



## ***City Council***

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

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### **MINUTES REGULAR MEETING Tuesday, February 16, 2010**

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#### **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 Tuesday, February 16, 2010, in Council Chambers with a quorum being present.

#### **ROLL CALL**

Present on roll call were Mayor George Gaulrapp and council members Klemm, Bush, DeVine, Endress, Helms, and Corbin (6). Aldermen Boldt and Alderman O'Neill were absent (2). Also present was Corporation Counsel Sarah Griffin.

#### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Alderman Klemm

#### **APPROVAL OF AGENDA**

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

#### **APPROVAL OF MINUTES**

Alderman DeVine moved to approve the minutes of the regular meeting held on February 1, 2010, seconded by Alderman Endress. Motion passed by voice vote without dissent.

#### **PUBLIC COMMENTS - AGENDA ITEMS**

Sally Brandt, 1420 S. Harlem, Freeport, Illinois, spoke about her concerns for safety and parking on Harlem Avenue between Empire Street and LaCresta. She stated her view that ambulances would not be able to turn into driveways because vehicles park across and so close to driveways. The problem is not only weather relating to the Winter Parking Ordinance, there is a problem with parking when there is snow, leaves or green grass.

Mayor Gaulrapp stated they had parked two Suburban vehicles across from each other on south Harlem Avenue and a fire truck was able to maneuver between them.

Pam Anderson, 1411 S. Harlem, Freeport, Illinois, spoke about south Harlem Avenue parking because many times, it is 24 hours a day that vehicles are parked because people leave their cars overnight. Parking is a problem in the area.

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Shelly Russell, 1417 S. Harlem, Freeport, Illinois, spoke about the safety issue caused from vehicles parked both sides on Harlem Avenue because there are no sidewalks, no street lights and it is hazardous on most Friday and Saturday nights. She can not maneuver in and out of her driveway. When people come to visit her home, they have no place to park.

Vivian Bunker, 1414 S. Harlem, Freeport, Illinois, spoke about parking on south Harlem Avenue and commented that many time people park a distance away from the curb so the passengers may unload. She asked if the council would consider parking on only one side of the street. She stated she wants to keep her front lawn so she does not want sidewalks.

Pat Beckman, 1415 Bolkinwood, Freeport, Illinois is the owner of Cannova's Restaurant which is located on the corner of Empire Street and south Harlem Avenue. Mr. Beckman spoke about what he felt is a problem with the Winter Parking Ordinance, especially its enforcement when there is no snow to clear. Recently a fundraiser was held at the restaurant to benefit Showtime and many of the patrons that evening received tickets. It does not look good for our welcoming visitors to the City when they receive tickets for parking, especially since they have no knowledge of the winter parking ordinance. He spoke of other areas in the City where vehicles are parked on both sides. Because the neighbors complain about parking on Harlem Avenue, his restaurant patrons receive tickets and, many of which, he pays for the customer. Cannova's Restaurant has been in the City for over 90 years and always gives back to fundraisers, employs many workers, and is an economic value to the City. Mr. Beckman recommended one sided parking on Harlem Avenue, a moratorium on ticket writing for the winter parking ordinance, and asked for parking on both sides of Empire Street when there are not baseball games played at Read Park.

A meeting will be held on February 24, 2010 at Empire School at 6:00 pm to discuss the parking in this area further. This is to discuss the entire area, not only Harlem Avenue parking.

Mrs. Bunker asked for additional lighting in the area of Cannova's Restaurant.

**PRESENTATIONS**

Community Development Director Shelly Griswold provided a summary of the 2009 Code Enforcement statistics. In 2009, 888 warnings and citations were written, 2,455 code violations inspections were completed, 409 cases adjudicated in administrative hearings and \$13,493.63 in fines collected fiscal year-to-date. Paper copies of the presentation were provided to council members. Repeat offenders – 14 property owners had five or more violations in 2009, and six had 10 or more violations. Property owned by this group of 20 owners accounted for 19.4% of code enforcement activity in 2009. Of these properties, 92.6% are rental, 2.9% are owner occupied, 0.5% are commercial, and 4.0% are bank owned.

Community Development Director Shelly Griswold explained to council that it is the fees that they are trying to have added to the Stephenson County tax bills, but it can't be the fines at this time due to the State law. The county has been reviewing placing fees on tax bills and has asked for additional time.

