



City Council

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

MINUTES REGULAR MEETING Monday, December 21, 2009

CALL TO ORDER

The regular meeting of the Freeport, Illinois, City Council was called to order by Mayor George Gaulrapp at 6:00 pm on Monday, December 21, 2009, in Council Chambers with a quorum being present.

ROLL CALL

Present on roll call were Mayor George Gaulrapp and council members Klemm, Boldt, Bush, DeVine, Endress, Helms, O'Neill and Corbin (8). Also present were Corporation Counsel Sarah Griffin and Duane Price of the Finance Department, Acting City Clerk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderman Endress.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Alderman Endress moved to approve the minutes of the regular meeting held on December 7, 2009, seconded by Alderman DeVine. Motion passed by voice vote without dissent.

PUBLIC COMMENTS - AGENDA ITEMS

Rodney Baker, 3082 Illinois Route 26 north, spoke about his interest in the preservation of the Carnegie Library and suggested possible uses as an antique mall or local museum. He stated his view that the auction of the library was an inexpensive way for the City to clean up the deed and ownership of the library. He added that there was no open house for inspection, no Illinois real estate sales disclosure statement, whether it has asbestos, frozen pipes or if the roof is leaking, and whether the new owner will need to worry about the covenant for use. If the City of Freeport and Library have no interest in the Carnegie use they should come out and said so.

PRESENTATIONS

- A presentation was given by Cheryl Kneubuehl, Executive Director Northwest Illinois Development Alliance regarding an update of NIDA activities. Home Hardware and a new food retailer are looking to open the beginning of next year. Contacts have been made to manufacturing companies. Adam Holder provided a presentation on Renewable Energy Sector Value Statement – Focus: Wind Energy Component Manufacturing.

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- A presentation of the City of Freeport Housing Rehabilitation Grant Programs was given by Community Development Specialist Leslie Mastroianni. She provided a handout and an explanation of the grants received including a Mobility and Accessibility Rehabilitation Services grant in the amount of \$181,117 over three years, Low Income Energy Efficient Retrofit Program grant in the amount of \$36,080 for one year, Small Rental Properties Program in the amount of \$288,764 over two years, Single Family Owner Occupied Rehabilitation Program in the amount of \$210,000 over one year period, and Homebuyer Assistance Program in the amount of \$168,000 over one year period. The total funding to date is \$883,961 assisting 51 households, and 86 people. Because of the grant funding, the City of Freeport grant programs hired six eligible contractors to complete the work and they employed all together 27 local employees. In addition, there are 15 electrical, HVAC, plumbing, and roofing contractors with a total of 50 local employees. It is estimated that this year, business income and local wages have earned \$625,789 through the grant programs. For 2010, the City of Freeport has received notice that it will be receiving grant funding in the amount of \$904,979, some of which is a carryover of projects now in progress. Ms. Mastroianni stated the grant programs provide a tremendous service to the community. Certain grants targeted specific corridors of the City but overall all the wards throughout the City have benefited from the housing rehabilitation.

EXECUTIVE SESSION

An executive session pursuant to Illinois Open Meetings Act 5 ILCS 120/2 (c) (5) - Purchase of Real Estate and 5 ILCS 120/2 (c) (11) - Pending Litigation was read into the record.

At 6:43 pm, Alderman Endress moved to enter Executive Session, seconded by Alderman Corbin. The motion was approved by roll call vote.

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

Nays – None

At 7:08 pm, Alderman Corbin moved to return from Executive Session, seconded by Alderman O'Neill. The motion was approved by roll call vote.

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

Nays – None

At this time, Alderman Boldt exited council chambers.

CONSENT AGENDA

The following Consent Agenda items were presented:

- A. Approval to receive and place on file:
 - 1) Water and Sewer Report of Activities for November 2009
 - 2) Police Department Report of Activities for November 2009
 - 3) Fire Department Report of Activities for November 2009
 - 4) Community Development Report of Activities for November 2009 - Cash and Miscellaneous Receipts, Building Permits, Electrical, HVAC, Plumbing and Sign Permits
- B. Approval of Water and Sewer Bills Payable (#351 and 353) ---- \$49,868.05
- C. Approval of Payroll for pay period ending December 5, 2009 --- \$406,979.53
- D. Approval of Finance Department Bills Payable (#349, 350, 352, 354) ---- \$881,059.87

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

Absent: Boldt

Nays – None

At this time, Alderman Boldt returned to council chambers.

