



City Council

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

MINUTES REGULAR MEETING Monday, December 15, 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 December 15, 2014.

ROLL CALL

Present on roll call: Mayor Gitz and council members Tom Klemm, Shawn Boldt, Ronnie Bush, Jennie DeVine, Dennis Endress, Sally Brashaw, and Michael Koester. Andrew Crutchfield was absent upon roll call and entered the meeting at 6:30 pm due to a prior commitment. Corporation Counsel Sarah Griffin was present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Koester.

APPROVAL OF AGENDA

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

MINUTES

The minutes of December 1, 2014 meeting were presented. Alderperson Brashaw moved for approval, seconded by Alderperson DeVine. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

Chris Fye, 214 N. Harlem, Freeport, Illinois, stated he has been a licensed architect serving this community for the last twenty-seven years and a large body of his work has been historic buildings including two Carnegie Libraries. He stated municipal buildings are built with the hopes and dreams of a community. He spoke on behalf of Citizens for Saving City Hall and they urge council to consider the following: 1) the survey that was conducted by Northern Illinois University stated the citizen's preference, three out of five or 59%, oppose the City Hall's offices being located in the Carnegie Library. 2) the majority, 57.9% favor the City making repairs to the old City Hall and waiting to renovate it in other words mothballing it 3) 61% want to continue renting. He stated that survey says that 91% prefer the offices are located in the old City Hall building. He spoke about his concerns of the Carnegie Library building because he thinks it has limitations in items such as accessibility, the costs of updating that particular building, how it will be user friendly, and its size. He recommended that the Carnegie Library would be the ideal building to be chosen for mothballing.

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Andy Dvorak, 1211 W. Stephenson, Freeport, Illinois, stated the preference of the Citizens for Saving City Hall would be to save and reuse both buildings – City Hall and Carnegie Library property. They understand there needs to be one chance to do it right. He stated the City's own space needs study shows that the Carnegie Library has serious space needs limitations. It does not have the flexibility of the old City Hall building. Most of their group feels we are going to end up renting again in five years because we will need more space. He stated the City Hall building was built to be City Hall so it has the space, it has the dimensions. He spoke about the mayor's recent column and provided his own analogy.

Dan Neal 1815 Gladewood, Freeport, Illinois, stated his commendations for the patience in the process and the deliberative process lends itself to what democracy is about and the best way to reach common ground. He spoke about the financing aspect and provided his viewpoint based on his experience on the County Board's Nursing Home Finance Committee. He spoke about the arrangement with Heritage Hills and the profit arrangement due to the creation of an LLC by the owners of that facility and they will reap some of the benefits as they develop and reach the profitability of that facility. There are some unique financial arrangements that are available and he wanted the council to be aware of arrangements between public and private entities. He offered his assistance in grant writing. He provided information on historic tax credits and they may be beneficial to this whole process.

PRESENTATIONS

Todd Barkalow, Chief of Police, presented Freeport Police Department Life Saving Awards to officers Ben Johnson and Gabriel Gamino for an event on August 6, 2014 in which the officers pulled a victim from a vehicle moments before it ignited and burst into flames. Mayor Gitz praised the officers on their actions and service to the community.

Dave Young, Executive Director of Northwest Illinois Development Alliance (NIDA) provided a report dated December 9, 2014, regarding Economic Development Goals dashboard. He stated the summary report he provided to council gives the scorecard of how NIDA is doing and progress on goals.

Mr. Young provided an update on the goals and actual outcomes for Objective #1 – Retain, Expand and Attract Business, Objective #2 – Enhance Environment for Growth, and Objective #3 – Financial Stability. Mr. Young referred to the active leads report. He stated one of these leads has become a fast track project introduced to the mayor last week and it is a \$12 million dollar project that could have 25-30 employees and this will quickly jump from lead to an active opportunity. Another project is a carryover from the BRE project in 2013. It is in the healthcare services area and will be a \$9 million dollar project. He expects this project to become more active in terms of opportunity in 2015. He stated of all the 21 active leads, 16 are working projects within the City of Freeport. Five are projects that are being worked on in the County. He explained how they have converted opportunities which are leads now. These projects are in the process of doing due diligence or in some way moving towards construction, permitting, or completion. Of these six leads which were converted to opportunities they were the topics of the year - the medicinal cannabis cultivation centers leads that came into NIDA and ended up looking at Mill Race Crossing. Another is the cannabis dispensary which they worked with all four cultivation centers plus an additional prospect. They located five potential places within the City of Freeport and one was issued to the State for licensing.

