



## *City Council*

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

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### **MINUTES REGULAR MEETING Monday, August 17, 2009**

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#### **CALL TO ORDER**

The regular meeting of the Freeport Illinois City Council was called to order on Monday, August 17, 2009, at 6:03 pm in Council Chambers with a quorum being present by Mayor George Gaulrapp.

#### **ROLL CALL**

Present on roll call were Mayor George Gaulrapp and council members Klemm, Boldt, DeVine, Endress, Helms, O'Neill, and Corbin (7). Also present were City Department Heads and Corporation Counsel Sarah Griffin. (*See below, Alderman Bush entered at 6:05 pm.*)

#### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Alderman DeVine.

#### **APPROVAL OF AGENDA**

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

#### **APPROVAL OF MINUTES**

Alderman Endress motioned to approve the minutes of the regular meeting held on August 3, 2009, seconded by Alderman O'Neill. 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.

#### **PRESENTATIONS**

A. Recognition of the Freeport Little League Junior Boys Illinois State Champions will be held later in this meeting.

At 6:05 pm, Alderman Bush entered council chambers bringing the number of aldermen present to eight.

B. A presentation was given by Cory Job on behalf of Peoples Economic Development Corporation. He spoke about services designed to locate businesses or improve business development in structures in the downtown commercial area which are on the National Register of Historic Places and located within the boundaries of the Tax Increment Financing District. These services will be supported through a grant from the Illinois Department of Commerce and Economic Development Opportunity which will be written and coordinated through Peoples Economic Development Corporation on behalf of the City of Freeport. A public hearing will be held on September 8, 2009. Peoples Economic Development

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Corporation will submit a grant application for \$75,000 and a resolution will be on council agenda on September 8, 2009. There is a \$15,000 match to the grant funding and monies will come out of the downtown TIF which is set aside for business development. Amy Trimble was introduced and will be working on the grant application to help bring revitalization and economic development to downtown.

C. Northwest Illinois Development Alliance update will be held later in the meeting.

**CONSENT AGENDA**

The following Consent Agenda items were presented:

- A. Approval to Receive and Place on File:
  - 1) Police Department Activity Report for July 2009
  - 2) Fire Department Activity Report for July 2009
  - 3) Community Development Reports for July 2009 including Building Permits, Cash and Miscellaneous Receipts, Electrical, HVAC, Plumbing and Sign Permits
- B. Approval of Water and Sewer Bills Payable (#292 & 295) ----\$331,596.96
- C. Approval of Payroll for pay period ending August 1, 2009 --- \$410,650.00
- D. Approval of Finance Department Bills Payable (#291, 293, 294, & 296) ---- \$841,599.07

Alderman Endress moved to approve the Consent Agenda items as presented, seconded by Alderman O'Neill. The Consent Agenda items were approved by roll call vote.

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

Nays – None (0)

**APPOINTMENTS**

Alderman Klemm motioned to accept the appointment of Victor James (Jim) Ferrar to the Airport Commission effective immediately until November 30, 2013, seconded by Alderman Endress. The motion was approved voice vote without dissent.

Mayor Gaulrapp stated there are many openings on the boards and commissions and he encouraged the public to contact his office.

**3<sup>RD</sup> READING OF ORDINANCE 2009-55:**

**An Ordinance Repealing and Replacing Chapter 896 (Home Rule Municipal Retailers' and Service Occupation Tax) – home rule municipal retailers' and service occupation tax rate increase from one half percent (1/2 %) to one and one quarter percent (1 ¼ %)**

The first reading of this ordinance was held on July 20, 2009. A motion to adopt was given by Alderman Endress, seconded by Alderman Klemm. The second reading was held on August 3, 2009 and it was automatically laid over to tonight's meeting. Discussion was held regarding the tax increase and the feelings of concerns by citizens and businesses. Discussion was held about the Chamber of Commerce survey and it was reported that the consumer factor for deciding where to make a purchase was the availability of the product or service. Mayor Gaulrapp spoke about addition layoffs and cuts that would need to be instituted if this ordinance was not adopted. Aldermen were provided the opportunity to discuss their concerns for the increase in sales tax or to state their reasons for support.

