



City Council

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

MINUTES REGULAR MEETING Tuesday, January 21, 2014

CALL TO ORDER

The 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 Tuesday, January 21, 2014.

ROLL CALL

Present on roll call: Mayor Gitz and council members Tom Klemm, Shawn Boldt, Ronnie Bush, Sally Brashaw, and Andrew Crutchfield (6). Mayor Gitz reported that Alderperson Endress and Alderperson DeVine were absent due to medical reasons. Corporation Counsel Sarah Griffin was present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Brashaw.

APPROVAL OF AGENDA

Mayor Gitz asked for leave of council to move forward on the agenda item number 13 which was consideration of a Resolution In Support Of Four Lane U.S. Route 20 and Requesting Federal and State Funding. Alderperson Crutchfield moved for approval of the agenda as presented and moving forward item number 13, seconded by Alderperson Boldt. Motion prevailed by voice vote without dissent.

MINUTES

The minutes of the rescheduled regular meeting held on January 13, 2014 were presented. Alderperson Brashaw moved for approval of the minutes as presented, seconded by Alderperson Koester. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

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

Moved forward on the council agenda was item number 13:

RESOLUTION #R-2014-04:

RESOLUTION IN SUPPORT OF FOUR LANE U.S. ROUTE 20 AND REQUESTING FEDERAL AND STATE FUNDING

The following was read aloud: Whereas, the United States Congress is likely to adopt a new surface transportation plan for the United States in 2014 and funding for Illinois projects will be an important goal of the state of Illinois and its congressional delegation; and whereas, a 4-lane U.S. 20 is vital to economic development not only within northwest Illinois, but along the entire corridor between I-90 in Rockford and I-35 in Iowa; and whereas, the multi-state significance of U.S. 20 and the 43 mile stretch between Freeport and Galena constitutes the “missing link” between I-90 and I-35 in creating a viable 4-lane highway and qualifies it as a “project of national significance”; and whereas, the current stretch of U.S.

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20 between Freeport and Galena contains numerous safety hazards, including limited or blocked sight distance, steep grades, inadequate shoulder widths, winter safety hazards, and extensive no-passing zones that only increase the safety risk as heavy truck and auto traffic continues to grow; and whereas, the state of Iowa has already completed large segments of a 4-lane U.S. 20 and the city of Dubuque supports upshot and the state of Illinois prioritizing 4-lane construction of U.S. 20 in northwest Illinois as a major federal and state priority; and whereas, the environmental impact statement (E.I.S.) for a 4-lane U.S. 20 between Freeport and Galena (hereafter referred to as “the highway”) was approved almost a decade ago together with a preferred alignment for the highway and the state of Illinois has included the highway in its five year IDOT capital plan but the project has been allocated only nominal resources; and whereas, every part of Illinois has a right to expect safe, modern, efficient highway arteries that will support a prosperous economy and safe transit and northwest Illinois has consistently been left out of this equation; and whereas, this omission has compromised northwest Illinois’ public safety, increased traffic fatalities, stunted regional and local economic growth, and raised unemployment above the state and national averages.

Now, therefore, be it resolved by the mayor and City Council of the City of Freeport, Illinois that the corporate authorities of the City of Freeport support the construction of a new 4-lane U.S. 20 highway between Freeport, Illinois and galena, Illinois on an expedited schedule to link i-90 in Rockford, Illinois and i-35 in Iowa.

Be it further resolved that the City of Freeport strongly urges the Governor of Illinois, our state legislators, the Illinois congressional delegation, and USDOT to prioritize the 4-lane U.S. 20 project in northwest Illinois as a “project of national significance” in federal legislation and a major state priority in any state of Illinois transportation capital plan or appropriation bill.

Be it further resolved that the mayor is authorized and directed to take all necessary steps to carry out the objectives of this resolution and expedite construction of the highway. Be it further resolved that copies of this resolution of support be forwarded to federal and state officials, IDOT, USDOT, and other agencies, cities, officials and other interested parties who impact transportation funding.

