



**COMMITTEE OF THE WHOLE REPORT
REGULAR MEETING
Monday, January 14, 2013**

CALL TO ORDER

The regular meeting of the Freeport Illinois, City Council Committee of the Whole was called to order by Mayor George Gaulrapp on Monday, January 14, 2013 at 6:00 p.m. in council chambers.

ROLL CALL

Present: Mayor George Gaulrapp, Alderperson Tom Klemm, Shawn Boldt, Ronnie Bush, Scott Helms, Mike Koester and Andrew Crutchfield

Not present: Alderperson Jennie DeVine and Dennis Endress (see notation for entrance)

City Staff Present: Corporation Counsel Sarah Griffin, City Clerk Meg Zuravel, City Treasurer Linda Buss, City Engineer Shaun Gallagher, Community Development Director Shelly Griswold and Public Works Director Tom Dole

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Koester.

PUBLIC COMMENTS – AGENDA ITEMS

- Deb Elzinga, 1147 W. Lincoln Blvd, Freeport IL asked to wait until later in the meeting for public comments.
- Andy Dvorak, 1211 W. Stephenson Street, Freeport IL asked to wait until later in the meeting for public comment.

MINUTES

Alderperson Klemm moved for approval of minutes from meeting held on December 10, 2012 seconded by Alderperson Crutchfield. Motion passed by voice vote without dissent.

Alderperson Klemm asked for leave of council to move forward the discussion item #10, Discussion of Lincoln Mall roof code violations and 15-day notice to repair.

DISCUSSION OF LINCOLN MALL ROOF CODE VIOLATIONS AND 15-DAY NOTICE TO REPAIR

Director Griswold provided a chorology of events regarding code violations at the Lincoln Mall. Director Griswold stated the Lincoln Mall manager is present and she will speak as well. Director Griswold stated the administration started looking issues in May of last year. She stated the Fire Inspector inspected the building and found issues and sent letter to the owner of the mall. She stated it was sent certified but the owners did not send the cards back for receipt. She stated they had other encounters throughout the year including a visit in August including the Fire Inspector and Building Inspector and they went on the roof with the Lincoln Mall manager, Joan Welt. They looked at the extent of the problem on the roof.

Director Griswold stated they worked with Ms. Welt through most of last year trying to get a solution to the roofing issues. She stated the City's issue is a health and safety issue. She stated for many different

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reasons those roof repairs did not happen last year. Director Griswold stated in December, the week before Christmas when we had the bad rain, the HOME Hardware store experienced such severe roof leaks that it had 40 buckets throughout the store and umbrellas over the cashier counters. Director Griswold stated that made us that we had to do something quickly because once the spring-thaw happens, then if there are that many issues in a one day event then we know it will be pretty bad in the springtime. Director Griswold stated to initiate a court case now it will take us to spring to be in front of a judge anyway, so it was important for us to work on now. She stated they sent a 15-day notice. Director Griswold stated last Thursday and Friday there was another rain event that there was more water in the HOME Hardware store and they had the same type of issues and this time they had a slip and fall incident. She stated the 15-day notice is a precedent to a court case to work on a building being repaired, foreclosed, or demolished with the same State statute covering all three. She stated the notice was sent out and the owners have the option to repair, demolish or foreclose. Director Griswold stated lots of times these cases go on for years and years.

Director Griswold explained that a meeting was held this morning including Mayor Gaulrapp, Attorney John Mitchell, Director Griswold, Lincoln Mall Manager and Jim Gitz. She stated they had a good discussion about where we are at and what needs to happen. Director Griswold stated she left the meeting with the feeling that the Lincoln Mall wants to work with us and get the roof issues fixed and Ms. Welt is committed to working with the owners to do that.

