



City Council

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

MINUTES REGULAR MEETING Monday, August 15, 2011

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 p.m. on Monday, August 15, 2011, in Council Chambers.

ROLL CALL

Present on roll call were council members Tom Klemm, Shawn Boldt, Ronnie Bush, Jennie DeVine, Dennis Endress, Scott Helms, Michael Koester, and Andrew Crutchfield (8). Corporation Counsel Sarah Griffin was present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Helms.

APPROVAL OF AGENDA

Alderperson Klemm moved for approval of the agenda, seconded by Alderperson Endress. Motion prevailed by voice vote without dissent.

APPROVAL OF MINUTES

Alderperson Koester moved for approval of the minutes of the meeting held on August 1, 2011, seconded by Alderperson Endress. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

There were two people signed on the sheet for public comments and they requested leave of council to speak upon completion of the presentation in case their questions were answered by the speaker.

PRESENTATIONS – UPDATE ON INSPECTIONS AT CITY HALL

Community Development Director Shelly Griswold stated that this morning she, the Fire Inspector Clyde Butler, and Building Inspector Pete Ratos met with Gary Anderson of Gary W. Anderson Architects, Rockford Illinois. Director Griswold stated they had been provided a preliminary letter to the Mayor that outlines a number of issues going with the City Hall building. This letter contained information on the roof, the foundation in the corner on Walnut and Stephenson, including the roof with the air handling systems, and a number of other issues. Director Griswold stated the theme of the letter was too many years of neglectful maintenance, quick fixes, and not substantial fixes which have brought us to the point that is critical to start addressing these issues and have a plan for the future. There are a number of things that should be done in the short term and another set of things that should be recommended for the mid-term and he will also recommend a regular maintenance schedule for the future for the City Hall building.

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Director Griswold stated the architect does not have the numbers back yet to present and he needs to see the final report about the mold. Community Development Director Griswold recommended there be a special meeting of the City Council next week to discuss the City Hall building for a time when a full report can be presented along with the dollar figures provided as estimates.

Mayor Gaulrapp stated the concerns ranged from different parts of the roof to the southwest corner to foundation work to dehumidifying the basement to the air delivery system from City Hall and the Township where they have had some accumulation of dust and put different filtration system in there. Mayor Gaulrapp stated there are a wide range of items they have listed and he does have dollar amounts for which ones should be addressed first. He stated that is why it is best if this one issue is isolated and have a special council meeting next Monday to go through it. At that time, there will be a presentation by the architect. Mayor Gaulrapp stated we will know what the dollar amounts will be for long-term maintenance and repair of the building.

Mayor Gaulrapp asked the council if they had any questions.

Aldersperson Koester asked if the architect made any statements as to the safety of the building and is that a concern that we need to look at now as far as moving somewhere else. Mayor Gaulrapp stated that there is no evacuation needed at this time for the short term and he would clarify if it comes to the point in time if we would evacuate the personnel to make the repairs.

Discussion was held regarding the timing of the next meeting and council schedules.

Aldersperson Crutchfield asked Mayor Gaulrapp if there was an exit strategy. Mayor Gaulrapp stated that there is an exit strategy in place with spaces available at the Stewart Centre and the 524 W. Stephenson building. Aldersperson Crutchfield asked because we are giving the Township office space at City Hall, what would happen if there needed to be relocation, would the City be required to pay for them. Mayor Gaulrapp stated they would pay for themselves. Mayor Gaulrapp stated that Township Supervisor Sheila Hooper stated that they would be willing to pay for their air handling supply clean-up. He stated that he did not have the costs available.

Township Supervisor Sheila Hooper stated that what she said was that the board would need to know what kind of dollars would be involved so they can take appropriate action. She stated her board is sitting in the meetings so they will know what is essential for the Township to pay and whatever we will have to pay we will pay. Ms. Hooper stated that she wasn't aware of an air handling system of any sort or is being contemplated the only thing that we are aware of is an air cleaner that is being run over the weekend. Mayor Gaulrapp stated the Assessor's office had dust that needed a filtration system and they are looking at the air handling system there.

Ms. Hooper stated that their preference would be to remain in City Hall due to funds that are limited and the need to serve the public and provide essential services provided by the Township Assessor. Aldersperson Crutchfield asked how safe is the building long term and then stated he understands there are a lot of repairs that need to be made but asked again how safe is this building right now. Aldersperson

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Crutchfield stated that we have seen offices that have had to be closed, there are pumps in here. He then asked how safe is the building and how soon should we get out of it.

