



## **City Council**

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

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### **MINUTES RESCHEDULED REGULAR MEETING Monday, January 13, 2014**

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*The rescheduled regular meeting of the Freeport, Illinois, City Council for Monday, January 13, 2014 was called by Mayor Gitz when the meeting scheduled for January 6, 2014 was canceled due to weather. Notification through delivery of the council packet was provided to council members and department heads on January 9, 2014. The agenda posting process was completed on Thursday, January 9, 2014, with public posting of the agenda, electronic distribution to the media notice listing, and posting of packet items on the City website.*

#### **CALL TO ORDER**

The rescheduled regular meeting of the Freeport, Illinois, City Council was called to order in council chambers by Mayor James L. Gitz with a quorum being present at 6:00 p.m. on Monday, January 13, 2014.

#### **ROLL CALL**

Present on roll call: Mayor Gitz and council members Tom Klemm, Shawn Boldt, Ronnie Bush, Jennie DeVine, Sally Brashaw, Michael Koester, and Andrew Crutchfield (7). Mayor Gitz reported that Alderperson Endress was absent due to medical reasons. Corporation Counsel Sarah Griffin was present.

#### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Alderperson Bush.

#### **APPROVAL OF AGENDA**

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

#### **MINUTES**

The minutes of the regular meeting held on December 16, 2013 were presented. Alderperson Brashaw moved for approval of the minutes as presented, seconded by Alderperson DeVine. Motion prevailed by voice vote without dissent.

#### **PUBLIC COMMENTS – AGENDA ITEMS**

Signed on the sheet for public comments was the following:

- Marianne Garvens, 537 W. Dewey, Freeport Illinois, stated that now that the downtown streetscape improvements were completed this summer a “bump-outs” were added at each of the the crosswalks. She noted that one is located in front of her retail establishment on Stephenson Street. She stated it is an unreasonable expense to purchase the salt and sand to place on this added sidewalk area. She stated it would be reasonable for the City to have a supply available to area merchants and have it placed in locations so retailers can use it to keep the area accessible.

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**YEAR END REPORTS**

The City of Freeport 2013 year end reports were provided by the department heads in the City of Freeport including reports for Police Department, Fire Department, Community Development Department, Public Works Department, Water and Sewer Department, Freeport Public Library, City Engineer, Legal Department, Human Resources, City Clerk, and City Treasurer. The year-end 2013 included a power point presentation with statistical summaries, photos, and narrative. Mayor Gitz provided that the next steps will be a City Council retreat which he is hoping to schedule the first part of February, with planning and goal setting for FY 2014-2015 in February and March, and development of the appropriation and budget from February through April. After the presentation was complete, the council members were provided an opportunity to ask questions of the department heads.

It was noted that an electronic copy of the 2013 Year-End Reports will be placed on the City of Freeport website for public viewing. *Note from clerk: this report was available beginning on January 14, 2014 through: <http://www.cityoffreeport.org/departments/2013CofFreeportYearEndReport.pdf>*

**CONSENT AGENDA**

The following items were presented on the Consent Agenda in the council packet;

- A. Approval to receive and place on file:
  - 1) Fire Department Report of Activities for October, November, & December 2013
  - 2) Building Permits for December 2013
- B. Approval of Motor Fuel Tax Fund Register # MFT-0038 --- \$72,506.34
- C. Approval of Water and Sewer Bills Payable (Registers #57, 58, 62, 64, 65, 70) --- \$845,746.51
- D. Approval of Payroll for pay period ending December 14, 2013 --- \$398,461.91
- E. Approval of Payroll for pay period ending December 28, 2013 --- \$423,423.39
- F. Approval of Finance Bills Payable (Registers #55, 56, 59, 60, 61, 63, 66, 67, 68, 69, 71) --- \$1,084,243.66

Aldersperson Brashaw moved for approval of the consent agenda as presented, seconded by Aldersperson Koester. The motion prevailed by a roll call of;

Yeas: Klemm, Boldt, Bush, DeVine, Brashaw, Koester and Crutchfield (7)

Nays: none

The consent agenda items were approved.