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Mr. Young explained the listing of 19 projects that are closed leads. Ten of those are DCEO request for information projects and, by the acreage required, most of them looked outside the City limits because the minimum acreage was 30 acres. Of the remaining nine, eight of them actually looked in the City of Freeport and all eight were retail projects. Two of those are medicinal cannabis dispensaries that ended up not going forward. Mr. Young reviewed the opportunity matrix and explained those were leads that went beyond the information process and moved into site visits, reviews, obtained permits, or have moved toward construction. Of the seven closed opportunities, three were pursuing projects in Freeport – one could not raise venture capital, three were DCEO leads and located somewhere else, and one was a large renewable energy project that could not raise its venture capital. He explained that there are four retail projects and they are in various stages of due diligence. He stated in the Phase III projects that are in the process of getting licensed and permits and those four are the medicinal cannabis projects. Mr. Young stated there are two projects who have decided to expand and one is a project that was helped to facilitate by expansion of the Enterprise Zone. Pearl Valley Farms has a \$20 million dollar expansion project that will end up creating jobs for 30 new employees. He stated there is a service sector project that is a half million dollar project that is underway. He reviewed the Phase V projects which are now moving toward their Certificate of Occupancy; with two being Freeport projects representing \$5.5 million in new investment. Two of those projects are in the County and were 2013 BRE carry forward projects amounting to another \$6 million in investment. He stated there are a number of projects that are carryover from 2013 and they represent another \$5.5 million in investment. He stated he will provide an annual report to the council and will break out the company names, capital investment and jobs created. Since these are privately held companies he will need to obtain a release from the Company in order to provide that information. He stated he is confident that they will be able to obtain the goal of capital investment and jobs for carry forward projects as well as 2014 new projects.

Mr. Young referred to the scorecard and stated in some areas they have made significant progress and other areas they fell short of the goal. They will fall short of being able to do the next 100 business retention calls due to lack of contacts. They already visited with the 120 companies that they know well and these are the smaller 100 companies not known to NIDA members and it is more difficult to gain entry. He stated that this process is to establish relationships with prospective companies. They are continuing to try to get in to meet with them.

Mr. Young referred to the website and stated there is a significant number of added building or sites. There are 26 listings of buildings on the inventory. Of those, eight are located within the City of Freeport and the others located in Lena, Illinois. Of those listings, nine are retail, six are office, and two are industrial. He stated we have the best buildings downtown on the listing thanks to the cooperation of FDDF. We have three of the best office listings up there as well as Stephen's Market and a couple other retail listings. In terms of sites, there are nine listings on the website and of those six are City of Freeport listings and three are Lena listings. Mr. Young stated they have made significant improvement in the quality of listings.

Mr. Young stated the areas where they are having a difficulty are the retail goals for 2014. He explained the difficulty in obtaining prospects for Route 20 and Route 26 intersection where his connections have moved on. They are working with the mayor to start conversations on that project. Mr. Young explained

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the “Investing in Manufacturing Communities” grant that NIDA was a co-sponsor of and unfortunately we did not start that project in conformance with the EDA requirements so they are working to get an extension on that and start a project team. He explained the process of the business education links and working with the school district to match up graduates with businesses.

Mr. Young stated they were unable to secure financing of \$25,000 with Stephenson County in their budget and, unfortunately, they had to ask them to leave their seat on the board. They have increased the level of public members by securing membership from Freeport School District #145 and Freeport Park District. In terms of private sector funding they will fall short by \$20,000.

Council was provided the opportunity to ask questions of Dave Young, NIDA Director.

Aldersperson Koester asked about the presentation of bringing retail into a community and how it would work if there was a retail consultant brought in. Mr. Young stated they have been the ones saying for the last three and one half years that the focus of NIDA is primary jobs. In some ways retail does not fall within the definition of primary jobs but we have been working retail from the moment that he has taken office. We work all the retail corridors. We know all the owners and all the brokers and we are working on it. Council has created the vacant property ordinance and now that the Meadows TIF has been created, there are a number of projects that will lend themselves to targeting and repurposing, whether we do that as NIDA or in conjunction with someone on who is really focused on retail – we can work either way.

At this time (6:30 pm), Aldersperson Crutchfield entered the meeting bringing the number of council members present to eight.

Aldersperson Brashaw stated we share your disappointment that you were not able to secure funding from Stephenson County Board and understand why you had to have them step down from the board and that really hurt. She asked about the service sector project in Freeport that states it is a \$500,000 investment and how many jobs would be created. Mr. Young stated that it would create five jobs.

Aldersperson Boldt spoke about the difficulty in the decision to remove Stephenson County from their seat on the board. He relayed that Chairperson Hadley stated that he will not give up trying to secure funding and to become part of the organization.

