



City Council

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

MINUTES REGULAR MEETING Monday, April 19, 2010

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, April 19, 2010, in Council Chambers with a quorum being present.

ROLL CALL

The seating order of the council members was changed so the council no longer sits in ward order. Present on roll call were Mayor George Gaulrapp and council members Klemm, Bush, Endress, O'Neill, Helms, DeVine, and Corbin (7). Alderman Boldt was absent. Also present was Corporation Counsel Sarah Griffin.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderman Endress. A moment of silence was given in honor of the passing of Edward "Dutch" Gaulrapp.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Alderman DeVine moved to approve the minutes of the April 5, 2010 regular meeting, seconded by Alderman O'Neill. Motion passed by voice vote without dissent.

CONSENT AGENDA

The following Consent Agenda items were presented:

- A. Approval to receive and place on file:
 - 1) City Treasurer Cash and Fund Report for period ended March 31, 2010
 - 2) City Treasurer Investment Report for period ended March 31, 2010
 - 3) Police Department Report on Activities for March 2010
 - 4) Community Development Report for period ended March 2010 including Building Permit Summary; Building Permits; Electrical, HVAC, Plumbing and Sign Permits; Cash and Miscellaneous Receipts
- B. Approval of Water and Sewer Bills Payable (#391) ---- \$78,640.54
- C. Approval of Payroll for pay period ending April 16, 2010 ---- \$398,904.00
- D. Approval of Finance Department Bills Payable (#389, 390, 392, 393) ---- \$614,041.87

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.

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

Nays: None

PUBLIC COMMENTS - AGENDA ITEMS

Prior to public comments, Mayor Gaulrapp read into the record a letter from the American Polish Aero Club dated March 19, 2010, regarding the rental of a hangar at the Albertus Airport providing two reasons for leaving and stating that is was due to a drastic decrease in members and there being no tow plane. The American Polish Aero Club thanked Freeport for their kindness, compassion and support.

Signed on the sheet tonight for public comments on agenda items were the following:

- John Ginger, 425 S. Beaver Avenue Freeport, Illinois, spoke as a member of the Airport Commission for the last five years. Since November of 2008, he stated the airplanes based at Albertus Airport have declined in numbers from 94 to 69. Not all of the departures have been because of the insurance provisions or indemnification but he thought the majority had been and he suggested approval of the airport lease before the council.
- John Mitchell, 2478 Shepard Drive, Freeport, Illinois spoke in favor of the airport hangar lease on the council agenda.
- Laurence Gebler, 960 Woodside Terrace, Freeport, Illinois spoke in favor of the airport hangar lease on the council agenda.

COMMUNICATION TO COUNCIL

The council packets contained the following items which were placed on file this evening

- Alderman Corbin moved to place on file a memorandum by Finance Department dated April 14, 2010 regarding the Draft Fiscal Year 2011 Budget, seconded by Alderman Klemm. Motion was approved by voice vote without dissent.
- Alderman Endress moved to place on file a memorandum by Finance Director Craig Joesten dated April 15, 2010, regarding increased limits quotes for Airport Owners and Operators General Liability Policy, seconded by Alderman O'Neill. Motion passed by voice vote without dissent.
- Alderman Endress moved to place on file a memorandum by Finance Department dated April 15, 2010 regarding New Bank Account, seconded by Alderman Klemm. The City Clerk read the memo from Accountant Duane Price, "This memo is to inform the City Council that we will be opening a new checking account at US Bank. The purpose of this account is to handle the proceeds from the loan we have obtained from US Bank for the landfill closure."

APPOINTMENTS

- Alderman Endress moved to accept an appointment of Jeremy Marsh to the Firefighter's Pension Fund Board of Trustees effective immediately for a three year term through April 17, 2013, seconded by Alderman Klemm. Motion passed by voice vote without dissent.
- Alderman Bush moved to accept an appointment of Reverend Kevin M. Cooley, Sr. to the Housing Authority Board of Freeport effective immediately through October 31, 2010, seconded by Alderman Klemm. Motion passed by voice vote without dissent.