Aldersperson Klemm moved for approval and acceptance of the resolution as presented, seconded by Aldersperson Koester. Discussion was held on the importance of expansion of the roadway between Freeport and Galena Illinois. Council members provided their support of a proposed project and stated it is a long time overdue for safety and economic development. Upon no further discussion, the motion for approval of the resolution prevailed by voice vote without dissent.

PRESENTATIONS

UNIVERSITY OF WISCONSIN GRADUATE STUDENT PROJECTS

Community Development Director Shelly Griswold provided introductions of two graduate students, Amanda Jacobson and Kris Canto, from Dr. Alfonso Morales’ class at the University of Wisconsin-Madison Graduate School of Urban and Regional Planning. Director Griswold stated that the City of Freeport has been fortunate this year to partner with the graduate class to advance Freeport projects in a number of areas including; passenger rail, housing, green infrastructure, design and public art at Tutty’s Crossing, Brownfields, and Public transit. She stated that Professor Morales and his students have devoted an entire fall semester workshop class to research, planning, and community outreach on these

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topics in Freeport. Director Griswold stated that presentations of the student projects were given on December 13, 2013 and tonight's presentation has been summarized by two of the students on behalf of the class. She stated the students put in hundreds of hours of work they have dedicated to advancing community and economic development projects in our community. A power point presentation was given on behalf of the University of Wisconsin-Madison Graduate School of Urban and Regional Planning. The presentation summarized seven projects performed throughout Freeport and the topics included Brownfields, Green Infrastructure, Housing, Minority Entrepreneurship, Local Transit, and Passenger Rail, Tutty's Crossing. Discussion was held regarding the benefit of sprucing up the corridor to make it inviting and aesthetically pleasing for the passenger rail when it enters Freeport.

NORTHWEST ILLINOIS DEVELOPMENT ALLIANCE (NIDA)

The Executive Director of Northwest Illinois Development Alliance, Mr. Dave Young provided an update as an end of the year 2013 report. The written document dated January 17, 2014, contained a listing of NIDA's 2013 goals which were developed and approved by the Board of Directors on January 8, 2013, and it investors on January 31, 2013 at their Annual Meeting. NIDA presented these goals to the Freeport City Council on February 19, 2013. The 2013 Report to Investors provided their year to date progress on each goal. Dave Young reviewed each of the goals listed in their written report along with the conclusions and next steps.

Mr. Young provided that NIDA through surveys of local companies compiled a Voice of the Customer (VOC) report and it was provided to the community in September. The report indicated that 45 companies will be expanding/renovating within the next 3-5 years and they will be working with them and other community stakeholders to remove barrier to that growth occurring.

Mr. Young provided as part of Goal 1B, it has been indicated that 45 companies will be expanding/renovating which then calculates into \$35.3 million in investment, 59,500 square feet added, and 147 new jobs. The council was provided an opportunity to ask questions of Dave Young. Discussion was held as to the number of jobs lost during 2013 and the unemployment level during this time. Mr. Young stated he did not have those numbers available at this time. Discussion was held as to the return on investment of the City's contribution to Northwest Illinois Development Alliance. NIDA Board Chairman Mike Clark asked for leave of council for the presentation to be contained to 2013 report and they will be back to discuss goals for 2014.

Aldersperson Brashaw made a motion to place the Northwest Illinois Development Alliance (NIDA) 2013 Report to Investors dated January 17, 2014, on file, seconded by Aldersperson Klemm. Motion prevailed by voice vote without dissent.

CONSENT AGENDA

The following items were presented on the Consent Agenda in the council packet and Mayor Gitz read the listed items into the record;

A. Approval to receive and place on file:

- 1) City Treasurer's Monthly Investment Report for period through December 31, 2013
- 2) City Treasurer's Report of Cash and Fund Balances through December 31, 2013
- 3) Police Department Report of Activities for Year End 2013

B. Approval of Water and Sewer Bills Payable (Register #75) --- \$59,638.18

C. Approval of Payroll for pay period ending January 11, 2014 --- \$419,534.68

D. Approval of Finance Bills Payable (Registers #72, 73, 74) --- \$92,387.33

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**E. Approval of RESOLUTION #R-2014-02: RESOLUTION TO CO-SPONSOR MEMORIAL DAY PARADE
WITH ALLIED VETERANS COUNCIL**

Aldersperson Boldt 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, Brashaw, Koester and Crutchfield (6)

Nays: none

The consent agenda items were approved.