Ms. Joan Welt was provided an opportunity to address the Committee of the Whole. Ms. Welt explained the Lincoln Mall has always employed a licensed commercial roofing contractor and they always come out and repair the roof when called. She stated this is not the original roof from 1965, she believes the roof in two different areas was put on in 1991 and 1990 so it is not that old but it is a flat roof. She stated that replacement of the entire roof is estimated to be one million dollars and it will not be feasible to do it all at once but it could be done in phases. She stated that it is up to the store and the store owners as to whether they need to shut their doors for the safety of the customers. She stated that Dollar General decided that they need to shut their doors of their store during the bad rain store. She discussed the slip and fall accident that Director Griswold mentioned stating that it was the HOME Hardware manager and he slipped but he did not fall. She stated the Lincoln Mall is very community minded and has worthwhile events there and there are jobs and tax dollars at the Mall.

Council was provided an opportunity to ask Ms. Welt questions. Alderperson Helms asked at what point will the HOME Hardware roof will be repaired and Ms. Welt stated that they are hoping to move forward in the spring and in the meantime the roofing contractor is going up there and patching. Mayor Gaulrapp asked if Ms. Welt left as manager of the mall on December 11, 2012. She stated that yes she had. She stated that the press conference was called because they did not feel they had the opportunity to have the 15-day notice presented to them and there are many businesses and livelihood at the mall. She stated the city should have called a meeting and let them know there was a problem even though she was not there but came back and there should have been better communication.

Mayor Gaulrapp stated he went to HOME Hardware on December 20, 2012 when they had 40 buckets throughout the store catching rain water and the store manager was beside himself and asked the City to do something. Upon that, Director Griswold did further investigation and then issued the letter with a 15-day notice of repair and the administration did not know Ms. Welt was back at the mall as the manager.

Alderperson Dennis Endress entered the meeting at 6:16 pm.

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Discussion continued regarding the 15-day notice to repair the roof at the Lincoln Mall. Director Griswold stated what she would like to see is an action plan with an estimated time-line to repair the roof. Director Griswold stated that Mr. Jim Gitz will provide a response to the 15-day letter. She stated when the roof is repaired then they will be satisfied.

Mr. Gitz clarified his role as counsel for the mall with the owner's approval. Mr. Gitz provided the circumstances surrounding the 15-day notice receipt and stated they had a productive meeting this morning. He stated that it is a rubber roof with aggregate rock overlay and that rock is frozen so it is hard to do anything in the middle of winter. Upon the thawing of the rock, then work can be done on the roof by the contractor. He stated in the short run the question is how to respond to leaks and they have a roofing contractor who will respond if there is an event. He stated the leaks that are identified are repaired but then you have freeze and thaw. Mr. Gitz spoke about a roof issue at Titan Tire. He stated there is an active response to mitigate the mall's roof and the manager is not in the position to give you a time table because it depends on financing. Mr. Gitz stated he does not think you can state on May 31st everything will be done. He stated what the City needs is the owners assurance, depending on their financing, as to what will be done. He stated there is a short term and long term issue and council needs to ask "what is the level of involvement with the Community Development Department and the mall management". Mr. Gitz clarified that he represents the mall owners and Joan Welt as they are one entity.

Aldersperson Helms asked if Mr. Gitz has been given any kind of time table by the owners and he stated no he had not. Mr. Gitz stated the first thing will be the response to the 15-day notice by the owners.

Council discussed their hope that the mall will grow and prosper.

DISCUSSION AND RECOMMENDATION TO COUNCIL OF DRAFT ORDINANCE AMENDING CHAPTER 220 (COUNCIL), SECTION 220.10 (RULES OF COUNCIL) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT – NOTICE OF SPECIAL MEETINGS

Corporation Counsel Griffin presented the draft ordinance requested by Aldersperson Klemm. She stated the goal is to alleviate staff time in the distribution of the council packets upon a special meeting. Currently council packets are delivered to each person's home upon a special meeting. Counsel Griffin stated that although notice must still be given to members, a member may provide for an alternate acceptable form of service - such as email - by filing a notice in writing with the City Clerk. She stated service shall be deemed appropriate however the form of the notice itself will not be waived. She explained that an alderman could have notice emailed or some other means of alternative method. She stated this would circumvent the Chief of Police or the City Clerk of having to deliver packets to eight member houses. Aldersperson Klemm moved to recommend the ordinance to council as drafted, seconded by Aldersperson Crutchfield. Motion prevailed by voice vote without dissent.