**CONSENT AGENDA**

The following Consent Agenda items were presented:

A. Approval to receive and place on file:

1) City Treasurer's memo regarding Schedule of Tax Receipts in comparison to budgeted

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- 2) City Treasurer's Schedule of Tax Receipts for period ended January 31, 2010
- 3) Police Department Report on Activities for period ending January 2010
- 4) Community Development Report on Activities including Building Permits; Electrical, HVAC, Plumbing and Sign Permits; Cash and Miscellaneous Receipts for period ending January 2010

B. Approval of Water and Sewer Bills Payable (#371) ---- \$90,898.29

C. Approval of Payroll for pay period ending January 30, 2010 ---- \$398,885.24

D. Approval of Finance Department Bills Payable (#368, 369, 370, 372) ---- \$924,437.36

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

Yeas: Klemm, Bush, DeVine, Endress, Helms, and Corbin (6)

Nays: None

### **COMMUNICATION TO COUNCIL**

In the council packets for this evening was a memorandum dated February 10, 2010 from Finance Director Craig Joesten regarding Water and Sewer engineering contract and creation of an internal engineering position.

### **APPOINTMENTS/RE-APPOINTMENT**

- Alderman Endress moved to accept an appointment of Candy Allen-Smith to the Stephenson County Convention and Visitors Bureau Board of Directors effective immediately through December 31, 2010, seconded by Alderman Klemm. Motion passed by voice vote without dissent.
- Alderman Klemm moved to accept a re-appointment of Kay Halbin to the Stephenson County Convention and Visitors Bureau Board of Directors effective immediately through December 31, 2012, seconded by Alderman Endress. Motion passed by voice vote without dissent.
- Alderman Endress moved to accept an appointment of Jennie DeVine as representative of the City of Freeport on the Board of Directors of the Neighborhood Housing Services, seconded by Alderman Corbin. Motion passed by voice vote without dissent (5-0) with Alderman DeVine abstaining.

Mayor Gaulrapp stated there are open positions on boards and commission including the Library and Police Pension Board. Please contact his office or the city clerk if interested.

### **ORDINANCES - THIRD READING**

#### **3<sup>RD</sup> READING OF ORDINANCE 2010-11:**

**An Ordinance Amending Section 1426.01 (2000 Edition Adopted) of Chapter 1426 (International Mechanical Code) of the Codified Ordinances of the City of Freeport**

The first reading of this ordinance was held on January 19, 2010. A motion to adopt was given by Alderman Klemm, seconded by Alderman Helms. The second reading was held on February 1, 2010 and it was automatically laid over to tonight's meeting. Upon the third reading, answers to questions were provided by Community Development Director Shelly Griswold. Upon no further discussion, a roll call vote was taken.

Yeas: Klemm, Bush, DeVine, Endress, Helms, and Corbin (6)

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Nays: None

Ordinance 2010-11 was adopted 6-0.

**3<sup>RD</sup> READING OF ORDINANCE 2010-12:**

**An Ordinance Authorizing Execution of an Amendment to the Northwest Illinois Major Case Squad Intergovernmental Law Enforcement Agreement**

The first reading of this ordinance was held on January 19, 2010. A motion to adopt was given by Alderman Klemm, seconded by Alderman Endress. The second reading was held on February 1, 2010 and it was automatically laid over to tonight's meeting. Upon the third reading, a roll call vote was taken.

Yeas: Klemm, Bush, DeVine, Endress, Helms, and Corbin (6)

Nays: None

Ordinance 2010-12 was adopted 6-0.

**ORDINANCES - SECOND READING**

**2<sup>ND</sup> READING OF ORDINANCE 2010-13:**

**An Ordinance Amending Chapter 486, Section 486.03 (Parking Prohibited Under Certain Conditions) of the Codified Ordinances of the City of Freeport – Harlem Avenue**

The first reading of this ordinance was held on February 1, 2010. A motion to adopt was given by Alderman Klemm, seconded by Alderman O'Neill and it was automatically laid over to tonight's meeting. A discussion was held regarding stipulating that parking would apply to one side of Harlem Avenue – either the east side or west side depending on analysis of drive-ways and the number of allowable parking places by Public Works Director Tom Dole. Alderman Helms asked Corporation Counsel to draft an amendment. The ordinance was automatically laid over to the next council meeting.