2nd 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**

The first reading was held on January 13, 2014. A motion to adopt was given by Aldersperson Koester, seconded by Aldersperson Klemm and the ordinance was automatically laid over to tonight's meeting.

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 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.

Upon no discussion, a roll call vote was taken to approve the motion to adopt the ordinance as presented. The motion prevailed by a roll call of;

Yeas: Klemm, Boldt, Bush, Brashaw, Koester and Crutchfield (6)

Nays: none

Ordinance #2014-01 was passed by the council.

2nd 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**

The first reading was held on January 13, 2014. A motion to adopt was given by Aldersperson Klemm, seconded by Aldersperson Brashaw and the ordinance was automatically laid over to tonight's meeting.

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

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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.

Upon no discussion, a roll call vote was taken to approve the motion to adopt the ordinance as presented. The motion prevailed by a roll call of;

Yeas: Klemm, Boldt, Bush, Brashaw, Koester and Crutchfield (6)

Nays: none

Ordinance #2014-02 was passed by council.

2nd 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

The first reading was held on January 13, 2014. A motion to adopt was given by Alderperson Koester, seconded by Alderperson DeVine and the ordinance was automatically laid over to tonight's meeting.

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 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.

Upon no discussion, a roll call vote was taken to approve the motion to adopt the ordinance as presented. The motion prevailed by a roll call of;

Yeas: Klemm, Boldt, Bush, Brashaw, Koester and Crutchfield (6)

Nays: none

Ordinance #2014-03 was passed by council.

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2nd 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

The first reading was held on January 13, 2014. A motion to adopt was given by Alderperson Klemm, seconded by Alderperson Koester and the ordinance was automatically laid over to tonight's meeting.

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.

Upon no discussion, a roll call vote was taken to approve the motion to adopt the ordinance as presented. The motion prevailed by a roll call of;

Yeas: Klemm, Boldt, Bush, Brashaw, Koester and Crutchfield (6)

Nays: none

Ordinance #2014-04 was passed by council.

2nd 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

The first reading was held on January 13, 2014. A motion to adopt was given by Alderperson DeVine, seconded by Alderperson Koester and the ordinance was automatically laid over to tonight's meeting.

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.

Upon no discussion, a roll call vote was taken to approve the motion to adopt the ordinance as presented. The motion prevailed by a roll call of;
Yeas: Klemm, Boldt, Bush, Brashaw, Koester and Crutchfield (6)
Nays: none
Ordinance #2014-05 was passed by council.

ORDINANCES – FIRST READING

1st READING OF ORDINANCE #2014-07:

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT ILLINOIS

Type of Relief: Special Use Permit under Sub-Section 1250.06 (b) (Special Uses) of Section 1256.06 (R6 General Residence District) of Chapter 1250 (Residence Districts) of the City of Freeport Codified Ordinances to allow a large residential care home at Lot 325, West Rye Ridge Trail, Freeport, Illinois (PIN # 18-13-27-480-007); Owner or Applicant: Northwest Illinois CILA, LLC, 285 South Farnham, Galesburg, Illinois

The Freeport Planning Commission at their meeting held on January 9, 2014, unanimously recommended the Special Use Permit. There were no written objections filed on the petition.