ORDINANCES - THIRD READING

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3RD READING OF ORDINANCE 2010-20:

An Ordinance Amending Chapter 1610 (BOCA National Fire Prevention), Chapter 1620 (NFPA 101 Life Safety Code), and Chapter 862 (Self-Service Gas Stations) of the Codified Ordinances of the City of Freeport

The first reading of this ordinance was held on March 15, 2010. A motion to adopt was given by Alderman Endress, seconded by Alderman Klemm. The second reading was held on April 5, 2010 and it was automatically laid over to tonight's meeting. Upon the third reading, a roll call vote was taken to approve the ordinance on the floor.

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

Nays: None

Ordinance 2010-20 was adopted.

3RD READING OF ORDINANCE 2010-21:

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

The first reading of this ordinance was held on March 15, 2010. A motion to adopt was given by Alderman Klemm, seconded by Alderman Bush. The second reading was held on April 5, 2010 and it was automatically laid over to tonight's meeting. Upon the third reading, a roll call vote was taken to approve the ordinance on the floor.

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

Nays: None

Ordinance 2010-21 was adopted.

3RD READING OF ORDINANCE 2010-23:

An Ordinance to Amend and Adjust the Appropriation Ordinance Fiscal Year 2009-2010 for the City of Freeport, Illinois

The first reading of this ordinance was held on March 15, 2010. A motion to adopt was given by Alderman DeVine, seconded by Alderman Endress. The second reading was held on April 5, 2010 and it was automatically laid over to tonight's meeting. Administration has place an amendment in the council packets titled, "Proposed Amendment – April 19, 2010." Upon the third reading, discussion regarding line item questions by council. Alderman Helms asked if the \$2,000 for travel expenses for the Mayor had been spent and it was answered that yes it had been spent and it was offset by a reduction in supplies by \$2,000.

Alderman Helms made a motion to adopt the amendment to Ordinance 2010-23 which strikes Item I which removes Sewer Fund Personnel Expenses from the Appropriation Ordinance, changes item J to I and then Item K to J, seconded by Alderman O'Neill. A roll call vote was taken to approve the amendment.

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

Nays: None

The ordinance was properly on the floor with the amendment. A roll call vote was taken to approve the ordinance.

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

Nays: None

Ordinance 2010-23 was adopted.

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3RD READING OF ORDINANCE 2010-24:

An Ordinance to Supplement the Appropriation Ordinance Fiscal Year 2009-2010 for the City of Freeport, Illinois

The first reading of this ordinance was held on March 15, 2010. A motion to adopt was given by Alderman DeVine, seconded by Alderman Endress. The second reading was held on April 5, 2010 and it was automatically laid over to tonight's meeting. The third reading was given and discussion was held as to whether any additional income tax had been received from the State of Illinois since the first reading of this ordinance. It was answer by the Finance Department that the City has received two income tax payments and the State is still four months behind in paying the City.

Upon no further discussion, a roll call vote was taken to approve the ordinance on the floor.

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

Nays: None

Ordinance 2010-24 was adopted.

3RD READING OF ORDINANCE 2010-25:

An Ordinance Amending Chapter 1224 (Subdivision) Section 1224.02 (Procedure for Approval) and Amending Chapter 1242 (Administration, Enforcement and Penalty), Section 1242.12 (Variations, Permits, Planned Developments and Amendments) to Add Provisions for Notifying Members of City Council Upon Filing of Petitions

The first reading of this ordinance was held on March 15, 2010. A motion to adopt was given by Alderman Boldt, seconded by Alderman Helms. The second reading was held on April 5, 2010 and it was automatically laid over to tonight's meeting. Upon the third reading, a roll call vote was taken to approve the ordinance on the floor.

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

Nays: None

Ordinance 2010-25 was adopted.

ORDINANCES - SECOND READING

2ND READING OF ORDINANCE 2010-28:

An Ordinance to Approve the Editing and Inclusion of Certain Ordinances as Parts of the Various Component Codes of the Codified Ordinances of the City of Freeport – August 17, 2009 through January 19, 2010

The first reading was held on April 5, 2010. A motion to adopt was given by Alderman O'Neill, seconded by Alderman Endress and it was automatically laid over tonight's meeting. Upon the second reading and no discussion, the ordinance was automatically laid over to the next meeting.