COMMUNICATION TO COUNCIL

- Alderman Klemm moved to place on file a memorandum from Duane Price, Finance Department regarding Five Year Budget Projections, seconded by Alderman Helms. Motion passed by voice vote without dissent. The council discussed the five year projections for personnel costs which includes an estimated three percent increase each fiscal year.
- Alderman Endress moved to accept the minutes from the regular meeting of the Freeport Planning Commission held on October 8, 2009, seconded by Alderman O'Neill. Motion passed by voice vote without dissent.
- Alderman Endress moved to accept the minutes from the regular meeting of the Freeport Planning Commission held on November 5, 2009, seconded by Alderman Klemm. Motion passed by voice vote without dissent.

APPOINTMENTS

Alderman Helms moved to accept the appointment requested by City Clerk Meg Zuravel for Debra Milliman as Deputy City Clerk effective immediately and, in the absence of the City Clerk, authorizes her to execute all documents required by law to be executed by the City Clerk and to affix the signature stamps and seal when required. This motion was seconded by Alderman Endress. Motion passed by voice vote without dissent.

ORDINANCES - FIFTH READING

5TH 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. The third reading was held on November 16, 2009 and the fourth reading was held on December 7, 2009. Upon a motion from the floor, it was laid over tonight's meeting. Upon the fifth reading of this ordinance discussion was held regarding the tax levy.

Alderman Boldt moved to retain this levy at 0% for one year and asked for a second for discussion purposes. The motion was seconded by Alderman Corbin.

A handout was provided with the figures showing the 0% tax levy stating the amount to be assessed and equalized for State and County taxation for the fiscal year 2009-2010 the sum of Two Million Five Hundred Sixty Three Thousand Four Hundred and Three Dollars (\$2,563,403) or so much thereof as may be authorized by law, the same being for general corporate purposes, for streets, for contribution to

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Illinois Municipal Retirement Fund, for the Police Pension Fund, and for the Firemen's Pension Fund, such levy being itemized as is hereinafter.

Discussion was held regarding a review of the budget projections which includes a first year anticipated gain of \$349,022, the second year will be flat and by the third year it shows a negative balance of (\$253,353). The projections show that by the fourth year the City will incur a negative balance of (\$409,046) and the fifth year a negative balance of (\$577,780). Alderman Boldt stated that by amending the tax levy to 0%, the property tax difference could be made up from the corporate fund dollars in the first year. Discussion was held regarding the information received from the State for next year that the levy will need to be increased due to the funds required of the pensions. In order to put the corporate fund amount back to what it is today, it would require a twenty percent increase in the tax levy next year. To stay under the tax cap limitation we could levy no more than .1% increase.

Mayor Gaulrapp stated that every percentage point raised on a \$100,000 value home would be about a \$3.40 increase in taxes. Discussion was held regarding taking money from the reserve fund and that money is not available from the reserve funds and what services will be cut if the funds are not available. Wages have been frozen, positions have been eliminated or not filled, so there has been things done to keep the budget down. Discussion was held regarding the administration having done a very good job of watching line items over the last three years.

Mayor Gaulrapp stated the progression of the tax levy in which a 10.7% increase was proposed on council floor, then an amendment to that tax levy was proposed by the Mayor's office lowering the percentage to 5% or \$3.40 per percentage point and this amount was voted down by the council. Previous year's percentage increases have been in 2005 a 2.9% increase, 2006 a 3.4%, 2007 a 2.5%, 2008 a 3.1% and this year would be 2.7% if fully funded as the State is mandating.

Mayor Gaulrapp stated the City has a benchmark of maintaining 25% of the budget in reserves which covers three months of expenses and we are at about one tenth of that. We need money to put back into reserves. This year, we had a tough time making payroll every two weeks in the amount of \$330,000.

Finance Director Craig Joesten explained the reserve dollars balance is \$1.5 million and of that amount the City is required to set aside \$1.1 million as a condition for a previous bond issue. This allows only \$440,000 as free cash that we can use on a daily basis. The City is working with the Water and Sewer Department to help diminish the amount required to be set aside for the bonds taken out by that department but reserved through the City. This amount would meet only one payroll, if necessary.