Community Development Director Shelly Griswold presented the ordinance by stated that on January 9, 2014 the Planning Commission held a public hearing. She stated that present at the public hearing was the petitioner, various council members, Mayor Gitz and she stated there were multiple people in attendance. Director Griswold provided a cover letter to the ordinance which stated on January 9, 2014, the City of Freeport Planning Commission held a public hearing on an application for a Special Use Permit to allow a large residential care home on Lot 325 Rye Ridge Trail. A large residential care home is defined by our City ordinances as having five or more residents. The Planning Commission, following extensive testimony, cross examination and comment, unanimously recommended approval of this application. The applicant is asking for a SUP to place a residential care home for eight adults (age 18 and over) with developmental disabilities. The planned home (as shown in Exhibit A to the Planning Commission minutes) is a one-story, four bedroom residential home.

Prior to the hearing, Director Griswold stated she distributed to all Planning Commissioners and City Council members the Joint Statement of the U.S. Department of Justice and HUD regarding residential group homes and fair housing. She stated she read excerpts from that statement into the record at the Planning Commission hearing and made copies available to all attendees of the hearing as well, in an effort to ensure that everyone understands the City's responsibilities regarding the Fair Housing Act and residential group homes.

The following is an excerpt of the Ordinance #2014-07 as presented to council:

“Griswold read highlighted excerpts from the Joint Statement of the Department of Justice and the Department of Housing and Urban Development: Group Homes, Local Land Use, and the Fair Housing

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Act into the record. Laura Kelly was present to speak for the application. Griswold swore her in. Kelly stated that she is representing the applicant. She gave testimony supporting the three standards

- 1. The establishment, maintenance or operation of the special use will not be detrimental to, or endanger the public, health, safety and general welfare;**
Applicant has been in the Freeport community for more than 20 years and has two homes in the community right now in good standing. The homes are staffed 24 hours (with “awake” staff); facilities are alarmed; management team are members of the Freeport community who are readily available to address needs or concerns expressed by members of the community.
- 2. The special use will not be injurious to the use and enjoyment of other property in the immediate area for the purpose already permitted, nor substantially diminish and impair property values in the neighborhood.**
Applicant’s existing homes in the community have been here for 20 years; as evidenced by the numerous businesses and homes that have developed in the surrounding area since applicant’s homes have been there; the presence of the homes maintains values at a competitive or higher level than other areas; applicant has 150 homes statewide; applicant maintains homes impeccably, including landscaping and exterior.
- 3. The establishment of the special use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district.**

The plan is for the home to blend into the neighborhood; applicant presented a picture of the proposed home to show what home it will look like; the home is a very residential looking home of standard size; applicant will maintain regulatory distance of at least 800 feet between group homes; applicant does not plan on putting a second home in the neighborhood; cars for staff will be parked in the driveway; any vehicle for transport of residents will be parked off-street as well; home will not create an issue with parking on the street or blocking access to get up and down the street;

Kelly stated that eight (8) residents will be living in home. She distributed a drawing of the proposed home (Exhibit A). She stated that one (1) staff member and one (1) manager will be present during the day shift; two to three (2-3) staff will be present in the afternoon; and one (1) staff member will be present for the overnight shift (awake).

Susie Sieck, 3257 Rye Ridge, Freeport, Illinois, stated that she is not opposed to the house but wants it to blend in with what is already out there. She asked who has the final say on the home. Griswold responded that City Council has the final vote.

Sieck cited the conditions and restrictions that apply to her property (as a neighbor) and asked the applicant if they were prepared to comply with the conditions and restrictions. Kelly stated she was unaware of the conditions and restrictions. Griswold stated that the city does not enforce covenants, conditions and restrictions, and that enforcement of them is a private civil matter.

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Sieck then asked how many group homes could be within a certain radius. Griswold reiterated Kelly's testimony that they must be at least 800 feet apart.

Roberta Andrews, 3244 Rye Ridge Trail, Freeport, Illinois, asked the applicant if she knew how "rural" the area is, stating that the neighborhood is one of the last to get plowed and stating her concerns about being able to get out if snow drifts across the road.

Andrews asked where the 800 foot rule (for distance between residential group homes) came from? Kelly responded that it is a DHS requirement. Andrews asked if there was any city code regarding distance. Griswold stated that there is no prescriptive distance that applies in all cases in the city code.