ORDINANCES – FIRST READING

1ST READING OF ORDINANCE 2010-29:

An Ordinance Amending Chapter 288 (Officers and Employees Generally) of the Codified Ordinances of the City of Freeport – Office Hours

Mayor George Gaulrapp presented the ordinance by stating because in the future budget we will be taking furlough days in City Hall. Because of the reduction of staff hours, we are proposing that during the

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period of June 1, 2010 through August 31, 2010, City Hall will be closed each Friday. This will allow for a consistency level for contractors and the public will know that City Hall will not be open so they will be able to do their business the first four days of the week. Alderman Helms moved to place this ordinance on the floor for approval, seconded by Alderman Klemm. It was further explained that the Police and Fire Departments will remain open on Fridays. The City is in dire times and this is part of the reduction in services and the Mayor stated that he wants people to be aware because we are cutting hours, cutting wages, that services will be affected first at City Hall and most likely throughout the rest of the City. But we will keep in tact our services with the Fire and Police at this time. Even though City Hall will be closed, there will be staff members working. The ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE 2010-30:

Ordinance for Variation, Permit of Amendment of Codified Ordinances of Freeport Illinois; Type of Relief – Zoning Variance to Sub-Section 1250.02 (e) (2) (Yard Areas – Side Yards) of Section 1250.02 (R-2 One Family Residence District) of Chapter 1250 (Residence Districts) of the City of Freeport Codified Ordinances to allow a side yard of zero (0) feet at the property; Address - 1550 LaCresta, Freeport, Illinois; Owner or Applicant – John Budenz,

The public hearing was held on April 8, 2010. The Zoning Board of Appeals unanimously recommended this variance to council and there were no written objectors filed in protest. The ordinance was presented Community Development Director Shelly Griswold stating that the applicant wishes to build a deck on the back of the house and he wanted a zero foot side yard. The Zoning Board of Appeals placed a condition that any structure, including the deck, may not extend north of the existing building addition, which is thirty-two inches south of the north property line and with that condition, the Zoning Board unanimously recommended approval.

Alderman Klemm made a motion to move Ordinance 2010-30 forward for approval, seconded by Alderman Corbin. A roll call vote was taken to approve the ordinance on the floor.

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

Nays: None

Ordinance 2010-30 was adopted.

1ST READING OF ORDINANCE 2010-31:

Ordinance for Variation, Permit of Amendment of Codified Ordinances of Freeport Illinois; Type of Relief – Zoning Variance to Section 1270.03 (e) (2) (Fence Installation) (Fences in Rear/Side Yards) of Chapter 1270 (Fences) of the City of Freeport Codified Ordinances to allow a fence on the side and rear property lines in an R4 (One Family Residence) zoning classification; Address – 1550 West Stover, Freeport, Illinois; Owner or Applicant – Robert P. Homan

The public hearing was held on April 8, 2010. The Zoning Board of Appeals unanimously recommended this variance to council and there were no written objectors filed in protest. The ordinance was presented Community Development Director Shelly Griswold stating that the applicant wishes to install a fence for his dogs. Because the applicant would need to move an accessory building to comply with the ordinance, the petition was made. The Zoning Board unanimously recommended approval.

Alderman Klemm made a motion to move Ordinance 2010-30 forward for approval, seconded by Alderman Endress. A roll call vote was taken to approve the ordinance on the floor.

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

Nays: None

Ordinance 2010-31 was adopted.

1ST READING OF ORDINANCE 2010-32:

Special Ordinance for Variation, Permit of Amendment of Codified Ordinances of Freeport Illinois; Type of Relief - Special Use Permit to allow a large residential-care home under Section 1250.01 (b) (10) "Special Uses" of Chapter 1250 (Residence Districts of the Codified Ordinances of the City of Freeport; Address – 2025 West Winchester, Freeport, Illinois; Owner or Applicant – Tawnally J. Palmer, Owner, and L & D Real Estate, LLC, Contract Vendee

The public hearing was held on April 8, 2010. The Freeport Planning Commission voted unanimously to approve the findings of fact and to recommend approval of this Special Use Permit to council.

Mayor Gaulrapp stated that there were written objectors filed in protest to this Special Use Permit. This ordinance was presented Community Development Director Shelly Griswold stating again that there were written objectors because there is a petition on file and it would take three readings or a vote of the supermajority (6) council members vote to approve the ordinance. The Planning Commission met the first time on March 4, 2010 at which time a public hearing was held, they closed the public hearing that evening and then during the deliberation and findings of fact they recognized that they had not received enough testimony and evidence. On March 11, 2010 the Planning Commission held another meeting where they reopened the public hearing until April 8, 2010. On April 8, 2010 they took additional evidence and made findings of fact and unanimously recommended approval of the ordinance. There was considerable testimony given. Director Griswold has a large volume of documentation on this ordinance.