It was stated for the record that the vote is on the amendment to change the levy so that there is a 0% increase. A roll call vote was taken on the amendment on the floor.

Yeas: Helms, Corbin, Boldt, Bush and DeVine (5)

Nays: Endress, O'Neill, and Klemm (3)

The amendment to levy was approved 5-3.

Corporation Counsel Sarah Griffin asked for leave of council to review the statutes on whether a tax levy needs a two-thirds majority vote. If it is needed, we will come back to the issue.

(Note - see pages 10 and 11 for further council action on this ordinance)

ORDINANCES - THIRD READING

3RD 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

The first reading of this ordinance was held on November 16, 2009. A motion to adopt was given by Alderman Boldt, seconded by Alderman Helms. The second reading was held on December 7, 2009 and it was automatically laid over to tonight's meeting. Upon the third reading, a roll call vote was taken.

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

Nays – None

Ordinance 2009-69 was adopted.

ORDINANCES - SECOND READING

2ND READING OF ORDINANCE 2009-70:

An Ordinance Amending Chapter 480, Section 480.24 (Handicapped Persons and Disabled Veterans) of the Codified Ordinances of the City of Freeport – W. Elk Street

The first reading of this ordinance was held on December 7, 2009. A motion to adopt was given by Alderman Klemm, seconded by Alderman Endress and it was automatically laid over to tonight's meeting. Upon the second reading and no discussion, it was automatically laid over to the next meeting.

2ND READING OF ORDINANCE 2009-71:

An Ordinance to Approve an Intergovernmental Agreement for Multi-Jurisdictional Task Force Interagency Agreement

The first reading of this ordinance was held on December 7, 2009. A motion to adopt was given by Alderman Klemm, seconded by Alderman Helms and it was automatically laid over to tonight's meeting. Upon the second reading and no discussion, it was automatically laid over to the next meeting.

2ND READING OF ORDINANCE 2009-72:

An Ordinance Amending Chapter 608 – Alcoholic Liquor, Section 608.06 “Permitted Hours of Sales” of the Codified Ordinances of the City of Freeport – Sunday Hours

The first reading of this ordinance was held on December 7, 2009. A motion to adopt was given by Alderman Endress, seconded by Alderman Klemm and it was automatically laid over to tonight's meeting. Upon the second reading and no discussion, it was automatically laid over to the next meeting.

ORDINANCES – FIRST READING

1ST READING OF ORDINANCE 2009-73:

An Ordinance for Variation, Permit or Amendment of the Codified Ordinances of Freeport, Illinois – Amendment of Zoning Ordinance from B2-1 (Limited Service Business) to R5 (Two Family Residence) for the property located at 814 South Maple Avenue, Freeport, Illinois

Pursuant to Chapter 222.03, the Council may take final action on a proposed ordinance during the first reading when the following requirements are met 1) the Planning Commission unanimously recommended its approval at a proper public hearing 2) no person filed a formal written objection or protest to such ordinance. At their meeting held on December 10, 2009, the Planning Commission unanimously recommended approval of the petition. Alderman Helms moved to place this ordinance on the floor, seconded by Alderman O'Neill.

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Community Development Director Shelly Griswold presented the ordinance stating that the public hearing was held at the Planning Commission on December 10, 2009 and the summary was included in council packets. This property is up for sale and the owner would like to have it re-zoned to a two family residence in order to acquire a rebuild letter since the current zoning is commercial, a rebuild letter can not be obtained for residential use.

A roll call vote was taken to approve the ordinance as presented.
Yeas: Endress, Helms, O'Neill, Corbin, Klemm, Boldt, Bush and DeVine (8)
Nays – None
Ordinance 2009-73 was adopted.

1ST READING OF ORDINANCE 2009-74:

An Ordinance for Variation, Permit or Amendment of the Codified Ordinances of Freeport, Illinois – Amendment of Zoning Ordinance from B1-2 (General Retail Business) to B2-1 (Limited Service Business) for the property located at 1-7 East Stephenson Street, Freeport, Illinois

Pursuant to Chapter 222.03, the Council may take final action on a proposed ordinance during the first reading when the following requirements are met 1) the Planning Commission unanimously recommended its approval at a proper public hearing 2) no person filed a formal written objection or protest to such ordinance. At their meeting held on December 10, 2009, the Planning Commission unanimously recommended approval of the petition.