John Staben asked about the ages of the people who will live in the home. Kelly responded that they will be 18 and older. Staben asked if they would all be of driving age. Kelly responded that none of them would have drivers' licenses.

Phil Copus asked if the applicant was licensed. Kelly responded that they are licensed through DHS (Department of Human Services). Copus then asked where the other homes are in Freeport. Kelly responded that they have two on Highland View Drive.

Copus asked if the yard would be fenced. Kelly stated that they do not plan to have a fence. Copus asked if they would have a security system. Kelly stated they would, and added that the security system is intended to monitor people coming in, not people going out. She stated that in warmer weather there would be patio furniture for residents to spend time outside.

Ruth Frankenfield asked what types of disabilities the residents would have. Kelly responded that residents' primary disability would be developmental/mental retardation. She added some may have cerebral palsy, but their primary diagnosis would be mental retardation.

Sally Spudich asked if the architectural plan was "hard and fast" or if it would be possible to make changes to it. Kelly stated it would depend on the changes being suggested and noted that it is the plan of the home we've been using in other areas.

Staben asked if there was a drawing of the property that shows the placement of the house on the property. He stated that the drawing doesn't appear to show enough parking in the driveway for four (4) vehicles. Kelly stated that she could certainly provide a drawing to the City, and that they have done double driveways in other locations to accommodate four vehicles.

Frankenfield asked if the home would have a lot of visitors. Kelly stated that unfortunately there would not be a lot of visitors. She stated that family members do visit, but when they hold holiday events or special events, typically they hold them in a community location to integrate with other facilities in town.

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Roy Sellers asked how the applicant came up with the number of eight residents. Kelly responded that they are following the trend to downsize facilities; 16 beds used to be the trend, and about ten years ago the State of Illinois came up with smaller facilities.

Spudich asked if residents go to school or work during the day. Kelly responded that every resident attends Malcolm Eaton Enterprises five days a week, working about 5.5 hours a day.

Staben asked if the bus to transport residents stays at the home. Kelly responded that the day program (MEE) is responsible for transportation and keeps the vehicle at their location.

Griswold noted to the Planning Commissioners that if there is concern about the number of off-street parking spots they could consider a recommendation adding that as a condition to the Special Use Permit.

Mayor Gitz asked that, if the property has other conditions and restrictions as part of platting, what the applicant's position on following those covenants would be. Kelly stated that she couldn't really speak to the issue because she hadn't seen the document, but that it would be their intention to work with the members to be on the same page.

The Mayor asked Kelly to confirm that the home would be an architecturally compatible single family structure as shown in the drawing. Kelly responded affirmatively. The Mayor asked about the number of bedrooms. Kelly responded there would be four, and that there were no sleeping accommodations for staff since the overnight staff would be awake all night.

The Mayor asked the applicant if she anticipated the home would be of equivalent market value to those around it. Kelly responded affirmatively. The Mayor asked if the home would be of quality construction. Kelly responded affirmatively. The Mayor asked if the home would have any features that you wouldn't find in a residential home. Kelly responded that there would not be, except that – dependent on the group – there may be a specialized bathtub that is a freestanding structure. The Mayor asked if there would be a basement. Kelly stated there would not be a basement.

With regard to parking, the Mayor noted that the drawing showed a single driveway and asked if they would have a single or double driveway. Kelly responded it would depend on how it fit on the lot. The Mayor asked how many cars they anticipated being parked there. Kelly responded that the maximum on a regular basis would be three (from 2:30 to 10:30 pm). The Mayor asked whether, if the planning commission required a two stall garage and equivalent driveway, that would be a problem. Kelly responded that staff would not be using a garage. The Mayor asked Kelly if she agreed that most people don't have three cars in their driveway at any given time. Kelly responded that she couldn't answer that.

The Mayor asked Kelly if she could give an idea about visitation and provision for parking for visitors. Kelly responded that if there was space in the driveway, visitors would park there; otherwise they would park in front of the home. The Mayor asked if they anticipated making regular use of on street parking. Kelly responded that they did not. The Mayor asked how much

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traffic would be generated by the bus. Kelly responded that it would be twice a day – once coming and once going.

