



City Council

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

MINUTES REGULAR MEETING Monday, June 2, 2014

Pastor Steve Barr of East Gate Church gave an invocation for our city leaders.

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 Monday, June 2, 2014.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Klemm.

APPROVAL OF AGENDA

Mayor Gitz requested leave of council to move the State of the City to after presentation due to the number of family members present for our Police officers. Alderperson Koester moved for approval of the agenda with the amendment, seconded by Alderperson Klemm. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

Terry Heilman, 2311 Shepard Drive, Freeport, Illinois, spoke as a representative for Freeport Area Landlord Association and stated that he is now the president of the association. He stated in regard to item 12 and land contract he received many phone calls today. He had many calls from members concerned on the wording on this and the recording. He asked to pay attention as things get recorded they can create a problem in the title and our Federal Government does not recognize land contracts—it is called vendee financing.

Jerry Siedenburger, 1255 W. Empire, Freeport, Illinois, spoke changes to the rental property ordinance and contracts. He believes that there are many ways that you can check out a contract and he understands there are many people that are saying that they have sold this property on contract. He stated all you would have to do would be to make them provide a copy of their tax return which would show whether or not they are recording income or interest expense. He stated to record a contract that is a personal right that we as owners of property have. He provided a scenario of a sale of a property, in which they have given him a \$5,000 down payment, then consequently the wife loses her job, husband had his hours cut, and their child has medical problems. Then what happens they have financial issues and a judgment against them from the hospital. So now you have tied up my house because I cannot sell it unless I get

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that contract out of there. So then it goes to court for a year and maybe more while the property sits empty and that is not the purpose of contract sales the purpose is to sell a house on contract to try to help them get ahead. He does not think that any government has the right to tell me that I have to assign my contract and open me up to the liability of debts that some unfortunate people never think about.

MINUTES

The minutes from meetings held on May 19, 2014 were presented. Alderperson Klemm moved for approval of the minutes, seconded by Alderperson Endress. Motion prevailed by voice vote without dissent.

PUBLIC HEARING

The following notice was published May 20, 22, and 27, 2014, in the Journal Standard, posted on City bulletin boards, and published on the City's website; Notice of a public hearing for Proposed Appropriation Ordinance FY 2014-2015 for the City of Freeport, Illinois; The City of Freeport will conduct a public hearing on its Appropriation Ordinance for Fiscal Year 2014-2015. This hearing will be held on Monday, June 2, 2014 at 6:00 p.m., or as soon thereafter as the agenda permits, in City Council Chambers, City Hall, 524 West Stephenson Street, Freeport, Illinois. Copies of Ordinance #2014-24, Appropriation Ordinance, Fiscal Year 2014-2015 for the City of Freeport, Illinois, are available on the city website under quick links; City Council meeting calendars; meeting date of May 19, 2014 and soon to be published agenda for June 2, 2014. A copy is also available for public inspection at the City Clerk's Office during regular business hours. Anyone wishing to express comments or concerns should attend the public hearing or submit a written comment to the Mayor's Office, City of Freeport, 524 West Stephenson Street, Freeport, Illinois prior to the public hearing. Sign in sheets included over 30 persons present at the public hearing.

Accountant Duane Price stated that this public hearing is for Ordinance #2014-24 Appropriation Ordinance for Fiscal Year beginning on May 1, 2014 to April 30, 2015. He stated that this is not the budget or a spending plan. He explained that we build an appropriation ordinance by starting with the budget; the budget is what we expect to happen during the year for revenue and expenses. Then we add the contingency items and that gets us to the appropriation ordinance. He explained that by adding contingency items some of the expenditures are yet unknown and beyond our control so we add in contingency. The appropriation ordinance sets the legal limit for spending Accountant Price stated an example of that would be health care in which we have \$2,558,000 in the budget but we have no control over that so we add in an extra \$600,000 to that so we are actually appropriating \$3,158,000. He stated that \$2,558,000 is an amount that is \$200,000 over last year.

