



City Council

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

MINUTES REGULAR MEETING Monday, July 19, 2010

CALL TO ORDER

The regular meeting of the Freeport, Illinois, City Council was called to order by Mayor George Gaulrapp with a quorum being present at 6:00 pm on Monday, July 19, 2010, in Council Chambers.

ROLL CALL

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

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 O'Neill Motion passed by voice vote without dissent.

APPROVAL OF MINUTES

Alderman DeVine moved to approve the regular meeting minutes of July 6, 2010, seconded by Alderman O'Neill. Motion passed by voice vote without dissent.

PRESENTATIONS/PROCLAMATIONS

A presentation was given to the athletes of the Boy's and Girls Track Team and their coaches, Gerald Leeper, Lola Leeper, Steve Pro, Angie Jackson, Alderman Ronnie Bush. Freeport resident, Leon Ishmon, was recognized for his participation in the Region 7 USATF National Junior Olympics in Indianapolis. At this meet, he earned the right to compete next month in the 100 meter hurdles at the National Junior Olympics in Sacramento California representing Freeport, Illinois.

A proclamation was read regarding the 20th Anniversary of the American with Disabilities Act by Alderman Linda O'Neill.

A presentation was given by City Treasurer Linda Buss regarding the cash flow status of the City of Freeport. City Treasurer Buss stated the cash flow is an ongoing concern. There are rumor floating around the public that the City is receiving income tax from the State of Illinois, but we aren't telling anybody. This statement is not true. Currently, the State owes the City five months of income tax. They tend to pay us one but then another one is added on to the other end, so it is an ongoing five month lag. The amount owed is just over \$950,000. The problem is that we never know when we will receive the

MINUTES
REGULAR MEETING
Monday, July 19, 2010

funds. Sometimes we wait eight weeks, other times we wait five weeks. The City recently borrowed \$425,000 to pay a third payroll in April, so even if the State does pay us the money it owes, the City owes that amount so we need to build up the money so we can pay it back. What further compounds the problem in August, is our payroll will hit in the first week of the month, but the sales tax is not received for another 10 days. In October, the City has another three payroll month. In speaking with the Finance Department, we believe although tricky in parts we should be ok until October. If some income tax money comes in, we maybe able to get through November. One of the problems is that we can not borrow money unless we have a designate revenue source.

Mayor Gaulrapp stated City Treasure Buss is not here to paint the bleak picture but to remind everyone on how instrumental the State is to funding the City and that is why we have taken the cuts because we don't know when we will receive the money.

A presentation was provided update of Northwest Illinois Development Alliance (NIDA) by board members Adam Holder and Tom Rutter. Also present was Associate Director Tess Dahms. An executive director has not been hired and it has been decided to re-post the position. Tess Dahms who has been working on projects has continued to move things forward following the directives in place by the Cheryl Kneubuehl. Board members have been stepping in to fulfill commitments of NIDA. Committee reports were provided to summarize projects. On September 17, NIDA will launch the Work Keys Program.

PUBLIC COMMENTS - AGENDA ITEMS

There was no one signed in the sheets for public comments this evening.

CONSENT AGENDA

The following Consent Agenda items were presented:

A. Approval to Receive and Place on File:

- 1) City Treasurer's Monthly Investment Report for period ended June 30, 2010
- 2) City Treasurer's Report on Cash and Fund Balances for period ended June 30, 2010
- 3) Community Development Report on Activities for June 2010 including Building Permits; Electrical, HVAC, Plumbing & Sign Permits; and Cash and Misc. Receipts

B. Approval of Water and Sewer Bills Payable (#425 & 427) ---- \$78,706.67

C. Approval of Payroll for pay period ending July 3, 2010 ---- \$409,456.13

D. Approval of Finance Department Bills Payable (#423, 424, 426, 428) ---- \$727,301.72

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

Nays: None

ORDINANCES - THIRD READING

3RD READING OF ORDINANCE 2010-42:

An Ordinance Authorizing an Amendment to Intergovernmental Agreement for the Operation of an Enterprise Zone to Alter the Termination Date

The first reading of this ordinance was held on June 21, 2010. A motion to adopt was given by Alderman Endress, seconded by Alderman Klemm. The second reading was held on July 6, 2010 and it was

**MINUTES
REGULAR MEETING
Monday, July 19, 2010**

automatically laid over to tonight's meeting. Upon the third reading and no discussion, a roll call vote was taken to approve the ordinance.

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

Nays: none

Ordinance 2010-42 was adopted.