Discussion was held regarding the number of persons signing the petitions and as to the timing of one reading versus three readings. Because the public hearing is closed, the council may not gather more evidence and can't speak to constituents. In reading the information by the Department of Justice and the Fair Housing Act is that municipalities can not treat these individuals any differently than a family moving into that neighborhood, absent evidence in the public hearing. There was evidence presented by both sides in the public hearing. The findings by the Planning Commission were that the evidence of the applicant is what they voted in favor of 100% in each of the categories that they voted on.

Alderman Corbin moved to suspend the rules in order to vote on the ordinance this evening, seconded by Alderman Klemm. The item was non-debatable. A roll call vote was taken to approve the motion on the floor.

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

Nays: None

The ordinance is properly on the floor for voting this evening.

Corporation Counsel Sarah Griffin stated that because there is a written petition, there will need to be six alderman votes and the mayor does not count in this instance towards the six.

Alderman Klemm moved to place this ordinance on the floor for approval, seconded by Alderman Bush. A roll call vote was taken to approve the ordinance as presented.

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

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Nays: None

Ordinance 2010-33 was adopted by a vote of seven to zero.

RESOLUTIONS

RESOLUTION #R-2010-23:

Resolution to Authorize Revised Lease Terms for Hangar Rentals at the Freeport Albertus Municipal Airport (General and Corporate)

This resolution was presented at the meeting held on April 5, 2010 by Public Works Director Tom Dole and it was approved by roll call vote to be laid over to this evening. Finance Director Craig Joesten referred to his communication to council in the council packet whereby he requested quotes from the City insurance carrier to increase the “per occurrence” hangar keeper’s legal liability limits under the captioned policy from the current \$500,000 to \$1,000,000 & \$2,000,000. The quotes for alternate \$500,000 per aircraft/\$1,000,000 per occurrence were an additional premium of \$358 per annual. The quotes for alternate \$500,000 per aircraft/\$2,000,000 per occurrence were an additional premium of \$578 per annual. Finance Director Craig Joesten wrote in the memo to council dated April 15, 2010, that during the City Council meeting on April 5, that he does not believe that the \$1,000,000 limit is sufficient. The \$2,000,000 is the minimum acceptable based on the individual hangar lessees providing evidence of aircraft liability in the amount of \$1,000,000 with the premises endorsement. As has been mentioned, the standard is to require certificates of insurance validating this coverage exists to include the City being names as additional insured.

Discussion was held regarding the terms for indemnification and additional insured on the hangar tenant lease. Director Joesten recommended that our name be added as an additional insured on the coverage purchased by the hangar tenant and recommended that the premise endorsement be added as well. Alderman Klemm stated he had discussed the insurance with the pilots and hangar tenants and he would recommend increasing the insurance to the higher rate for the additional cost and that the funding would have to be passed on the hangar tenants. A pilot association member was called to the podium to answer questions.

John Mitchell answered that there is not a charge and in cases there is not from some of the members their insurance companies informed them of a \$75 charge to be added. The pilot’s objection is to the additional insured clause is not the charge but the potential dilution of coverage not limited to when the plane is in the hangar. He stated as to whether the City is covered by his liability insurance, they are covered if he causes a loss; he has the liability insurance, whether he taxis into the gas pumps, the hangar or anything. The pilots find this unnecessary and it only pays out if the pilot causes the loss.

Director Joesten explained that the policies that the City has names the City as an insured. It does not name the pilots as an insured. The only way you can have the coverage apply to a third party is to add them as an additional insured to the already existing named insured on the policy declarations. It was recommended by Alderman Corbin to approve the lease, purchase the additional insurance, raise the rents to cover the added premium and move on. Corporation Counsel Sarah Griffin stated that it is a poor precedent to set for example, it would be less expensive to add the Senior Bus for auto insurance or Pretzel City Transit to our auto insurance, those are actually City provided services. This is a municipally owned airport and these are private individuals renting hangars, this isn’t even a City service. These are

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private rented hangars. We have union people who are getting laid off this summer and asking the City to pay \$500 more for insurance, doesn't sound like a lot but based on employees hourly salary it is. Discussion was held stating that the cost would be added to the hangar rents.