Mayor Gaulrapp stated that short-term it is safe and long-term there have been concerns about the roof and, if it is not fixed, then long-term it will be bad for City Hall. Short term, he stated, that there are air scrubbing handlers devices in council chambers, the Mayoral administrative assistant's office, and the City Treasurer's office. Mayor Gaulrapp stated the elevation of the mold was not as bad as outside air. Mayor Gaulrapp stated that the hygienist, Ed Chambers said it was elevated but not extremely elevated according to the baselines outside and this is the appropriate way to handle it at this time.

Mayor Gaulrapp stated that next week that Mr. Anderson will provide a report as to the short-term effects, the preliminary costs and the long-term plan after that along with maintenance of the building. So we will have to look at what the costs are, if it cost \$3,000,000 to fix the building is that what the City Council feels is appropriate. Mayor Gaulrapp stated that the exit strategy is not typed up but there is space available that we could move into immediately if we have to along with the internet access, phone lines that we need, and some finished offices.

Council was asked by show of hands if it worked to meet next week on Monday or Wednesday. More council members were available to have a special meeting on Monday. Mayor Gaulrapp stated there will be a special meeting on Monday, August 22, 2011 at 6:00 pm.

Sheila Hooper, 423 W. Ringold, Freeport Illinois, stated that she is the Township Supervisor and their concern is what the levels of mold may be tested and if there is a protocol set up by the City, the County Health Department or by persons that have been exposed may be blood tested which is the only way to determine if they have levels in their bodies. She asked if that was something that will be undertaken by the City so that persons that have been exposed we don't know how long could have their blood levels tested. Mayor Gaulrapp stated that was a consideration with HR and we will sit down with the department heads and decide what is the right thing to do but first and foremost we will make sure that employees whether they are City Hall employees, Township or Township Assessors, that there is a level of confidence in their health at this time. Mayor Gaulrapp stated that he had met with the City Hall employees including Township to notify them as to what we are doing, whether we went out to have it tested and then have the air handling scrubbers come in. Ms. Hooper stated that yes we were informed about those issues and we appreciate that and that will be the best way to keep employee concerns involved.

AUTHORIZATION OF MAYOR OR HIS DESIGNEE FOR EXPENDITURE OF FUNDS FOR REPAIRS DEEMED APPROPRIATE FOR CITY HALL BUILDING

The following was read into the record by City Clerk Meg Zuravel, "Authorization of the Mayor of his designee for expenditure of funds for repairs deemed appropriate at City Hall." Mayor Gaulrapp stated this will be for immediate building repairs also concerns for the air handling scrubbing that we need to put forth expenditure for that may exceed over \$5,000 either by my authorization or my designee which is Finance Director Craig Joesten.

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Discussion was held regarding the needs and the amount of money council felt appropriate. Mayor Gaulrapp stated that the air handling scrubbing equipment is \$2,100 and then \$1,000 per week after that. Corporation Counsel Sarah Griffin stated that now that we know the cost and have already acted initially for the continuation of that then it would no longer be an emergency and it may not go over the \$5,000 prior to the next meeting and there may be an action item. She stated that she feels more comfortable if council would give a parameter for the basics to continue those expenditures. Finance Director Joesten stated that he had been given authority for repairs to the roof up to a limit of not to exceed \$25,000 and based upon discussion with the Mayor that we are looking for a number you feel comfortable that we could and would manage so that if for some reason in the next five or six days that something would arise we would not have go beyond my \$5,000 authority and would be able to address that to a certain level. We have spent \$10,000 to \$11,000 for repairs to the roof.

Aldersperson Helms asked what the time period would be. Director Joesten stated that usually thirty days is when the funds would be due but we need to be sure we have the authority to commit to it.

Corporation Counsel Sarah Griffin that it is on the agenda as an action item with non-specified amount basically because there are test results that are not in so that it is not a surprise situation, even though the results may come back a little worse than we thought and we may have to do more scrubbing in which we have not anticipated the cost. Even though we have considered the situation of an emergency nature, emergency under the purchasing policy is a time-frame thing. Corporation Counsel Griffin stated that we know of the problem and we know that there is going to be continued items for expenses for the next council meeting which is the special meeting next Monday so it a matter of authorizing another \$5,000 or \$10,000 as a reasonable amount. Discussion was held regarding a reasonable amount.