**ORDINANCES - SECOND READING
(This section left blank due to no ordinance for second reading)**

ORDINANCES - FIRST READING

1ST READING OF ORDINANCE 2010-43:

Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport, Illinois – Type of Relief: Zoning Variance to allow an accessory building 18 ½ feet in height in an R7 (General Residence District) Zoning Classification; Owner or Applicant: Donald R. Veer; Property Located at 440 West Douglas Street, Freeport, IL

Mayor Gaulrapp stated for the record that the Board of Zoning Appeals voted 3-1 to recommend approval of this petition at their meeting held on July 8, 2010. Because this vote of the Board of Zoning Appeals was not unanimous, there will be three readings for this ordinance. Alderman Corbin moved to approve the ordinance, seconded by Alderman Endress. The ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE 2010-44:

Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport, Illinois – Type of Relief: Variance to Section 1258.02 (Yard Areas) of Chapter 1258 (H-1 Medical Use District) of the City of Freeport Codified Ordinances to allow a ten foot (10') front yard area; Owner or Applicant: Freeport Health Care Foundation; Property Located at 1163 and 1173 West Stephenson Street, Freeport, IL

Mayor Gaulrapp stated for the record that the Board of Zoning Appeals unanimously recommended approval of this petition at their meeting held on July 8, 2010 and there were no written objectors filed against this petition. Therefore, the city council may take final action this evening. Alderman Corbin moved to approve the ordinance, seconded by Alderman Bush. A roll call vote was taken.

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

Nays: none

Ordinance 2010-44 was adopted.

EXECUTIVE SESSION (CLOSED SESSION)

The following was read into the record by the City Clerk, "An Executive Session will be held pursuant to 5 ILCS 120 (c) (11) Litigation, when an action against, affecting or on behalf of public body has been filed and is pending before a court and 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."

At 6:31 pm, Alderman Endress moved to enter executive (closed) session, seconded by Alderman Boldt. The motion was approved by roll call vote.

**MINUTES
REGULAR MEETING
Monday, July 19, 2010**

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

Nays: None

At 7:59 pm, Alderman Corbin moved to return from executive (closed) session, seconded by Alderman Endress. The motion was approved by roll call vote.

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

Nays: None

ORDINANCES - FIRST READING (CONTINUED)

1ST READING OF ORDINANCE 2010-45:

An Ordinance Amending Chapter 290 (Compensation and Benefits) of the Codified Ordinances of the City of Freeport to Add Section 290.12 (Fiscal Year 2010-2011 Wage Freeze)

Finance Director Craig Joesten presented the ordinance stating the wages for non-bargaining employees for Fiscal Year 2010-2011 will be frozen at the May 1, 2008 levels for salary schedules. This will eliminate the 3% wage increase that was calculated into the appropriation ordinance. Alderman Helms motioned to move this ordinance forward as presented, seconded by Alderman Endress. The ordinance was automatically laid over to the next meeting.

RESOLUTIONS

Resolution #R-2010-50:

Resolution Ratifying the Signature of Mayor Gaulrapp on the Contracts Between the Stephenson County Fair Association and the City and Between Central States Fireworks, Inc., and the City Both Regarding Fireworks for the 2010 4th of July Celebrations

Mayor Gaulrapp stated that the contract for the fireworks was \$11,000 and \$250 for music on the grounds. The funds have been collected through donations with all but \$500.00 being received as of this date and this amount is from a bank who will be forwarding it to the City. Alderman Helms motioned to add to the second section of "Be It Further Resolved," after the word contracts, to add, "must have prior council approval" and to strike the third section stating "Be It Further Resolved, that at such time if any as funds from line item 01-63-527 interdepartmental – other technical services, are fully expended, a supplemental appropriation ordinance shall be passed so that any further expenditure shall be appropriately spent." This motion was seconded by Alderman Boldt. A roll call vote was taken to approve the amendment.

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

Nays: None

Upon approval of the amendment and no further discussion, Alderman Helms moved to adopt the amended resolution, seconded by Alderman Boldt. A roll call vote was taken to approve the resolution as amended.

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

Nays: None

Resolution 2010-50 was adopted as amended.

MINUTES
REGULAR MEETING
Monday, July 19, 2010

RESOLUTION #R-2010-53:

Resolution to Adopt City of Freeport Spending Plan for Fiscal Year 2010/2011

Finance Director Craig Joesten presented the resolution stating that this is the suggested spending plan budget by the administration for Fiscal Year 2010-2011 and for possible contingencies for unforeseen expenses. This is an amended spending plan for the budgeted amount minus the salary actions that have already been implemented for the AFSCME union and the contents of the new police union contract and the suggested and proposed salary actions as it relates to non-bargaining. For non-bargaining including the directors, that they forgo the budgeted 3% raise for this year and they will forgo the 1% PEHP contribution for the fiscal year ending April 30, 2011 and they will take lay-off furlough days that amount to 3 ½% compensation for a total of non-bargaining salary adjustment of 7.5% for this fiscal year. Contained in this budget are schedules A and B which are the authorizations given by the City Council to the Finance Director for various contingencies that were originally listed in the appropriation ordinance that I can move forward and use should the need arise. The police union and non-bargaining are deferring PEHP through April 30, 2011. AFSCME Unions declined deferring PEHP.

Alderman Helms moved to layover the resolution to the next meeting, seconded by Alderman Boldt.

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

Nays: None

The resolution was laid over to the next meeting.