Accountant Price explained, for the first time, the Property Transfer Tax has been set aside from the general fund and will be used to pay for demolition expenses with an estimated spending of \$125,000 (fund called Neighborhood Housing Fund) which includes a \$25,000 grant and \$100,000 revenue from the Property Transfer Tax. He stated that money has been set aside for NIDA goals to be paid from \$50,000 from the general fund and \$50,000 from the TIF. He was asked to place \$15,000 for fireworks, \$15,000 in the sidewalk fund, and \$10,000 for the Steering Committee working on public input for City Hall. He stated we have the normal amount of police cars and fire trucks that have been planned for.

At 6:08 p.m., Mayor Gitz opened the public hearing. There were no public comments. There were no comments from the City Council members. Mayor Gitz explained this ordinance was presented at two Committee of the Whole meetings where there was discussion held by council members for each

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department. The first reading of the ordinance was held at the last meeting and this is the public hearing before the final reading this evening. Seeing no further questions or comments, Mayor Gitz closed the public hearing at 6:12 pm.

PRESENTATIONS AND HONORARY RESOLUTIONS

Chief of Police Todd Barkalow presented Life Saving Awards for the Freeport Police Department officers including;

- Patrolman Anthony (T.J.) Smith for his quick response on May 27, 2014, to assist with a call about a drowning baby, further finding that it was really a choking baby. Due to Officer Smith's actions, he was able to dislodge an object which was blocking the airway of the baby and then baby began to breathe again.
- Corporal Shenberger (now Sargent Shenberger) for his evacuation of a male tenant and his pet in an structure fire on January 3, 2014, and
- Patrolman Don Heath for his rescue of a disabled female from house fire on May 21, 2014 by scaling a locked fence and forcing entry into the burning structure. Due to the victim's low oxygen levels, the fire personnel believe that the victim was saved by the quick actions of Officer Heath.

Letters from Representative Brian Stewart were read aloud into the record. Representative Stewart was present to provide the letters to our officers. Mayor Gitz offered his congratulations.

An Honorary Resolution for City Accountant Duane Price was read aloud. Duane Price has served as City Accountant for the City of Freeport for sixteen years and the resolution recognizes and commends him for his service to the people of Freeport. Alderperson Klemm moved for approval of the Honorary Resolution for Duane Price, City Accountant, seconded by Alderperson Koester. Motion prevailed by voice vote without dissent. Mayor Gitz stated his appreciation for the service of Accountant Price and specified that he was honest and forthright with the numbers. Mayor Gitz spoke to Accountant Price and said, "You told us the bad news when we need to hear it and the good news when we chose to listen. It is impossible to summarize in a resolution all the hard work that you have put in." Accountant Price stated his appreciation for working for the City and the City Council. He stated that following 21 years in insurance accounting, the City's finances was a breath of fresh with something different every day and he enjoyed it very much.

The Honorary Resolution for Gene Plum of the Freeport Water and Sewer Commission was removed from the council agenda to be presented at a later date.

STATE OF THE CITY BY MAYOR JAMES L. GITZ

Mayor James L. Gitz stated that in the outset of this administration our goals were sound government, enhanced public safety, better neighborhoods and economic development. He stated we made a start on each of these goals, but the job is far from done. He provided examples of sound government by citing examples such as cutting the projected deficit from \$750,000 to \$0, expanded city hours to a full eight hour day, instituted employee reviews for city employees, raised the threshold for building permits from \$1,500 to \$3,000 for simple repairs, instituted extensive job searches for directors to find the best possible

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replacement, aggressively pursued fine collection by to date collecting \$19,536 from the State's Debt Recovery Program, aggressively pursued grants for City services that will help revitalize our City.