Alderman Endress moved to place this ordinance on the floor, seconded by Alderman Corbin. Community Development Director Shelly Griswold presented the ordinance stating that the public hearing was held at the Planning Commission on December 10, 2009 and the summary was included in council packets. Casey Myers, an owner of the building testified that he has a potential lessee who would like to have a teen dance center in the building and in order to accommodate that use; the zoning would need to be changed from B1-2 to B2-1. There are other actions that will need to take place for the Special Use Permit Process and that was discussed at the public hearing. A teen dance center is defined for use of persons under the age of twenty-one.

A roll call vote was taken to approve the ordinance as presented.
Yeas: Endress, Helms, O'Neill, Corbin, Klemm, Boldt, Bush and DeVine (8)
Nays – None
Ordinance 2009-74 was adopted.

1ST READING OF ORDINANCE 2010-01:

An Ordinance Amending Chapter 1240 (General Provisions and Definitions) and Chapter 1250 (Residence Districts) of the Codified Ordinances of the City of Freeport

Community Development Director Shelly Griswold stated this ordinance was discussed at the Planning Commission on December 10, 2009 and they unanimously recommended approval of this wording. The last time Willowglen requested a group home we found there were two areas where our zoning code was not appropriate with the Fair Housing Act in the way that we deal with group homes. There are two areas where HUD and the Department of Justice require changes to the definition of unrelated people and whether group homes can't be within so many feet from each other.

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Alderman O'Neill moved to approve the ordinance as presented, seconded by Alderman Klemm. The ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE 2010-02:

An Ordinance Amending Chapter 1240 (General Provisions and Definitions) and Chapter 1252 (Business Districts) of the Codified Ordinances of the City of Freeport

Community Development Director Shelly Griswold presented the ordinance stating that earlier this evening a zoning ordinance was presented for a teen dance center. This ordinance sets up teen centers as a special use in a B2-1 Zoning Classification which means they will need a special use permit to be allowed in a B2 or B3. Secondly, at the request of the Planning Commission, it states Teen Centers instead of "teen dance center" and adds a definition of the Teen Center. This is the next step that would enable Mr. Myers lessee to apply for a special use permit to operate a teen dance center.

Alderman Klemm moved to approve the ordinance as presented, seconded by Alderman Endress. The ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE 2010-03:

An Ordinance Amending Chapter 869 (Teen Dance Centers) of the Codified Ordinances of the City of Freeport

Community Development Director Shelly Griswold presented the ordinance stating this is the third and final piece to the teen centers. Currently the ordinance for Teen Dance Centers states that is can not be located within 150 feet of a residential dwelling. What we are asking is that so that strikes the language for the 150 feet so that it may be considered by a case by case basis. The requirement of the special use permit will be to look at each application on a case by case basis. This ordinance states that the Teen Dance Center must be in compliance with Section 1252.03 (b) (2) of Chapter 1252 (Business District) which is the zoning code.

Alderman Klemm moved to approve the ordinance as presented, seconded by Alderman Endress. The ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE 2010-04:

An Ordinance Amending Chapter 242 (Fire Department) of the Codified Ordinance of the City of Freeport, Illinois (Removing Deputy Chief and Adding Battalion Chiefs)

Fire Chief Kevin Countryman presented the ordinance stating that it strikes out places in the City Ordinance where it states Deputy Chief and replaces it with Battalion. Discussion was held regarding the number of years required to for experience to be appointed as Fire Chief.

Alderman Helms moved to amend the wording Under 242.05 Fire Chief, (a) (1) Have obtained the rank of Battalion Chief, Captain, Lieutenant, or a similar rank within a department of comparable size and composition or the Freeport Fire Department, and held any such rank for a minimum total of three years. The motion as seconded by Alderman Endress. The motion was approved by voice vote without dissent.

Alderman Helms moved to approve the ordinance as presented, seconded by Alderman O'Neill and the ordinance was automatically laid over to the next meeting.