Finance Director Joesten stated the soil boring report is not in and we are not sure what they may suggest that will be necessary to complete the evaluation. We have spent more than the \$2,100 and for soil borings and what not to keep things moving.

Aldersperson Klemm made a motion to authorize expenditure of \$10,000 until we have our meeting and figure out just what is going to happen, seconded by Aldersperson Boldt. Motion prevailed by roll call vote of:

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester (7)

Nays: Crutchfield (1)

The motioned carried.

CONSENT AGENDA

A. Approval to receive and place on file:

- 1) City Treasurer's Schedule of Tax Receipts through June 30, 2011
- 2) City Treasurer's Report of Cash and Fund Balances through June 30, 2011
- 3) City Treasurer's Monthly Investment Report for period ended June 30, 2011
- 4) Community Development Department Report on Activities for July 2011 including Cash and Misc. Receipts; Building Permits Summary; Building Permit Listing; Electrical, HVAC, Plumbing and Sign Permits
- 5) Fire Department Report on Activities for July 2011

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- 6) Worker's Comp Report for July 2011 – no incidents to report
- B. Approval of Motor Fuel Tax Fund Board List for August 1, 2011 ----\$18,740.57
- C. Water and Sewer Bills Payable (Register #592) ---- \$151,163.75
- D. Approval of Payroll for pay period ending August 10, 2011 --- \$442,005.04
- E. Approval of Finance Bills Payable (Registers #589, 590, 591, 593, 594) --- \$483,879.17

Aldersperson Endress moved to approve the Consent Agenda items as presented, seconded by Aldersperson Koester. Motion prevailed by roll call vote of:

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nays: None

The consent agenda items were approved.

ORDINANCES – THIRD READING

3RD READING OF ORDINANCE 2011-44:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF WATERWORKS REVENUE BONDS AND SEWERAGE REVENUE BONDS OF THE CITY OF FREEPORT, STEPHENSON COUNTY, ILLINOIS, FOR THE PURPOSE OF DEFRAYING THE COST OF ACQUIRING, CONSTRUCTING AND INSTALLING WATERWORKS FACILITIES AND IMPROVEMENTS AND SEWERAGE FACILITIES AND IMPROVEMENTS, AND RELATED MATTERS

The first reading of this ordinance was held on July 18, 2011. A motion to adopt was given by Aldersperson Koester, seconded by Aldersperson Helms. The second reading was held on August 1, 2011 and it was automatically laid over to tonight's meeting. Upon the third reading of the ordinance and no discussion, a roll call vote was taken to pass the ordinance. Motion prevailed by roll call vote of:

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nays: None

Ordinance 2011-44 passed.

3RD READING OF ORDINANCE 2011-45:

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE CITY OF FREEPORT, ILLINOIS, TO EXECUTE, ENTER INTO AND PERFORM LOAN AGREEMENTS WITH THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY FOR THE PURPOSE OF PAYING A PART OF THE COST OF CONSTRUCTING, IMPROVING AND EXTENDING THE CITY'S WATERWORKS FACILITIES AND IMPROVEMENTS AND SEWERAGE FACILITIES AND IMPROVEMENTS, AND MAKING CERTAIN COVENANTS IN PROVIDING FOR THE OPERATION OF THE CITY'S WATERWORKS SYSTEM AND SEWERAGE SYSTEM AND THE PLEDGE, DEDICATION, COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES TO BE DERIVED FROM THE OPERATION THEREOF

The first reading of this ordinance was held on July 18, 2011. A motion to adopt was given by Aldersperson Klemm, seconded by Aldersperson Helms. The second reading was held on August 1, 2011 and it was automatically laid over to tonight's meeting. Upon the third reading of the ordinance and no discussion, a roll call vote was taken to pass the ordinance. Motion prevailed by roll call vote of:

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nays: None

Ordinance 2011-45 passed.