Alderman Klemm moved to add the insurance to this for an annual premium of \$578.00 and that amount is absorbed into the hangar rental, accept their \$1,000,000.00 worth of coverage with our name being on the policy, and make a motion to move that forward, seconded by Alderman Corbin.

Corporation Counsel Sarah Griffin requested verification that changes should be made to the lease before council or should we make changes and bring them back to council floor. It was decided to make the changes on the floor. The \$578.00 should be added into the rents of the pilots for the hangars. Corporation Counsel Sarah Griffin asked on the insurance provision, do you want to add the City back in as an additional insured and add the premises liability?

Mr. Mitchell stated that most policies address premise liability as part of the insurance. Mayor Gaulrapp asked for clarification if Alderman Klemm requested to have the City of Freeport named as an additional insured on the policy. Alderman Klemm answered that he did not think it was necessary.

Mayor Gaulrapp stated, "Alderman Klemm, you did make that motion to add that for it, so you don't want it? Alderman Klemm answered, "That is correct, we do not need the City of Freeport on their policy."

Corporation Counsel Sarah Griffin stated for clarification that we are adding the premises liability and adding the cost into the rent and that it is it. Alderman Klemm answered, "Yes." Mayor Gaulrapp stated there is a motion on the floor for an amendment by Alderman Klemm, is there a second? Alderman Corbin seconded the motion.

A roll call vote was taken to approve the amendment on the floor.
Yeas: Endress, O'Neill, Helms, DeVine, Corbin, Klemm, and Bush (7)
Nays: None
The amendment was approved unanimously.

Mayor Gaulrapp asked if there is a motion for the resolution on the floor. Alderman Klemm moved to place the resolution on the floor as amended, seconded by Alderman Corbin.
Upon no further discussion, a roll call vote was taken to approve the resolution on the floor.
Yeas: Endress, O'Neill, Helms, DeVine, Corbin, Klemm, and Bush (7)
Nays: None
Resolution #2010-23 was adopted.

RESOLUTION #R-2010-24:

Resolution for the Agreement Between City of Freeport and Illinois Department of Transportation for Rehabilitation of Lincoln Boulevard (MFT Sec. 09-00151-00-RS) - *Lincoln Boulevard from Whistler Avenue to Saxby Avenue*

Public Works Director Tom Dole stated this resolution is for the 2010 LAPP program which is the resurfacing of Whistler from Saxby to Lincoln. The total cost of the project would be \$54,121.49 with the construction costs being \$33,825.93 and the engineering estimates are \$20,395.56.

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Alderman Helms moved to approve the resolution as presented, seconded by Alderman Endress. Discussion was held regarding the set-backs on Lincoln and McKinley. It was agreed that these will be reviewed by Public Works and possibly set back further from the corners looking west and east. In addition the area by the old fire station will be looked at for safety and parking issues.

Mayor Gaulrapp stated the motion is on the floor and is there any further discussion. Upon no further discussion, a roll call vote was taken to approve the resolution on the floor.

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

Nays: None

Resolution #2010-24 was adopted.

RESOLUTION #R-2010-25:

Resolution Authorizing Acceptance of a Youth Advisory Council Freeport Community Foundation Grant

Chief of Police Jerry Whitmore stated the resolution accepts a \$600.00 grant from the Freeport Community Foundation Youth Advisory Council to purchase 30 Freeport Junior Academy cadet kits for this summer's program. Alderman Endress moved to approve the resolution as presented, seconded by Alderman O'Neill. Resolution 2010-25 was adopted by voice vote without dissent.

RESOLUTION #R-2010-26:

Resolution Regarding City Council Compensation

Alderman Corbin moved to approve the resolution as presented, seconded by Alderman Helms. Corporation Counsel Sarah Griffin stated that as all of our elected officials know that once their salaries are set, they can't change them during their terms by ordinance. They have to be changed at least 180 days prior to them coming into office so what this resolution does is it states their intent to return no less than 10% of their salary that they get. They can't do this by ordinance but this is by resolution and what that means is that is what they intend to do for this coming year. Since this is a resolution, it is non-binding, but sets the policy for the City. Alderman Helms stated to be part of this community, we all need to share in the pain and that starts with the council, even though the amount we are paid is minimal, it is important that we do so. He added that his intent is that it will be for 10% of the gross amount.