**ORDINANCES – FIRST READING**

**1st READING OF ORDINANCE # 2014-01:**

**AN ORDINANCE TO ABATE THE 2013 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2003**

Ordinance #2014-01 states that on June 2, 2003 this City Council passed and Mayor James L. Gitz approved Ordinance No. 2003-32 (the “Bond Ordinance”) in which the City of Freeport, Illinois (the “City”) authorized the issuance of General Obligation Bonds, Series 2003 (the “Bonds”) which may be legally utilized for the 2001 refunding of all or a portion of the City’s Corporate Purpose Bonds, Series 1993 and the upgrade to the City’s Wastewater Treatment Plant and further said Bond Ordinance levied a real estate tax in the amount of Three Hundred Eighty-Seven Thousand One Hundred Thirty-Eight Dollars And 00/100 (\$387,138.00) to be collected during Calendar Year 2014 to pay that year’s principal and interest on said Bonds. In Section 8 of this same bond ordinance, the City Council levied an annual

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tax sufficient to pay the principal and interest due on said Bonds with the intent that said real estate tax only be extended if revenues from the funded project were insufficient to repay the principal and interest on the Bonds. The City Accountant of the City of Freeport has transmitted a written report to the City that its revenues are sufficient to repay the principal and interest on the Bonds due up to and including January 1, 2015. This ordinance states that the City Council finds that the extension or collection of the 2013 Tax Levy to repay the Bonds is not necessary and further this City Council finds that it is in the best interest of the entire community that the 2013 Tax Levy for the repayment of said Bonds should be abated. Alderperson Koester made a motion to place the ordinance on the floor for adoption, seconded by Alderperson Klemm and the ordinance was automatically laid over to the next meeting.

**1<sup>st</sup> READING OF ORDINANCE # 2014-02:**

**AN ORDINANCE TO ABATE THE 2013 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2004**

Ordinance #2014-02 states that on December 6, 2004 this City Council passed and Mayor James L. Gitz approved Ordinance No. 2004-70 (the "Bond Ordinance") in which the City of Freeport, Illinois (the "City") authorized the issuance of General Obligation Bonds, Series 2004 (the "Bonds") which may be legally utilized for the 2004 refunding of all or a portion of the City's Corporate Purpose Bonds, Series 2000 and which levied a real estate tax in the amount of One Million One Hundred Fifty-Seven Thousand Seven Hundred Fifteen Dollars And 00/100 (\$1,157,715.00) to be collected during Calendar Year 2014 to pay that year's principal and interest on said Bonds. In Section 8 of this same bond ordinance, the City Council levied an annual tax sufficient to pay the principal and interest due on said Bonds with the intent that said real estate tax only be extended if revenues from the funded project were insufficient to repay the principal and interest on the Bonds. The City Accountant of the City of Freeport has transmitted a written report to the City that its revenues are sufficient to repay the principal and interest on the Bonds due up to and including January 1, 2015. This ordinance states that the City Council finds that the extension or collection of the 2013 Tax Levy to repay the Bonds is not necessary and further this City Council finds that it is in the best interest of the entire community that the 2013 Tax Levy for the repayment of said Bonds should be abated. Alderperson Klemm made a motion to place the ordinance on the floor for adoption, seconded by Alderperson Brashaw and the ordinance was automatically laid over to the next meeting.