In infrastructure of the City, Mayor Gitz stated that the administration completed the roundabout on time and under budget, completed most of the work on the "Big 4" Program including a new water tower and automatic metering, instituted a program of pavement preservation to upgrade the City's streets, crack sealed six streets and resurfaced Stephenson and three other streets in addition to Water and Sewer projects, and made Chicago Avenue a two way as part of a plan to ease traffic flow downtown.

In public safety, Mayor Gitz referred to the implementation of the City's first comprehensive public safety plan, the hiring of eight new police officers since last September, reinstituted community policing, including an expanded bike/foot patrol, restored the Civilian Police Academy with the first graduation scheduled for the next day, started a crime mapping program to identify crime patterns and hot spots, installed covert cameras to record criminal activity in hot spots, applied for a Department of Justice grant which could be worth millions of potential dollars, and commissioned the City's newest fire station to replace an outdated, undersized facility.

In neighborhoods, Mayor Gitz stated the administration instituted a comprehensive Rental Registration Program for rental properties in Freeport, tore down 23 decrepit buildings to date throughout the City, is working to expand the public transportation to the County through state and federal grants, and completed the preliminary work to expand the Jane Addams Trail into the City.

In economic development Mayor Gitz stated that Joann Fabrics is under construction, there is new development on the old Farm and Fleet site, they are in the process of transferring the second Rawleigh building into private hands, there is a new brewery under construction, the City received \$1.5 million in ITEP grants to expand the trail system east, applied and received an EDA planning grant for manufacturing, and pushed for a NIDA plan to actively include the City projects as a priority.

Mayor Gitz concluded his State of the City for 2013-2014 by reviewing the challenges and road ahead for the City as he would like to see the City increase personal responsibility, create a greater presence at the State and National level, and to better include our youth.

CONSENT AGENDA - [Consent Agenda PDF](#)

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) Fire Department Monthly Report for April 2014
- B. Approval of Resolution R-2014-39, Resolution to Request Temporary Closure of Streets for Cruise Night – August 9, 2014
- C. Approval of Resolution R-2014-40, Resolution to Request Temporary Closure of Streets for Dairy Days Parade – June 22, 2014
- D. Approval of Water and Sewer Bills Payable (Register #163) --- \$152,588.65
- E. Approval of Payroll for pay period ending May 17, 2014 --- \$419,225.87
- F. Approval of Finance Bills Payable (Registers #159, 160, 161, 162, 164) --- \$229,781.20

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

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

Nays: none

The consent agenda items were approved.

ORDINANCES – SECOND READING

2ND READING OF ORDINANCE NO. 2014-24:

APPROPRIATION ORDINANCE FISCAL YEAR 2014-2015 FOR THE CITY OF FREEPORT, ILLINOIS

The first reading was held on May 19, 2014. A motion to move forward the ordinance for approval was given by Aldersperson Boldt, seconded by Aldersperson Bush and the ordinance was automatically laid over to tonight's meeting. - [*Appropriation Budget Document*](#)

Upon the second reading and no discussion, the motion prevailed by a roll call vote of;

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

Nays: none

Ordinance #2014-24 was passed.

ORDINANCES – FIRST READING

1ST READING OF ORDINANCE NO. 2014-26:

AN ORDINANCE TO APPROVE A CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE CITY OF FREEPORT AND COMCAST OF ILLINOIS/INDIANA/OHIO, LLC

Corporation Counsel Sarah Griffin provided a written memorandum which stated, "Our current franchise agreement with Comcast expires on June 20th. With this in mind, we began talks with Comcast last spring. The agreement before the City Council is modeled on the Metropolitan mayors Caucus and specifically recommended by the Illinois Municipal League. The franchise fee remains the same at 5%, and the contract itself is non-exclusive. Non-exclusive means that if another cable provider wished to start up in the City of Freeport they will be able to do so. As we look to the future, I know that one of your major concerns and that of the City Council is that we update our capital equipment to be able to better serve the viewing needs of the community when it comes to City Council meetings and other public access. With this in mind, Shaun Gallagher and Tom Dole have begun contacting companies to determine what equipment will best serve our needs in the cable capacity, while serving a dual role to provide web access. Once we have determined our needs, we can bid out the project and the new franchise agreement provides that we can collect a Public, Educational and Governmental Access fee to pay for capital equipment which can be amortized out over a period of time. Comcast representative, Joan Sage will attend the City Council meeting in case there are further questions of the Council." Corporation Counsel Griffin explained that this is a ten year agreement and there are not many substantial changes from how the agreement.

