



City Council

City Council Chambers ♦ 524 West Stephenson Street ♦ Freeport, IL 61032

MINUTES REGULAR MEETING Tuesday, January 3, 2012

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 Tuesday, January 3, 2012, 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 Crutchfield.

APPROVAL OF AGENDA

Mayor Gaulrapp requested to have the item for the executive session removed and to have item 28 moved forward on the agenda to item 19B. Alderperson Koester moved for approval of the agenda, seconded by Alderperson Klemm. Motion prevailed by voice vote without dissent.

MINUTES

Presented were minutes from the meeting held on December 19, 2011. Alderperson Koester moved for approval of the minutes as presented, seconded by Alderperson DeVine. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

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

COMMUNICATIONS TO COUNCIL

Presented in the council packet was a Water and Sewer Commission letter dated December 29, 2011 regarding Amendments to City of Freeport Ordinances including Chapter 1044 Water Rates and Revenues; Chapter 1048 Sewer Rates and Revenues; and Chapter 1042 Water Generally. Alderperson Klemm moved to place this document into the record, seconded by Alderperson Endress. Motion passed by voice vote without dissent. Mayor Gaulrapp stated that Director Joesten and City Engineer Denise Ihrig will be speaking on the amendment to the ordinances due to changing from cubic feet to gallons several times this evening. He stated that there is not an increase to the water rates.

Council was provided a letter from the Illinois Environmental Protection Agency letter dated November 30, 2011 addressed to the mayor and council regarding facility number 1770200 regarding an engineering

MINUTES
REGULAR MEETING
Tuesday, January 3, 2012

evaluation of the Freeport community water supply completed on November 17, 2011. Alderperson Klemm moved to place the document on file, seconded by Alderperson DeVine. Alderperson Helms asked about the attachments A and B. Director Joesten stated that Attachment A and B were labeled as security sensitive because they are covered under Homeland Security for our water supply. Director Joesten stated that the findings by the Illinois Environmental Protection Agency were very limited and all corrective measures have been taken. Director Joesten stated that he would be glad to discuss this with any council members on an individual basis if they so desire. Motion passed by voice vote without dissent.

CONSENT AGENDA

- A. Approval to receive and place on file:
 - 1) City Treasurer's Monthly Investment Report for period ended November 30, 2011
 - 2) City Treasurer's Report of Cash and Fund Balances through November 30, 2011
- B. Approval of Motor Fuel Tax Fund (register #MFT-008) --- \$101,986.20
- C. Approval of Payroll for pay period ending December 17, 2011 --- \$410,359.28
- D. Approval of Finance Bills Payable (Registers #646, 647, 648, and 649) --- \$473,448.43

Alderperson Endress moved to accept the Consent Agenda items, seconded by Alderperson Koester.

Alderperson Helms asked to remove Consent Agenda item D for discussion.

Mayor Gaulrapp asked Alderperson Helms to continue his discussion. Alderperson Helms asked questions in regard to register 646, page 1 regarding TEM Inc. in the amount of \$1,394.00 for the Chicago and Stephenson Vault. Director Dole stated the company came in and did an air quality test and made the determination that it was asbestos but they did not do the removal. Director Dole stated the project has been completed except some fixes to the sidewalk. Mayor Gaulrapp stated we are still looking for ownership to find reimbursement for this expense. Alderperson Helms inquired about register 648, page 1 regarding the cost of Galena Avenue barricades for the cost of \$6,530.50 by Civil Constructors and asked how much has been reimbursed for these expenses. Mayor Gaulrapp stated that he does not know of any amount that has been reimbursed just the fencing expense in the amount of \$1,700.00. Mayor Gaulrapp stated there is an expense of \$17,000 that has not be reimbursed to a company named Selco. Director Dole stated that bill has come in for \$17,000 and it is in addition to the Civil bill for \$6,900.00 for the barrier wall. Alderperson Helms asked if the amount is around \$24,000. Mayor Gaulrapp stated a little under twenty three something. Alderperson Helms asked about register 648, page 3 for a charge from Morse Electric for a street pole removal and Director Dole stated that it was removed from the same location that the vault was removed since we exposed the vault and found failure in the light base so we removed the pole, performed the abatement of the asbestos, trench filled, reestablished base, and reset the light pole.

Alderperson Helms made a motion to approve the consent agenda item D, seconded by Alderperson Klemm.