**ORDINANCES – FIRST READING**

**1<sup>ST</sup> READING OF ORDINANCE 2010-14:**

**An Ordinance Amending Chapter 480, Section 480.24 (Handicapped Persons and Disabled Veterans) of the Codified Ordinances of the City of Freeport – S. 14<sup>th</sup> Avenue**

Public Works Director Tom Dole presented the ordinance stating that a request was received which would allow for a handicap parking place in front of a residence located on south 14<sup>th</sup> Avenue. A map of the location was provided with the ordinance. Alderman Bush thanked the Public Works Department for bringing this forth and moved for a suspension of the rules to vote on this ordinance this evening. The motion was seconded by Alderman Endress. A roll call vote was taken on the suspension of rules.

Yeas: Klemm, Bush, DeVine, Endress, Helms, and Corbin (6)

Nays: None

The suspension of the rules was approved (6-0).

A roll call vote was taken to adopt the ordinance.

Yeas: Klemm, Bush, DeVine, Endress, Helms, and Corbin (6)

Nays: None

Ordinance 2010-14 was adopted 6-0.

It was noted that any handicap person has a right to park in this designated handicap parking spot.

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**1<sup>ST</sup> READING OF ORDINANCE 2010-15:**

**An Ordinance Amending Chapter 480, Section 480.22 (Courtesy Zone Fifteen- and Thirty-Minute Parking Zones) on Walnut Between Exchange and Stephenson Streets of the Codified Ordinances of the City of Freeport (Walnut)**

Public Works Director Tom Dole presented the ordinance stating that parking has been a problem for those coming to do business at City Hall. These people need to apply for permits or pay fines and there is not parking available so the administration is requesting that the five spaces on the west side (the same side as the Church) on Walnut from Exchange south be changed to 30 minute courtesy parking zones. One parking place will remain for City Vehicle parking.

Alderman Klemm moved to adopt Ordinance 2010-15 as presented, seconded by Alderman Endress.

Mayor Gaulrapp stated the church pastor has requested a handicap parking place and this will be presented at the next council meeting. The ordinance was automatically laid over to the next meeting.

**1<sup>ST</sup> READING OF ORDINANCE 2010-16:**

**An Ordinance Amending Chapter 1052 (Water and Sewer Capital Improvement Fund) of the Codified Ordinances of the City of Freeport, Illinois**

Members of the Water and Sewer Commission Larry Timms and Greg Shadle were introduced. Water and Sewer Utility Project Manager explained the following rate changes for the Capital Improvement Surcharges approved and recommended to council in the special meeting of the Water and Sewer Commission held on December 22, 2009, to pay for the "Big 4" projects. These "Big 4 Projects" were presented to council in January and Ms. Ihrig provided an overview of the projects including new water pressure zone, upgrade supervisory control and data acquisition (SCADA), reduce inflow and infiltration (I/I) in the sanitary sewer system, and upgrade the billing meters. The funding applies to fiscal year 2010 to 2011, fiscal year 2011 to 2012 and fiscal year 2012 to 2012 and thereafter. The following funding applies to Chapter 1052, Water and Sewer Capital Improvement Fund of the Codified Ordinances of the City of Freeport:

**1052.02 FUNDING.**

Funding for the Water and Sewer Capital Improvement Fund shall be through the imposition of a monthly Capital Improvement Surcharge to be set as follows:

Customer Type by Water Meter Size	Capital Improvement Surcharge <u>FY 2010-2011</u>	<u>Capital</u> <u>Improvement</u> Surcharge <u>FY 2011-2012</u>	<u>Capital</u> <u>Improvement</u> Surcharge <u>FY 2012-2013</u> <u>and thereafter</u>
5/8"	\$ <del>4.00</del> <u>6.00</u>	<u>8.00</u>	<u>10.00</u>
5/8" by 3/4"	<del>4.00</del> <u>6.00</u>	<u>8.00</u>	<u>10.00</u>
3/4"	<del>5.12</del> <u>7.12</u>	<u>9.12</u>	<u>11.12</u>
1"	<del>6.88</del> <u>8.88</u>	<u>10.88</u>	<u>12.88</u>
1 1/2"	<del>11.68</del> <u>13.68</u>	<u>15.68</u>	<u>17.68</u>
2"	<del>17.12</del> <u>19.12</u>	<u>21.12</u>	<u>23.12</u>

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3"	<del>36.68</del> <del>38.68</del>	<u>40.68</u>	<u>42.68</u>
4"	<del>61.12</del> <del>63.12</del>	<u>65.12</u>	<u>67.12</u>
6"	<del>121.12</del> <del>123.12</del>	<u>125.12</u>	<u>127.12</u>

Alderman Klemm moved to adopt Ordinance 2010-16 as presented, seconded by Alderman Corbin. Further discussion was held on the surcharges. The ordinance was automatically laid over to the next meeting.

