



City Council

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

MINUTES REGULAR MEETING Monday, May 3, 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, May 3, 2010, in Council Chambers with a quorum being present.

ROLL CALL

Present on roll call were Mayor George Gaulrapp and council members O'Neill, Helms, DeVine, Corbin, Klemm, Bush and Endress (7). Alderman Boldt was absent. Also present was Corporation Counsel Sarah Griffin.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Boy Scout Troop #7.

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 O'Neill moved to approve the minutes of the April 19, 2010 regular meeting, seconded by Alderman Endress. Motion passed by voice vote without dissent.

PUBLIC COMMENTS - AGENDA ITEMS

There was no one signed on the sheet for public comments regarding agenda items this evening.

CONSENT AGENDA

The following Consent Agenda items were presented:

- A. Approval to receive and place on file:
 - 1) Water and Sewer Report on Activities through April 20, 2010
 - 2) Fire Department Report on Activities for period ending March 2010
- B. Approval of Water and Sewer Bills Payable (# 395 & 397) ---- \$266,239.64
- C. Approval of Payroll for pay period ending April 24, 2010 ---- \$397,620.99
- D. Approval of Finance Department Bills Payable (#394 & 396) ---- \$166,698.24

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

Nays: None

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APPOINTMENTS

Alderman Klemm moved to accept an appointment of Janice Hawkins to the Freeport Public Library Board of Trustees effective June 1, 2010 through May 31, 2013, seconded by Alderman O'Neill. Ms. Hawkins will replace Dr. Shawn Shianna who is resigning the position at the end of his term. Motion passed by voice vote without dissent.

ORDINANCES - THIRD READING

3RD 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 of this ordinance was held on April 5, 2010. A motion to adopt was given by Alderman O'Neill, seconded by Alderman Endress. The second reading was held on April 19, 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: O'Neill, Helms, DeVine, Corbin, Klemm, Bush and Endress (7)

Nays: None

Ordinance 2010-28 was adopted.

ORDINANCES - SECOND READING

2ND 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

The first reading of this ordinance was held on April 19, 2010. A motion to adopt was given by Alderman Helms, seconded by Alderman Klemm and it was automatically laid over to tonight's meeting. Upon no discussion, the ordinance was automatically laid over to the next meeting.

ORDINANCES – FIRST READING

1ST READING OF ORDINANCE 2010- 33:

Appropriation Ordinance Fiscal Year 2010-2011, for the City of Freeport, Illinois

The ordinance was presented by Finance Director Craig Joesten stating this is the appropriation ordinance for the council's approval and is predicated upon the draft budget and contingencies given two weeks ago. This appropriation ordinance has the budgeted amounts and plus the contingencies that would add up to the appropriation. Including in this is the PEHP (Post Employment Health Plan) Contributions which are included in this copy of the ordinance and the administration is telling the Finance Department that there will be a deletion for non-bargaining employees amounting to \$24,000 as part of the cash management strategy. The appropriation and the budget included resetting wages for non-bargaining and that has typically been tied to a CPI and administration has requested an amendment to the budget for the council next time that will be an actual reduction in wages for non-bargaining administrative support personnel. The last change suggest is for the department heads excepting the Fire Chief and Chief of Police which are included in a separate salary schedule that the department heads salaries are reduced in the appropriation portion of the ordinance and not the budget. Notification was provided to the council of the

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elimination of PEHP contribution to the non-bargaining, the non-bargaining administrative staff will be having a compensation reduction which will be showing in the budget portion of the appropriation and the department heads, not including the police and fire chiefs, will have their salaries reduced in the appropriation portion because their salaries are set by appropriation. Discussion was held regarding the 10% targeted total reduction in compensation costs over the amounts shown in the appropriation ordinance (that includes the PEHP, reset of wages and salary cuts).

The goal is to reduce the personnel costs by 10% per department and each department head came up with the strategy to receive that dollar amount per department. Some department had expense items that could be changed and there were considerations taken for that. It is anticipated that every employee will be taking a reduction in pay and it could be up to 10%.