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

Nays: None

Resolution #2010-26 was adopted.

RESOLUTION #R-2010-27:

Resolution to Authorize a Joint City-State Agreement Between the City of Freeport and the Illinois Department of Transportation (IDOT) for Constructing a Portion of the Jane Addams Trail as Part of IDOT Job No, C-92-057-06

Community Development Director Shelly Griswold stated that IDOT is completing a portion of Highway 20 Bypass Project. This will be the frontage road from Illinois 26 west to Heine Road. The frontage road will run north by the Baymont Inn & Suites west to Heine Road. The section of the Jane Addams trail will be constructed along the frontage road. Originally, our portion of that project was to cost \$200,000 and now we have been told that our local portion is \$40,000 since it is part of an IDOT larger project. The City Council has appropriated \$350,000 in Motor Fuel Tax funds for the Jane Addams Trail. An

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intergovernmental agreement with Stephenson County and Orangeville brings our portion of the \$40,000 local cost to an amount of \$11,428.00. This is a resolution for our portion and a jurisdictional transfer of the road.

Alderman Endress moved to approve the resolution as presented, seconded by Alderman O'Neill.
Yeas: Endress, O'Neill, Helms, DeVine, Corbin, Klemm, and Bush (7)
Nays: None
Resolution #2010-27 was adopted.

RESOLUTION #R-2010-28:

Resolution to Approve the Preliminary Plat for Habitat Subdivision

Community Development Director Shelly Griswold stated the performance bond for this resolution and the following resolution is not yet complete and she ask for a layover to the next meeting. Alderman Endress so moved to lay over this resolution and the following resolution to the next meeting, seconded by Alderman Klemm. Motion passed by voice vote without dissent.

RESOLUTION #R-2010-29:

Resolution to Approve the Final Plat for Habitat Subdivision

Please refer to Resolution R-2010-28.

RESOLUTION #R-2010-30:

Resolution to Open a City Checking Account and to Designate Check Signers at US Bank

Director Joesten stated that a \$750,000.00 loan has been applied to US Bank to pay for \$325,000 to specifically close Landfill #4 and is tax exempt because of that purpose. An amount of \$425,000 will be borrowed as a general operating loan and it is a taxable amount. Part of the requirements in the loan application with the bank is to establish a depository relationship with the City so that they may wire the funds from that loan into that account. This resolution authorizes the opening of that account and designates the three authorized signers being the City Treasurer, Mayor and City Clerk. The anticipated closing date is April 28, 2010.

Alderman Endress moved to approve the resolution as presented, seconded by Alderman Corbin
Yeas: Endress, O'Neill, Helms, DeVine, Corbin, Klemm, and Bush (7)
Nays: None
Resolution #2010-30 was adopted.

OTHER

DEPARTMENT HEAD REPORTS

Authorization of incentive bonus for the Albertus Airport Fixed Base Operator for the time period of August 2008 and August 2009.

Public Works

Public Works Director Tom Dole spoke about the Fixed Base Operator (FBO) Incentive Bonus for the Albertus Airport. In the last council meeting Director Dole provided a difference in the numbers provided by the FBO, Mr. Darrell Janssen and the number of aircraft based on information available to the City. Director Dole recommended that until this number of airplanes in hangars is reconciled, the city pay Mr.

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Janssen, the \$2,500 incentive bonus based on 54 airplanes. Director Dole stated he has not received any further information since the memo dated March 5, 2010. Alderman Klemm stated the number of aircraft stored at the airport is provided by the Airport manager at the commission meetings. If additional information is brought forth, then this item will be considered for further review. Director Dole stated he is going off the amount of rent received from the hangar tenants.

Albertus Airport FBO Darrel Janssen was called to the podium and was allowed to state his point of view. Mr. Janssen stated he has had no request other than the turn in the request at the end of the contractual period and receive the bonus as applied. Mr. Janssen spoke about hangar tenants that left after October, not what was there in August. If his reporting is not proper, then why has he not been asked to change his reporting because this year's August report is almost due again? The contractual agreement is for aircraft based on the field. Some hangars house more than one, some are tied down outside and they still count. If they belong to Mr. Janssen, you don't get hangar rent and they still count. There were months reported as question marks, because his duty had been to collect rents and that provision was taken away which left them open as to not knowing who was there. He was will be concede that the number had dropped down to 80 aircraft but the next month it was reported as 84.

