



City Council

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

MINUTES REGULAR MEETING Monday, November 16, 2009

CALL TO ORDER

The regular meeting of the Freeport Illinois City Council was called to order by City Clerk Meg Zuravel at 6:00 pm on Monday, November 16, 2009, in Council Chambers with a quorum being present.

ROLL CALL

Present on roll call were council members Klemm, Boldt, Bush, DeVine, Endress, Helms, O'Neill and Corbin (8). Mayor George Gaulrapp was absent. Also present was Corporation Counsel Sarah Griffin.

MAYOR PRO TEM

Alderman Corbin moved to nominate Alderman Linda O'Neill as Mayor Pro Tem, seconded by Alderman Boldt. Motion passed by voice vote without dissent.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was by Alderman Bush.

PUBLIC HEARING

Mayor Pro Tem Linda O'Neill stated the public hearing this evening is to close-out the City of Freeport's Illinois Department of Commerce and Economic Opportunity (DCEO) Mobility and Accessibility Rehabilitation Services (MARS) Grant. At 6:02, Mayor Pro Tem O'Neill opened the public hearing. Community Development Specialist Leslie Mastroianni was present at the public hearing to provide testimony and she was sworn in by the city clerk. Mayor Pro Tem O'Neill stated there were no persons signed up on the list wishing to cross examine this evening.

Ms. Mastroianni provided a summary of the City of Freeport's Illinois Department of Commerce and Economic Opportunity (DCEO) Mobility and Accessibility Rehabilitation Services (MARS) Grant and stated that the grant was awarded in February for a total amount of \$72,539. The rehabilitation portion of the grant is in the amount of \$63,078. Final accounting shows rehabilitation administration costs of \$5,046 and general administration costs of \$4,415 for a total of \$9,461.

Community Development Specialist Leslie Mastroianni provided a summary of the homes that received rehabilitation.

1. A house on Garfield referred by RAMP had a bathroom remodeled to make it handicap accessible by extending out a bedroom and also doorways were widened for a cost of \$24,042.00.
2. A house on Carroll referred by NHS had bathroom modifications to make it wheelchair accessible and stretched living room carpet for a cost of \$13,184.

MINUTES
REGULAR MEETING
Monday, November 16, 2009

3. A house on Mark Drive referred by RAMP had a bathroom remodeled, laundry moved from basement to main floor and had a ramp built for a cost of \$13,405.
4. A house on 18th Avenue referred by DORS had ramp repairs and a bathroom remodeled to make in wheelchair accessible for a cost of \$13,238.

The City of Freeport's Illinois Department of Commerce and Economic Opportunity (DCEO) Mobility and Accessibility Rehabilitation Services (MARS) Grant had a November 3, 2008 pre-application date with full applications due on February 3, 2009. On February 18, 2009, a grant agreement in the amount of \$72,539 was signed. Ms. Mastroianni answered questions for the council. There being no further evidence to come before this body, Mayor Pro Tem O'Neill declared the public hearing closed at 6:10 pm.

APPROVAL OF AGENDA

Alderman Endress moved to approve the agenda as presented, seconded by Alderman Klemm. Motion passed by voice vote without dissent.

APPROVAL OF MINUTES

Alderman Endress moved to approve the minutes of the regular meeting held on November 2, 2009, seconded by Alderman DeVine. Motion passed by voice vote without dissent.

PUBLIC COMMENTS - AGENDA ITEMS

There was no one signed up for public comments on agenda items. Mayor Pro Tem O'Neill noted there was someone signed up for public comments for non-agenda items. She requested leave of council to move this item forward and it was granted.

Steve Carroll, 811 S. Oak Avenue, spoke against slum lords, slum properties, and the realtors fronting for these individuals. He spoke out against the noise, trash and crime generated by these properties. He also stated the need for more street lights in the area of Oak and Broadway. He asked the city to pass meaningful ordinances to have city inspectors into these slum properties and close them down. The figure he quoted was that city nuisance inspector wrote \$91,000 in fines and only collected on \$14,000. He spoke about cars with plates being two years out-of-date in drive-ways, side, and back yards.