STRUCTURAL INSPECTION REPORT ON FORMER CITY HALL BUILDING LOCATED AT 230 W. STEPHENSON STREET, FREEPORT, ILLINOIS

Contained in the council packet for this evening was a report dated January 10, 2013, regarding structural inspection of Freeport City Hall Building located at 230 W. Stephenson, MEAI #04-31-13-001 written by McClure Engineering Associates, Inc. The report included nine pages of written report and nineteen pages of labeled photos.

[City Engineer memo](#) [view report](#) [view photos](#)

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Chairperson Koester stated the presentation will continue immediately following for the Carnegie Library.

The representatives from McClure Engineering introduced themselves as Ali A. Gharamti, P.E., S.E., Chief Structural Engineer and Christopher T. Baer, P.E., Project Engineer. McClure engineers provided a PowerPoint presentation which included the photos from the above stated report and narrative to explain each photo.

Engineer Gharamti stated he is a structural engineer however he is not an historian, or an architect, or an energy efficiency person or an ADA person and they look at buildings from a structural view of safety and stability. He stated the reports provided to the council were strictly from the standpoint of structural engineering. He stated that previous work was done where an architect provided cost estimates where they were geared towards their point of view from an architectural feature, historic feature, energy efficiency feature, and ADA feature but McClure Engineering did not do that. He stated there was another report done by a structural engineering firm in the past and they agreed with their findings.

Engineer Gharamti stated they provided two reports – one for each building and this presentation will go through those reports. The presentation began on the City Hall building, 230 W. Stephenson and the engineers reviewed the photos and provided the following information;

- settlement issues
- issues with the southwest corner
- deterioration of the mortar joints
- splitting and deterioration of the brick veneer
- moisture penetration whether on the north, south, east or west sides – similar situations
- cracks in the semi-detious coating
- separation of the joints in the stone veneer
- looking up at the roof, there is a separation of the brick veneer
- dormers on south side shows level of deterioration with a split in the stone veneer
- on east side of building moisture infiltration on the brick veneer and this will be shown on the inside as we go into the attic which will show efflorescence and water staining on the walls
- general deterioration of the semi-detious coating and also deterioration behind the coating
- Mayor Gaulrapp asked if the City could remove the outer coating and replace with sealant. Engineer Gharamti stated placing sealant on a brick veneer does not allow moisture to escape the building therefore when the moisture gets into the brick it sits there and keeps working on the deterioration of the brick. He then explained the difference in the bricks used in the building.
- Protective envelope of the building is not working as demonstrated by the pile of debris in the basement of mortar joints and sandstone debris turning into sand and dust.
- significant efflorescence on stone masonry columns evidence of moisture penetrating the building
- efflorescence and water staining of concrete in the basement masonry infill wall (cinder block wall just north of the southwest corner of the building)
- condition of salt of water and moisture in basement
- southwest corner of the building showing water infiltration in the area that had asbestos tile removed believing the water mark is fairly new
- photos showed intensity of water coming in from outside of building with a steel beam rusting
- the engineers reviewed the structural make-up of building and vaults common to this era. They explained a photo of a beam spanning from one the column to the next column. The photo