**1<sup>st</sup> READING OF ORDINANCE # 2014-03:**

**AN ORDINANCE TO ABATE THE 2013 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2006**

Ordinance #2014-03 states that on December 4, 2006 this City Council passed and Mayor George W. Gaulrapp approved Ordinance No. 2006-66 (the "Bond Ordinance") in which the City of Freeport, Illinois (the "City") authorized the issuance of General Obligation Bonds, Series 2006 (the "Bonds") which may be legally utilized for the 2006 refunding of all or a portion of the City's Corporate Purpose Bonds, Series 2003 and further said Bond Ordinance levied a real estate tax in the amount of eight hundred ninety-two thousand eight hundred and fifty dollars (\$892,850.00) to be collected during Calendar Year 2014 to pay that year's principal and interest on said Bonds. In Section 8 of this same bond ordinance, the City Council levied an annual tax sufficient to pay the principal and interest due on said Bonds with the intent that said real estate tax only be extended if revenues from the funded project were insufficient to repay the principal and interest on the Bonds. The City Accountant of the City of Freeport has transmitted a written report to the City that its revenues are sufficient to repay the principal and interest on the Bonds due up to

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and including January 1, 2015. This ordinance states that the City Council finds that the extension or collection of the 2013 Tax Levy to repay the Bonds is not necessary and further this City Council finds that it is in the best interest of the entire community that the 2013 Tax Levy for the repayment of said Bonds should be abated. Alderperson Koester made a motion to place the ordinance on the floor for adoption, seconded by Alderperson DeVine and the ordinance was automatically laid over to the next meeting.

**1st READING OF ORDINANCE # 2014-04:**

**AN ORDINANCE TO ABATE THE 2013 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2013**

Ordinance #2014-04 states that on March 4, 2013, this City Council passed and Mayor George W. Gaulrapp approved Ordinance No. 2013-11 (the "Bond Ordinance") in which the City of Freeport, Illinois (the "City") authorized the issuance of General Obligation Bonds, Series 2013 (the "Bonds") which may be legally utilized for the 2013 refunding of the City's Corporate Purpose Bonds, Series 2003. In Section 8 of this same bond ordinance the City Council levied an annual tax sufficient to pay the principal and interest due on said Bonds with the intent that said real estate tax only be extended if revenues from the funded project were insufficient to repay the principal and interest on the Bonds. For the year 2013, the City levied a real estate tax in the amount of Three Hundred Sixty-Four Thousand Three Hundred Dollars And 00/100 (\$364,300.00) to be collected during calendar year 2014 to pay that year's principal and interest on said Bonds. The City Accountant of the City of Freeport has transmitted a written report to the City that its revenues are sufficient to repay the principal and interest on the Bonds due up to and including January 1, 2015, and that such amounts are irrevocably on deposit in the Principal and Interest Account for the purpose of paying any principal of or interest on the applicable Bonds so as to enable the abatement of the taxes so levied. The ordinance states that this City Council finds that the extension or collection of the 2013 Tax Levy to repay the Bonds is not necessary and further this City Council finds that it is in the best interest of the entire community that the 2013 Tax Levy for the repayment of said Bonds should be abated. Alderperson Klemm made a motion to place the ordinance on the floor for adoption, seconded by Alderperson Koester and the ordinance was automatically laid over to the next meeting.

**1st READING OF ORDINANCE # 2014-05:**

**AN ORDINANCE TO ABATE THE 2013 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2013A**

Ordinance #2014-05 states that on March 4, 2013 this City Council passed and Mayor George W. Gaulrapp approved Ordinance No. 2013-12 (the "Bond Ordinance") in which the City of Freeport, Illinois (the "City") authorized the issuance of General Obligation Bonds, Series 2013A (the "Bonds") which may be legally utilized for the financing of a new fire station. In Section 8 of this same bond ordinance the City Council levied an annual tax sufficient to pay the principal and interest due on said Bonds with the intent that said real estate tax only be extended if revenues from the funded project were insufficient to repay the principal and interest on the Bonds. For the year 2013, the City levied a real estate tax in the amount of Eighty-Eight Thousand Five Hundred Ninety-Five Dollars And 00/100 Cents (\$88,595.00) to be collected during calendar year 2014 to pay that year's principal and interest on said Bonds. The City Accountant of the City of Freeport has transmitted a written report to the City that its revenues are sufficient to repay the principal and interest on the Bonds due up to and including January 1, 2015, and that such amounts are irrevocably on deposit in the Principal and Interest Account for the purpose of

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paying any principal of or interest on the applicable Bonds so as to enable the abatement of the taxes so levied. The ordinance states that the City Council finds that the extension or collection of the 2013 Tax Levy to repay the Bonds is not necessary and further this City Council finds that it is in the best interest of the entire community that the 2013 Tax Levy for the repayment of said Bonds should be abated. Alderperson DeVine made a motion to place the ordinance on the floor for adoption, seconded by Alderperson Koester and the ordinance was automatically laid over to the next meeting.