ORDINANCES – SECOND READING

(There are no items on council agenda for second readings)

ORDINANCES - FIRST READING

1st READING OF ORDINANCE 2011-47:

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, ILLINOIS – JAN. 18, 2011 - JULY 5, 2011

Corporation Counsel Sarah Griffin presented the ordinance stating that this is a housekeeping matter. She stated what this ordinance does is to take ordinances that are already passed by City Council and puts them as part of the chapter code book of ordinances and the on-line code that is on the City of Freeport website. Alderperson Klemm moved to adopt the ordinance as presented, seconded by Alderperson Boldt. Upon no further discussion, the ordinance was automatically laid over to the next meeting.

1st READING OF ORDINANCE 2011-48:

ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT - TYPE OF RELIEF: VARIANCE TO SUBSECTION 1270.03 (e) (FENCES IN REAR/SIDE YARDS); OWNER OR APPLICANT: DONALD AND JUDY GREENFIELD; PROPERTY LOCATION: 733 SOUTH CANTERBURY DRIVE , FREEPORT ILLINOIS

The Freeport Board of Zoning Appeals unanimously recommended approving the petition in the public hearing held on August 4, 2011. There were no written objections filed against this petition. Therefore, the city council may take final action on the ordinance this evening. Community Development Director Shelly Griswold presented the ordinance by stating that the petitioners requested allowance of a fence on the rear and side lot lines for the property located at 733 South Canterbury Drive. The reasons would be to tie in with the neighbor's fence. The rear lot line would be approximately 14 inches from the rear property line. Upon the Freeport Board of Zoning Appeals approval of the findings of fact listing items in favor of the petition, they unanimously recommended it to council. Alderperson Klemm moved to adopt the ordinance as presented seconded by Alderperson Koester. Motion prevailed by roll call vote of: Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nays: None

Ordinance 2011-48 passed.

1st READING OF ORDINANCE 2011-49:

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT - TYPE OF RELIEF: SPECIAL USE PERMIT TO ALLOW SALE OF ALCOHOLIC BEVERAGES TO BE CONSUMED OFF-PREMISES ; OWNER OR APPLICANT: ALDI INC.; PROPERTY LOCATION: 726 WEST SOUTH STREET, FREEPORT ILLINOIS

The Freeport Planning Commission unanimously recommended approving the petition in the public hearing held on August 4, 2011. There were no written objections filed against this petition. Therefore, the city council may take final action on the ordinance this evening. Community Development Director Shelly Griswold presented the ordinance stating that at the hearing a person from Aldi's was present and she testified that it would be beer and wine only, the liquor cases are in full view of the cashiers, there are no plans to have refrigerated liquor, and staff will be trained. They cited the other liquor establishments in the area including CVS, Walgreen, Wal-Mart, Cub Food and others. Upon the Freeport Planning Commission favorable findings of fact of the petition, they unanimously recommended it to

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council. Alderperson Klemm moved to adopt the ordinance as presented, seconded by Alderperson Endress. Motion prevailed by roll call vote of:
Yeas: Klemm, Boldt, DeVine, Endress, Helms, Koester (6)
Nays: Bush and Crutchfield (2)
Ordinance 2011-49 passed 6-2.

1st READING OF ORDINANCE 2011-50:

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT - AMENDMENT OF ZONING ORDINANCE FROM R5 (TWO FAMILY RESIDENCE) TO B1-1 (RESTRICTED RETAIL BUSINESS); OWNER OR APPLICANT: CLAY JACKSON; PROPERTY LOCATION: 960-960 ½ SOUTH GALENA AVENUE FREEPORT, ILLINOIS

The Freeport Planning Commission unanimously recommended approving the petition in the public hearing held on August 4, 2011. There were no written objections filed against this petition. Therefore, the city council may take final action on the ordinance this evening. Community Development Director Shelly Griswold presented the ordinance stating that a petition had been received by the Planning Commission requesting a zoning change for 960 South Galena Avenue. Mr. Jackson presented testimony for his petition stating that he wanted to open an ice cream shop and concessionary. There was much discussion at that hearing whether or not there was spot zoning and the Planning Commission's opinion is that was not spot zoning and it is on a commercial corridor and even though it is not commercial directly adjacent to the left and to the east of it and a gas station across the street so the corridor is commercial so the Planning Commission felt comfortable recommending approval and did so unanimously. Director Griswold stated that at the public hearing parking was discussed and it was because of the square footage of this retail outlet, he is not required by our zoning code to have off-street parking so we can't hold him to that our ordinance says that if it is under 2,000 square feet you do not have to provide parking. There was a neighbor who testified that she was concerned about parking and children wandering through the yard of her rental house. The applicant intends to put up a fence between that property and his property and she seemed satisfied at the hearing so there was discussion of parking. Alderperson Klemm made a motion to move the ordinance forward, seconded by Alderperson Endress. Motion prevailed by roll call vote of:

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)
Nays: None
Ordinance 2011-50 passed.

