



City Council

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

MINUTES REGULAR MEETING Monday, October 17, 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, October 17, 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 Bush.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Alderperson Koester moved for approval of the minutes of the regular meeting held on October 3, 2011, seconded by Alderperson Crutchfield. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

Jim Ferrar, 1433 W. Demeter Drive, Freeport, Illinois, spoke about the costs involved when fixing older buildings. He spoke in favor of demolition of the City Hall building.

Brenda Myers, 9 East Stephenson, Freeport Illinois, spoke in favor of rehabilitation of City Hall building. Ms. Myers referred to four other people present at the meeting in favor of investing in historic buildings in downtown Freeport.

Michael Meade, 7 E. Stephenson Street, Freeport Illinois, spoke in favor of rehabilitation of City Hall building. Mr. Meade used an example of a building in Mt. Carroll that is under rehabilitation and costing over \$400,000 in historic preservation funds. Mr. Meade recommended looking in the Illinois Historic Preservation grant funds.

EXECUTIVE SESSION (CLOSED SESSION)

The following was read into the record, "Executive Session is called pursuant to 5 ILCS 120/2 (c) (11)

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Pending Litigation and 5 ILCS 120/2 (c) (5) Purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired.

At 6:12 pm, Alderperson Helms moved to enter closed session, seconded by Alderperson Klemm.
Motion prevailed by roll call vote of:
Yeas: Klemm Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)
Nays: None

At 7:25 pm, Alderperson Bush moved to return from closed session, seconded by Alderperson Klemm.
Motion prevailed by roll call vote of:
Yeas: Klemm Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)
Nays: None

PRESENTATION BY FREEPORT DOWNTOWN DEVELOPMENT FOUNDATION

Freeport Downtown Development Foundation Executive Director Quentin Davis spoke about the recently adopted agreement between the City of Freeport and the Freeport Downtown Development Foundation which agrees to fund from the Downtown TIF an amount of \$25,000 paid according to a schedule to support strategies to attract and retain businesses in the downtown and market and promotes the downtown. Director Davis provided a status of the special tasks for reimbursement from the TIF fund which includes updating the directory of downtown businesses, vinyl graphic headers for directory, print pads of directories/maps for use in cross marketing, ads in NW Quarterly Magazine for fall and winter, replacing the speaker system, and fundraising revenue match-use for recruitment and retention. The council was provided an opportunity to ask questions from the FDDF Director. Planning is started for Cruise Night in which FDDF is the organizer for the event that brings hundreds of people into the City.

PRESENTATION – UPDATE ON INSPECTIONS/COST ESTIMATES CITY HALL BUILDING

Mayor George Gaulrapp stated there is a lease agreement for office space at 524 West Stephenson Street (called the 524 Building) on council agenda this evening under resolutions for council to decide if they want to move forward with vacating the City Hall building. Upon offices being moved, it will be determined to excavate the southwest corner of the building. Mayor Gaulrapp stated there has not been a decision made as rehabilitation or repair of the building or what decision council may make as to the administration's recommendation.

CONSENT AGENDA

- A. Approval to receive and place on file:
 - 1) City Treasurer's Report on Cash and Fund Balances September 30, 2011
 - 2) Police Department Report on Activities for September 2011
 - 3) Fire Department Report on Activities for September 2011
 - 4) Community Development Report on Activities September 2011 including; Cash and Misc. Receipts; Building Permits; and Electrical, HVAC, Plumbing and Sign Permits
- B. Approval of Motor Fuel Tax Fund Accounts Payable Board List #6 Sept. 16, 2011 - \$84,062.44
- C. Approval of Water and Sewer Bills Payable (Register #617) ---- \$304,276.86
- D. Approval of Payroll for pay period ending October 8, 2011 --- \$404,910.83
- E. Approval of Finance Bills Payable (Registers #614, 615, 616, 618, 619) --- \$411,459.60

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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 # 2011-52

AN ORDINANCE AMENDING CHAPTER 1442 (PERMITS AND FEES), SECTION 1442.11 “FEE EXEMPTIONS” – BUILDING CODE

The first reading of this ordinance was held on September 19, 2011. A motion to adopt was given by Aldersperson Klemm, seconded by Aldersperson Boldt. The second reading was held on October 3, 2011 and it was automatically laid over to tonight’s meeting. Upon the third reading and no discussion the motion prevailed by a roll call vote of;

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

Nays: None

Ordinance 2011-52 passed by a vote of 8-0.