Comcast representative, Joan Sage, was asked to come to the podium for questions from the Council. Discussion was held regarding the hardship to residents because of the closing of the Freeport office of Comcast. Council members explained the issues people have had with trading in equipment and

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obtaining new receivers. Ms. Sage stated there is to be no charge for shipping of returned equipment and those answering the phones in their customer service area should be made aware of this.

Discussion was held as to the Comcast agreement and Corporation Counsel reiterated that there is not an exclusivity clause in the agreement – this is non-exclusive contract. The last contract was non-exclusive as well. She explained that any other cable company may come in and negotiate a contract with us. Alderperson Boldt asked about the 5% franchise fee and Ms. Sage stated that is an FCC ruling and the only way it can be increased is for the FCC to allow for that. She stated we have a few communities that do not charge anything. Discussion was held on the difficulty of getting equipment and service personnel from Rockford with Alderperson Koester providing an example of going a couple of days without working equipment. Ms. Sage asked council to contact her if there are any issues with the service.

Alderperson Brashaw made a motion to move forward the ordinance for approval, seconded by Alderperson Boldt. Mayor Gitz stated he will make note of the different issues raised. He will make sure that the contact information for Comcast government representative, Joan Sage is provided to the council members. Ms. Sage stated she will forward an email to the council members so that they have her contact information. Upon no further discussion the ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE NO. 2014-27:

AN ORDINANCE TO ASCERTAIN THE PREVAILING RATE OF WAGES FOR LABORERS, WORKMEN AND MECHANICS EMPLOYED IN PUBLIC WORKS OF THE CITY OF FREEPORT, ILLINOIS

Corporation Counsel Sarah Griffin presented the resolution stating that each year during the month of June the City is required by the State of Illinois by statute to pass a prevailing wage ordinance. The wages are for laborers, mechanics, and other workers in the City of Freeport employed in performing construction of public works and are those which are published by the Illinois Department of Labor for Stephenson County for June 2014. Under the City's purchasing policy, this applies to contracts for public works projects in an amount over \$50,000. Alderperson Klemm made a motion to move forward the ordinance for approval, seconded by Alderperson Crutchfield. Upon no further discussion the ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE NO. 2014-28:

AN ORDINANCE AMENDING CHAPTER 1630 OF THE CITY CODE TO CREATE A NEW SUBCHAPTER ENTITLED "FIREWORKS" OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

Fire Chief Scott Miller provided a written memorandum which stated that the proposed document is regarding commercial fireworks application and requirements. The proposed ordinance was drafted by Corporation Counsel for the City council approval. Chief Miller also presented two documents which will need to be completed by a sponsor of a firework display with a title of "Application for Permit for the Outdoors Display of Fireworks" and "Public Fireworks Display Inspection Checklist."

Mayor Gitz noted that it has been requested to consider a firework display for the Union Dairy 100th anniversary scheduled for June 20- 22, 2014 and this ordinance is brought forth so that other people can contract with fireworks companies other than the if the City would contract with a firework company. Chief Miller stated we were recently approached by a company to do a professional fireworks display to be conducted in conjunction with a special event. When we started the process it was determined that we needed to set up an application and forms for information purposes and guidelines that we will review and

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enforce in terms of set up and clearance to businesses so we came up with various documents for a pyrotechnical vendor or firework vendor who applies to the City of a permit. He stated it also provides for the permit application process, an inspection checklist, and procedures for pyrotechnical vendor to follow. Chief Miller stated in conjunction with approval of the documents, we are requesting waiver of the second reading and for passage of this ordinance this evening.