Aldersperson Boldt asked for a recap of what has been done through the Enterprise Zone and to keep the County involved. Mr. Young stated two years ago the state passed legislation that governs Enterprise Zones and rather than them being extended they will need to reapply and compete to be created. He stated our Enterprise Zone expires December 31, 2020. Normally two years prior to the expiration, we would start working through the legislative channels to extend it another ten or twenty years. They are allowing no new extensions. What you are basically being required to do as a community is to compete for the dedication of a new zone. Currently our zone consists of the City of Freeport, Stephenson County, City of Hanover and Jo Daviess County. In conversations with the Enterprise Zone Association and DCEO; we have come to realize that if we have existing Enterprise Zone projects that have incentives that have been extended that have a life beyond 2020 (which means companies that have made location

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decisions), the only way you can actually get them extended is to reapply in the same structure that you currently exist. At a minimum if we apply for a new Enterprise Zone it has to consist of the same partners of Stephenson County, City of Freeport, City of Hanover, and Jo Daviess County. We can extend the number of communities that we invite in, but as a basic foundation those four entities must be part of the application. We have to find some way to fund the new application. He explained that if you look at the projects expanded 90% are Enterprise Zone projects who received sales tax exemption on the building materials. We need to find a way to raise the funds from the participating communities to fund the new application. It is estimated to be \$75,000 to \$100,000 in consultant fees. He stated they encouraged the County to include a \$25,000 appropriation in their FY14-15 budget and it is unclear if that was actually done.

Alderperson Crutchfield asked about the \$20,000 shortfall of private investment and the \$25,000 shortfall of County investment and how will this be made up. Mr. Young stated they will finish with a loss for the year. It will amount to cash management where they will invoice the private sector and pay expenses for this year from next year's revenues.

Alderperson Crutchfield asked if they will go to the County next year to ask for an investment in NIDA and where are the public sector funds coming from. Mr. Young stated the public sector monies come out of the City of Freeport, Freeport School District #145, and Freeport Park District. He stated his disappointment in having to request that Stephenson County be removed from the Board and noted the bridge was not burned and the door was left open to invite them back. He stated hopefully by demonstrating our value added we will be able to coax them back as a contributing member.

Mayor Gitz stated at the meeting one of the members of the County stated that we know even if we don't give the money; NIDA will help us with our projects anyway. Given that fact that the City's contribution is more than 90% of the public contribution, what do you see as the mechanism going forward to address that situation. Mr. Young stated the way NIDA will have to address that situation is that if there are certain things that we are asked to do then we will need to look at fee for service although that is not our preference we would love to have them as an investor. Unfortunately if there is not a line item or an appropriation, we can do the service and the question is how you would collect the money.

Alderperson Boldt asked about the retention of existing businesses and what you do if a business has an exit plan. Mr. Young stated in terms of business retention calls, what that does is becomes a gateway. There are a number of calls that they have made that actually resulted in assistance with financing, there are a number that we walked through permitting process or assisted with interpretation, there are a number of companies looking for training skills and we are bringing our partners to the table to assist with that. There is grant money out there but you have to go through providers. They will also work with companies to do safety training, skills updating and on the job training. They are in the process of scheduling a job fair at Highland on January 22, 2015 and there are over 200 companies invited for booth space. NIDA is working with the ILDS to bring in job seekers out of Jo Daviess and Stephenson Counties. They are working with Highland to bring in graduates because our employers have more jobs than they can find bodies. The idea is to match potential employees with companies so they continue to grow. He stated all that comes under business retention.

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Mr. Young explained that while 70% is a national average of growth which comes from local companies, that percentage is 95% for rural communities' growth. It mostly comes from people that are already here.

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: [Consent Agenda PDF](#)

- A. Approval to receive and place on file:
 - 1) City Treasurer's Monthly Investment Report for period ended November 30, 2014
 - 2) City Treasurer's Report of Cash & Fund Balances for period ended November 30, 2014
 - 3) Community Development Report on Activities for November 2014 including Building Permits, Electrical, HVAC, Plumbing and Sign Permits
- B. Approval of an Appointment of Mary Beth Eilders as Deputy City Clerk
- C. Approval of Motor Fuel Bills Payable (Register #MFT-0052) --- \$5,063.11
- D. Approval of Water and Sewer Bills Payable (Registers #261, 262, 263) ---\$346,924.53
- E. Approval of Payroll for pay period ending November 29, 2014 --- \$413,900.83
- F. Approval of Finance Bills Payable (Registers #259, 260, 264, 265) --- \$1,235,877.36
- G. Approval of \$25,000 to Northwest Illinois Development Alliance from Tax Increment Funds

Aldersperson Koester moved for approval of the consent agenda as presented, seconded by Aldersperson Endress. 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 #2014-53:

AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2014, AND ENDING APRIL 30, 2015 FOR THE CITY OF FREEPORT, COUNTY OF STEPHENSON, AND STATE OF ILLINOIS

The first reading of this ordinance was held on December 1, 2014. The ordinance was placed on the floor for approval on a motion by Aldersperson Klemm with a second by Aldersperson Endress. Contained in Ordinance 2014-53 are applicable levies for Firefighter Pension, Police Pension, IMRF, and Corporate Fund which equate to an overall decrease in the total levy of negative 3.0%. Based on projected assessed valuations, the net effect of this tax levy would be \$0 on a \$100,000 valued home.