ORDINANCES – SECOND READING

2nd READING OF ORDINANCE # 2011-54

AN ORDINANCE TO AUTHORIZE ACQUISITION AND ACCEPTANCE OF DEED FOR PROPERTY COMMONLY KNOWN AS 721-751 SOUTH HANCOCK AVENUE, PIN NO. 18-14-32-132-004, FREEPORT, ILLINOIS

The first reading was held on October 3, 2011. A motion to adopt was given by Aldersperson Bush, seconded by Aldersperson Crutchfield and it was automatically laid over to tonight’s meeting. Mayor Gaulrapp stated that administration requests an amendment upon the second reading to include lease back option. Aldersperson Bush moved to place Ordinance 2011-54 as amended dated October 13, 2011, on council floor for approval, seconded by Aldersperson Crutchfield. Corporation Counsel Sarah Griffin stated the amended ordinance has been provided to the council and it was requested by Director Shelly Griswold in order to add a lease back provision until May 31, 2012 and the owner will maintain the property by mowing the lawn. Mayor Gaulrapp stated there is a motion on the floor for the amendment only. Motion prevailed by a roll call vote of;

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

Nays: None

Ordinance 2011-54 as amended was automatically laid over to the next meeting.

2nd READING OF ORDINANCE # 2011-55

AN ORDINANCE AMENDING CHAPTER 806 – ALCOHOLIC LIQUOR SALES OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, TO AMEND SECTION 806.03 (CLASSIFICATION OF LICENSES) AND SECTION 806.10 (APPLICATION FOR ISSUANCE OR RENEWAL OF LICENSES) AND CHAPTER 608 – ALCOHOLIC LIQUOR OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT TO AMEND SECTION 608.06 (PERMITTED HOURS OF SALES)

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The first reading was held on October 3, 2011. A motion to adopt was given by Alderperson Klemm, seconded by Alderperson Endress and it was automatically laid over to tonight's meeting. Upon the second reading discussion was held regarding the liquor license holder request to extend hours from 9:30 pm to 11:30 pm on Sundays during holidays. Corporation Counsel stated that the Liquor Commission had received the request to have liquor sales hours extended. Corporation Counsel Sarah Griffin stated that this request has been provided on an as occurrence basis over the years and this amendment provides the holidays so it will not have to be brought back for each occurrence. There were no specific dollar amounts provided by the requestor as to the projected sales figures that could be estimated for the extension of time. The ordinance was automatically laid over to the next meeting.

ORDINANCES - FIRST READING

1ST READING OF ORDINANCE # 2011-56

AN ORDINANCE AMENDING CHAPTER 288 (OFFICERS AND EMPLOYEES GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT – LIFE INSURANCE

Finance Director Craig Joesten presented the ordinance stating that when the labor contracts were negotiated earlier this year there was a provision to increase the life insurance for employees from \$25,000 to \$50,000 and this ordinance brings it in line for non-bargaining employees. There is also a correction to fix a typo in the COBRA rate. A motion to adopt was given by Alderperson Endress, seconded by Alderperson Koester and the ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE # 2011-57

Corporation Counsel Sarah Griffin stated that this item was removed from council agenda after the council packets were distributed due to the Liquor Commission laying over the ordinance in order to combine it with another one.