Aldersperson Klemm made a motion to move forward the ordinance for approval, seconded by Aldersperson Endress. Aldersperson Koester made a motion to suspend the council rules for passage of the ordinance this evening, seconded by Aldersperson Klemm. The motion prevailed by a roll call vote of; Yeas: Klemm, Boldt, Bush, DeVine, Endress, Brashaw, Koester and Crutchfield (8)

Nays: none

Aldersperson Boldt stated that in the requirements it asks for fire personnel and ambulance crew on the scene and would this be at the expense of the City or the applicant. Fire Chief Miller stated for this particular event we have agreed to work with the business owner to the best of our ability. He stated we will be on standby and in position to assist with this event. If something would happen we would be involved then, depending on the scope and magnitude, it would depend if charges occur. In speaking with the representatives that approached us, we are looking at a six to eight minute event so there is a short time that we are committed to the scene. Corporation Counsel stated that this ordinance refers to the special event which requires the applicant to reimburse the City for any police and fire because it takes this ordinance and kicks it over to special events with a couple of additional requirements. In the spirit of this particular event the City can't co-sponsor it because there is liquor involved and it is one of those things that we can't do but in the spirit of cooperation, the Fire Chief has talked about reimbursement only if they have to go to extraordinary situation. The permit itself will be applied for after this ordinance is done. It was also discussed as part of the application process; the sponsor cannot leave the pyrotechnical equipment left without supervision.

Mayor Gitz stated the ordinance is properly on the floor for passage this evening. The motion for passage prevailed by a roll call vote of;

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

Nays: none

Ordinance #2014-28 was passed.

1ST READING OF ORDINANCE NO. 2014-29:

AN ORDINANCE AMENDING CHAPTER 876 (RESIDENTIAL RENTAL PROPERTY REGULATIONS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

Mayor Gitz requested City staff members for Rental Property Registration to come forward for presentation and questions. Michael Lehmann and Heather Lancaster were present.

Community Development Director Jim Brown presented a written memorandum dated May 28, 2014, regarding amendments to Rental Properties Program and it stated; "As the deadline for landlord registration of rental properties approaches, staff has become aware of certain issues with the administration of the registration program that need further clarification. These issues included, but are not limited to:

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1. Confusion over what constitutes a rental agreement and a land contract
2. Confusion over landlord-tenant responsibilities under the ordinance
3. Registrants providing invalid information, e.g. inoperable phone numbers

On the basis of these and other issues, staff has drafted an amendment to the original ordinance approved last November that seeks to clarify:

1. That the landlord, and not the local agent, is ultimately responsible for ensuring compliance with City ordinances and bearing the burden of any penalties or fines; and
2. What defines a “land contract” as opposed to a rental agreement; and
3. That the only persons allowed to register rental property are either (a) the landlord, or (b) an attorney or another person legally authorized by a court to act on the landlord’s behalf; and
4. That knowingly providing false registration information is a violation of the ordinance.

These amendments seek to tighten the rules for compliance without unduly harming the many honest and responsible landlords working in the community. As the rental property registration program is implemented, staff will monitor issues and problems that may appear. Future amendments may be necessary to close loop holes and protect tenants and responsible landlords alike.

Director Brown stated that registration deadline was today and as of today and we have had estimated 1,900 to 2,200 rental properties. It was thought if we had 1,500 by now we would be doing pretty well. As of 6:20 p.m. this evening we had 1,877 rental properties register. So at this time he estimated 80-90% compliance. He stated never the less the staff has encountered difficulties in interpretation of a couple of items and an issue with a definition. The first item clarifies what a local agent is and what the landlord’s responsibility is. On the original ordinance the landlord could appoint a local agent who was simply to receive code violations and act on other administrative procedures. The amendment clarifies that it remains the landlord’s responsibility to ensure adherence to all of our codes and to pay the fines.

