project/Utility Manager Denise Blakeley Ihrig, P.E. stating that packets contained the annual ordinance time to revise for the capital improvement surcharge at the \$4.00 rate with no change or increase to the rate and proposed program for 2009. To date, the Commission has spent and committed through the bid process \$450,909.00 of the \$695,000 capital improvement program, not including the projected \$850,000 Well Number 9 loan. Based on the Commission's current position in the fiscal year, month ten of twelve, we should be 83% completed with the CIP; our current expenditure indicates we are 65% complete. However, several projects are due for bid award in March valued at \$240,000 putting the CIP at 99% complete and back on schedule. Ms. Ihrig also stated that one of the projects, a boiler at the wastewater treatment plant will probably go over projected costs.

Ms. Blakeley Ihrig state the surcharge continues to provide a valuable resource for the Water & Sewer Commission generating \$555,000 per year toward an infrastructure program that is traditionally subject to usage fluctuations; therefore resulting in deferred maintenance. Deferred maintenance has been significantly reduced, for example we were able to fund the first four final clarifier rehabilitations that have been deferred since 2003.

Alderman Boldt asked about the Water Fund improvements being \$1.2 million and this is \$355,000 from the CPI, so where is the additional funding coming from? Ms. Ihrig answered that \$850,000 will be borrowed for well number 9 and this will show on the operational items under debt service.

Alderman Klemm made a motion for approval of the Ordinance 2009-20 as presented, seconded by Alderman Boldt and the ordinance was properly upon the floor. Upon no further discussion, the ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE 2009-21:

An Ordinance Amending Chapter 806, Section 806.03 (Classification of Licenses) of the Codified Ordinance of the City of Freeport – Change in License Classifications – amending wording from Class A/A-R to Class W

This ordinance was presented by Corporation Counsel Sarah Griffin stating that a request was received by Pizza Hut to the Liquor Commission requesting consideration of a change in their license from an A-R (Restaurant with full liquor classification) to a W which is for sale of wine and beer only. Currently the way the ordinance is written this would cause the license to be rewritten at a cost of \$10,000 per location. The Liquor Commission unanimously recommended a change to the ordinance to allow an A or A-R classification to a W classification for a fee of \$50.00 instead of a new license. Alderman Klemm made a motion for approval of the Ordinance 2009-21 as presented, seconded by Alderman Endress and the ordinance was properly upon the floor. Upon no further discussion, the ordinance was automatically laid over to the next meeting.

**MINUTES
REGULAR MEETING
Monday, March 2, 2009**

EXECUTIVE SESSION

The following was read into council proceedings -Executive Session Pursuant to Illinois Open Meeting Act:

- **5 ILCS 120/2 (c) (11) – Litigation;**
City of Freeport vs. the Board of Directors of the Freeport Public Library, et al.
- **5 ILCS 120/2 (c) (2) – Collective Bargaining**

At 7:15 pm, a motion was given by Alderman Klemm to enter the executive session, seconded by Alderman Endress. A roll call vote was taken on the motion.

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

Nays – None (0)

At 7:53 pm, a motion was given by Alderman O’Neill to return from the executive session, seconded by Alderman Klemm. A roll call vote was taken on the motion.

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

Nays – None (0)

RESOLUTIONS

RESOLUTION #R-2009-22:

Resolution Calling For Public Hearing Pursuant To 65 ILCS 5/11-76.2-1 For The City To Exchange Real Estate With Harold D. And Robert G. Rood, Such Property Being West Of Henderson Road And East Of The Pecatonica River, Near The Property Commonly Known As The CMC Heartland Site, For Future Use As Part Of The Pecatonica Prairie Path, Consisting Of Approximately 0.78 Acres Each– April 6, 2009 At 6:00 P.M.

Public Works Director Craig LeBaron presented the resolution stating that this is a swap of property owned by R-Squared Buildings and a map was provided in council packets showing the properties to be swapped. Director LeBaron explained the information contained on the map and the Pecatonica Prairie Path. There are no buildings contained on the property to be exchanged. This ordinance calls for a public hearing on April 6, 2009 at 6:00 pm.

A motion to place Resolution 2009-22 on the floor for approval was given by Alderman Klemm, seconded by Alderman Endress. Upon no further discussion, a roll call vote was taken.

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

Nays – None (0)

Resolution 2009-22 was adopted.