Mayor Gaulrapp stated, we will go back and approve all the other consent agenda items and asked for a roll call vote. Motion prevailed by a roll call vote of;

**MINUTES
REGULAR MEETING
Tuesday, January 3, 2012**

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)
Nays: None

Mayor Gaulrapp then asked for a motion for the remaining agenda items (Item D. Approval of Finance Bills Payable (Registers #646, 647, 648, and 649) --- \$473,448.43) and it was so moved by Alderperson Klemm, 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

ORDINANCES – FIFTH READING

5th READING OF ORDINANCE #2011-61:

AN ORDINANCE TO CREATE CHAPTER 1430 (VACANT PROPERTY) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Mayor Gaulrapp stated the first reading was held on November 7, 2011. A motion to adopt was given by Alderperson Bush, seconded by Alderperson Crutchfield. The second reading was held on November 21, 2011. The third reading was held on December 5, 2011. The fourth reading was held on December 19, 2011. A motion was given by Alderperson Koester, seconded by Alderperson Klemm and, upon a roll vote; the ordinance was laid over to tonight’s meeting. The Administration has provided a proposed amendment dated January 3, 2012 in the council packet.

Community Development Director Shelly Griswold presented the ordinance stating that a number of changes have been proposed to the ordinance which is on the floor. These amendments were included as version dated January 3, 2012 in the council packet and placed publically on the website. Director Griswold explained the amendments in version dated January 3, 2012 which have been added since the last meeting. Director Griswold stated that she and Corporation Counsel Sarah Griffin had reviewed the ordinance specifically looking to check to see if everything was covered given the fact that we have had several revisions from the first draft. Director Griswold reviewed changes made in Section 1430.04 in which it states, “within 60 days after the effective date of this chapter” wording was added, “from time to time thereafter, or when brought to his or her attention” the Building Inspector shall evaluate any and all buildings in the City he or she believes to be unoccupied on the effective date of this article and make a determination for each as to whether the building is a “vacant building” within the meaning of this article. In 1430.04, item b, Director Griswold referred to additional wording so the Building Inspector shall cause an inspection of all “vacant buildings” to determine compliance with City property maintenance, building, and health, water, sewer, and fire codes.”

On the top of page five, Director Griswold stated changes were made which addresses concerns of the realtors to read, “the circuit court of Stephenson County may consider any such matters as it deems relevant in its decision as to whether a warrant shall be issued. She explained that the realtors asked to have a listing of what circumstances require an administrative search warrant and there is not a prescriptive list. There was change on page 7, in the center in the section, that has to do with inspections and basically what they found that if a vacant building is registered, they have a plan to bring the building into compliance and then later on it comes out of compliance so they added language, “should the vacant building come out of code compliance at any time, the Building Inspector shall make a written determination. The determination shall be in writing and shall state the factual basis for the

MINUTES
REGULAR MEETING
Tuesday, January 3, 2012

determination. Following such determination, inspection, notices, and the appeals process shall be the same as provided in Section 1430.04.” She stated that this follows what the realtors were asking for so that there is a factual basis for the findings. Director Griswold stated that on pages eight and nine, at the Mayor’s request, she deleted the provisions for a sign to be posted on the building.

Corporation Counsel Sarah Griffin asked Director Griswold if any of these amendments have been made since it was first placed on the floor for approval. Director Griswold stated that the motion will need to include all the amendments. It was clarified by Corporation Counsel that those are the new amendments from the last meeting but no amendments to the ordinance have been placed on the floor. Each of the subsequent readings of this ordinance has had amendments presented but none of them are on the floor.

Discussion was held regarding posting a sign on the building. Mayor Gaulrapp stated that what is intended is to go to each of the adjacent property owners and to provide the information to them and to ask for their contact information, possibly an email address, so we can contact them and continue to update on that vacant property. Alderperson Bush stated he wishes to have some type of posting in the window to provide a contact person. Alderperson Crutchfield suggested that perhaps it would be necessary to put a sticker in the window with the contact information.

Alderperson Bush made a motion to put back the language for the owner’s responsibility to post a sign on the vacant property back in the ordinance, seconded by Alderperson Crutchfield.

Discussion was held that the original ordinance on the floor did not include wording for a signs in section 1430.06 so the motion on the floor for approval does not contain the wording for signs. That amendment was provided by Director Griswold in subsequent amendments but they were never motioned for approval. Discussion was held regarding the requirement of signs on vacant properties.

Discussion was held regarding the motion on the floor. Alderperson Bush stated that his intent was to have a sign placed on the property, not particularly the size as worded in one of the amendments which asked for a two feet by three feet sign. Director Griswold stated that if you wanted requirements for a low-key sign, that language has not been drafted, if you want to require a sign which can be seen from the public right of way, that wording is stricken in the version dated January 3, 2012 but the wording has been drafted. Corporation Counsel stated that, as she heard it, Alderperson Bush’s motion was to put back in the wording written as i) to Section 1430.06, but that is not the wording that Alderperson Crutchfield mentioned. Alderperson Bush stated that what he is asking for is a sign on the vacant property but not a sign in the yard. Corporation Counsel Sarah Griffin stated that would take rewording of the entire section.