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1ST READING OF ORDINANCE 2009-75:

An Ordinance to Authorize Acquisition and Acceptance of Quitclaim Deed for Property Commonly Known as the Carnegie Library, Freeport, Illinois (PIN 18-14-31-177-003)

Corporation Counsel Sarah Griffin stated that this is an ordinance where the City Council would make specific findings regarding public purpose and meeting a bid of \$1,000 which was the highest bid at an auction held by the Board of Library Trustees for the Carnegie Library. The findings which the Council will be making are that it will serve a public purpose, specifically, but not limited to, promoting economic revitalization of commercial business areas, protecting the commercial tax base, stimulating employment, and by attempting to reduce legal fees in clarifying any interest held or not held by the Board of Library Trustees of the Freeport Public Library in the property. This is under a first right to purchase under 75 ILCS 5/4-16 which is the local library act. The public purpose is under the City of Freeport's requirement to have a public purpose in order to acquire real estate.

Discussion was held regarding right of first refusal. Corporation Counsel Griffin explained that under the statute that was cited, the local library act, gives the first right to purchase which by case law is the right of first refusal to the corporate authority which is also defined by the library act to be the City of Freeport.

Alderman Boldt moved for approval of the ordinance, seconded by Alderman Klemm.

Discussion continued with Corporation Counsel Sarah Griffin stating that the council has no reason to doubt Mr. Chesney's intentions, a public purpose and a productive reuse of the property that at this time they are not 100% convinced that is the best route to go towards acquisition of an ultimate title toward productive reuse. They have directed their attorneys to speak with Mr. Chesney and to his attorneys regarding a route that the best possible way to try to come to an amicable conclusion that would consolidate the title to transfer to an appropriate purpose.

Pursuant to council rules, the ordinance was automatically laid over to the next council meeting.

1ST READING OF ORDINANCE 2010-05:

An Ordinance Amending Chapter 480, Section 480.24 (Handicapped Persons and Disabled Veterans) of the Codified Ordinances of the City of Freeport – 400 Block E. Prospect Terrace

Public Works Director Tom Dole presented the ordinance stating that a request was received for a loading zone in front of a residential property to accommodate a handicapped person and he recommended its approval. The wording under 480.24 Handicapped Persons and Disable Veterans was amended to include "Prospect Terrace, south side, 225 feet west of South Float Avenue. Alderman Klemm moved to approve the ordinance as presented, seconded by Alderman Endress. The ordinance was automatically laid over to the next council meeting.

RESOLUTIONS

RESOLUTION #R-2009-112:

Resolution to Accept Award of Grant Funding Under the 2009 Recovery Act Justice Assistance Grant Program of the Illinois Criminal Justice Information Authority

Police Chief of Police Jerry Whitmore presented the resolution stating that this is for a \$436,000 grant to pay for two officer's salary for the next three years.

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

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

Nays – None

Resolution R-2009-112 was adopted.

RESOLUTION #R-2009-113:

Resolution Authorizing the Approval of a Freedom of Information Act Policy and Designating the City of Freeport FOIA Officer

Corporation Counsel Sarah Griffin stated that the State of Illinois is amending the Freedom of Information (FOIA) statutes effective January 1, 2010 and this resolution does two things. First it designates FOIA Officers of the City of Freeport including the City Clerk, Deputy City Clerk, Deputy Chief of Police and the Fire Administrative Assistant. It also requires them to complete their training. Secondly, it adopts the Freedom of Information policy and new forms. Additional compensation will not be provided for these duties and the training is provided on-line.

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

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

Nays – None

Resolution R-2009-113 was adopted.

RESOLUTION #R-2009-114:

Resolution to Approve an Amendment to the Final Plat for Indian Springs Section 1

Community Development Director Shelly Griswold stated that a waiver of sidewalks has been requested for the final plat for Indian Springs Section 1, Lot 1 for 126 foot section along Greenfield Drive from Mustang Court north to Stephenson Street. Alderman Klemm moved to deny the resolution, seconded by Alderman Boldt. Mayor Gaulrapp explained that a yes vote would mean you agree with to deny the resolution and a no vote would mean that you think it should pass. A roll call vote was taken of the council members.

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

Nays – None

Resolution R-2009-114 failed on council floor. Mayor Gaulrapp stated they will need to put sidewalks in.

RESOLUTION #R-2009-115:

Resolution to Approve an Amendment to the Final Plat for Indian Springs Section 2

Community Development Director Shelly Griswold stated that this is another sidewalk waiver for the final plat of Indian Springs Section 2, lot 57 for the portion of sidewalk running east of the existing driveway to the east property line, until such a time that sidewalks on the adjacent unnumbered lot, reflected as PIN 08-13-35-401-021 are constructed upon to the east property line of Lot 57. This was a unanimous recommendation by the Planning Commission. Alderman Klemm moved to approve the resolution as presented, seconded by Alderman Endress. The motion was approved by roll call vote.