RESOLUTIONS

RESOLUTION #R-2011-46:

RESOLUTION AUTHORIZING APPLICATION FOR WATER POLLUTION CONTROL LOAN PROGRAM AND PUBLIC WATER SUPPLY LOAN PROGRAM

Finance Director / Water and Sewer Director Craig Joesten presented the resolution stating that earlier this evening the council passed the authorizing ordinances to enable the Water & Sewer Commission to use the full faith and credit of the City to borrow up to twenty- million dollars to pay for the upcoming infrastructure improvement program. In the packets tonight are the loan applications. Director Joesten stated there are two loan applications, one for the water portion and one for the sewer portion. What we will be doing if the council give the authority is to complete the applications, forward them downstate to

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the Illinois Environmental Protection Agency (IEPA) in Springfield along with the bid results that we have to-date, pending the outcome of council action on the bids for five of the projects and wait for them to come back if there are any corrections so that we can finalize those applications the way they need to have them done for their paperwork. What the council is granting in this resolution is the authority of the Finance Director and the Mayor to complete and sign the application for the monies to pay these projects that you just authorized our ability to borrow. Director Joesten stated that included are two loan applications and also an exemption certificate that re-affirms everything that is said in the ordinance. These are mandated forms by the IEPA to complete for this process.

Aldersperson Klemm made a motion to move forward the resolution for adoption, seconded by Aldersperson Boldt.

Corporation Counsel Sarah Griffin explained that when the City applies for a grant what council will see first is the authorization to apply for it, then once we receive it council will see the authorization come back to you to enter into the agreement. In this case, they are doing everything at one time and so you have the ordinance, the bond, and the ordinance authorizing them to accept the loan as separate wording that IEPA will accept for the application.

Upon no further discussion, the motion prevailed by roll call vote of:

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nays: None

Resolution #R-2011-46 was adopted.

EXECUTIVE SESSION (CLOSED SESSION)

The following was read into the record, "Executive Session is called pursuant to 5 ilcs 120/2 (c)(2) collective negotiating matters between the public body and its employees or their representatives"

At 6:35 pm, Aldersperson Helms moved to enter closed session, seconded by Aldersperson Klemm.

Motion prevailed by roll call vote of:

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nays: None

At 6:53 pm, Aldersperson Endress moved to return from closed session, seconded by Aldersperson Koester.

Motion prevailed by roll call vote of:

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nays: None

RESOLUTION #R-2011-47:

RESOLUTION RATIFYING AMENDMENT TO COLLECTIVE BARGAINING AGREEMENT WITH COUNCIL 31 OF THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES FOR AND ON BEHALF OF AFSCME LOCAL 3367, AFL-CIO

Aldersperson Koester moved to accept the contract contingent to the passage of the contract by the union, seconded by Aldersperson Klemm. Aldersperson Helms stated his opinion that he feels it is not prudent to move forward with this at this time without knowing what the tax levy increase will be and he would like to see us wait until we have that. Director Joesten stated that he does not have the tax levy figures

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available. Alderperson Crutchfield stated his opinion that the street department did a great job in cleaning up after the storms but he is concerned about the economic climate right now and that he feels we should wait on this. Alderperson Boldt stated his opinion that he feels the agreement is fair and the union came forward when we needed them and this is certainly not excessive and it fair to both sides.

The City Clerk publically recited the title for Resolution #R-2011. Motion prevailed by roll call vote of:
Yeas: Klemm, Boldt, Bush, DeVine, Endress, Koester (6)
Nays: Helms and Crutchfield
Resolution #R-2011-47 was adopted.

OTHER

DEPARTMENT HEAD REPORTS

Community Development

Request for Approval of Bid for Tutty Boat Launch

Community Development Director Shelly Griswold stated the in the packet is a bid tabulation for the Tutty's Crossing Boat Launch. She stated that the bids were opened last week and there were three bids; one for Civil Constructors, Moring Construction, and Fischer Excavating. Moring Construction is the apparent low bidder with a base bid of \$189,739.95 and, with both alternates, it is \$210,856.95.