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demonstrated that beam being a very important make-up of the structure's backbone that holds up the masonry exterior walls and there is a series of three beams that a side by side. Engineer Baer explained what they could see of the beams, there is a section or portion of the exterior of the western beam in the southwest corner that was removed and they were under the impression that there was the same treatment performed on the south face but unfortunately they found a spot that they could gain access visually and see that that is not the case – there is still that third beam there. He stated what they are describing with the beam being very important to the structure member, wherever they see rust staining it is telling us two things 1) there is deterioration of that element and 2) not only is it causing rusting but it is causing the rust to streak down the wall. He explained in the next photo they backed away from the wall and you can see the extent that this is more than just condensation dripping that this is actual a stream or a source of water. Engineer Baer stated that when they read the documents of the previous work that was performed on this building the report stated that there was significant deterioration on the south side of the building and the west side of the building and at the southwest corner. He stated that they were led to believe that a portion of a significant amount of the exterior beams had been removed and replaced with brick. They are under the impression from a structural standpoint when someone makes a recommendation that it would be removed in full at the entire length and that could be the case on the west side of the building but it was obviously not the case on the first span. The engineers pointed out the columns and the beams in the photos. They discussed the cinder block wall that was erected to close off the vault behind it. Engineer Gharamti stated that unintentional by erecting that cinder block wall (that was just air space) between here and 10 feet to the sidewalk but by doing this you have created an environment of moisture all around the steel beams because the soil is now in touch with the steel beams, the soil is wet and it should be draining away from the building so now you have soil, wet soil, sitting next to a steel beam. City Engineer Gallagher stated the cinder block walls were put up in the 70's or 80's. Engineer Gharamti pointed out that the rust on the wall from the beams did not happen overnight. Engineer Gharamti was asked about the repair to the steel beam over the last year and he stated that if you would have asked him he would not have recommended that kind of repair – it did not make a whole lot of sense to do it. He stated the question is what is the cinder block wall sitting on and what is it made of – as a structural engineer I would not put things on something when I don't normally know what it is and that is basically what happened with this repair they placed some bricks to bridge the gap between the rusted beam and on top of that wall. He then pointed out the wall. Engineer Baer stated the question is whether that is designed to take the load and the ultimate answer there lies on what is that wall sitting on. If that floor can be considered a structural element – if that concrete floor in that basement goes all the way down to something sound -- in bedrock or engineered fill, then we might be able to access something but it does not give us comfort when we see the level of water infiltration beneath the wall and not just the water infiltration but on the floor leaving trails are sediment so that we are getting particles through underneath that wall which gives you a glimpse of what kind of fatigue that lower layer of mortar that those blocks are sitting on. He referred to the report where they talk about the pinned connection there is no step or something to keep that wall from moving laterally on the bottom – there is nothing rigid that we can be sure of so as you start seeing the failure of that mortar joint at the bottom as the mortar deteriorates it returns to its natural ingredients which is sand and other elements of virtually no strength. He stated that leaves a void and as that wall would settle and come down – even if it were on something solid below that – just the fact that the water coming through there you can see where all of a sudden what is holding the interior beams anymore. He stated that the question is whether there are footings underneath the floor. Engineer Baer stated

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one on the recommendation that they made is that it is imperative to do further investigation to verify what is that wall sitting on. Engineer Gharamti clarified that he did not mean to say that the beam repair was all wrong but more of a Band-Aid repair and maybe the money was limited.

- Engineer Gharamti stated the building needs to be addressed in terms of moisture penetration all the way from the roofline down.
- Engineer Gharamti pointed out the three-beam system in the basement and noted the deterioration progression from the near/inner beam to the far/outer beam.
- Photos showed the ceiling in the basement where the beam used to sit on a portion of a wall and now that is gone.
- Photos pointed out the bottom side of the floor at the main entrance of the south-side of the building where it showed sagging wire mesh and broken concrete – immediately underneath the main entrance of Stephenson Street.
- Photos showed the interior stairwell separating from the wall where they found that the steps are leaning toward the inside of the building. The engineers stated they thought the steps are sitting on a floor that may not be supported properly.
- Engineer Gharamti stated everywhere they opened up the wall they could see evidence of moisture and plaster falling apart and significant cracking of exterior wall plaster.
- water damage along the exterior walls
- cracked window glazing with apparent load bearing beam on lintel at west side entrance
- water staining of roof framing
- front wall of south dormer – downward/inward rotation of the side wall and opposite corner
- deterioration of bearing just west of south dormer
- deterioration of bearing with water staining at roof rafter
- steel frame door with improper lintel in attached in attic area

At 7:40 pm, Corporation Counsel Griffin left the meeting.