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Alderman Boldt motioned to lay over the third reading of Ordinance 2009-55 until after Ordinance 2009-62 had its reading, seconded by Alderman Klemm. A roll call vote was taken on the motion to layover the ordinance to later in the meeting.

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

Nays – none

The motion passed 8-0.

**2<sup>ND</sup> READING OF ORDINANCE 2009-58:**

**An Ordinance Amending Chapter 290 (Compensation and Benefits) of the Codified Ordinances of the City of Freeport, Illinois**

The first reading of this ordinance was held on August 3, 2009. A motion to adopt was given by Alderman Endress, seconded by Alderman Klemm and it was automatically laid over to tonight's meeting. The second reading was held and upon no discussion, it was automatically laid over to the next meeting.

**2<sup>ND</sup> READING OF ORDINANCE 2009-59:**

**An Ordinance Amending Chapter 1048 (Sewer Rates and Revenues) of the Codified Ordinances of the City of Freeport, Section 1048.02 Charges for Normal Domestic Strength Waste and Adding Hours of Operation**

The first reading of this ordinance was held on August 3, 2009. A motion to adopt was given by Alderman Endress, seconded by Alderman Klemm and it was automatically laid over to tonight's meeting. The second reading was held and Alderman Boldt requested Finance Director Craig Joesten to briefly explain the ordinance. Finance Director Craig Joesten stated that this does not affect the household water and sewer rates and charges. This ordinance increases the waste hauler rates and limits times for dumping at the waste water treatment plant. This change also affects the cost for disposal of waste by recreational vehicles. Upon no further discussion, it was automatically laid over to the next meeting.

**2<sup>ND</sup> READING OF ORDINANCE 2009-60:**

**An Ordinance Amending Chapter 660 (Additional Hazardous Materials) of the Codified Ordinances of the City of Freeport to Add "Hazardous Material Storage Tanks; Registration Required Testing; Permits and Fees"**

The first reading of this ordinance was held on August 3, 2009. A motion to adopt was given by Alderman O'Neill, seconded by Alderman Klemm and it was automatically laid over to tonight's meeting. The second reading was held and upon no discussion, it was automatically laid over to the next meeting.

**1<sup>ST</sup> Reading of Ordinance 2009-61:**

**An Ordinance Amending Chapter 480, Section 480.03 (Prohibited Parking Areas) of the Codified Ordinances of the City of Freeport – Main Street**

Interim Public Works Director Tom Dole presented the ordinance stating that once the curbing and construction are completed on Main Street, the parking will need to be changed from angle to parallel parking from Galena Avenue to State Street. Discussion was held regarding handicap parking considerations on Main Street.

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Alderman Klemm motioned to move the ordinance forward, seconded by Alderman Endress and the ordinance was automatically laid over to the next meeting.

**1st Reading of Ordinance 2009-62:**

**An Ordinance Repealing and Replacing Chapter 882 (Food and Beverage Privilege Tax) – Home Rule Food and Beverage Tax Rate decrease from two percent (2 %) to one and one quarter percent (1 ¼ %)**

Mayor George Gaulrapp presented the ordinance stating that if the ¾% increase in the sales tax increase is approved in Ordinance 2009-55, this ordinance provides the impact of the food and beverage tax to remain at 9.25%. Discussion was held regarding the reason for this ordinance and Mayor Gaulrapp stated it was because the impact of instituting a 10% food and beverage tax and the Chamber survey comments. The projections show a decrease of \$400,000 of taxes if passed. The decrease in the food and beverage tax is not recommended by the Administration if the ¾% increase in the sales tax does not pass.

Alderman Klemm motioned to adopt the ordinance, seconded by Alderman Endress.

The Director of the Chamber of Commerce chose not to speak when called on by Mayor Gaulrapp. Discussion was held regarding the order of the vote on the ordinances.

A motion was given by Alderman Boldt to suspend the rules and vote on Ordinance 2009-62 this evening, seconded by Alderman Klemm.

Alderman Boldt and Alderman Klemm withdrew their motions.