Discussion was held regarding salary cuts in Water and Sewer and Director Joesten stated that Water and Sewer is participating in this program and the projections are a combination of not filling positions of non-bargaining personnel. We are looking to have equity throughout all the employees that support the City functions and since Water and Sewer is a part of that it is deemed appropriate that they share in this for across the board equity even though there is no direct financial implication to the general fund of the City. The Freeport Public Library is not following suit.

The Community Development Specialist position that will be open is paid for through grant administration and has a history of having a positive cash flow, so it is our intention to replace that position.

Discussion was held regarding the Fire Improvement fund and the remodeling of facilities to take care of storage needs if there is a sale of the Stephenson County Highway Department building. As far as station improvements, there are budgeted very minor projects.

Alderman Helms requested if you are looking for an amendment to the appropriation ordinance on the second reading to provide exact numbers by then for the reductions for the employees considered as non-bargaining.

A motion to adopt was given by Alderman Endress, seconded by Alderman Klemm. Upon no discussion, the ordinance was automatically laid over to the next meeting.

RESOLUTIONS

RESOLUTION #R-2010-28:

Resolution to Approve the Preliminary Plat for Habitat Subdivision

Corporation Counsel Sarah Griffin will be presenting due to the absence of Community Development Director Shelly Griswold this evening. Corporation Counsel Sarah Griffin stated she will be presenting this resolution for the Preliminary Plat for Habitat Subdivision and asked for leave of council to provide information for the resolution for the Final Plat for Habitat Subdivision at the same time. Corporation Counsel Griffin was provided leave of council to present the resolutions together. The residential lots are located on corner of Locust Avenue and Winnifred Avenue. This is a request to take two residential lots both zoned R-4 and split them into three residential lots. They meet all of the zoning requirements and

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they are not asking for waivers or variances. The plat drawings were submitted showing water, sanitary sewer, set backs and easements.

Corporation Counsel Griffin provided the findings of the Planning Commission at their meeting held on April 8, 2010. The Planning Commission unanimously recommended approval of the plat for the Habitat Subdivision with the following conditions:

1. That the entrances to Lots 1 and 2 be from Locust Avenue only.
2. That the driveway on Lot 3 be placed within fifty feet (50') of the southeast corner of Lot 3 and that the entrance be on the Winnifred Street right-of-way.
3. That the front door for the house built on Lot 3 be placed within fifty feet (50') of the southeast corner of Lot 3 in order to facilitate fire rescue.
4. That if the developer does not pave an area of the Winnifred Street right-of-way from the southeastern corner of Lot 3 to the area surrounding the manhole at the southeastern corner of Lot 2, any restoration of property following City of Freeport, Freeport Water & Sewer Commission, or their agents or designees entry in order to service public utilities will be the responsibility of the developer and/or the subsequent owner(s).
5. Final design of solid surface surrounding the manhole located at the southeast corner of Lot 2 is subject to the approval of the City's Engineer prior to the commencement of development.
6. Final storm water management plan and planting design is subject to the approval of the City's Engineer prior to the commencement of development.
7. A pre-development infiltration test, using either the 5-gallon-bucket method or ASTM03385-09 Standard (double ring infiltration method), will be required as part of the storm water management plan.

Corporation Counsel Sarah Griffin requested that the city council place one more condition on its approval because the performance bond has not been received so that will be in addition to what the Planning Commission placed as conditions. After that the Planning Commission heard the Final Plat and they would recommend moving it forward.

Alderman Helms moved to approve the resolution as presented contingent the parties obtaining the appropriate performance bond, seconded by Alderman Corbin. A roll call vote was taken to approve the resolution with the condition on the floor.

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

Nays: None

Resolution #2010-28 was adopted.

RESOLUTION #R-2010-29:

Resolution to Approve the Final Plat for Habitat Subdivision

Alderman Helms moved to approve the resolution as presented contingent upon the parties obtaining the appropriate bond, seconded by Alderman Corbin. A roll call vote was taken to approve the resolution with the condition on the floor.

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

Nays: None

Resolution #2010-29 was adopted.