The following is a summary of documents provided to the council members and the 2014 proposed levy which is on the floor for council approval:

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	2014 Proposed Levy	2013 Tax Levy	2012 Tax Levy	2011 Tax Levy	2010 Tax Levy
Firefighters Pension	569,263	578,701	623,084	878,086	965,806
Police Pension	1,273,118	1,143,543	1,191,541	1,073,551	937,272
IMRF	136,000	257,000	286,400	256,000	240,000
Corporate Fund	469,660	544,470	544,470	464,470	489,540
	2,448,041	2,523,714	2,645,495	2,672,107	2,632,318
Percentage Change	-3.0%	-4.6%	-1.0%	1.5%	2.7%

Mayor Gitz stated at the Committee of the Whole meeting it was discussed leaving the levy at 0% and the council members were provided a copy of this version in ordinance form. He stated this is simply for the council's consideration and what is on the floor currently is a levy at a -3.0% which is a reduction in the levy so that the property taxes remain at zero.

Aldersperson Koester made a motion to amend the ordinance to adopt a 0% levy, seconded by Aldersperson Endress. Aldersperson Crutchfield provided his opinion on the 0% levy and he explained that this will be an increase on the residential property taxes. He stated we should move for approval of the negative three percent and hold off for one more year to see if things change. He is not in favor of an increase at all and to adopt the 0% levy would be an increase in the property taxes on a \$100,000 valued house.

Aldersperson Koester stated his concern about expenses coming forward and whether the governor elect will be placing a freeze on taxes. He does not want to get locked into something that will cause difficulties over the next couple of year.

Aldersperson Boldt stated that the City has been the leader in holding the line of property taxes and if there are other taxes or fees that can be looked at then he would recommend going with that versus placing a burden on the property taxes. Aldersperson Koester stated that now may be the time to do it rather than waiting for difficulty down the road and it may be a recipe for disaster. Aldersperson Boldt stated we hear people say that it is only \$11.00 increase and it doesn't sound like that much but it is and all we are doing it keeping the levied dollars even.

Aldersperson Crutchfield requested as Mayor Gitz receives more information on property taxes and the governor elect that he pass the information along to the council. Mayor Gitz stated it may be possible to craft such legislation which will not be harmful to a municipality but it could also lock it in but at this time we do not know. Aldersperson Klemm asked if the legislators put a freeze on it or could it be reverted backwards. Mayor Gitz stated there are numerous ways creatively to solve the problems and it depend on what your objectives are and the only reason this information was to share information from the Illinois Municipal League so that while we are discussing this your eyes are open on implications.

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Mayor Gitz requested a roll call vote on the motion to amend the tax levy to a 0%. The motion failed by a roll call vote of;

Yeas: Endress and Koester (2)

Nays: Klemm, Boldt, Bush, DeVine, Brashaw, and Crutchfield (6)

The ordinance on the floor included wording under Section 1. There is hereby levied upon all property subject to taxation within the corporate limits of the City of Freeport, Illinois, as the same is assessed and equalized for State and County taxation, for the fiscal year 2014-2015 the sum of Two Million Four Hundred Forty-Eight Thousand, Forty-One Dollars and 42/100 Dollars (\$2,448,041.42), or so much thereof as may be authorized by law, the same being for general corporate purposes, for streets, for contribution to the Illinois Municipal Retirement Fund, for the Police Pension Fund, and for the Firemen's Pension Fund, such levy being itemized as is hereinafter set forth:

	2014 Proposed Levy
Firefighters Pension	\$569,263
Police Pension	\$1,273,118
IMRF	\$136,000
Corporate Fund	\$469,660
	\$2,448,041

Mayor Gitz stated the ordinance is on the floor in its original form with a -3.0% decrease in the levy from last year's levy. The motion prevailed by a roll call vote of;

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

Nays: Endress and Crutchfield

Ordinance 2014-53 passed.

2ND READING OF ORDINANCE #2014-54:

AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2014, AND ENDING APRIL 30, 2015 FOR THE PUBLIC LIBRARY OF THE CITY OF FREEPORT, COUNTY OF STEPHENSON, AND STATE OF ILLINOIS

The first reading of this ordinance was held on December 1, 2014. A motion to approve was given by Alderperson Boldt, seconded by Alderperson Bush and the ordinance was automatically laid over to tonight's meeting. Ordinance #2014-54 as presented for the tax levy for the Freeport Public Library included the following summary "There is hereby levied upon all taxable property within the corporate limits of said City of Freeport, Illinois, as the same is assessed and equalized for State and County taxation, for the fiscal year 2014-2015, certain property taxes in amounts as follows:

Property tax for general library purposes	\$900,413
Special tax for FICA/Medicare	49,000
Special tax for liability insurance	37,000
Special tax for unemployment insurance	5,000

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The total amount will be levied in the amount of of Nine Hundred Ninety-One Thousand Four Hundred and Thirteen and 00/100 Dollars (\$991,413.00).”