Alderman Boldt motioned to amend Ordinance 2009-62 so that its passage would be contingent upon passage of Ordinance 2009-55, seconded by Alderman Endress. Prior to a roll call being taken on the motion, Corporation Counsel Sarah Griffin restated saying, “this is to make the motion contingent on passage of 2009-55 the amendment only is contingent so the ordinance is still on the floor.”

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

Nays – DeVine

The motion passed 7-1.

Alderman Boldt asked to address the food and beverage tax this evening. Alderman Boldt motioned to suspend the rules to vote on Ordinance 2009-62 this evening, seconded by Alderman Klemm. Suspension of the rules is non-debatable and a roll call vote was taken on the motion.

Yeas: DeVine, Endress, O’Neill, Klemm, Boldt, and Bush (6)

Nays – Helms and Corbin

The motion passed 6-2 to vote on passage of Ordinance 2009-62 as amended this evening.

A roll call vote was taken on Ordinance 2009-62 as presented.

Yeas: Endress, Helms, O’Neill, and Klemm (4)

Nays: DeVine, Corbin and Bush (3)

Abstain: Boldt (due to conflict of interest with restaurant industry)

Corporation Counsel Sarah Griffin stated the abstaining vote goes to the majority, which makes it a 5-3 vote to adopt Ordinance 2009-62 contingent upon passage of Ordinance 2009-55.

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**Mayor Gaulrapp stated Third Reading of Ordinance 2009-55 is properly upon the floor and open for discussion, laid over earlier this evening.**

**3<sup>RD</sup> READING OF ORDINANCE 2009-55:**

**An Ordinance Repealing and Replacing Chapter 896 (Home Rule Municipal Retailers' and Service Occupation Tax) – home rule municipal retailers' and service occupation tax rate increase from one half percent (1/2 %) to one and one quarter percent (1 ¼ %)**

Discussion was held regarding NIDA funds and their support by the administration. Mayor Gaulrapp stated this vote will be on the increase in sales tax by ¾% as stated in Ordinance 2009-55.

A roll call vote was taken on Ordinance 2009-55.

Yeas: Endress, O'Neill, Klemm and Boldt (4)

Nays: DeVine, Helms, Corbin and Bush (4)

Mayor Gaulrapp voted yea.

Ordinance 2009-55 was adopted by a vote of 5-4.

**PRESENTATIONS**

Recognition of the Freeport Little League 13-14 year old Junior Boys Illinois State Champions was held and congratulations was given by Mayor Gaulrapp and the council to the team members and coaches. Coach Mike Smith and Coach Greg Feiner spoke about winning the Illinois State title and traveling to the regional game in Indiana and thanked the community for their support. The Freeport Junior team gained recognition of being the most respectful and honorable team in tournaments and the team finished regional play as one of the top teams in the nation.

Executive Director Cheryl Kneubuehl provided an update on Northwest Illinois Development Alliance speaking about updating website, potential movement on project CAT, Slumberland coming to Freeport, an inquiry for manufacturing on the south side, water manufacturers and the certificate of employability. She spoke about the graduation rate of the Freeport students being higher than Rockford.

**OTHER**

**DEPARTMENT HEAD REPORTS**

**Public Works**

Interim Director Tom Dole stated that resurfacing on Stephenson west to the edge of Freeport has begun and the Street program will begin the first or second week of September.

**MAYOR'S REPORT**

Mayor Gaulrapp stated he that approving the sales tax will keep Freeport moving forward.

**NEW BUSINESS**

Each council member was provided an opportunity to publicly address significant items of interest. Alderman Endress discussed Winter Parking and it was stated that it will be left the same this year unless council brings something forward. Alderman Helms discussed the sidewalk on Church and Sullivan and whether it requires handicap access. Alderman Boldt discussed a Financial Task Force and the possibility of bringing it back. Alderman Bush thanked Cross Roads Church for their support of mowing lawns in Freeport and helping out the neighborhoods.

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**PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS**

Alex DeWork, 659 E. Jefferson spoke about the new business coming to Freeport including Slumberland, Sonic, and new Walgreens. He looks forward to business coming along after economy bottoms out and has hopes for it to get better in the very near future.

There being no further business, the meeting was adjourned at 8:00 pm.

*s/ Meg Zuravel*  
Meg Zuravel, City Clerk