Police Chief Jerry Whitmore was asked for his opinion regarding posting of signs as to whether it affects public safety and he stated his opinion that he doesn’t know if having the sign impedes crime or not but he would be concerned about saying that the Police Department has a list of these homes without people knowing that this is a house that we have information on. Chief Whitmore stated that he doesn’t want the department to start getting a bunch of phone calls regarding houses that empty and he would have concerns about having something on the house that says that we have that information available. Mayor Gaulrapp stated that postcards would go to the adjacent property owners. Chief Countryman stated he doesn’t know how much of a benefit it would be to have those placards. He stated that if we had

MINUTES
REGULAR MEETING
Tuesday, January 3, 2012

notification of where the vacant houses are, it would not change the department's initial response. Chief Countryman stated they have to assume there is someone in there no matter if the dwelling is vacant or not. Having a sign out front would not change the fire department's operations. Chief Whitmore stated a negative is that having a sign could look bad if you had three or four house in an area, especially if it was a large sign.

Aldersperson Crutchfield asked to call the question. Aldersperson Bush asked before you do that there are a lot of concerns about the signs so he requested to have it laid over for Director Griswold to draft some wording even though he would like to see this thing get passed tonight.

Aldersperson Bush withdrew his motion to add back in the language for signs. Aldersperson Crutchfield withdrew his second.

Discussion was held regarding different sizes of signs whether it has a sign in the window with the contact information, whether it be a sign with notification that the Police Department, or has the contact information on file. Mayor Gaulrapp stated that he feels the appropriate process would be for Aldersperson Bush to meet with Director Griswold to draft the wording so that we are very specific whether the location of the window, the height, the size of the sign.

Mayor Gaulrapp asked for leave of the council to layover the ordinance to the next council meeting.

Aldersperson Boldt stated that the original ordinance had wording that Government building would be exempt and he believes that one of the amendments had that wording taken out. Corporation Counsel stated that typically the way zoning ordinances work is that they don't apply to municipalities. She stated that we did not want John Q Public coming in and asking what about the Rawleigh building. She stated that we thought we would spell it out in the ordinance so that it was plain and simple since it is not a specific case that says that, it is general case law that says that. We put it in there and someone said well why shouldn't it be in there and, it doesn't need to be, it just makes it clear. Then you have questions as to the county buildings, school district buildings, or other governmental entities. So it is really up to the council. Corporation Counsel stated that because the wording was in the ordinance and then you are taking it out there is a strong argument that would apply to municipal buildings. Corporation Counsel Sarah Griffin stated that now you have a very strong argument that we would have to comply with everything. Aldersperson Boldt asked if government buildings need to register if they are vacant. Corporation Counsel stated yes because there is a strong argument that there was wording in there to not include them and that wording was taken out.

Aldersperson Boldt stated that was his intent was to have government owned buildings to live up to the same standards as everyone else.

The draft ordinance dated January 3, 2012, presented in the council packet as a proposed amendment, on page 4, the definition of vacant building under the section "but not including", it has the words stricken that reads as follows: "(e) buildings which are owned by governmental entities."

**MINUTES
REGULAR MEETING
Tuesday, January 3, 2012**

Aldersperson Boldt asked if the fees would be waived for other governmental entities and he would encourage if we are going to include them that we waive those fees between government bodies so that like the county building if it needs to be registered that we would waive the fee for registration. Corporation Counsel Sarah Griffin stated that they were not included anyway and then they were included and then they were taken out in the latest amendment. Corporation Counsel stated a few weeks ago they were excluded and when that was taken out there is nothing that says they were included but because your action on the record was to specifically take it out, she then stated that it would apply.

Aldersperson Boldt made a motion to accept all amendments as they are in place at this point just so we can get them in the document and so that whatever is placed in front of us next time, this is how it is. This motion was seconded by Aldersperson Koester.

Aldersperson Klemm asked if the Rawleigh Building or the Carnegie Library building is not up to code who is going to pick up the tab for that.

Mayor Gaulrapp stated that just replacing the north face wall would be \$100,000 at the Rawleigh building and the windows would cost about \$1.75 million. Corporation Counsel stated that she is not sure that would do it for the Rawleigh building. Community Development Director Shelly Griswold stated there are large financial implications by having the language the way you are asking to have government buildings, it is the windows, the roof, it is the structural. Mayor Gaulrapp stated the homeowners that you were concerned with for the tax levy a couple of weeks ago would be paying for the Carnegie, the Rawleigh and the City Hall building. The City took ownership of the Rawleigh building ten years ago.