Upon the second reading, the motion prevailed by a roll call vote of;
Yeas: Klemm, Boldt, Bush, DeVine, Endress, Brashaw, Koester, and Crutchfield (8)
Nays: none
Ordinance 2014-54 passed.

2ND READING OF ORDINANCE #2014-55:

AN ORDINANCE AMENDING CHAPTER 288 (OFFICERS AND EMPLOYEES GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS – 2014 HEALTH INSURANCE -
[*view memo*](#) [*view summary of all proposed changes*](#)

The first reading of this ordinance was held on December 1, 2014. A motion to approve was given by Alderperson Klemm, seconded by Alderperson DeVine and the ordinance was automatically laid over to tonight’s meeting. Upon the second reading, Corporation Counsel stated she had made a technical amendment to the ordinance to stipulate in Section 1 and 2 to have a February 1, 2015 effective date. This coincides with the way it was communicated and presented at the last meeting. Alderperson Brashaw made a motion to approve the ordinance as amended, seconded by Alderperson Klemm. Motion prevailed by voice vote without dissent. The ordinance as presented is as follows;

ORDINANCE NO. 2014-55

WHEREAS, the terms of the current City of Freeport employee healthcare plan, including its coverage and cost distribution insurance terms, have not been revised since 2008, with the result that the current plan terms are financially unsustainable and now threaten the City’s solvency if they are not changed; and

WHEREAS, the City Council finds that the following changes to the City’s health insurance program are consistent with the terms offered in the public sector by other public bodies and reflect market conditions for coverage terms; and

WHEREAS, this City Council finds that these changes to the City employee health insurance plan are in the best interests of the health, safety, morals and general welfare of the citizens and employees of the City of Freeport, Illinois.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS as follows:

Section 1. That Section 288.19 entitled “Medical and Life Insurance” of the Codified Ordinances of the City of Freeport, Illinois shall be amended to read as follows:

“288.19 MEDICAL AND LIFE INSURANCE

(a) Any employee of the City who retires with a total cumulative minimum of twenty years of service in the employment of the City and who, at the time of retirement, is covered by City group medical insurance coverage, may elect, in writing, at the time of retirement, to continue on the City group medical insurance

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coverage plan, provided that the retired employee, as a condition to continuing under such plan, will be required to pay, when due, all future premiums for his or her coverage.

(b) The City shall make available, to full-time employees and their dependents, group hospital and medical insurance, and to employees, fifty thousand dollars (\$50,000) in term life insurance coverage. The City will pay for the cost of the life insurance premium. If an employee chooses to participate in the City's group health and dental insurance coverage, the employee's cost ~~for single coverage shall be 5% shall be 12 % of the adopted COBRA single, single plus one, and family rate, respectively rate beginning February 1, 2015 through December 31, 2015; 15% of the adopted COBRA single, single plus one, and family rate, respectively rate from January 1, 2016 through December 31, 2016; and 18% of the adopted COBRA single, single plus one, and family rate, respectively rate thereafter. and shall not exceed thirty dollars and thirty two cents (\$30.32) per month. The employee's cost for single plus one coverage and family coverage shall be 10% 15% of the adopted COBRA single plus one and family rates, respectively, from 30 days after the date of the adoption of this ordinance through December 31, 2015; and 18% of the adopted COBRA single plus one and family rates respectively, thereafter. and shall not exceed one hundred forty nine dollars and five cents (\$149.05) per month. The employee's cost for family coverage shall be 16% of the adopted COBRA family rate and shall not exceed two hundred thirty eight dollars and thirty eight cents (\$238.48) per month.~~ The adopted COBRA rate shall mean, the COBRA rates as adopted by the City from time to time for single, single plus one, and/or family coverage. The employee shall be solely financially responsible for the amounts specified above for each group health and dental insurance coverage premium before the City's obligation to pay arises. ”.

Section 2. This Ordinance shall be effective on February 1, 2015 as passed by the City Council, its approval by the Mayor, and its publication as provided by law.

Section 3. This Ordinance is expressly adopted pursuant to the Home Rule Powers of the City of Freeport under Section 6 of Article VII of the Illinois Constitution of 1970.

Section 4. All ordinances or parts of ordinances in conflict with this Ordinance are repealed insofar as they conflict.

Section 5. If any section, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid, and this City Council hereby expressly declares that it would have enacted this Ordinance even with the invalid portion deleted.

Alderperson Koester stated he does not agree with placing the impact once again on the non-bargaining employees. He understands that changes need to be made to the healthcare benefits for the employees in order to make it sustainable but this class of employees always seem to be the low hanging fruit.

Mayor Gitz requested a roll call vote on the ordinance as amended. The motion prevailed by a roll call vote of;

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

Nays: Koester (1)

Ordinance 2014-55 passed.