Tom Teich, spoke about a bowling tournament winner and wished the council a Happy Thanksgiving.

PRESENTATION

Cheryl Kneubuehl, Executive Director Northwest Illinois Development Alliance provided an update on recent events. She spoke about the International Council for Shopping Centers trade show and shared the new banners created with the theme "Freeport ResourceFull" Photos featured Highland Community College, Freeport Public Library, historic downtown and the parks and people of Freeport. The number of retailers at the trade show was down and the number of municipalities was up. A manufacturing entity has been in contact with NIDA. Director Kneubuehl is hoping to be able to announce more in the near future. She answered questions asked by the council.

**MINUTES
REGULAR MEETING
Monday, November 16, 2009**

CONSENT AGENDA

The following Consent Agenda items were presented:

- A. Approval to receive and place on file:
 - 1) City of Freeport Holiday Schedule – 2010
 - 2) Annual Calendar of Meetings of Freeport City Council – 2010
 - 3) Police Department Report of Activities for October 2009
 - 4) Fire Department Report of Activities for October 2009
 - 5) Community Development Report of Activities for October 2009 - Cash and Miscellaneous Receipts, Building Permits, Electrical, HVAC, Plumbing and Sign Permits
 - 6) City Treasurer’s Monthly Investment Report for period ended October 31, 2009
 - 7) City Treasurer’s Fund Report for period ended October 31, 2009
- B. Approval of Water and Sewer Bills Payable (#331, 333, 334, & 336) ---- \$158,073.71
- C. Approval of Payroll for pay period ending November 7, 2009 --- \$401,787.88
- D. Approval of Finance Department Bills Payable (#330, 332, 335) ---- \$881,059.87

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

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

Nays – None

ORDINANCES - THIRD READING

3RD READING OF ORDINANCE 2009-66:

An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year beginning May 1, 2009, and ending April 30, 2010 for the City of Freeport, County of Stephenson, and State of Illinois

The first reading of this ordinance was held on October 19, 2009. A motion to adopt was given by Alderman Endress, seconded by Alderman O’Neill. The second reading was held on November 2, 2009, and it was automatically laid over to tonight’s meeting. Resolution 2009-105 is on council agenda this evening calling for a public hearing to be held on December 7, 2009. Therefore, administration requests layover of this ordinance to December 7, 2009 to coincide with the public hearing.

	2009 Tax Levy	2008 Tax Levy	Increase (Decrease)	Percent Change
Firefighters Pension	722,392	572,471	149,921	26.19%
Police Pension	906,618	825,056	81,562	9.89%
IMRF	212,000	168,000	44,000	26.19%
Corporate Fund	997,876	997,876	---	0.00%
	\$2,838,886	\$2,563,403	\$275,483	10.75%

Alderman Klemm moved to layover this ordinance to the December 7, 2009 meeting, seconded by Alderman Helms. Motion passed by voice vote without dissent (8-0).

**MINUTES
REGULAR MEETING
Monday, November 16, 2009**

3RD READING OF ORDINANCE 2009-67:

An Ordinance Amending Chapter 480, Section 480.11 (Prohibited Parking Street) of the Codified Ordinances of the City of Freeport – Galena Avenue and as amended on November 2, 2009

The first reading of this ordinance was held on October 19, 2009. A motion to adopt was given by Alderman Klemm, seconded by Alderman Endress. The second reading was held on November 2, 2009 and it was automatically laid over to tonight's meeting.

Alderman Klemm moved to amend the wording to "Empire, south side, from Demeter to 135 feet west" and to correct the wording to "Empire, north side, east of McKinley for a distance of 110 feet." This motion was seconded by Alderman Endress. The motion was approved by roll call vote.