Mayor Gaulrapp stated what the City needs is the Hangar number, the number of airplanes that are housed in that hangar, the tail number on each airplane so it can be matched up with the rent in order to move forward. Mr. Janssen said he can do that to move forward, but he can't go retroactive on it. Mayor Gaulrapp asked if Mr. Janssen checks the hangars each month. He stated he can't go in the hangars to count airplanes, it's not legal. He does go in some hangars to work on airplanes. Mayor Gaulrapp suggested that Mr. Janssen, Duane Price, Director Dole and Lola Oppenheimer review the figures together. Alderman Helms requested that the council is reported to by the Airport Commission at least quarterly to know where we are at. Both the Mayor and Director Dole are uncomfortable with the amount of documentation provided by the FBO in the request for bonus payment.

Alderman Corbin moved to layover for two weeks the request as recommended by Director Dole, seconded by Alderman O'Neill. The motion passed by voice vote without dissent.

Director Dole stated he had requested bids for the purchase of a mowing tractor for Albertus Airport. Because he had received only one bid on March 29, 2010, he requested that he be allowed to go out for bids again in order to obtain at least a couple bids to compare.

Alderman Klemm moved to reject the bid for A.C. McCartney for the Albertus Airport in the amount of \$12,210.00 and go back out for bids, seconded by Alderman Corbin. Motion passed by voice vote without dissent.

Director Dole spoke about the limb pickup from the storm and they will be picking up through the end of the week and then it will stop on Friday.

MAYOR'S REPORT

Mayor George Gaulrapp reported the Census Data participation rate was 69% nationally and the City of Freeport has a 78% participation rate this evening. On behalf of his brothers and sisters, Mayor Gaulrapp thanked the Freeport community for their support and sympathies during his family's time of sorrow for

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the death of their father, Edward “Dutch” Gaulrapp, a citizen of Freeport, Pearl Harbor survivor, twenty-year veteran of the US Navy, and local postal worker for residents of the 3rd Ward.

NEW BUSINESS

Each council member was provided the opportunity to publicly address significant items of interest. Alderman Endress spoke about the State Bowling tournament and said that he has received nothing but praise for our hotels and restaurants. Alderman Klemm provided compliments to the street department for the clean-up after the storm. Alderman Bush spoke about the clean-up around the Pecatonica River and provided compliments to Paulette Bowdry.

EXECUTIVE SESSION (CLOSED SESSION)

At 7:35, Alderman O’Neill moved to enter executive session, seconded by Alderman Endress. A roll call vote was taken to approve the motion.

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

Nays: None

At 7:37, upon realizing that the formal recital of the reason to enter the closed session had not been read into the record, a motion to return from executive session was given by Alderman Klemm, seconded by Alderman Endress. The motion was approved by roll call vote.

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

Nays: None

At this time, public comments were received.

PUBLIC COMMENTS

Agenda or Non-Agenda Items (limited to 3 minutes per person)

- Tom Teich, 669 E. Jefferson Street, Freeport, Illinois, offered his sympathies on behalf of Provena and a card for the Gaulrapp family due to the passing of Mayor Gaulrapp’s father, Edward “Dutch” Gaulrapp on Friday, April 16, 2010.
- John Staben, 1070 N. Canyon Drive, spoke about his satisfaction of the approval of the airport hangar leases.

EXECUTIVE SESSION (CLOSED SESSION)

At 7:41 pm, an executive session was requested for the following reason being read into the record;

- Pursuant to 5 ILCS 120 (c) (2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

Alderman Endress moved to enter executive session, seconded by Alderman Helms. A roll call vote was taken to approve the motion.

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

Nays: None

At 8:33 pm, Alderman Endress moved to return from executive session, seconded by Alderman Helms. A roll call vote was taken to approve the motion.

MINUTES
REGULAR MEETING
Monday, April 19, 2010

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

Nays: None

There being no further business, the meeting was adjourned at 8:34 pm.

s/ Meg Zuravel

Meg Zuravel, City Clerk