RESOLUTION #R-2009-23:

Resolution to Ratify Collective Bargaining Agreement with the International Association of Firefighters (IAFF), Local No. 441

Finance Director Craig Joesten stated that this is the recently negotiated contract with our firefighters. A motion to approve Resolution 2009-23 as presented was given by Alderman Klemm, seconded by Alderman O’Neill. Alderman Boldt asked how this contract affects the budget that is coming up with a proposed budget deficit of \$1.1 million stating that this contract negotiation accounts for \$80,000 of this

MINUTES
REGULAR MEETING
Monday, March 2, 2009

deficit. Director Joesten stated that for every 3% raise given across the board to all bargaining and non-bargaining, it accounts for an increase in \$250,000 in our expense structure. Approximately \$85,000 is attributable to the 3.5% increase for the next fiscal year that is a part of this contract. This is a two year contract is retroactive to May 1, 2008 to April 30, 2009 and then May 1, 2009 to April 30, 2010 calling for a 3% increase the first year of the contract and then a 3.5% during the second year. Mayor Gaulrapp in light of our economic times, he will be contacting all three union representatives and discussing what we can do as employees of the City to make the upcoming financial obligations work for the City of Freeport. Upon no further discussion, a roll call vote was taken.

Yeas: Helms, O'Neill, Klemm, Boldt, Bush and DeVine (6)

Nays – Endress (1)

Resolution 2009-23 was adopted.

RESOLUTION #R-2009-24:

Resolution to Accept the Department of Homeland Security Grant for Assistance to Firefighters

Fire Chief Kevin Countryman stated that this grant in the amount of \$82,500 and this grant will be used to replace obsolete generators at each of the three Freeport Fire Stations. The matching dollars for the City will be \$8,250 (10%) and will be paid out of the Fire Improvement Fund. A motion to place Resolution 2009-24 on the floor for approval was given by Alderman O'Neill, seconded by Alderman Klemm. Upon no further discussion, a roll call vote was taken.

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

Nays – None (0)

Resolution 2009-24 was adopted.

DEPARTMENT HEAD REPORTS

LIBRARY

Library Director Carole Dickerson stated that the Finance Committee of the Library Board has approved the budget and it will be presented to the Board of Trustees on Wednesday, March 11, 2009 and more specific budget information will be presented at the next council meeting. Director Dickerson stated a traveling bus will be coming to the Freeport Library. The traveling museum titled, "Held in the Heartland," is regarding POW camps in the Lanark area during World War II.

MAYOR'S REPORT

Mayor George Gaulrapp asked council to consider making Tom Teich a member of the ADA commission, perhaps as an honorary member. Mayor Gaulrapp stressed his open door policy stating that over 1,000 citizen concerns had been listened to and acted upon over the last couple of years. Mayor Gaulrapp stated that \$799,000 will be coming to the Freeport area in the form of stimulus money to be used for the Hancock Bridge deck resurfacing, intersection of Pearl City Road and Kiwanis Road, Clark Street re-surfacing and the remainder will be spread out in street resurfacing projects. Mayor Gaulrapp stated that funds will be used from an Illinois Environmental Protection Agency Grant to do a Brownfields Cleanup at Tutty Baker Park on Adams Street. Mayor Gaulrapp stated that with the hard economic times, the City will be faced with budget cuts and will be speaking with employee unions about the best method to support the City.

MINUTES
REGULAR MEETING
Monday, March 2, 2009

NEW BUSINESS

Each council member was given an opportunity to publicly address significant items of interest. Council members thanked voters for marking the ballots at the primary on February 24, 2009. Alderman O'Neill offered congratulations to the Fire Department for the Homeland Security grants received because it helps to offset costs in the budget. Alderman Klemm offered congratulations to Mayor Gaulrapp for the stimulus money funding received and emphasized that the trip was self-funded by the Mayor. Alderman Boldt asked about funding for the Pecatonica Prairie Path and the clean up funds in the boat launch area.

PUBLIC COMMENTS

Scott Townsend, President of IAFF Union #441 stated that the contract negotiations were a long hard road and both sides bargained in good faith. Firefighter Townsend welcomes any opportunity to work with administration to support the budget during these hard economic times.

An adjournment of the meeting was motioned at 8:25 pm.

Respectfully submitted,

s/ Meg Zuravel
Meg Zuravel, City Clerk