Director Griswold stated that we have a grant from the Illinois Department of Natural Resources for the boat access and development program for just over \$70,000.00 and the remainder of \$140,000.00 will be paid out of the City Funds coming from the downtown TIF budget. She stated about half of the City funds will be from the infrastructure line item and the other half from the Rawleigh corridor development plan. These funds are in the Downtown TIF budget to pay to local portion of this project.

Director Griswold stated they recommended approval of the Moring Construction bid plus the addendums for a total of \$210,856.95. She would also like to find out if there is any work that may be done by the Public Works Department as in-kind-services and, if so, we would take that off before we sign the contract. Director Griswold asked the council at this time to approve the bid in the full amount. Director Griswold stated that is expected to complete the project this fall. Director Griswold stated that the bids would be prevailing wages.

Alderperson Boldt moved to accept the recommendation from Director Griswold for the bid from Moring Construction, seconded by Alderperson Klemm. Motion prevailed by roll call vote of:
Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)
Nays: None

Community Development Director Griswold spoke about the Prospering Together listening and learning discussion that are scheduled to be held throughout the community inviting people from throughout the City to participate. The Listening and the upcoming Learning session schedules and the information is available at the website for Prospering at www.prosperingtogether.org.

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Public Works

Public Works Director Tom Dole was present and had no report.

Corporation Counsel

Corporation Counsel Sarah Griffin stated she has received word that the AFSCME Union ratified their contract this evening.

Police

Chief of Police Jerry Whitmore gave a presentation for action on an emergency response. He stated that on July 4, 2011 a call was received by the 911 Center. He presented certificates of recognition to Tom Teich and Pete Fleming on behalf of Police and Fire Department for their assistance with the emergency.

Fire

Fire Chief Kevin Countryman stated there was an item on the agenda for paramedic training but he is waiting for an update from Swedish American Hospital EMS System.

Fire Chief Countryman stated that in April 2011, the Insurance Services Office was here to rate the City of Freeport and give them what is called the public protection classification summary report or referred to as the ISO report. Chief Countryman stated the City of Freeport maintained its rating of a three (3). This is not only the Fire department being rated but also the Water Department and the 911 Call Center.

Water and Sewer

Water and Sewer Director Craig Joesten stated that at the bids presented this evening were discussed at the special meeting of Water and Sewer Commission this afternoon. This represents Infrastructure Big 4 (which is six projects), suggested to use by the IEPA. Director Joesten stated he will go through each of the projects bid tabulations and ask for the council to give their approval for their intent to award. The reason for that is we have yet to secure the financing so we do not want to be on a construction contract unless we have the funding.

Item A) Request for Intent to Award – Water Production Well No. 9 and 10 and Well House No. 9 and No. 10 - Bid Tabulation from Consulting Engineer Fehr-Graham & Associates

Director Joesten stated the Water and Sewer Commission moved to provide intent to award to WDS Construction with the low bid amount of \$1,457,997.13. Director Joesten requested the council to so grant the intent to award the contract to WDS Construction in that amount.

Aldersperson Klemm stated that he was at the Water and Sewer Commission meeting this afternoon. Discussion was held regarding the financing of the project and the inability of the Commission to show preferential treatment to local bidders. City Engineer Denise Ihrig read the section that was applicable stating the local laws, ordinances or regulations or procedures that are designed to give local or in-state bidders or proposers preference over other bidders shall not be used in evaluating bids or proposals for sub-agreements for these loans. The IEPA provides the loans for these projects and they describe how you will put together your contract in order to go through this funding mechanism.

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Director Joesten stated that the Commission is pursuing a loan with the IEPA with a 1.25% interest factor with a 25% principal forgiveness.

Aldersperson Klemm made a motion to award the letter of intent for Well Number 9 and 10 and Well House No. 9 and 10 to WDS Construction for the sum of \$1,457,997.13, seconded by Aldersperson Endress. Motion prevailed by roll call vote of:

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nays: None

Item B) Request for Intent to Award – The 0.5 MG Burchard Avenue Elevated Tank - Bid Tabulation from Consulting Engineering Rezek, Henry, Meisenheimer and Gende, (RHMG) Inc.