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ORDINANCES –FIRST READING

1ST READING OF ORDINANCE 2014-57:

SPECIAL ORDINANCE FOR VARIATION PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS – FENCE VARIANCE 1419 MARK DRIVE - FENCE VARIANCE AT 1419 MARK DRIVE, FREEPORT, ILLINOIS [*view memo*](#)

The Board of Zoning Appeals meeting was held on December 4, 2014. An application was submitted by Michael Steinhauser Jr. for the property located at 1419 Mark Drive, Freeport, IL (PIN #: 18-13-36-105-009). The relief being sought is a Zoning Variance to Section 1270.03 of the Planning and Zoning Code to allow fence installation on the side lot lines instead of the mandatory placement of fences two feet from the side lot lines. The petition was unanimously recommended to council and no written objections were filed to the petition, therefore it may be passed on first reading. Community Development Director Brown presented the ordinance which will allow for a fence installation on the side lot lines instead of the mandatory placement two feet from the side lot lines. He stated the next door neighbor did not object to the variance request.

Aldersperson Klemm moved to place the ordinance on the floor for approval, seconded by Aldersperson Endress. The motion prevailed by a roll call vote of;

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

Nays: none

Ordinance 2014-57 passed.

RESOLUTIONS

RESOLUTION #R-2014-82:

RESOLUTION FOR MAINTENANCE OF STREETS AND HIGHWAYS BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE SECTION #15-00000-00-GM

City Engineer Gallagher provided a written memorandum for the 2015 General Maintenance Resolution MFT Section # 15-00000-00-GM. The proposed Motor Fuel Tax (MFT) Maintenance resolution for 2015 is for \$685,000 and will cover materials, construction, and inspection fees. At this time we are not anticipating any future installments of the Illinois Jobs Now program which provided \$114,000 in additional revenue.

Our expected revenues for 2015 are \$630,000 of which City Engineer Gallagher recommends expending from prior savings. This resolution will be broken out into four (4) general maintenance section numbers as described below:

- The 14-00000-00-GM section number will cover costs for Public Works materials expenses as they pertain to the City-wide Patch Program, concrete for sidewalk ramps and inlets, and road stone. This section number also covers \$45,000 of street lighting in exchange for the City Engineer's services.

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- The 14-00000-01-GM section number will cover costs for our mill and overlay program, which has been successful over the years in providing a renewed surface to our streets. In order to reduce mobilization costs, this work will be organized in one geographical area with a few minor exceptions. The 2015 program will be bid in early April with construction ending in mid-summer.
- The 14-00000-02-GM & 14-00000-03-GM section numbers will cover costs for crack sealing and microsurfacing. Further evaluation of the microsurfacing program will be reviewed prior to moving forward with bidding. Should issues arise due to failures caused by snowplowing, this program will be absorbed by the mill and overlay program. These programs will be bid in February and March for spring and summer construction.

City Engineer Gallagher presented that he will complete all MFT engineering, as he has done since taking over the program. Inspection services will continue to be provided by our local consultants unless additional staffing becomes available. A final list of streets for each program will be submitted to Council in January, outlining a multi-year program.

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

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

Nays: none

Resolution #2014-82 was adopted

RESOLUTION #R-2014-83:

RESOLUTION TO AUTHORIZE AGREEMENT WITH FREEPORT DOWNTOWN DEVELOPMENT FOUNDATION, NFP

Resolution R-2014-83 provided under the General Conditions; the term of this Agreement shall be retroactive to February 1, 2014, and expire on January 31, 2015. Negotiations on any renewal to this agreement shall commence no later than January 16, 2015 and conclude no later than February 28, 2015.

Director Brown provided a written memorandum which stated: "Last December the Council authorized the approval of a "gap agreement" between the City and FDDF for "the remainder of 2013 with the intention of negotiating a full year agreement for 2014 with comprehensive 12-month goals." The attached plan follows that pattern for 2014. A 2015 plan is to be finalized and submitted for approval by the end of February. This resolution and attached agreement would authorize payment for FDDF activities and tasks completed in 2014. The payments are once again divided into two categories: \$25,000 for administrative and other routine operations and \$25,000 for the fulfillment of specific tasks. This year the specific tasks include: street beautification, a vacant building inventory, advertising and marketing efforts, and business retention and recruitment."

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Alderperson Bush moved for approval of the resolution as presented, seconded by Alderperson Boldt. The motion to approve the resolution as presented prevailed by a roll call vote of;

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

Nays: none

Resolution #2014-83 was adopted

RESOLUTION #R-2014-84:

RESOLUTION AUTHORIZING NEGOTIATIONS FOR DESIGN/BUILD FOR 314 W. STEPHENSON (CARNEGIE LIBRARY), NEGOTIATIONS FOR STRUCTURAL CONSULTANT FOR 230 W. STEPHENSON, EXPLORATION OF FINANCING OPTIONS FOR EACH OF THE ABOVE, AND TEMPORARY EXTENSION OF RENTAL AGREEMENT FOR 524 W. STEPHENSON FOR CITY HALL OFFICES