**RESOLUTIONS**

**RESOLUTION #R-2010-03:**

**Resolution in Support of the Jo-Carroll Depot Local Redevelopment Authority and Expedited Transfer of Property for Economic Development**

Alderman Klemm moved to adopt Resolution #R-2010-03 as presented, seconded by Alderman Helms. The motion was approved by voice vote without dissent. Resolution #R-2010-03 was adopted.

**RESOLUTION #R-2010-04:**

**Resolution to Authorize Appointment of Community Development Director Shelly Griswold and Project Manager Denise Ihrig to the Jane Addams Trail Commission**

Alderman Helms moved to adopt the resolution as presented, seconded by Alderman Endress. The motion was approved by voice vote without dissent. Resolution #R-2010-04 was adopted.

**RESOLUTION #R-2010-05:**

**Resolution to Authorize Appointment of Community Development Director Shelly Griswold and Project Manager Denise Ihrig to the Pecatonica Prairie Path Commission**

Alderman Endress moved to adopt the resolution as presented, seconded by Alderman DeVine. The motion was approved by voice vote without dissent. Resolution #R-2010-05 was adopted.

**OTHER**

**DEPARTMENT HEAD REPORTS**

Community Development

Community Development Director Shelly Griswold provided an informational item on Transportation Grants and stated they will apply for additional public transportation funding from federal dollars. The revenue from the State is slow in coming. The City's cash flow does not allow for additional expenditures. Director Griswold also provided information regarding the final cover of landfill #4 and the payout of William Charles. There will be additional costs in 2010-2011. Landfill #2 and 3 closed awhile ago has been monitored and there has been some migration in the area. There is also a pop-out violation that the City has received. Corrections to these landfills could cost the City between \$120,000 to \$130,000. In order to pay for the corrective measures, the City may have to borrow the money. IEPA was asked if this could wait until the City receives fees for rental of the transfer station.

Community Development Director Shelly Griswold also provided an update for Freeport Raceway Park and their application process for a special use permit. She had provided them notice and asked them to provide the supporting documentation for the application process in time for the Planning Commission

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meeting. A special meeting of the Planning Commission was held this evening and their findings will be presented to council at the next meeting.

Public Works

Public Works Director Tom Dole stated his crews were busy working on snow clean-up and, when that is done, they will be working on patching pot holes. The sign for handicap parking on 14<sup>th</sup> Avenue will be put up after the JULIE approval to dig.

Police

Chief of Police Jerry Whitmore spoke about a communications device to get information out to the public called NIXEL. The kick-off will be next week.

Library

Library Director Carole Dickerson promoted a Teddy Bear Bedtime Stories which will be held at the Freeport Public Library. There will also be a “Lap Sit Workshop” to build literacy for younger children.

**MAYOR’S REPORT**

Mayor George Gaulrapp spoke about the Freeport Facebook page. Congratulations were given to Robert Lamm who is turning 100 years old.

**NEW BUSINESS**

Each council member was provided the opportunity to publicly address significant items of interest. Alderman Klemm spoke about the neighborhood watch meeting for the first and sixth wards to be held on February 24, 2010 when they will discuss the parking situation on Harlem Avenue and around Read Park. This meeting will be posted because it will be attended by council members. Alderman Helms asked about the Comprehensive Plan and the special use permit for Freeport Raceway Park. It was answered by Community Development Director Shelly Griswold that they will be presented at the March 1, 2010 meeting.

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

There was no one signed on the sheet for additional public comments this evening. Mel Haskel, 114 Roundtree came to the podium and stated he moved to Freeport and he loves the community. He asked what the council will do when Mill Race is knocking on the door for water and sewer.

Mayor Gaulrapp again asked people to come forth and serve on the boards and commission.

There being no further business, the meeting was adjourned at 7:35 pm.

s/ Meg Zuravel  
Meg Zuravel, City Clerk