RESOLUTION #R-2010-54:

Resolution for the Agreement between City of Freeport and Illinois Department of Transportation for Enhancement of IL Route 75 (Stephenson Street) Between Sheridan and Mary Avenue

City Engineer Denise Ihrig presented the resolution stating that \$52,500 of Motor Fuel Tax dollars will be used to enhance Stephenson Street between Sheridan and Mary Avenue through Illinois Department of Transportation program. This includes rebuilding curbs and sidewalks, move utilities, plant trees and place planters. The parking lane does not fall within the realm of what ITEP funds can be used, but they can improve the sidewalk because they are what pedestrians will use. Discussion was held regarding Motor Fuels tax dollars and right now there is a negative amount of obligated funds and we are looking to drawing even. Alderman Helms moved to adopt the resolution, seconded by Alderman Endress.

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

Nays: None

The resolution was adopted.

RESOLUTION #R-2010-55:

Resolution to Accept Award of Grant Funding Under the 2010 Edward Byrne Memorial Justice Assistance Grant Program of the U.S. Department of Justice

Chief of Police Jerry Whitmore presented this resolution and the following resolution stating that \$12,467 has come available through a 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) which will need to be split between the City and the County. This resolution accepts the grant with no matching funds from the City and the next resolution is the intergovernmental agreement with Stephenson County. The grant will be used to purchase security cameras for the stairwell, booking rooms, and hallways at the Police Department. Alderman Endress moved to adopt the resolution as presented, seconded by Alderman O'Neill.

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

MINUTES
REGULAR MEETING
Monday, July 19, 2010

Nays: None

The resolution was adopted.

RESOLUTION #R-2010-56:

Resolution to Approve an Intergovernmental Agreement Between the County of Stephenson and the City of Freeport for the Distribution of Monies Pursuant to the 2010 Byrne Justice Assistance Grant (JAG) Program

Alderman O'Neill moved to adopt the resolution, seconded by Alderman Endress.

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

Nays: None

The resolution was adopted.

OTHER

Community Development Director

Community Development Director Shelly Griswold stated there will be an Oak Avenue neighborhood watch meeting tomorrow. A meeting will be held this week to discuss countywide transit program. The Community Development Department is behind on issuing weeds, grass and garbage violations due to 60% staffing in the department. Animal calls receive the first priority.

Finance

Finance Director Craig Joesten was present at the meeting and had no further report.

Public Works

Public Works Director Tom Dole was present at the meeting and had no further report.

Library

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

City Engineer

City Engineer Denise Ihrig was present at the meeting and had no further report.

Police

Chief of Police Jerry Whitmore provided information about the cost associated with having thirteen neighborhood watch meetings per month because the loss of an officers to assist the coordinator.

Overtime needs to be paid to the coordinator in order to attend the meetings and the cost is for 26 hours amounting to \$1,000 and not enough hours in the day for her to get her work done. It has been suggested to have ward meetings instead of the thirteen neighborhood watch meeting.

Fire

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

MAYOR'S REPORT

Mayor Gaulrapp spoke in regard to Afghanistan visitors to Freeport and City Hall. He also had received a compliment from people who moved to Freeport who voiced their appreciation of the services.

MINUTES
REGULAR MEETING
Monday, July 19, 2010

NEW BUSINESS

Each council member was provided the opportunity to publicly address significant items of interest. Alderman Bush spoke about branches and limbs which fell during the last storm. Limbs and branches need to be disposed by property owners. Public Works Director Tom Dole stated that he drove by a property that did not have any city owned trees on the right-of-way. All the limbs and branches had been generated by trees owned by the homeowner and it is their obligation to dispose of these limbs either by calling a hauler or bundling and taking to the transfer station. Alderman Boldt asked that a limb along Park Crest which is on the right-of-way and hits trucks. Our Public Works Department has workers on layoffs and services have been cut so the City cannot pick up limbs and branches generated by property owned trees.

Alderman Helms requested that Community Development Director Shelly Griswold provide an update on reports due by the Freeport Raceway Park. She reported as of this date they are up-to date on the sound study and the muffler check reports. There is one other report that they needed to provide confirmation that they implemented some measures from the sound study that was done by them a few years back and that has not been received as of this date. A reminder letter will be sent out for this. The reports certify that they have checked mufflers and they are in compliance.

Alderman Helms requested that City Engineer Denise Ihrig provide an update on Kiwanis and Pearl City Road intersection. There have been recommendations by IDOT and she is working with Chris Isbel from the County. A reduction in the speed limit needs to be done under the jurisdiction of Stephenson County.

Discussion was held regarding the Airport Leases and the progress in receiving signed copies. Public Works Director Tom Dole stated there is an error in one of the lines of the lease and they will need to be corrected this week. Corporation Counsel Sarah Griffin will need to review for all approvals. The new hangar rates will be started August 1. Mayor Gaulrapp stated the lease will be corrected and in the mail by Friday.

PUBLIC COMMENTS

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

Tom Teich asked Director Griswold about a new restaurant coming across from Aquin High School.

There being no further business, the meeting was adjourned at 8:37 pm.

s/ Meg Zuravel
Meg Zuravel, City Clerk