Discussion was held regarding the tax levy that was passed not having money in it for these expenses.

The motion was read into the record stating that; Aldersperson Boldt made a motion to accept the amendments to the ordinance as presented and it was seconded by Aldersperson Koester. Motion prevailed by a roll call vote of:

Yeas: Boldt, Bush, DeVine, Koester and Crutchfield

Nays: Klemm Endress and Helms

Motion passed by a vote of 5-3.

Aldersperson Bush moved to layover the ordinance to the next meeting, seconded by Aldersperson Crutchfield. Corporation Counsel stated that what was motioned and voted on this evening was to have the amended version on the floor and the wording for the signs was stricken. Motion to layover to the next meeting prevailed by a roll call vote of:

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

Nays: none

The Ordinance #2011-61 was laid over to the next meeting.

ORDINANCES – THIRD READING

3rd READING OF ORDINANCE # 2011-66:

AN ORDINANCE AMENDING CHAPTER 480 (PARKING GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT - EMPIRE AT S. FLOAT AVENUE

**MINUTES
REGULAR MEETING
Tuesday, January 3, 2012**

The first reading was held on December 5, 2011. A motion to adopt was given by Alderperson Klemm, seconded by Alderperson Endress. The second reading was held on December 19, 2011 and the ordinance was automatically laid over to tonight's meeting. Upon the third reading and no discussion, motion prevailed by a roll call vote of:

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

Nays: None

Ordinance #2011-66 passed by a vote of 8-0.

ORDINANCES – SECOND READING

2nd READING OF ORDINANCE # 2012-01:

AN ORDINANCE TO ABATE THE 2011 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2003

The first reading was held on December 19, 2011. A motion to adopt was given by Alderperson Helms, seconded by Alderperson Endress and the ordinance was automatically laid over to tonight's meeting. Upon the second reading and no discussion, the ordinance was automatically laid over to the next meeting.

2nd READING OF ORDINANCE # 2012-02:

AN ORDINANCE TO ABATE THE 2011 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2004

The first reading was held on December 19, 2011. A motion to adopt was given by Alderperson Helms, seconded by Alderperson Endress and the ordinance was automatically laid over to tonight's meeting. Upon the second reading and no discussion, the ordinance was automatically laid over to the next meeting.

2nd READING OF ORDINANCE # 2012-03:

AN ORDINANCE TO ABATE THE 2011 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2006

The first reading was held on December 19, 2011. A motion to adopt was given by Alderperson Endress, seconded by Alderperson Koester and the ordinance was automatically laid over to tonight's meeting. Upon the second reading and no discussion, the ordinance was automatically laid over to the next meeting.

2nd READING OF ORDINANCE # 2012-05:

AN ORDINANCE AMENDING THE BOUNDARIES OF THE JOINT CITY OF FREEPORT – COUNTY OF STEPHENSON CERTIFIED ENTERPRISE ZONE

The first reading was held on December 19, 2011. A motion to adopt was given by Alderperson Helms, seconded by Alderperson Klemm and the ordinance was automatically laid over to tonight's meeting. Upon the second reading and no discussion, the ordinance was automatically laid over to the next meeting.

ORDINANCES - FIRST READING

1st READING OF ORDINANCE # 2012-06:

**MINUTES
REGULAR MEETING
Tuesday, January 3, 2012**

**AN ORDINANCE AMENDING CHAPTER 1042 (WATER GENERALLY), SECTION 1042.12
“METERS GENERALLY” OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT**

Ordinance #2012-06 was presented by City Engineer Denise Ihrig. She stated that this ordinance follows her memorandum to council dated December 29, 2011, regarding Amendments to City of Freeport Ordinances, Chapter 1044 Water Rates and Revenues, Chapter 1048 Sewer Rates and Revenues, and Chapter 1042 Water Generally. The memorandum to council states the following; “In line with Big 4 project, is the replacement of the City’s Water Billing Meters and Utility Billing Software. To improve customer service and obtain increased management of water loss, the Commission will be installing meters that read in single unit gallons for meter sizes up to and including 2 inches and tens of gallons for meters greater than 2 inch. The memorandum states that, currently, the meters read in 100 cubic feet. The City of Freeport Ordinance Chapter 1044 reflects a rate structure in cubic feet, and we are requesting the language be revised in preparation for the new meters to bill in gallons. Ms. Ihrig provided in the memorandum a calculation sheet showing the conversion process along with sample calculations reflecting no increase in rates or amounts billed as a result of this change. Changes to Chapter 1048 are revisions of 100 cubic feet to gallons along with the revised rate. In addition, Ms. Ihrig explained in the memorandum, the Commission is requesting language to be added to Chapter 1042 of the Ordinances to include protection of the new remove reading devices and its appurtenances; along with additional language regarding single water service connections with multi-service meters and request for calculations/justification for meter requests equal or greater than two inches.”