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Note from clerk: Resolution 2010-30 was presented at the meeting held on April 19, 2010

RESOLUTION #R-2010-31:

Resolution for Participation in State of Illinois Federal Surplus Property Program

Chief of Police Jerry Whitmore stated this program allows the police department to purchase surplus property from the State of Illinois Federal Surplus Property Program. This allows the department to purchase at a 5 – 25 percent of the acquisition value. Alderman Klemm motioned to move the resolution forward as presented, seconded by Alderman Endress.

A roll call vote was taken to approve the resolution.

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

Nays: None

Resolution #2010-31 was adopted.

RESOLUTION #R-2010-32:

Resolution Authorizing Acceptance of a Small Equipment Grant through the Office of the State Fire Marshal

Fire Chief Kevin Countryman presented the resolution stating this is a non-matching grant from the Office of the State Fire Marshal to purchase 35 firefighter helmets that currently do not meet NFP standards. The amount of the grant is \$5,600 and there is no match. Alderman Endress moved for approval of the resolution as presented, seconded by Alderman O'Neill. Motion was approved by voice vote without dissent. Resolution #2010-32 was adopted.

RESOLUTION #R-2010-33:

Resolution to Adopt Cobra Rates Effective August 1, 2010

Finance Director Craig Joesten presented the resolution stating that the City received from Northern Illinois Health Plan, the City's TPA self-funded program the COBRA rates that are retrospective. These provide the pure cost for providing health care for the previous year. These COBRA rates will be used under the Federal COBRA laws for determining health care costs of persons who may leave the employ of an employer and based upon the provision of the union contracts and upon the provisions of providing health insurance for our retirees. Those premiums are based on the COBRA rates or the percentages of and these rates have gone up.

Alderman Endress moved for approval of the resolution as presented, seconded by Alderman Klemm. A roll call vote was taken to approve the resolution.

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

Nays: None

Resolution #2010-33 was adopted.

RESOLUTION #R-2010-34:

Resolution to Establish Loading Zone for Persons with Disabilities – 503 W. Cottonwood Street

Public Works Director Tom Dole presented the resolution stating his department received a request by the resident at 503 W. Cottonwood to provide a loading zone for handicap parking. Alderman Klemm motioned to move the resolution forward as presented, seconded by Alderman Endress. Motion was approved by voice vote without dissent. Resolution #2010-34 was adopted.

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OTHER

DEPARTMENT HEAD REPORTS

Community Development

Corporation Counsel Sarah Griffin presented the action on item to accept bids for mowing.

Bids for lawn mowing services for properties with long weeds and grass at various locations throughout the City of Freeport were requested to be received on April 20, 2010. A copy of the bid specifications and bid form were available in the Office of Community Development and the City Clerk's Office upon the publication of the notice through to the due date. Community Development Director Shelly Griswold provided a written bid tabulation form to the council this evening. Bids were received from:

- B & K Services in the amount of \$25.00 per person/per hour with the bid considered as non-responsive;
- Travis Rushing Maintenance in the amount of \$28.00 per person/per hour with the bid considered as responsive;
- Specialized Grounds Care in the amount of \$23.50 per person per hour with the bid considered as non-responsive;
- Crossroads Community Church in the amount of \$10.00 per person per hour with the bid considered as responsive
- Lucas Lawn and Landscaping in the amount of \$17.50 per person per hour with the bid considered as responsive
- Ace Remodeling illegible bid and it was considered as non-responsive.

Corporation Counsel Sarah Griffin stated Community Development Director Shelly Griswold recommended to council that they accept the two lowest bids that were considered responsive which were for Crossroads Community Church and Lucas Lawn and Landscaping.

Alderman Corbin moved for acceptance of both bids from Crossroads Community Church and Lucas Lawn Care, seconded by Alderman Klemm. A roll call vote was taken to approve the motion.

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

Nays: None

Finance

Finance Director Craig Joesten provided an item for the information of council regarding ambulance billing referring to the memo dated May 3, 2010. The memo to council from the Finance Department stated that each year, pursuant to ordinance 2009-42, we transfer 40% of the net ambulance receipts from the Fire Capital Improvement Fund into the General Fund. Attached is the calculation which shows that we will transfer \$182,715.42 from the Fiscal Year 2010 ambulance receipts to the General Fund. This transfer will happen in May, 2010. The 2010 receipts for ambulance billing were \$490,413.85 less the Andres billing payment of \$33,625.31. The Fire Department's share of the net proceeds is 60% or \$274,073.12 and the City's 40% share for the general fund will be \$182,715.42. This will take a City Council vote and was not listed on the agenda as an action items so it will need to be brought forth at the next council meeting.