Director Brown explained the second amendment by stating as you heard tonight there has been some debate as to what constitutes a land contract and this clarifies that. There are two tests. The wording added under section 876.01 Definitions, d. Residential Rental Structure, “a property which is the subject of a land contract will be considered a residential rental structure unless conversion of the title has taken place as shown through the filing of such document in the Stephenson County Recorder’s office and taxes are being assessed in the name of the purchaser.” He explained if a document meets those two tests then it would be considered a land contract. If not then it falls under the scope of this ordinance. The consequence of not registering a property would be the administrative time

Director Brown explained the third amendment clarifies that the landlord must do the registration and not the tenant. Wording was added under 876.03 Application to include, “The owner may not register through an agent, unless such agent is an attorney or otherwise legally authorized by a court of law to act on the owner’s behalf, i.e. probate of an estate, bankruptcy trustee, etc. He explained that some tenants have been told that have to come in and register and under the original ordinance they only had to complete the crime free addendum portion of the rental agreement that was to be kept on file by the landlord.

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Director Brown explained the fourth amendment because we have become aware of false information being submitted when they register for example naming a registered agent and then providing their own phone number. He stated we checked some of the information against other records and found that registration information that was filed was erroneous. So there is a statement added with the following wording, "It shall be a separate violation of this chapter to knowingly provide false or inaccurate information on the application or to fail to update changes in same within forty-five days of such change in accordance with Section 876.04." He asked council to suspend the rules for passage this evening. Mayor Gitz stated that every amendment has gone through our staff members working with this program.

Mayor Gitz stated that registering land contracts is the only way to make this ordinance viable. He explained that land contracts are generally referred to as contract for deed. Discussion was held as to the usual transaction of a land contract to transfer property which would include a down payment, there is a contract, it is recorded, and at the end of the contract the deed transfers automatically to the buyer because they have completed all the conditions for the sale. As they pay that money which resembles a regular mortgage, except the contract is held by the owner, the buyer establishes an equitable interest in the property. If you look at the code under forcible entry and detainer, it indicates that under a land contract at a certain point vested becomes an equitable right and you can't use forcible entry and detainer statutes but you have to go through mortgage foreclosure in order to recover. Mayor Gitz provided examples of rent-to-own. There was an example of a contract provided under Rental Registration where it would take 183 years to actually pay off the contract. He warned that council if you allow for a loose definition of a contract, then everything will become a land contract and it is likely we will have all kinds of schemes and it will result in an aversion of this ordinance.

Corporation Counsel Griffin explained that when she drafted this amendment she took the most lenient of all of these definitional options and reviewed thoroughly the case law. From this she recommended two tests of recording a land contract to include filing of such document in the Stephenson County Recorder's office and taxes are being assessed in the name of the purchaser. She stated this is a much less stringent definition than what the Mayor wanted. She stated we do not want to prohibit land contracts in their true sense we want to prohibit the false ones that we have been getting every day. She stated her goal was so the Rental Property Registration staff member would not need to interpret the contracts so now she needs two things – record it with the county and show the taxes.

At this time the council was provided the opportunity to ask about registration issues. Heather Lancaster explained issues of falsification and that she currently has a stack of issues. She explained one individual registered five properties but if you go to look under the records of the County Assessor, they actually have 50 properties. They list certain names as the owner and it is coming up differently on the County assessor. We try phone numbers and they aren't valid or the local agent information is made to look like it is a local agent and it is not. They put somebody else's address for a local agent and put their own phone number. For the main contact they put in a P.O. Box instead of their own address. She estimated that she has 200 problem cases. She stated that legitimately there are a handful of legitimate land contracts. Mike Lehmann stated he has mostly been working with notification of public safety issues and working with the landlords to educate them how to deal with problem tenants. He spoke about falsification of records and non-registration and stated that eventually they will find them. He stated that this is a very positive thing and the resistance that we have been experiencing makes no sense.