RESOLUTIONS

RESOLUTION #R-2011-60:

RESOLUTION AUTHORIZING EXECUTION OF 2012 PUBLIC TRANSPORTATION DOWNSTATE OPERATING ASSISTANCE CONTRACT UNDER THE PROVISION OF THE DOWNSTATE TRANSPORTATION ACT (30 ILCS 740/2-1, ET SEQ.)

Community Development Director Shelly Griswold presented the resolution by stating that this is the perianal resolution to accept funding for the public transportation from the State of Illinois. Director Griswold stated that the total dollar amount allocated by the State of Illinois is \$692,100.00. She stated the Federal Grant portion of \$101,000.00. Director Griswold stated that the City of Freeport is not generally able to spend the entire amount of the \$692,100.00 because the City is not able to have the funds available necessary for the local match at 35%. Freeport Township and a couple of not-for-profits also provide monies for the match. This is accepting the contract and moving forward with the funding. Alderperson Klemm moved to approve the resolution as presented, seconded by Alderperson Helms.

Motion prevailed by a roll call vote of;

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

Nays: None

Resolution #2011-60 passed by a vote of 8-0.

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RESOLUTION #R-2011-61:

RESOLUTION ACCEPTING THE SPECIAL WARRANTY FOR PUBLIC TRANSPORTATION FUNDING

Community Development Director Shelly Griswold stated that the City is required to pass a resolution for special warranty for public transportation funding which provides for employee protections if you are going to lay off people due to lack of funding that you need to provide specific notices. Because of the percentage of time of the transportation program for the Community Development Director and the Grant Coordinator it affects us very little because we do not have a person solely dedicated to the program. Alderperson Helms moved to approve the resolution as presented, seconded by Alderperson Klemm.

Motion prevailed by a roll call vote of;

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

Nays: None

Resolution #2011-61 passed by a vote of 8-0.

RESOLUTION #R-2011-62:

RESOLUTION TO AUTHORIZE THE CITY OF FREEPORT TO AWARD WATER SUPPLY AND DISTRIBUTION SYSTEM IMPROVEMENT CONTRACTS AS FUNDED BY THE FY 2011 IEPA PUBLIC WATER SUPPLY LOAN PROGRAM

Finance/Water and Sewer Director Craig Joesten presented the resolution stating that this and the four following resolutions are tied in the Big Four Projects which are considered as great news for the City of Freeport. These resolutions presented this evening go along with the previous action by council providing the "Intent to Award" the various projects of the Big Four Water and Sewer Projects; including the water distribution, the sanitary sewer system, and the engineering contracts for those projects. At that time Director Joesten explained that we did an action as an "intent to award" because we did not have confirmation of financing through the Environmental Protection Agency and we did not want to award contracts until the funding went through. Director Joesten stated that we have since received the signed loan agreement from the Illinois Environmental Protection Agency and have received the commitment for the funds, the interest rate at 1.25%, and the 25% principal forgiveness. So what we are asking for tonight for the water system, sanitary system and each of the engineering contracts associated with those because now we have the funding and the Mayor will be signing after the approval is taking it from the "intent to award" to the formal award of the contracts.

Alderperson Klemm moved to move forward the resolution for approval, seconded by Alderperson Helms. Motion prevailed by a roll call vote of;

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

Nays: None

Resolution #2011-62 passed by a vote of 8-0.

RESOLUTION #R-2011-63:

RESOLUTION TO AUTHORIZE THE CITY OF FREEPORT TO AWARD SANITARY SEWER IMPROVEMENTS AND TREATMENT PLANT UPGRADE CONTRACTS AS FUNDED BY THE FY 2011 IEPA WATER POLLUTION CONTROL LOAN PROGRAM

Director Joesten stated this the second of the four resolutions and this resolution is for the sanitary sewer improvements and treatment plant upgrades as funded through the IEPA loan program. Alderperson

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Klemm moved to move forward the resolution for approval, seconded by Alderperson Boldt. Motion prevailed by a roll call vote of;

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

Nays: None

Resolution #2011-63 passed by a vote of 8-0.