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Public Works

Public Works Director Tom Dole presented the action on item to accept bid for a tractor for Albertus Airport. He presented the information dated May 3, 2010 regarding the bids received from:

- Craig's Equipment, Sales, Repair and Rental from Dixon Illinois - \$11,650.00
- Holland and Son's, Inc. from Freeport, Illinois - \$10,965.00
- B& B Small Engine Repair from Freeport, Illinois – non-responsive
- A.C. McCartney from Durand, Illinois - \$12,210.00

Discussion was held whether funds were allocated in the appropriation ordinance and it was stated that this will be purchased from the capital equipment fund. The tractor that this will be replacing was beyond repair. This amount was calculated into to 31-04-741

Alderman Klemm moved for acceptance of the lowest bid from Holland and Sons in the amount of \$10,965.00, seconded by Alderman Endress. A roll call vote was taken to approve the motion.

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

Nays: None

Library

Library Director Carole Dickerson was present at the meeting and had no additional report.

Water and Sewer

Water and Sewer Project Manager Denise Ihrig was present at the meeting and had no additional report.

Police

Chief of Police Jerry Whitmore presented the action item to accept bid for the Freeport Police Department cleaning and janitorial services. On April 26, 2010 the sealed bids for janitorial services for the Freeport Police Department. Bids were received from four companies including; Crystal Image in the amount of \$800.00 per month, First Rate Cleaning in the amount of \$2,373.80, Stewart and Associates in the amount of \$1,475.00, and from Bush Janitorial Service in the amount of \$730.00.

Alderman Corbin moved for acceptance of the lowest bid from Bush Janitorial Service in the amount of \$730.00 per month, seconded by Alderman Endress. A roll call vote was taken to approve the motion.

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

Nays: None

Fire

Fire Chief Kevin Countryman was present at the meeting and had no additional report.

MAYOR'S REPORT

Mayor Gaulrapp reported that the garage of Alderman Boldt had received extensive damage in the fire on Sunday and that was the reason for his absence this evening. Mayor Gaulrapp thanked the Freeport community for their support and sympathies during his family's time of sorrow for the death of their father with the memorial money being used for scholarships at FHS-ROTC program and the All Veteran's Memorial Park.

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NEW BUSINESS

Each council member was provided the opportunity to publicly address significant items of interest. Alderman Helms requested the set backs on Lincoln Boulevard that are being considered for the intersection at McKinley. Alderman DeVine reminded people to stop at when a bus stops. Alderman Corbin spoke about a Neighborhood Watch meeting on the third Tuesday and they spoke about the issues and their fear of coming out of their homes at 2:30 pm when school lets out. The Neighborhood Watch meeting participants requested the review of the loitering ordinance of the Codified Ordinances. Discussion was held regarding people walking in the streets and places for minors to go and getting them to get involved.

PUBLIC COMMENTS

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

- John Staben, 1070 N. Canyon Drive, spoke about his satisfaction the re-evaluation issue with the Fixed Base Operator, Mr. Darrel Janssen. As a businessman he keeps the airport alive because if something happens to the airport his business is gone. Based on the new leases we can make the airport prosperous again.
- Steve Carroll, 811 S. Oak Street spoke on the cause and effect of the lay-offs in the City. The poor state of the City's economy is forcing the City to consider lay-offs of our City's employees and it will have terrible ramifications especially if you live east of West Avenue. It will be the administration that conducts the lay-offs and not the unions.

EXECUTIVE SESSION (CLOSED SESSION)

At 6:58 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 Klemm. A roll call vote was taken to approve the motion.

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

Nays: None

At 7:14 pm, Alderman O'Neill moved to return from executive session, seconded by Alderman DeVine.

A roll call vote was taken to approve the motion.

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

Nays: None

There being no further business, the meeting was adjourned at 7:15 pm.

s/ Meg Zuravel

Meg Zuravel, City Clerk