**1st READING OF ORDINANCE # 2014-06:**

**AN ORDINANCE AMENDING CHAPTER 480, SECTION 480.24 (HANDICAPPED PERSONS AND DISABLED VETERANS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT (ELK STREET)**

Public Works Director Tom Dole presented the ordinance which provides under Chapter 480, Section 480.24 (handicapped persons and disabled veterans) a parking space located in front of 503 W. Elk Street. This parking shall be designated on Elk Street (west) on the south side, 50 feet west of south Blackhawk Avenue to 80 feet west of south Blackhawk Avenue. Public Works Director stated that the resident is handicapped and requires pick up by the Pretzel City Transit bus and there is not enough room for the bus to pull over to pick up the resident. He has a letter on file from the resident of 503 W. Elk and Director Dole recommends approval of the ordinance. Alderperson Klemm moved to place Ordinance #2014-06 on the floor for approval, seconded by Alderperson Koester.

Alderperson Koester made a motion to suspend the council rules for passage of this ordinance on the first reading. This motion was seconded by Alderperson Klemm. Mayor Gitz stated that suspension of the rules is non-debatable. The motion prevailed by a unanimous voice vote as noted for the record by Mayor Gitz. Mayor Gitz stated the ordinance is properly on the floor for passage this evening. The motion prevailed by a roll call of;

Yeas: Klemm, Boldt, Bush, DeVine, Brashaw, Koester and Crutchfield (7)

Nays: none

Ordinance #2014-06 was passed.

**RESOLUTIONS**

**RESOLUTION #R-2014-01:**

**RESOLUTION FOR THE AGREEMENT BETWEEN CITY OF FREEPORT AND FEHR GRAHAM FOR ENVIRONMENTAL ENGINEERING SERVICES – JANE ADDAMS TRAIL PRELIMINARY SITE INVESTIGATION**

City Engineer Shaun Gallagher presented the resolution which provides that the City of Freeport is entering into an agreement with Fehr Graham for engineering services necessary to complete a preliminary site investigation (“PSI”) on proposed right-of-way for the Jane Addams trail section “B”. Fehr Graham will perform environmental engineering services for a lump sum fee of thirty-two thousand one hundred and 00/100 dollars (\$32,100.00), in order to complete the required preliminary site investigation (PSI). The City will retain the right to perform select services within the engineering agreement or remove selected properties from the agreement at no penalty or adjustment to the individual costs provided in the agreement. This resolution provides authorization to the Mayor and City Clerk, on behalf of the City of Freeport, to execute the document with Fehr Graham and there is appropriated the sum fee of thirty-two thousand one hundred and 00/100 dollars (\$32,100.00) for environmental engineering costs, or so much thereof as may be necessary from any money now or hereafter allotted to

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the city under the provisions of the motor fuel tax law, for this improvement, as provided in the agreement.