Ms. Ihrig presented the ordinance stating that wording was added under 1042.12 Meters Generally, item (f), (g) and (m). She stated that in the case that two or more meters are desired for measuring water to different tenants in the same building from one service connection, they shall be placed so that not one of them shall measure water that has passed through another meter. She also explained that wording was added so that no one shall interfere with the remote device or associated appurtenances and no one, except an authorized employee of the Department shall remove, make repairs or replace said remote reading device or associated appurtenances. It was asked for City Engineer Ihrig to investigate what the charge is for tapering with a meter and perhaps Corporation Counsel will need to make an additional penalty.

Ms. Ihrig reiterated that there is no increase in the water rates.

Aldersperson Klemm moved to accept the ordinance as presented, seconded by Aldersperson Crutchfield. The ordinance was automatically laid over to the next meeting.

1st READING OF ORDINANCE # 2012-07:

**AN ORDINANCE AMENDING CHAPTER 1044 (WATER RATES AND REVENUES) OF THE
CODIFIED ORDINANCES OF THE CITY OF FREEPORT**

Ms. Ihrig presented the ordinance stating that the City of Freeport Ordinance Chapter 1044 reflects a rate structure in cubic feet, and the commission is requesting the language be revised in preparation for the new meters to bill in gallons. The ordinance also includes an amendment to add item (f) under Chapter 1044.01 Rates Established to have the Freeport Park District exempt from these rates pursuant to separate consideration through an intergovernmental agreement with the City. Ms. Ihrig provided in the memorandum to council dated December 29, 2011, a calculation sheet showing the conversion process

**MINUTES
REGULAR MEETING
Tuesday, January 3, 2012**

along with sample calculations reflecting no increase in rates or amounts billed as a result of this change. She reiterated in her presentation of the ordinance that there is no increase in the water rates.

Aldersperson Klemm moved to accept the ordinance as presented, seconded by Aldersperson Koester. The ordinance was automatically laid over to the next meeting.

1st READING OF ORDINANCE # 2012-08:

AN ORDINANCE AMENDING CHAPTER 1048 (SEWER RATES AND REVENUES) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

City Engineer Denise Ihrig presented the ordinance #2012-08 stated that changes to Chapter 1048 are revisions of 100 cubic feet to gallons along with the revised rate. She reiterated in her presentation of the ordinance that there is no increase in the water rates. Aldersperson Helms noted that in section (2) the language was changes from 100 cubic feet to gallon per month but the rate was not amended accordingly. Ms. Ihrig stated she will correct the rate from the next council meeting in an amended ordinance. Aldersperson Klemm moved to move forward the ordinance as presented, seconded by Aldersperson Boldt. The ordinance was automatically laid over to the next meeting.

RESOLUTIONS

RESOLUTION #R-2011-74:

A RESOLUTION TO AUTHORIZE AN AGREEMENT FOR LANDFILL GENERAL ENGINEERING BETWEEN THE CITY OF FREEPORT AND FEHR-GRAHAM AND ASSOCIATES

This resolution was presented at the meeting held on December 19, 2011. Upon a request from Director Griswold, the resolution was laid over to tonight's meeting by a motion by Aldersperson Helms, seconded by Aldersperson Klemm and approved by a roll call vote. Director Griswold presented Resolution #2011-74 which provides for professional engineering for Freeport Landfill #2/3 and Freeport Landfill #4 for calendar year 2012. Fehr-Graham and Associates services include; groundwater monitoring, leachate monitoring, gas monitoring, inspections, wetland mitigation area monitoring, reporting, and maintenance; annual reporting, construction inspection of the construction of the leachate recovery system for Landfill #2/3, as built drawings, oversight of leachate system cleaning and repairs for Landfill #4; operating permit renewal FMLF#4; and annual report for FMLF #4. Director Griswold stated the fee for performing the services is estimated to be \$223,095.00 and this includes both engineering and lab fees. Director Griswold stated a portion of these fees will be paid by the Lamm Road TIF fund. Director Griswold that the fees are \$2,000 less than last year and it is hoped to be able to reduce monitoring contingent upon approval by the Illinois Environmental Protection Agency.