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

Nays – None (0)

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

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

Nays – None (0)

Ordinance 2009-67 was adopted.

ORDINANCES - SECOND READING

2ND READING OF ORDINANCE 2009-68:

An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2009, and ending April 30, 2010 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 November 2, 2009. A motion to adopt was given by Alderman Helms, seconded by Alderman Corbin. The second reading was held this evening and upon no discussion, it was automatically laid over to the next scheduled meeting.

ORDINANCES – FIRST READING

1ST READING OF ORDINANCE 2009-69:

An Ordinance Repealing Section 608.02 (n) of Chapter 608 (Alcoholic Liquor) of the Codified Ordinances of the City of Freeport – Extinguishing Lighting

This ordinance was presented by Corporation Counsel Sarah Griffin stating that reference to "failing to extinguish the lighting of any electric or neon sign which advertises any alcoholic liquor during prohibited hours" has been taken out of Chapter 608. The Liquor Commission unanimously voted to delete this reference in their meeting held on October 22, 2009. A motion to move forward the ordinance to the floor as presented was given by Alderman Boldt, seconded by Alderman Klemm. The ordinance was automatically laid over to the next scheduled meeting on December 7, 2009.

RESOLUTIONS

RESOLUTION #R-2009-105:

Resolution Determining the Amount of Money Estimated to be Necessary to be Raised by Taxation for Fiscal Year 2009-2010 Upon Taxable Property in its District and Calling for Public Hearing

**MINUTES
REGULAR MEETING
Monday, November 16, 2009**

Pursuant to 35 ILCS 200/18-70 on its Intent to Adopt an Aggregate Levy in an Amount Which is More Than 105% of the Amount Extended or Estimated to be Extended Upon the Final Aggregate Levy Extensions - December 7, 2009 at 6:00 pm

Finance Director Craig Joesten stated this resolution determines two things. First, it provides a determination of the amount of money estimated to be necessary to be raised by taxation for FY 2009-2010 on property levy. We have previously provided this council with the staff's estimate in the draft levy ordinance and the total estimate. Director Joesten stated the amount we are recommending for FY 2009-2010 is \$2,838,886. Secondly, because that estimate is more than 105% of the amount extended last year, the resolution calls for a public hearing for December 7, 2009 at 6:00 pm to be held in City Council Chambers, located at 230 West Stephenson Street, Freeport, Illinois.

Discussion was held regarding the Firefighter, Police and IMRF funds which are causing the levy to be increased. The operating portion of the tax levy - the corporate fund, has been kept stable with no increase. Questions were raised why the City must fund the retirement and also if there is any remedy for a municipality in this case. Director Joesten stated that for retirement programs, you either have defined benefit or defined contribution. Defined benefit plans are those retirement plans that give a prescribed benefit, so many dollars per month and that is what the City has. We guarantee that our retirees will receive so many dollars for the period based upon what they were making for the period of time that they worked for the City. Most other industries use a defined contribution. Under the defined benefit plan the employer is making a pledge to the employee so when there is a hit to the asset base of the plan due to portfolio performance, the employer has to put in additional sums of money above and beyond the normal contribution to make up for the shrinkage. The State of Illinois actuaries gave us the figures that have to be contributed. The actuaries work for the Department of Insurance for the State of Illinois. These plans for the police and fire are mandated by the State, as well as the IMRF that AFSCME and non-bargaining employees participate in. The only way to change the pension plans is through the State. Director Joesten stated the choice that does exist is whether we will levy for it as in the past or keep the levy the same and pay for the difference from the general fund.

Alderman Helms moved to adopt Resolution 2009-105 as presented, seconded by Alderman Klemm. The resolution was approved by voice vote without dissent. Resolution 2009-105 was adopted.