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Aldersperson Crutchfield moved for approval of the ordinance as presented, seconded by Aldersperson Klemm. Discussion was held on the land contract tests in order to make it a legitimate contract under the definitions of the ordinance.

Aldersperson Crutchfield made a motion to refer the ordinance to next week's Committee of the Whole meeting, seconded by Aldersperson Koester. Motion prevailed by voice vote without dissent.

RESOLUTIONS

RESOLUTION #R-2014-41:

A RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY'S ABANDONED RESIDENTIAL PROPERTY MUNICIPAL RELIEF PROGRAM FOR THE CITY OF FREEPORT, ILLINOIS

Community Development Director Jim Brown presented a memorandum regarding Grant for Abandoned Properties Program. The memorandum explained the City of Freeport was one of fifty-three communities to be awarded the Illinois Housing Development Authority's (IHDA) Abandoned Properties Program Grant. The \$25,000 grant will enable the City of Freeport to continue to eliminate blight by: maintaining weeds and grass, trimming trees and bushes, installing fences to protect the public, and repairing or demolishing abandoned property. There is no local match. Of the \$7.2 million awarded by IHDA, the percentages allocated throughout the state were:

- 30% to Cook County
- 25% to the City of Chicago
- 30% to the Collar Counties (DuPage, Kane, Lake, McHenry and Will)
- 15% to the other areas of the State not previously mentioned

These were the first awards by IHDA under this program. The IHDA website states "stay tuned for round two."

Aldersperson Crutchfield moved for approval of the resolution as presented, seconded by Aldersperson Koester. The motion prevailed by a roll call vote of;

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

Nays: none

OTHER

REPORTS OF DEPARTMENT HEADS

Community Development

Community Development Director Jim Brown provided an update on the Public Transit program timeline and stated at the next meeting they will present the contract with the Senior Resource Center, they have conducted vehicle inspections, they will need to acquire office equipment and have gone out for bids for cell phones. They will have a lot of items to complete to meet the date of July 1st and have items that still need smoothing out for a seamless transition. Discussion was held as to a name and a phone number.

Director Brown provided a report on grass cutting and Nuisance Inspection violations. He stated for most nuisance violation we issue a warning but for grass cutting we do not. Because the grass has to get to 8"

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in height; there will be no warning tickets but instead a violation will be issued. He reiterated there would be no warning tickets issued for grass cutting.

Finance Department

Finance Accountant Duane Price had no further report.

Public Works

Public Works Director Tom Dole presented bid tabulation for acceptance of bid for a zero turn riding mower tractor. He stated that the bid opening was held on May 21, 2014 for the purchase of a zero-turn mower. We received five bids for six different tractors. For the most part all the bids met minimum specifications. The mechanics and Director Dole reviewed each tractor. The first was a low bid from Peabody North to analyze why it was \$1,000 less than the other bids. Upon further review there were problems with the Ferris IS 700 including aluminum spindles, engine maintenance, and a five gallon fuel tank. The second to lowest bid was for a Toro Z Master 3000 from Porterhouse in Freeport. This tractor had the following features; Kawasaki TX 22hp engine, 8 gallon fuel tank, cast iron spindles, 7 gauge mower deck, ROPS, free loaner whenever repairs are needed. Based on the few potential problems with the Ferris, the recommendation for purchase is the Toro Z Master 3000 from Porterhouse in Freeport for \$6,799.

Alderson Koester moved for acceptance of the recommendation of Director Dole for purchase of the Toro Z Master 3000 from Porterhouse in Freeport for \$6,799, seconded by Alderson Klemm. Mayor Gitz clarified that because all of the respondents met the bid requirement that to do this properly we should have an extraordinary majority vote. Director Dole answered a question that the cutting width is 52 inches. The motion prevailed by a roll call vote of;

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

Nays: none

Library

Freeport Public Library Director Carole Dickerson was present and had no report.