City Engineer Gallagher explained that there are properties proposed for use of the Jane Addams Trail expansion which upon initial investigation of a Preliminary Environmental Site Assessment (PESA) performed by Fehr Graham and submitted to the Illinois Department of Transportation, will result in additional testing. The PSI includes sampling, testing and analysis of soil, groundwater and/or sediment and an estimate of the cost of cleanup by parcel will focus on areas of potential concern identified in the PESA known as recognized environmental conditions (REC). Since the project design requires acquisition of new right-of-way or requires excavation within existing right-of-way, the PSI is required on potentially impacted properties to determine the nature and extent of contamination within existing or proposed right-of way. The properties listed in the Fehr Graham document dated December 6, 2013, included; Gill's Freeport Disposal Inc. located at 735/745 North Van Buren Road, Mixed-use Property located at 705/713 North Van Buren Road, Mowery's Auto Parts located at 686/700 North Van Buren Road, Freeport Recycling Center, 657 North Van Buren Road, City of Freeport property located at North Van Buren Avenue and Pecatonica River Edge, and Railroad Right-of-Way located south of Van Buren Bridge. City Engineer Gallagher stated he has worked with Illinois Department of Transportation in order to hold down the costs for this project but it is a project that IDOT is requiring in order to move forward with the trail right of ways. He stated the match on this project will be split among the partners on this project. Alderperson Klemm moved for approval of Resolution #R-2014-01, seconded by Alderperson Boldt. The motion prevailed by a roll call of;

Yeas: Klemm, Boldt, Bush, DeVine, Brashaw, Koester and Crutchfield (7)

Nays: none

Resolution #R-2014-01 was adopted.

**OTHER**

**REPORTS OF DEPARTMENT HEADS**

**Community Development**

Community Development Director Shelly Griswold presented the recommendation of the Community Development Department and the Freeport Police Department for Rental Property Registration Software vendor. She reviewed a written memorandum dated January 9, 2014 from Deputy Chief James Drehoble. The memorandum stated that the City received one proposal for the Rental Property Registration and Crime Free Housing Software from Dynamic Design Software out of Bonita, California. The proposal was reviewed by both Deputy Chief Drehoble and Community Development Director Griswold and it met criteria set forth in the request for proposal. Director Griswold stated their recommendation is to accept the request for proposal from Dynamic Design Software in the amount of \$11,595.00 with an annual maintenance fee of \$1,595.00. Discussion was held as to whether there were any other software vendors that would have been qualified and why only one proposal was received. Director Griswold stated that because of the time constraints placed on this project moving forward, this vendor was the only one that had this software already written and they have the ability to interface with the system requirements of the City of Freeport. Alderperson Bush moved for approval of the recommendation of Rental Property Registration and Crime Free Housing software to be purchased through Dynamic Design Software. This motion was seconded by Alderperson Crutchfield. The motion prevailed by a roll call of;

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Yeas: Klemm, Boldt, Bush, DeVine, Brashaw, Koester and Crutchfield (7)

Nays: none

Director Griswold stated that the council had approved bids for demolitions of property located on Cherry and Galena to be performed by a contractor this week so they should be down dependent on the weather.

**Finance Department**

City Accountant Duane Price presented his recommendation for approval of credit card service vendor and reviewed his written memorandum and proposal matrix dated January 2, 2014. He stated that proposals were received from vendors including State Bank, Midwest Bank, PSN (referred to as Payment Services Network) and US Bank. Accountant Price stated he was pleased with the proposals that came in but found out in a seminar that he recently attending for the financial software that it is very important to obtain a vendor that can integrate with our software called Locus. The Locus information technology recommends PSN and they also have experience with the City as they are the credit card vendor for the Water and Sewer payments. The bid proposal for PSN included transaction fees of 2.75% plus \$.50 if less than \$100, a cost of swipe terminal of \$325, set up fees \$200, monthly fees of \$15.90 and annual fees of \$89.00. Their proposal included a \$15.00 disputed charge. Of the proposals provided the PSN was the only firm to have the ability to download to the financial software and the ability to interface with the Rental Property Registration software. Accountant Price recommended the credit card vendor of PSN (Payment Services Network) for the credit card services of the City of Freeport. Alderperson Boldt moved to accept PSN's proposal, seconded by Alderperson Bush. The motion prevailed by a roll call of;

Yeas: Klemm, Boldt, Bush, DeVine, Brashaw, Koester and Crutchfield (7)