The Mayor asked Kelly to provide more information about the security system. Kelly responded that the doors would have a chime alarm. She added that the system is designed to monitor more closely people going in. She noted that the sprinkler system would be tied to an alarm company and the 911 system.

The Mayor asked if there would be any borders around the yard (fencing). Kelly responded that there would be no fence. The Mayor asked if the residents would have access to the outdoors. Kelly responded affirmatively. The Mayor asked Kelly about the solution for residents wandering off the property. Kelly responded that staff is with residents 24/7.

Alderman Klemm stated that he is familiar with the applicant through his work at Malcolm Eaton Enterprises. He notes that to his knowledge, transportation runs smoothly with no problems. He stated that he sees a lot of positives and that he has no problem with the home. He did state he felt it got a little “fuzzy” on the covenants.

The Mayor asked that, if there is space on this lot for a double driveway, would a condition to that effect be a problem. Kelly responded that it would not be, but added that she would hope there would be no other conditions and that the city would allow us to the applicant to use its judgment. The Mayor asked if the lots on either side of the subject property were vacant. The applicant responded affirmatively. The Mayor asked if there was any legal obligation to not have another home in the area. Kelly repeated the 800 feet DHS requirement and added that even absent that requirement they would not put two homes that close together.

Mark Winter asked the applicant if the property had yet been purchased. Kelly responded affirmatively. Winter noted that the covenants should have been provided at closing.

Andrews commented, thanking the Mayor for asking a number of questions. She added that she appreciated the idea of the double driveway. She also added that she doesn't think there are any houses with single garages in the neighborhood and that she believes a single garage will say “different”. She reiterated her statement that snow plowing in the neighborhood is not great.

Alderman Crutchfield stated that he would like the residents to understand that we don't have an ordinance to regulate some of the issues that had been brought up, and that we are bound by the DOJ opinion. He added that people in many areas of the city believe they are the last ones to get plowed.

Staben asked if a two stall garage would fit on the lot.

Stephen Lafferty noted that there could be a significant burden or fundamental change with the construction with the requirement of a two stall garage. He added that he would like things to be of compatible value. He posed the questions, “Is this a fundamental change to the neighborhood?” and “Does it constitute a burden to residents?”

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Lafferty made a motion to close the public hearing. Winter seconded the motion. On a voice vote, the commission unanimously voted to close the hearing. Chair Spudich closed the public hearing at 7:28 pm.

Griswold read the testimony in support of the “standards for granting applications” into the record.

Staben made a motion to adopt findings of fact as read. Frankenfield seconded the motion. On a voice vote, the commission unanimously adopted the findings of fact.

Frankenfield made a motion to recommend approval of the application to City Council. Lafferty seconded the motion. On a roll call vote, motion carried unanimously.

Griswold stated that since the application received a unanimous recommendation for approval and there were no written qualified objections, City Council rules only required one reading of this ordinance, which would be held on Tuesday, January 21, 2014.

Griswold admonished the applicant and all present that, until the City Council has made a final decision on the application, no one may speak to the Mayor or any member of the City Council or the Planning Commission about this matter. She added that all were welcome to attend the City Council meeting on January 21, but that no public comment on the petition would be allowed prior to the Council’s vote on the matter.”

Aldersperson Klemm made a motion to move forward the ordinance for passage, seconded by Aldersperson Bush. Mayor Gitz noted that per council rules because there were no written objections filed and the ordinance was moved to council floor from the Planning Commission unanimously the ordinance only requires one reading. The motion prevailed by a roll call of;

Yeas: Klemm, Boldt, Bush, Brashaw, Koester and Crutchfield (6)

Nays: none

Ordinance #2014-07 was passed by council.