RESOLUTION #R-2011-64:

RESOLUTION TO AUTHORIZE THE CITY OF FREEPORT TO AWARD CONSTRUCTION ENGINEERING CONTRACTS AS FUNDED BY THE FY2011 IEPA PUBLIC WATER SUPPLY LOAN PROGRAM

Director Joesten presented the resolution for approval for the engineering contracts portion of the IEPA funding through the Public Water Supply Loan Program. Alderperson Klemm moved to move forward the resolution for approval, seconded by Alderperson Endress. Motion prevailed by a roll call vote of;

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

Nays: None

Resolution #2011-64 passed by a vote of 8-0.

RESOLUTION #R-2011-65:

RESOLUTION TO AUTHORIZE THE CITY OF FREEPORT TO AWARD CONSTRUCTION ENGINEERING CONTRACT AGREEMENT ASSOCIATED WITH SANITARY SEWER IMPROVEMENTS AS FUNDED BY THE FY2011 IEPA WATER POLLUTION CONTROL LOAN PROGRAM

City Engineer Denise Ihrig presented the resolution stating that it identifies consulting engineers for the sanitary sewer improvements as funded by the IEPA Water Pollution Control Loan Program.

Alderperson Klemm moved to approve the resolution as presented, seconded by Alderperson Helms.

Motion prevailed by a roll call vote of;

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

Nays: None

Resolution #2011-65 passed by a vote of 8-0.

RESOLUTION #R-2011-66:

RESOLUTION TO AUTHORIZE LEASE AGREEMENT BY THE CITY OF FREEPORT FOR THE PROPERTY LOCATED AT 524 W. STEPHENSON STREET

Finance Director Craig Joesten presented the resolution stating that as you know we have had issues dealing with the City Hall building and in order to facilitate dealing with those we have determined that it is necessary to at least on a temporary basis to relocate to another building in order to continue with operations of the City Hall. We have done a lot of review and it has been determined that the 524 Building located at 524 W. Stephenson is the appropriate building to house City Hall as we abandon this building. Director Joesten stated that we have given to the council copies of the lease that has been secured by the landlord of the office space and we are asking the council to review and approve that if they deem appropriate. Alderperson Bush moved to approve the resolution as presented, seconded by Alderperson Klemm. Discussion was held as to Alderperson Koester stating the he does not feel comfortable voting on this lease this evening due to just receiving the paperwork prior to the meeting. Discussion was held regarding a couple of the issues that will need to be attended to by the administration but due to timing of the next meeting, it is administrations recommendation to move forward the lease on council floor this evening. Mayor Gaulrapp stated it is the administration's hope to be in the new office

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space by December 1, 2011 and have the first council meeting. Discussion was held regarding moving bids requested and due by November 4, 2011. Discussion was held regarding the preventive measure of a canopy and Mayor Gaulrapp stated we are looking at whether we need the canopy or close the sidewalk off. We received a quote of \$20,000 with a \$100 per day usage fee to erect the canopy. Discussion was held regarding other options of buildings that may become available. Discussion was held regarding the public notices that will be provided for directional signage and ads for notification. Alderperson Helms called the question on the floor. A roll call vote was taken to approve the motion by a vote of; Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, and Crutchfield (7)
Nays: Koester (1)
Resolution #2011-66 passed by a vote of 7-1.

OTHER

DEPARTMENT HEAD REPORTS

Community Development

Request for Approval of Façade Improvement Grant for 105 West Main Street, Freeport Illinois

Community Development Director Shelly Griswold presented the façade improvement grant to 105 West Main Street for a \$2,550.00 project with the grant amount being the lesser of \$1,275.00 or 50% of the actual project costs. Alderperson Helms moved to approve the recommendation for the Façade Improvement grant, seconded by Alderperson Endress. Motion prevailed by a roll call vote of; Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)
Nays: None

Request for Approval of Bid Landfill #2/3 Sanitary Sewer and Leachate Recovery System