RESOLUTION NO. 2014-84

WHEREAS, in November of 2011, City Hall offices were moved to their current location at 524 W. Stephenson Street due to structural concerns with the prior location of 230 W. Stephenson Street and through an agreed order with the Illinois Department of Labor ("IDOL") that 230 W. Stephenson would not be occupied; and

WHEREAS, since that time the City Council and City Administration have followed several avenues to seek the best available information on 230 W. Stephenson, including, but not limited to obtaining an asbestos report, a building inspection report, an initial and final report from Gary W. Anderson, Architect & Associates, Inc., including a structural report from his structural engineer, a lead inspection, a preliminary estimate on renovation, soil borings, a space needs study completed by licensed architect, Scott Winter, an additional structural engineering report from The Structural Shop, Ltd. out of Schiller Park, Illinois, additional soil boring and reviewed a 2008 roof inspection report; and

WHEREAS, the City Council and City Administration have taken that information and compared it to other possible sites to locate a City Hall, including 314 W. Stephenson Street, 101 West Stephenson Street, and the current rental location of 524 W. Stephenson Street, among other options; and

WHEREAS, under direction of the City Council and City Administration, a survey seeking to obtain citizen input on alternatives for both relocation of City Hall and the ultimate reuse of the two City owned buildings located at 230 W. Stephenson Street and 314 W. Stephenson Street was conducted by Northern Illinois University Center for Governmental Studies, and public and neighborhood watch meetings were held where personal input was sought; and

WHEREAS, the City Council and City Administration understand that the City is responsible for the ultimate reuse of both 230 W. Stephenson Street and 314 W. Stephenson Street; and

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WHEREAS, the City Council and City Administration are mindful that the financial viability and sustainability of any chosen option must be carefully considered; and

WHEREAS, taking all of these factors into consideration, the City Council hereby finds it in the best interests of the citizens of Freeport, to direct the City Administration and staff to take the action herein recited below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT:

Section 1. That it hereby authorizes the City Administration and staff to negotiate a design/build contract, with the intention of repurposing 314 W. Stephenson Street to be utilized as a City Hall. Such contract shall require the separate approval of the City Council and the negotiations shall include separate bidding for subcontracts and the exploration of energy efficiency options.

Section 2. That it hereby authorizes the City Administration and staff to negotiate a structural assessment plan/design contract in order to stabilize 230 W. Stephenson Street to the point where the IDOL agreed order may be lifted with regard to that building, so that an appropriate fund-raising mechanism could be put in place for future rehabilitation, re-use or sale of such property. Such contract shall require the separate approval of the City Council.

Section 3. That it hereby authorizes the City Administration and staff to negotiate an agreement with Bernardi Securities, Inc., which would allow for funding mechanisms for Section 1 and 2, above, and consideration of a possible combination bond with the 2006 refinancing series in order to obtain the most favorable funding rates for each. Such contract shall require the separate approval of the City Council.

Section 4. That it hereby authorizes the City Administration and staff to enter into an extension of the current lease with Uinta, Ltd. for lease of City Hall space at 524 W. Stephenson Street for an additional year.

Section 5. The Corporate Authorities hereby authorize the Mayor and City Clerk of the City of Freeport, as well as any other City official or employee as may be required or convenient, and to take such actions as may be required to effectuate the intent of this Resolution.

Section 6. That the provisions of this Resolution are severable and if any court of competent jurisdiction shall declare any portion of this Resolution to be invalid or unenforceable, said decision shall not affect any portion of this Resolution, other than the part declared invalid or unenforceable. The City Council hereby declares that it would have enacted this Resolution even with the invalid or unenforceable portion deleted.

Section 7. That this Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

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Section 8. That this Resolution is expressly adopted pursuant to the Home Rule authority of the City of Freeport under Section 6(a) of Article VII of the Illinois Constitution of 1970, and that all Resolutions or motions in conflict with this Resolution are repealed insofar as they conflict.

Section 9. That any resolution or motion in conflict with this Resolution is hereby repealed insofar as it conflicts with this Resolution.

Corporation Counsel Griffin reviewed the above stated sections of the resolution. She stated this was written based on the conversations and recommendations in the Committee of the Whole meeting held on December 8, 2014. It was noted that the extension of the lease will need to be communicated to the landlord and this will not be brought back to the council but authorization is provided to the mayor to proceed with the extension for an additional year.

Aldersperson Bush asked if council members could be provided a tour of the Carnegie Library. Mayor Gitz stated that he will make arrangements for council members to tour one or two at a time. Aldersperson Koester stated his concerns for the Carnegie Library building to be ADA compliant and thought a tour would be a good idea. Aldersperson Crutchfield stated his support of moving forward with a project and bringing at least one building back to reuse.