Director Joesten stated that the second project is an erection of a 500,000 gallon new elevated tank at the current Burchard stand pipe site. That stand pipe will be demolished and that new elevated tank will be erected in its place. The Water and Sewer Commission granted their approval for an intent to award and Director Joesten requested that the council to grant an intent to award to Caldwell Tanks, Inc. in the amount of \$1,161,000.00. Aldersperson Klemm made a motion to make a letter of intent to Caldwell Tanks, Inc. in the amount of \$1,161,000.00 as presented, seconded by Aldersperson Endress Motion prevailed by roll call vote of:

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nays: None

Item C) Request for Intent to Award – The Water System Improvements for New Pressure Zone - Bid Tabulation from Consulting Engineering Rezek, Henry, Meisenheimer and Gende, (RHMG) Inc.

Director Joesten stated the third project discussed at the Water and Sewer Commission was the installation of water system improvements for a new pressure zone. Director Joesten stated the Water and Sewer Commission granted their approval for intent to award and he requested that the council grant intent to award to Civil Constructors with a contract price of \$2,367,023.00. Director Joesten stated the bid was 21.9% over the engineer's estimate due to horizontal borings increased the price and there are alternatives that may be considered.

Aldersperson Klemm moved to provide a letter of intent for this project to Civil Constructors in the amount of \$2,367,023.75, seconded by Aldersperson Endress.

Discussion was held regarding the scope of the original cost of the plan. City Engineer Denise Ihrig stated that there are some areas that we can go back to the contractor. She pointed out line item #7 of the bid tab for the construction of the fire flow stations (5 sites) in which it the engineers estimate was \$202,000 but that was not included in the original estimate that the Water and Sewer Commission presented.

City Engineer Ihrig stated that the item may be removed because both of the bids came in rather high. She stated that while it is useful to have the fire flow stations there are other methods and means. The idea is to keep the overall cost right around where it was expected to be. She stated that this is intent to

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award and we need to get the contract on board, signed and then we can go through and do a line item removal.

City Engineer Ihrig stated she provided a summary sheet showing all the projects where some of them were over the engineer's estimate and some were under. Overall, she stated they do for the most part balance out.

Motion prevailed by roll call vote of:

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nays: None

Item D) Request for Intent to Award – SCADA Upgrade - Bid Tabulation from Consulting Engineer Strand Associates, Inc.

Director Joesten stated the SCADA Upgrade is a computerized control system for the new elevated tank and pressure zone so you can control it from a remote site to open and close valves to be able to adjust it as needed. The Water and Sewer Commission granted their intent to award the contract to Morse Electric, Inc. of Freeport for a bid amount of \$1,214,100.00. Director Joesten stated that this is over the engineer's estimate and there are areas to review this contract to see if there are line items that we originally had in there that we feel they aren't appropriate given the pricing.

Alderson Klemm made a motion for the SCADA contract on the controls to provide intent to award to Morse Electric in the amount of \$1,214,100.00, seconded by Alderson Endress. Motion prevailed by roll call vote of:

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nays: None

Item E) Request for Intent to Award – City-Wide Sanitary Sewer Lining and Improvements Project 2011 Bid Tabulation from Water and Sewer Commission Project Administrator (opening 08/12/2011)

Director Joesten presented the bid for the last item which was the City-Wide Sanitary Sewer Lining and Improvement Project in which the administration is requesting you to provide intent to award this project to Utility Services Authority, LLC in the amount of \$7,295,833.00. This bid was 5% below the engineer's estimate.

Alderson Klemm stated he had attended the meeting and it was discussed that Utility Services Authority was able to provide better pricing because they do not contract out for various services that everything is done in-house and when they move to Freeport they will move in with an entire crew.

Alderson Klemm made a motion to present the intent to award the contract to Utility Services in the amount of \$7,295,833.00, seconded by Alderson Boldt.