Fire

Fire Chief Scott Miller reported that the department responded to a fire call in the 1300 block of Crestwood and that is the structure fire where a police officer was recognized for his response and he would like to also recognize the fire department for their transport of the two residents. He stated a fire fighter was injured on that call. All have been discharged. The Police Department also rescued three animals in that fire as well. He stated the department also assisted on a truck roll over with the Shannon Fire Protection District for an acid spill so the Haz-Mat team had to be called out. Chief Miller stated that reimbursement for equipment and personnel will be forwarded to the Shannon Fire District.

Police

Chief of Police Todd Barkalow reported the Civilian Police Academy graduation ceremony will take place this week. He stated the following item was removed from the agenda: Acceptance of Bid – Emergency Procurement Phone System. Chief Barkalow reported that recently the voice mail part of the telephone system went down and it is currently housed at the old City Hall. He has been told that it is near the end of the life on this phone system so they have been working to acquire bids to be presented at the

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next meeting. Mayor Gitz stated he will call a special meeting prior to the Committee of the Whole meeting to take action on this.

City Engineer

City Engineer Gallagher reported on crack sealing project that is in progress throughout town and especially on Galena Avenue. They have completed 75% of the work on this and they should be completing this project over the next two days as long as the rains hold out. City Engineer Gallagher stated he is working on the boat dock bid packet to get this out for June. For the demolition program, the City is up to 23 houses which have been brought down and demolished. The asbestos report was received on the IOCO station. The administration is working on 10 to 15 tax sale properties or referred to as the "slumlords guide to the City of Freeport properties you can purchase for less than \$700 and then try to rent them out." He stated we will attempt to take all those properties and if they are not structurally salvageable we will have those removed and seek to have those taken down as part of the demolition program.

City Engineer Gallagher reported on the City Hall Outreach Steering Committee progress including 5th 3rd Bank option, mailers out next week, website links set for the different sets of facts and reports, online voting, take home ballot, call service, and advertising that they will do. It was recommended by Alderperson Klemm and Alderperson Crutchfield to have surveyors call their alderman for survey responses if a person does not have a computer. Discussion was held as to council taking calls from surveys and it would be good to hear the opinion of the constituents.

City Engineer Gallagher provided an update on the West Avenue project and said the Illinois Department of Transportation state bidding is June 13th so he anticipates mid-to-late July start date for that project. It is expected to have thirty working days on that project. He thinks they may also be bidding the part from Park Blvd out to the Bypass due to the harsh winter with a waiver of the cost because the fees are waived.

Water and Sewer

Water and Sewer Director Tom Glendenning had no report this evening.

MAYOR'S REPORT

Mayor Gitz stated he will be sending a communication regarding 5th 3rd building options. He has some numbers that are being negotiated and to determine the scope of what is possible. He anticipates the building options to include "green" options for energy efficiency. Mayor Gitz introduced his newly wedded wife as of this past weekend, Ms. Pat Garret Clary.

NEW BUSINESS/COUNCIL ANNOUNCEMENTS

Council members were provided an opportunity to discuss matters of public concern or to make announcements for their wards. Council members thanked Accountant Duane Price for all the time he spent answering questions and acquiring information for them. Council members also congratulated Mayor and Mrs. Gitz.

PUBLIC COMMENTS AGENDA OR NON-AGENDA ITEMS

MINUTES
REGULAR MEETING
Monday, June 2, 2014

There were no public comments. City Engineer Gallagher invited the audience to the German Valley Days this weekend. Mayor Gitz stated he place a flyer from the Friends of the Pecatonica for a fundraiser.

Seeing no other business to come before this council, Mayor Gitz asked for a motion for adjournment.

Upon motion duly made and seconded, the meeting was adjourned at 8:30 p.m.

s/ Meg Zuravel

Meg Zuravel, City Clerk