Aldersperson Klemm moved for approval of the resolution as presented, seconded by Aldersperson Endress. Motion prevailed by a roll call vote of;

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

Nays: none

Resolution #2011-74 was passed.

RESOLUTION #R-2012-01:

**MINUTES
REGULAR MEETING
Tuesday, January 3, 2012**

RESOLUTION TO APPROVE A TAX INCREMENT FINANCING DISTRICT EXPENDITURE PLAN - LAMM ROAD BUSINESS PARK

Director Griswold presented the resolution and the accompanying 2012 Lamm Road TIF Expenditure Plan. Alderperson Helms moved for approval of 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 #2012-01 was passed.

RESOLUTION #R-2012-02:

RESOLUTION TO ADOPT A TAX INCREMENT FINANCING DISTRICT FUND EXPENDITURE PLAN – WEST AVENUE REDEVELOPMENT PROJECT AREA

Director Griswold presented the resolution and the accompanying 2012 West Avenue TIF Expenditure Plan. Alderperson Klemm moved for approval of 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 #2012-02 was passed.

RESOLUTION #R-2012-03:

RESOLUTION TO ADOPT A TAX INCREMENT FINANCING DISTRICT FUND EXPENDITURE PLAN - BURCHARD HILLS REDEVELOPMENT PROJECT AREA

Director Griswold presented the resolution and the accompanying 2012 Burchard Hill TIF Expenditure Plan. Alderperson Klemm made a motion to move forward the resolution as presented, 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 #2012-03 was passed.

RESOLUTION #R-2012-12:

RESOLUTION TO AMEND A TAX INCREMENT FINANCING DISTRICT FUND EXPENDITURE PLAN - DOWNTOWN

Community Development Director Shelly Griswold presented the resolution and the accompanying 2012 Downtown TIF Expenditure Plan. Alderperson Klemm made a motion to move forward the resolution, seconded by Alderperson Koester. Alderperson Helms noted a discrepancy on the second page of the plan in which the dates looked as if they were not changed from the copy from last year. Director Griswold stated that she will correct the dates from page two and also noted that there are footnotes on the last page of the expenditure plan which also relate to last year's plan and not the plan as presented this evening. She will correct the final page as well. Discussion was held regarding the expenses for NIDA and windows in the Rawleigh building. Alderperson Klemm made a motion to move forward the resolution with the corrections as noted on page 2 and on the chart with the footnotes from the previous year, seconded by Alderperson Koester. Motion prevailed by a roll call vote of;

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

Nays: none

MINUTES
REGULAR MEETING
Tuesday, January 3, 2012

Resolution #2012-12 was passed.

RESOLUTION #R-2012-04:

RESOLUTION TO AUTHORIZE AN AMENDMENT TO INTERGOVERNMENTAL AGREEMENT FOR THE OPERATION OF AN ENTERPRISE ZONE – DEBRUCE GRAIN, INC.

Aldersperson Klemm made a motion to layover the resolution to the next meeting, seconded by Aldersperson Koester. Motion prevailed by a roll call vote of;

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

Nays: none

RESOLUTION #R-2012-05:

RESOLUTION SUPPORTING THE CONTINUATION OF MAIL PROCESSING THROUGH THE ROCKFORD POSTAL CENTER

Mayor Gaulrapp stated his office received a request from Congressman Manzullo to support the continuation of the processing and distribution of mail through the Rockford Processing and Distribution Center and opposing plans to reroute outgoing mail from local areas to the Madison Center. Aldersperson Klemm made a motion to move forward the resolution as presented, seconded by Aldersperson Endress.

Motion prevailed by a roll call vote of;

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

Nays: none

Resolution #2012-05 was passed.

RESOLUTION #R-2012-06:

RESOLUTION TO ACCEPT THE DEPARTMENT OF HOMELAND SECURITY GRANT FOR ASSISTANCE TO FIREFIGHTERS

Fire Chief Kevin Countryman presented the resolution which accepts receipt of the Assistance to Firefighters Grant through the Homeland Security in the amount of \$53,028.00 with a local match of \$5,892.00 to allow the City of Freeport Fire Department to cross-train firefighters as Emergency Medical Technician-Paramedics, Fire Investigators and Fire Officers. Aldersperson Helms made a motion to move for approval of the resolution, seconded by Aldersperson Koester. Motion prevailed by a roll call vote of;

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

Nays: none

Resolution #2012-06 was passed.