RESOLUTIONS

RESOLUTION #R-2014-03:

RESOLUTION ADOPTING THE STATE OF ILLINOIS OFFICE OF SECRETARY OF STATE ARCHIVES AND RECORDS DIVISION RECORDS RETENTION SCHEDULE

Corporation Counsel Sarah Griffin presented the resolution stating that this is a housekeeping resolution to move forward the State of Illinois Office of Secretary of State Archives and Records local records retention schedule which was recently updated with new dates. She stated as an example for the council member’s edification the record retention schedule on an agreement would be at least ten years. She stated this brings up-to-date the schedule used by the departments for administrative files as well. Aldersperson Koester made a motion to adopt the resolution as presented, seconded by Aldersperson Klemm. The motion prevailed by a roll call of;

Yeas: Klemm, Boldt, Bush, Brashaw, Koester and Crutchfield (6)

Resolution #R-2014-03 was adopted.

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Resolution #R-2014-04 was moved forward on council agenda prior to the presentations.

OTHER

REPORTS OF DEPARTMENT HEADS

Community Development

Community Development Director Shelly Griswold stated that on council desks is an invitation to attend a public meeting for the FEMA Flood Maps. There will be two sessions held on January 28, 2014.

Finance Department

Accountant Duane Price was present and had no further report.

Public Works

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

Library

Freeport Public Library Director Carole Dickerson presented an overview of seven lecture series which are co-sponsored by the Stephenson County Historical Society and Freeport Public Library Foundation featuring events on February 4 – “Frederick Douglass in Freeport”, February 13 – “1864 Lincoln Re-election”, February 20 – “Songs and Soup Lines: The Music of the Great Depression”, February 27 – “The War of the Worlds Radio Broadcast of 1938”, March 4 – “Chicago in the Gilded Age”, March 11 – “Why the Gilded Age is Still Important”, and March 25 – “1967 – The Tumultuous Sixties Arrive”.

Fire

Purchase of Ambulance

Fire Chief Scott Miller presented an overview of his written memorandum included in the council packet dated January 16, 2014, regarding request for bid variance for purchase of an ambulance. The memorandum stated that budget preparation for fiscal year 2013-2014 included the purchase of a new ambulance. The Fire Department formed an apparatus committee to prepare specifications addressing the needs and operations of our department. Attention was given to our present vehicle design and cabinetry layout. The paramedics assigned to the ambulance crew expressed concern of dis-similar compartment and internal cabinet configuration. Our two previous ambulance purchases of 2003 and 2006 were obtained through Foster Coach located in Sterling, Illinois. These two ambulances are of identical design and compartment configuration, thereby eliminating the concern of dis-similar equipment placement. The specifications for the new ambulance are identical in compartment and cabinet configuration.

The fire department is requesting action from the City Council to waive the formal bid process and to authorize the purchase of a new Horton ambulance from Foster Coach, Sterling, Illinois.

The memorandum included additional benefits from this purchase as follows:

- Foster Coach was awarded the “Suburban Purchasing Cooperative” bid from a competitive bid process through Northwest Municipal Conference
- Immediate approval of this purchase will save the city approximately \$30,000 in scheduled price increases
- A pre-payment option is available saving the city approximately \$4,200

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- Immediate approval will avoid the possibility of a delay due to a new vehicle chassis model year change (2015 chassis). Delivery dates are approximately 8-9 months after the order is received
- Only manufacturer to provide an air bag restraint system in the rear patient compartment area
- Foster Coach is located approximately 40 miles away, making pre-delivery inspections possible without incurring overtime
- Due to the close proximity, warranty work can be accomplished in a shorter period of time, reducing out of service time
- Factory replacement parts are available from Foster Coach eliminating the need to ship parts
- Factory authorized paint and body shop is located at Foster Coach
- Foster Coach offers a free of charge loaner ambulance in the event of a crash and extended out of service period is expected

Fire Chief Miller stated that the apparatus committee examined other makes and models of ambulances and came to the conclusion to stay with the model (Horton) that our previously selected vendor can deliver. Foster Coach is the only local vendor in a four state area that sells the Horton model that meets the specifications of the apparatus committee.