Aldersperson Koester moved for approval of the resolution as presented, seconded by Aldersperson Crutchfield. The motion to approve the resolution as presented prevailed by a roll call vote of;
Yeas: Klemm, Boldt, Bush, DeVine, Endress, Brashaw, Koester and Crutchfield (8)
Nays: none
Resolution #2014-84 was adopted

OTHER

Reports of Department Heads

Community Development

Director Brown provided an update on grants for green space and the Illinois Department of Natural Resources. They are hoping to get by the end of the year and will forward to council for approval.

Finance

Finance Director Cynthia Haggard stated she has been working on the audit draft and the ordinances that need to be prepared for the first council meeting in January for the abatement of the bonds.

Public Works

Director Dole provided an update on a demolition that took place in the 600 block of Blackhawk. The crews are working on pot hole patching. Aldersperson Crutchfield commended the public work crews for clearing the streets of leaves after the snowfall ended leaf pick up early.

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Library

Freeport Public Library Director Carole Dickerson provided an update on the holiday children's book drive and the festival of trees event. She also noted that Santa will be visiting the library and encouraged citizens to view the gingerbread house display.

Fire

Fire Chief Scott Miller provided a report on the new ambulance that is now in service. He brought it to the meeting so the council members and the public could view it on the way into the building. This ambulance replaced a 2003 ambulance and provides more head room and up to date equipment.

Police

Chief of Police Todd Barkalow stated efforts have begun for fundraising for the "Friends of the Canine" and he provided a report on the Shop with a Cop that is now in its 18th year to provide Christmas shopping with an officer. Officers attended a "super star" party at Taylor Park.

Water and Sewer

Water and Sewer Executive Director Tom Glendenning reported that the inflow infiltration sanitary lining was completed over the last three week in what was considered to be one of the hardest areas to line because there was a 42" interceptor at the Canadian National Railroad. This included a mass by pass. There was a realized savings of \$60,000 for the project. Another area that has a lining project is across the Freeport Country Club and before this can get started they will need a hard freeze for the equipment to be placed on the property. Director Glendenning is working on an energy audit at the Waste Water Treatment Plant. He provided a summary of the IL EPA field inspection which was provided to the council in paper form.

City Engineer

City Engineer Shaun Gallagher stated he is reviewed the Landfill contracts to see if there will be any shifting of funds to the TIF. City Engineer Gallagher reported that the publisher of the Scene has been contacted and the circulation guidelines based on the ordinance passed last year have been communicated to them. They are working on communicating this to their carriers and will be addressing issues. If there are any complaints they should let City Engineer Shaun Gallagher or Nuisance Inspector Shawn Homer know of the area to be addressed. If there are further issues, there can be fines of \$50 to \$150 for each instance.

MAYOR'S REPORT

Mayor Gitz provided an update on the Adams and Clark project and stated roadway striping will be completed in the spring. Mayor Gitz has tasked the department heads to provide to him their year-end reports. He wished everyone best wishes for a Merry Christmas and Happy New Year. He asked for support for bell ringing for the Salvation Army.

NEW BUSINESS/COUNCIL ANNOUNCEMENTS

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

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- Alderperson Koester stated his disappointment in the levy vote. He asked to have an ordinance review for fences so that they can be placed on the lot line or the property line.
- Alderperson Crutchfield spoke about looking into motor fuel tax rate now that gasoline prices have fallen.
- Alderperson DeVine noted there will be a neighborhood watch meeting at the Hosmer building on December 22, 2014.
- Council members provided wishes for a Merry Christmas and Happy New Year.

PUBLIC COMMENTS AGENDA OR NON-AGENDA ITEMS

Deb Elzinga, 1147 W. Lincoln, Freeport, Illinois, spoke on behalf of “Citizens for Saving City Hall” and recommended that council members tour the Carnegie Library building and do their due diligence. She stated that she does not agree that the Carnegie Library is the right choice for City Hall and believes that council has made the wrong decision. She noted that from an historical preservation stand point you need to take care and do the project correctly and review the guidelines before you proceed with the windows.

Dan Neal, 1815 Gladewood, Freeport, Illinois, recommended the council go out for a request for proposal on the design build. He spoke about NIDA and the membership of the County Board.

Chris Fye, 214 Harlem, Freeport, Illinois, asked council members to tour the building. He is in favor of moth balling the buildings so they do not deteriorate. He stated the opinion of citizens shows that people want fiscal responsibility, reuse of the buildings, historical and cultural integrity maintained and revitalize the downtown.

Kay Ostberg, 1226 Homestead, Freeport, Illinois, spoke on behalf of “Citizens for Saving City Hall” and her support in the old City Hall building versus the Carnegie Library Building for use as City Hall.

Kathy Wilkin, 902 S. 16th Avenue, Freeport Illinois asked if the Carnegie Library is sitting on bedrock.

Tom Teich spoke about the remodeling of the Malcom Eaton facility.

Upon motion duly made and seconded, the meeting was adjourned at 8:37 p.m.

s/ Meg Zuravel

Meg Zuravel, City Clerk