RESOLUTION #R-2012-07:

A RESOLUTION TO AUTHORIZE AMENDMENT TO THE ROTH 457 PLAN (SECURITY BENEFITS GROUP)

Director Joesten presented the resolution stating that it was an elective enhancement to the Roth 457 plan. Aldersperson Klemm made a motion to move forward the resolution, seconded by Aldersperson Koester.

Motion prevailed by a roll call vote of;

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

Nays: none

Resolution #2012-07 was passed.

**MINUTES
REGULAR MEETING
Tuesday, January 3, 2012**

RESOLUTION #R-2012-08:

A RESOLUTION TO AUTHORIZE AMENDMENT TO THE DEFERRED COMPENSATION PLAN (SECURITY BENEFITS GROUP)

Director Joesten presented the resolution stating this amendment to the Security Benefit Deferred Compensation plan is non-elective and mandated by government. There were two options provided and one of those options would impose significant record keeping and so it is recommended by Director Joesten to adopt the default. Alderperson Klemm made a motion to move forward the resolution, seconded by Alderperson Crutchfield. Motion prevailed by a roll call vote of;

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

Nays: none

Resolution #2012-08 was passed.

RESOLUTION #R-2012-09:

RESOLUTION TO AUTHORIZE AN AMENDMENT TO THE ALBERTUS MUNICIPAL AIRPORT RULES AND REGULATIONS - JANUARY 3, 2012 VERSION

Corporation Counsel Sarah Griffin presented the resolution with the Albertus Municipal Airport Rules and Regulations stating that the version dated January 3, 2012 is what was recommended by the Airport Commission and due to misinformation provided by the commission, the incorrect version was presented November 7, 2011. Alderperson Klemm made a motion to move forward the resolution, 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 #2012-09 was passed.

RESOLUTION #R-2012-10:

RESOLUTION FOR THE AGREEMENT BETWEEN CITY OF FREEPORT AND ILLINOIS DEPARTMENT OF TRANSPORTATION FOR SIGNAL MODIFICATIONS AT VARIOUS INTERSECTIONS (AGREEMENT NO. JN-2-12-031, STATE SECTION D2 GREENLIGHT 2012-2, CITY SECTION 11-00153-00-TL)

Director Dole presented the resolution for modification of traffic signals on various routes including eighteen intersections with incandescent retrofit to LED lights. The estimated cost for this project is \$276,000 with the City's portion being \$13,800. Corporation Counsel Sarah Griffin stated that the next resolution on council agenda provides the allocation of Motor Fuel Tax Fund. Alderperson Klemm made a motion to move forward the resolution, 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 #2012-10 was passed.

RESOLUTION #R-2012-11:

RESOLUTION ALLOCATING MOTOR FUEL TAX FUNDS IN CONJUNCTION WITH THE AGREEMENT BETWEEN THE CITY OF FREEPORT AND ILLINOIS DEPARTMENT OF TRANSPORTATION FOR TRAFFIC SIGNAL MODIFICATIONS (JOB #C-92-046-12/AGREEMENT #JN-2-12-031)

**MINUTES
REGULAR MEETING
Tuesday, January 3, 2012**

This resolution was presented in the previous resolution for the agreement with IDOT for traffic signal modifications and now it allocates \$13,800 or so much thereof as may be necessary under the Motor Fuel Tax Law to pay for the improvements to the signal modifications. Alderperson Klemm made a motion to move forward the resolution, seconded by Alderperson Crutchfield. Motion prevailed by a roll call vote of;

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

Nays: none

Resolution #2012-11 was passed.

Note from clerk: Resolution #R-2012-12 for the Downtown TIF was moved forward on council agenda to immediately following Resolution #R-2012-03.

OTHER

DEPARTMENT HEAD REPORTS

Community Development

Community Development Director Shelly Griswold presented a summary of the demolition expenses for 2011-2012 and in this document was an estimated appropriation increase amount in order to demolish the top three structures and the top five structures. Director Griswold stated that the department will need \$13,965 for additional appropriation if no additional demolitions are undertaken this fiscal year due to the unexpected tipping fees for demolition of quad-plex and litigation expenses for 204 W. Stephenson. She estimated the legal fees for the Mahoney building to be about \$2,000. Director Griswold spoke about a downtown building located next to Waves Salon that is doing detrimental damage to the place of business next door and she recommended proceeding with that demolition. Director Griswold provided the additional amounts if the council so chooses to go ahead with additional demolition of structures.

Director Griswold also provided a copy of the City of Freeport Central Business District Retail Business Grant Program and stated that it will be presented at the next council meeting. Director Griswold is working on updating the Animal Ordinance with the Stephenson County Animal Control and the Human Society. A special use permit for Yak-Zies Bar and Grill will be on the Planning Commission agenda for the meeting on Thursday. Director Griswold provided an update on Prospering Together.