City Engineer stated the loan documents will be prepared by September 30, 2011 and pending all approvals, we can issue a formal notice of award in October. The project could start shortly thereafter. In terms of the lining contract the key component will be accessibility. There are about 192 easement

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locations where we are going on private property. The organization and getting the equipment to these sites will take time. The contractor will have until the end of 2013 to complete this project. It will probably take 2-3 seasons. There will be a phase of heavy cleaning, heavy televising, and that will be scheduled to be done this year. From there, City Engineer Ihrig stated, we will go over the remainder of the mileage and make sure we get all the point repairs done and the final lining will be repaired after that. Working with all the easement properties and their owners will be an interesting challenge for the contractor. There are a total of 130 miles of miles of sewer in the City and this project is set to cover 14 miles. This project is working with mostly the very large diameter sewers and when it is working on the smaller diameter sewers is in locations where it would be very hard to obtain a CDAP grant (in other terms there is no other funding mechanism). There will also be a lot of man-hole rehabilitation in this project which is very prime for inflow infiltration. Also there will be flow meters being put in 36 places so they will be able to monitor how sewer flows are moving through town.

Motion prevailed by roll call vote of:

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nays: None

Finance Director/Water & Sewer Director Craig Joesten stated that this was five projects presented this evening and the sixth project will be presented for the City-Wide Meter Replacement Program that is scheduled to come in for bid on the 24th of August. This will be presented at the Water and Sewer Commission meeting at the end of the month and then depending on their action, it could come to council the first meeting in September.

Director Joesten reviewed the funding mechanism for these six major Water and Sewer Projects. In May of 2010 the City Council approved the implementation of a surcharge program beginning May 1, 2010 a \$2.00 per residence surcharge per month was implemented. The next step in that process was an automatic increase in the surcharge to \$4.00 per month per residence and in May 1, 2012 it is scheduled to increase to \$6.00 per residence per month and remain at that level for the twenty-year amortization period for the loan.

MAYOR'S REPORT

Mayor Gaulrapp recognized Travis Morse of JS and Chip Brewster from Channel 23 who is moving to the Milwaukee area. Mayor Gaulrapp stated the Music Festival will be moving forward and it is scheduled for August 19, 20, and 21. Mayor Gaulrapp thanked Pastor Hawkins for hosting a Community Meeting on Friday. A public service announcement will be produced by Comcast about the community neighborhood watches. Mayor Gaulrapp gave special recognition to Pam Schrader for returning an overage of change provided by a cashier.

NEW BUSINESS/COUNCIL ANNOUNCEMENTS

Each council member was provided the opportunity to publicly address significant items of interest.

- Alderperson Helms requested an updated on the security deposit interest for water and sewer. Director Joesten stated that the commission has not taken action but they have had discussion and it should be resolved by the next meeting. Alderperson Helms requested to have the department head

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discuss in their department head report what is the “hot topic” and what is going on in their departments.

- Alderperson Crutchfield provided a thank you to the Mayor, Police Chief, Alderperson Klemm, and Alderperson Bush for attending the Faith Temple Church Community Days.
- Alderperson Klemm thanked all the workers and organizers of Cruise Night and stated it was a very successful night. He stated that moving forward on the Big 4 Project will have a major impact on the infrastructure of the City. He spoke about mayors from small towns around Illinois who said they pay \$100 per month for water. Alderperson Klemm encouraged citizens to call the police if they see any unusual happenings in your neighborhood.
- Alderperson Boldt spoke about a neighborhood watch that will be held for the older portion of Cherokee Hills on Thursday. They are looking at camera surveillance at the major intersections in and out of the area. He thanked the Water and Sewer administration for their work and efforts for improving the water pressure and the work on the major projects spoke of this evening.
- Alderperson Bush stated that the Cruise Night was well run and successful evening despite the weather. The back-to-school back pack project is underway and they will be handing them out at the Back-to-School Unity Fair.
- Alderperson Endress stated that there will be a 5th Ward Neighborhood Watch on Tuesday at the First Church of the Nazarene.
- Mayor Gaulrapp stated that 26 social services throughout Freeport have set up a meeting to discuss social services during these critical times to be able to stretch them as much as possible.

PUBLIC COMMENTS AGENDA OR NON-AGENDA ITEMS

- Peter Fleming, 653 Jefferson Street, Freeport, Illinois, spoke about an addition being added to the Provena Building.
- Tom Teich, 653 Jefferson Street, Freeport, Illinois, spoke about local businesses in Freeport.

Upon motion duly made and seconded, the meeting was adjourned at 7:45 p.m.

s/ Meg Zuravel
Meg Zuravel, City Clerk