Fire Chief Miller stated that the overall cost of the ambulance purchase would be \$186,487.00 and the funds used for this purchase would be from the Fire Capital Improvement account. If the department considered purchasing next year's model the cost would be \$100,000 greater than the price quoted. Chief Miller stated the department can save \$4,200 through a pre-payment option. This ambulance if purchased would replace ambulance number 17 which is eleven years old with 70,000 miles.

Corporation Counsel Sarah Griffin stated the corporate authorities will need a 2/3 majority vote for formal waiver of the standard bidding requirement.

Formal Approval to Waive the Standard Bidding requirement

Aldersperson Boldt made a motion to formally waive the bidding requirement for the purchase of an ambulance, seconded by Aldersperson Klemm. The motion prevailed by a roll call of;

Yeas: Klemm, Boldt, Bush, Brashaw, Koester and Crutchfield (6)

Nays: none

Action Item for Purchase of an Ambulance

Aldersperson Koester made a motion to authorize the purchase of a new Horton ambulance from Foster Coach, Sterling, Illinois, through the Suburban Purchasing Cooperative. This motion was seconded by Aldersperson Klemm. The motion prevailed by a roll call of;

Yeas: Klemm, Boldt, Bush, Brashaw, Koester and Crutchfield (6)

Nays: none

Police

Interim Police Chief Todd Barkalow was present and had no report.

Water and Sewer

Water and Sewer Director Tom Glendenning stated that at the last meeting during his department reports he had notified the council that Well Number 9 was 95% complete and now he can report that it is at 99%

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completion to the point that it can almost be brought on-line. He thought by February he can bring the well on-line to provide the City with another water source. He noted that due to the freezing temperatures the technical crew of the Water and Sewer had dealt with seven water main breaks.

Aldersperson Koester asked about frozen water meters. Director Glendenning stated that if anyone had a frozen meter it would only be because they had frozen pipes because they have a built in freeze plate. Aldersperson Koester asked if with the meters whether the department staff could see excessive usage or a change on a daily basis. Director Glendenning stated that the department would have to review every account which would be over 10,000 accounts and do polling on the report and with the staffing they could not do that on a daily basis.

City Engineer

City Engineer Gallagher was present and had no report.

MAYOR'S REPORT

Mayor Gitz stated the staff has been working setting up a retreat with council and some of the topics will be customer service and goal setting for council members which will be held on February 1, 2014 and an agenda will be posted.

Mayor Gitz stated that from the 2013 department head reports that were presented recently he is working to obtain an editor develop a tabloid or a brochure for distribution to the public. He stated that the NIDA report and the graduate student reports were helpful as the council gets ready to begin working on their goals. Mayor Gitz spoke about the importance of retailers and used the example of expansion that has occurred at Winnebago corners. He thanked the council members for their comments and feedback they provided for the NIDA presentation.

NEW BUSINESS/COUNCIL ANNOUNCEMENTS

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

- Aldersperson Brashaw stated that she has received complaints about sidewalks not being shoveled. She stated it is especially a problem in areas where children are walking to school. Discussion was held as to having the Nuisance Inspector address areas that are school pathways.
- Aldersperson Koester asked to have City Hall a topic on the council goal setting session scheduled for February 1, 2014.
- Aldersperson Crutchfield asked Director Griswold for an update on two Pretzel City Transit vehicles. Director Griswold stated that the Illinois Department of Transportation noted that would be sending two buses the end of 2013 and her department is waiting to hear on their status.
- Aldersperson Klemm noted the Public Works department has done an exceptional job on plowing and push backs during this winter snow season. He stated with the snowfall, the crews have doing a job well done.

PUBLIC COMMENTS AGENDA OR NON-AGENDA ITEMS

Lynn Folgate, 3551 W. Stephenson, spoke about the support of the Freeport Moose Lodge and the work they are doing to raise funds to benefit the Special Olympics.

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Upon motion duly made and seconded, the meeting was adjourned at 8:35 p.m.

s/ Meg Zuravel

Meg Zuravel, City Clerk