Nays: none

**Public Works**

Director Dole stated the Street Department crews are busy patching pot holes this week and working to clear snow from cul de sac and downtown. Director Dole provided an update on salt and sand usage and stated that at this point we are still in good shape for salt purchases. Director Dole was asked for a summary of the snow and ice event on New Year's Day. Director Dole stated the crews were out on January 1, 2014 for five hours. He explained there is a point with a snow and ice event where you could put down the salt and sand and then you could turn around and pick it back up. It is not a good use of resources and the Director must make the judgment call as to how long to keep crews out and when to send the crews back out again. This was not strictly an overtime cost decision that needed to be made; it was also a "use of resources" decision. Mayor Gitz stated that if you thought the roads were bad around town, you should have driven north to Wisconsin where the roads were tremendously bad.

**Library**

Director Dickerson had no further report.

**Fire**

Fire Chief Scott Miller reported that crews have been out cleaning and clearing fire hydrants from the snow piles. He asked residents to "adopt a hydrant" if you see it snow covered or call a department to inform them of its location.

**Police**

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The following item was presented in the Community Development department head reports; Approval of recommended Rental Property Registration Software. Interim Chief of Police Todd Barkalow had no further report.

**Water and Sewer/City Engineer**

Water and Sewer Director Tom Glendenning reported that the department had experienced many breaks in the extreme cold weather experienced last week. He provided an update and congratulated his crews on an extraordinary job performed to repair a water main break on Galena last week. The technicians went down in the water line “live and wet” in the negative 30 degree weather in order to perform crucial repairs in order to keep the businesses along the line with water service throughout the day.

**MAYOR’S REPORT**

Mayor Gitz thanked the department heads and their staff for the reports that went into the Year End presentation. He stated that a lot of work went into its production and congratulated the department heads on a job well done.

Mayor Gitz stated that he is pleased to report that we have come to terms with Pete Alber on a redevelopment agreement for Rawleigh Building D although there are more hoops to jump through they can at least report that they have moved forward with Pete Alber on the agreement. As you know, there is a process prescribed by state statute for disposition of real estate. This transaction must follow this process. The statute requires that we publish a notice requesting bids for the real estate for three consecutive weeks, with the bid opening at least 30 days after the first publication date. We have already begun working on assembling the information for bidders and plan to publish the first notice this week.

The staff has been working setting up a retreat with council and some of the topics will be customer service and goal setting.

**NEW BUSINESS/COUNCIL ANNOUNCEMENTS**

Council members were provided an opportunity to discuss matters of public concern or to make announcements for their wards.

- Alderperson Koester stated that he hopes as the administration moves towards goals for 2014-2015 that he would like to see a maintenance fund be put into place to make sure repairs can be made to the buildings.
- Alderperson Crutchfield reminded the community that there will be a celebration for Martin Luther King at the King Center on Monday, January 20, 2014 with a praise and worship to begin at 5:00 pm and from 6:15 pm to 8:00 pm a ceremony will be presented.

**PUBLIC COMMENTS AGENDA OR NON-AGENDA ITEMS**

Steve Carroll, 811 S. Oak, Freeport Illinois, stated that he would like more information on this council retreat and wants to know when, where, and how much it will cost the taxpayers. Mayor Gitz stated that it will be on February 1, 2014 and the location will be a local place that will provide for a laid back environment but it will be a working retreat. Mr. Carroll stated that they need to call it something other than “going on a retreat”. Mayor Gitz stated that we could call it a goal setting session.



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Jon Staben, 1070 Canyon Drive, Freeport Illinois, spoke about support of the Stephenson County Civil War Monument fundraising efforts. He stated there will be a display set up at the Stephenson County Visitors Center next week. Mr. Staben stated the Aquin High School's servant leaders are presenting the Stephenson County Olympics on January 26, 2014 and the proceeds from this community event will be given to the fundraising efforts to repair the monument. He encouraged support of this fundraiser and challenged the council members to put together a team for this event.

Upon motion duly made and seconded, the meeting was adjourned at 7:47 p.m.

s/ Meg Zuravel

Meg Zuravel, City Clerk