Finance/Water and Sewer Director

Request for approval of quotation of bids for excavation at 230 W. Stephenson Street (old City Hall Building)

Finance Director Craig Joesten provided to council a request for approval of quotation of bids for excavation at 230 W. Stephenson Street (old City Hall Building). Director Joesten's memorandum dated December 30, 2011 stated that pursuant to section 1.60 of the City Purchasing policy he solicited quotations for exploratory excavation of the corner at 230 W. Stephenson Street. The three quotes received were as follows: GO Excavating in the amount of \$9,800, Civil Constructors in the amount of \$14,100, and Fischer Excavating in the amount of \$20,861.13. Director Joesten stated that based on these quotes he recommends award to GO Excavating in the amount of \$9,800.00. Alderperson Klemm made a motion to move forward the recommendation by Finance Director Joesten for GO Excavating in the amount of \$9,800.00.

MINUTES
REGULAR MEETING
Tuesday, January 3, 2012

Discussion was held regarding the differences in the bids and copies of each of the estimates from the contractors were provided in the packet showing the description of work to be provided. Director Joesten assured council that he personally presented the requirements of the job and is sure that all three contractors received the same message. He also stated that the contractors were required to add the City as an additional insured. The contractors will be working with a structural engineer on site. Mayor Gaulrapp asked for a roll call vote to approve the motion to accept GO Excavating. Motion prevailed by a roll call vote of:
Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, and Koester (7)
Nays: Crutchfield

Public Works

Public Works Director Tom Dole stated the crews are ready for a snow event but up to this point it has been limited due to the unseasonable warm weather. Christmas tree pickups are scheduled at specific locations through to January 20, 2012.

City Engineer/Water and Sewer

City Engineer Denise Ihrig provided an update on the Big 4 projects including the magnet and billing mailings which are scheduled to provide citizens with up to date information. These magnet include an informational number citizens can call for more information and that number is 1-800-801-8100 and information is listed on the website of the Water and Sewer Department Improvements.

Police

Chief of Police Jerry Whitmore stated the department is working on squad car replacement through the state bidding process.

Fire

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

City Clerk

City Clerk Meg Zuravel noted that information had been added to the City of Freeport website providing locations for the Christmas tree pickup and the Community Development request for bids for two extended cab 4x4 trucks. Ms. Zuravel also noted that there is a server error programmed to the ci.freeport.il.us and so the correct website for viewing up-to-date information is through the website; www.cityoffreeport.org.

MAYORS REPORT

Mayor Gaulrapp stated that he expects the City to be effective and profitable in 2012. He has high hopes that business will expand in the next year which will include hiring additional workers. He noted attendance at the School District #145 tax levy meeting was nearly not as well attended as for the City of Freeport. He thanked Steve Trosley as publisher of the Journal Standard for his news coverage throughout the City of Freeport as he leaves the business for a new endeavor.

Library

Director Dickerson stated that she had no report this evening.

MINUTES
REGULAR MEETING
Tuesday, January 3, 2012

NEW BUSINESS/COUNCIL ANNOUNCEMENTS

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

- Alderperson Bush asked Director Dole to fill in pot holes on specific streets.
- Alderperson Endress asked Director Joesten about the Water and Sewer drop box and Director Joesten stated that at first the incorrect model was shipped and now they are waiting for the pedestal to be installed by the landlord.
- Alderperson Helms stated his opinion on the committee structure for council which would be more engaging process. Alderperson Helms asked where we are with the streaming video software. Mayor Gaulrapp stated he will be viewing a webcast next week. Mayor Gaulrapp stated the video of the meetings is being aired by Comcast on the Wednesday following the meeting at 6:00 pm.
- Alderperson Koester asked for a timeline for the excavation of the southwest corner of the 230 W. Stephenson building. Director Joesten stated the will move forward as soon as the parties can be coordinated.

PUBLIC COMMENTS AGENDA OR NON-AGENDA ITEMS

- Steve Trosley of the Journal Standard stated that it was his honor to work with the City staff members and council.
- Bernie Mrugala, 1310 Galena, Freeport Illinois stated that he was disturbed by the water and sewer ordinance presenting the format for gallons and recommended that the rates for 100 gallons would be less confusing. He spoke about his disagreement with the council passing the resolution of support for the Post Office Distribution Center to remain in Rockford due to the projected cost savings that he said would provide to the US Postal Service.

Upon motion duly made and seconded, the meeting was adjourned at 8:09 p.m.

s/ Meg Zuravel
Meg Zuravel, City Clerk