Community Development Director Shelly Griswold presented a bid tabulation for the Landfill 2/3 Sanitary Sewer and Leachate Recovery System. The bids were opened on October 12, 2011 and bids were received by three companies; Fischer Excavating, Inc., Stenstrom Excavation and Blacktop, and Civil Constructors, Inc. Director Griswold stated the apparent low bidder recommended by the engineer was Fischer Excavating, Inc. in the amount of \$296,837.94. Director Griswold stated a presentation was given by Joel Zirkle of Fehr-Graham and Associates a couple of meetings ago in which he explained that the leachate recovery system needs to be put in place at the landfill in order for it to be sent back to the sanitary sewer. Alderperson Klemm moved to approve the recommendation for accepting the low bid by Fischer Excavating, Inc. in the amount of \$296,837.94, seconded by Alderperson Endress. Director Griswold stated the funding mechanism will be from the tipping fees and the Lamm Road TIF fund. Motion prevailed by a roll call vote of; Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)
Nays: None

Community Development Director Shelly Griswold discussed demolition bids. She stated there are properties on Whistler (due to a gas explosion), Float, Galena (due to a fire burn-out) and Harlem which are the top four properties to be demolished. Today the City received reimbursement from IEMA in the amount of \$23,000 and if the council so choses to add another \$30,000 to that line item through a supplemental appropriation ordinance then she is pretty confident it would cover the demolition costs for these four properties if the Public Works department was able to take down a couple of them. Director

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Griswold requested guidance from the council on how to proceed and whether the council wishes to have a supplemental appropriation ordinance in order to allocate additional funding for demolition of these four houses. Alderperson Helms requested a report for council regarding these four properties and what is in contingency. Discussion was held regarding other properties that council felt should be on the demolition list such as Float and Crocker and Director Griswold stated they are on the list of the top ten properties.

Public Works

Public Works Director Tom Dole stated that leaf pickup began on the streets today. The grinding of the LAPP program streets began today and paving will begin this Wednesday. The street crews continue to work on patching providing that the appropriate hot mix is available.

Finance/Water and Sewer

Finance Director Craig Joesten had no further report this evening.

Police

Chief of Police Jerry Whitmore spoke about Halloween hours suggested for the City of Freeport which will be Monday, October 31, 2011 from 5:00 pm to 7:30 pm. The department is considering restriction on parking on Stephenson. The department will have the assistance of auxiliary police in the areas known to have high traffic.

Fire

Fire Chief Kevin Countryman was present and had no report this evening.

MAYORS REPORT

Mayor Gaulrapp gave kudos to the Aquin Boy's Golf Team for placing in the State Golf Tournament and also to Kayla Harn a senior on the Aquin Girl's Golf team.

NEW BUSINESS/COUNCIL ANNOUNCEMENTS

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

- Alderperson Bush asked for an update on the Stephenson Street project and it was stated by Mayor Gaulrapp that there is now a water main break in the area and crews will be out in force tomorrow.
- Alderperson Endress stated there will be a 5th Ward Neighborhood Watch Meeting this week.
- Alderperson Koester spoke about addressing future costs for building contingency plans.
- Alderperson Klemm asked about solicitors for gas and electric companies and Chief Whitmore stated they had registered with the police department but they should be done now. Alderperson Klemm also cautioned runners to wear light colored clothing.

PUBLIC COMMENTS AGENDA OR NON-AGENDA ITEMS

- Tom Teich, 653 Jefferson Street, Freeport, Illinois, spoke about a new addition project at Provena.
- Alex Dvorak, 659 E. Jefferson Street, Freeport Illinois spoke about housing choices in Freeport.
- Steve Carroll, 811 S. Oak Street, Freeport Illinois spoke in favor of developing an ordinance which would require licensing of landlords of rental properties in the City of Freeport.

Upon motion duly made and seconded, the meeting was adjourned at 8:27 p.m.

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s/ Meg Zuravel
Meg Zuravel, City Clerk