RESOLUTION #R-2009-106:

Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code – to appropriate \$600,000 of Motor Fuel Tax funds for the purpose of maintaining streets and highways from January 1, 2010 to December 31, 2010

Public Works Director Tom Dole stated this resolution comes to the City Council each year for the street program and for the aggregate materials used by the street department for hot mix, gravel and sand by appropriating \$600,000 of Motor Fuel Tax funds. The bulk of it is for the street resurfacing program in 2010. Alderman Helms moved to approve the resolution as presented, seconded by Alderman Klemm. The motion was approved by roll call vote.

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

Nays – None

Resolution R-2009-106 was adopted.

**MINUTES
REGULAR MEETING
Monday, November 16, 2009**

RESOLUTION #R-2009-107:

Resolution to Approve an Amendment to the Final Plat for Indian Springs Section 3

Corporation Counsel Sarah Griffin presented the resolution on behalf of Community Development Director Shelly Griswold who had a planned absence this evening. This came before the Planning Commission and had a unanimous vote. It is a request to amend the final plat for Indian Springs Section 3, Lot 48. The request is by Kenneth Wilhelms of 1830 West Church Street. This is a lot where he was required to put in a sidewalk which he did up until the last five feet of his property. The five feet of the property abuts the school district property of which there are no sidewalks. The Planning Commission is recommending is that you waive the requirement for the portion of sidewalk running east of the existing driveway to the east property line, until such time that sidewalks on Lot 18-13-35-476-001 are constructed up to the east property line of Lot 48.

Alderman Helms moved to approve the amendment to the final plat for Indian Springs Section 3, seconded by Alderman Endress. Corporation Counsel Griffin stated that this requirement runs with the land because it is part of the plat, so it would not be affected if the property is sold. This amendment will be filed at the courthouse. The resolution was approved by voice vote with Alderman Bush, DeVine, Endress, Helms, O'Neill, Corbin, and Boldt (7) voting yea. Alderman Klemm voted nay. Resolution R-2009-107 was adopted by a vote of 7-1.

DEPARTMENT HEAD REPORTS

Public Works

Public Works Director Tom Dole stated we are currently in week seven of the leaf pick up routes and provided a spreadsheet for each area completed throughout the City. The number of loads taken to Kampen Farms has been 501 with a total labor hours of 1,436. The City is divided into 17 routes for leaf pick-up and Director Dole marked the dates that this was completed in each area. Discussion was held regarding the distance the trucks need to travel in order to unload and the leaf pickup equipment is sitting idle for periods of time. To alleviate this idle time, it was suggested that the Public Works Department look into adding two boxes to the current trucks to enable them to carry loads of leaves to the dump site.

Police

Chief of Police Jerry Whitmore stated that the department received a grant for DVRs and cameras for officer's uniforms. This grant is in the amount of \$28,000.

Fire

Fire Chief Kevin Countryman stated that on Saturday, the department had 87 applicants complete the testing required for the department. There were a lot of qualified applicants whose names are now in the pool when the department has an opening.

Library

Library Director Carole Dickerson stated the 3rd and 4th grade will be at the Freeport Public Library for monthly visits. The "Book Invaders" is part of the district after school program and will also use "PAWS" therapy dogs in their reading enrichment program. A group of 5th and 6th graders will be utilizing the library for computer training through a grant from the Secretary of State's Office.

MINUTES
REGULAR MEETING
Monday, November 16, 2009

NEW BUSINESS

Each council member was provided the opportunity to publicly address significant items of interest. Alderman DeVine read a poem in honor of those who have served in the military. Alderman Helms encouraged people to give to those in need during this time of year. Alderman O'Neill discussed the Salvation Army "Adopt a Family." Alderman Klemm spoke about the leaf pickup throughout the City asking for patience of the citizens for our street crews since they are also working to finish maintenance projects at the same time. Alderman Boldt discussed the sign ordinance and the rights of those to display political campaign signs, but he is still looking into it.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

This item was moved forward on council floor this evening.

There being no further business, the meeting was adjourned at 7:07 pm.

s/ Meg Zuravel
Meg Zuravel, City Clerk