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

Nays – Boldt

Resolution R-2009-115 was adopted by a vote of 7-1.

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RESOLUTION #R-2009-116:

Resolution to Authorize Agreement with Neighborhood Housing Services of Freeport, NFP

Community Development Director Shelly Griswold led the discussion stating that this agreement has been truncated because there are fewer dollars and so the operating funding has been reduced from \$75,000 to \$35,000. The \$25,000 is a flat funding for NHS and the other \$10,000 is tied to specific activities which must be fulfilled and they must be documented and sent to us before there will be reimbursement including foreclosure counseling and prevention, home buyer education, and mortgage counseling. NHS will be required to present an update at the January 19, 2010 council meeting providing a complete report of their results for 2009 and what their plans are for 2010.

Alderman Helms moved to layover the resolution to the City Council meeting on January 19, 2010, seconded by Alderman Endress. The motion was approved by roll call vote.

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

Nays – None

OTHER

DEPARTMENT HEAD REPORTS

Water and Sewer

A special meeting of the Water and Sewer Commission will be held on Tuesday, December 22, 2009. The two topics on the agenda are the five year capital improvement program and system upgrades.

Fire

Fire Chief Kevin Countryman provided information regarding volunteer firefighters and his disagreement with a statement made at the last council meeting. Discussion of such cuts should have been brought first to the Department head.

MAYOR'S REPORT

Mayor George Gaulrapp encouraged those more fortunate to help out someone less fortunate.

NEW BUSINESS

Each council member was provided the opportunity to publicly address significant items of interest. Alderman Helms asked about placing delinquent fines from ordinance violations on the real estate tax bills at Stephenson County. Alderman Corbin provided his comments about a partial volunteer fire department similar to auxiliary police as a way to hold down costs.

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 –

Alderman Klemm asked about the ordinance stating that he thought there was a missing piece of business to do since only the amendment was voted on for 0% and not the Tax Levy. He asked whether another amendment could be made and also asked if it required a super-majority vote. Corporation Counsel Sarah Griffin stated that it did not require a super-majority vote.

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The notes of Corporation Counsel Sarah Griffin and acting City Clerk Duane Price were reviewed and they agreed that there had not been a final roll call vote on the ordinance as amended. At this point, there was not a final vote on the Tax Levy Ordinance.

Alderman Klemm asked if he could make another amendment on the floor and Corporation Counsel Sarah Griffin stated yes. Alderman Klemm moved to amend the Tax Levy to 4.99%. There was no second on this motion.

Corporation Counsel Sarah Griffin stated that council needs to vote on the original motion on the floor, the 0% increase and if that failed, they could reconsider the motion from the last council meeting but it would have to be brought forth by someone who voted with the majority from the last meeting in order to bring that motion for reconsideration back. The original vote still needs to be taken for the 0%.

Alderman Klemm called the question. Mayor Gaulrapp asked if there is a motion on the floor to approve the Tax Levy at 0%.

Alderman Helms moved to approve the Tax Levy for the City of Freeport at 0%, seconded by Alderman Corbin. Discussion continued with the budget forecasting for 2010, 2011 and 2012 and what the sales tax increase will do to the budget process.

A roll call vote was taken to support the Ordinance 2009-66 Tax Levy as amended to 0%.

Yeas: Helms, Corbin, Boldt, Bush, and DeVine (5)

Nays – Endress, O’Neill, Klemm (3)

Ordinance 2009-66 was approved as amended to 0%.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

Rodney Baker, 3082 Illinois Route 26 north, spoke his disappointment of the citizens in the City of Freeport for not providing opinions about the tax levy or giving ideas for preservation of the Carnegie Library. Corporation Counsel Sarah Griffin explained to Mr. Baker the vote timing for Ordinance 2009-75. According to council rules an ordinance will have three readings unless pursuant to the Codified Ordinances that the council may suspend the rules and vote on an ordinance in fewer readings.

There being no further business, the meeting was adjourned at 8:32 pm.

s/ Meg Zuravel
Meg Zuravel, City Clerk