Council members were provided an opportunity to ask the engineers questions.

Aldersperson Koester asked how much demolition needs to be done in order to determine the damage in the walls. Engineer Gharamti stated it would need to gut-out the total building in order to see how to fix it. Engineer Gharamti referred to their recommendations in the report on items that needed to be fixed to improve structural integrity of the building. He stated that he showed the photos so council could get the feeling as to what he is looking at and what he is relying on. Unfortunately, due to time constraints, they had to come up with an answer in the report quickly.

Aldersperson Crutchfield stated the administration had an architect say that this building is structurally sound and he asked if either of the engineers here tonight are willing to say that. Engineer Gharamti stated the word “sound” needs to be defined better. He stated that when he is looking at this building and giving a recommendation, he is not saying that the building is about the collapse tomorrow, or the next day or the next day. Engineer Gharamti stated what he is saying is that he is seeing evidence and potential problem that will ultimately lead to failure with the case in point being the southwest corner that has been deteriorating and you started to see cracking and failure – you opened it up and saw that the beam was deteriorating so you needed to fix it. He stated if “sound” means that it will hold up tomorrow, then he said yes it will be there tomorrow and next week. He stated he is concerned that from five to ten

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years from now that to say this wall is not going to be on the sidewalk --- then, no absolutely not, he would not certify that.

Engineer Gharamti recommended that the fence be placed around 230 W. Stephenson due to the deterioration of the stone veneer and dormers evidenced in the photos from years of water damage. He stated that it is only a matter of time before chunks of stone will fall on the sidewalk below. He stated that he took a hammer and hit the stone and a couple chunks of stone fell off. He stated that he was told the administration took a hammer to knock off chunks and you should not do that just to open up a sidewalk. He then showed a photo of the 4-5 stone veneer and he showed the council that it is not, "if" it will be "when" the stone chunks will fall off.

Engineer Gharamti showed another photo and stated that there are actual gaps and a lot of areas for moisture to get into the building. He stated that based on what he saw in the attic the water could infiltrate from the attic area down to the basement and they did see water damage along the walls inside the building.

Discussion was held as to what would need to be done to the building. Engineer Gharamti stated that currently he can't see in to all the walls of the building and if you open up the walls there is no reason not to see expecting to see the same.

The floor was opened to public comments.

Kathy Knodle stated it looks like the support of the building is failing and Engineer Gharamti stated that yes part of the building could fail and he stated that the cinder block walls are acting as a dam with soil and water behind it and it is a matter of time when this thing will give out and blows through the basement and the potential is there.

Deb Elzinga stated it appears that the water infiltration has been happening for many many years and were the engineers surprised that the owners had not taken care of this sooner. Engineer Gharamti stated yes he was surprised.

Jon Staben spoke as to whether the floor could be opened in the basement to see what is underneath the slab. City Engineer Gallagher stated there were recommendations from the previous structural analysis that suggested further analysis of the foundation, soil borings and investigation of the structural design of the slab.

Jim Gitz spoke about removing the existing steel beams and the approximate estimate of the structural portion of the report. He asked if the City were to spend \$1.2 million to address the structural issues if they could run in to further cost. Engineer Gharamti stated they gave the estimates based on experience for the cost of repair, removal tuck pointing, removal of steel beams, so this number is given as a general overall figure as to what we think may be encountered.

Bette Corbin stated she knew of a report of soil borings in which one report showed it hit bedrock and the other did not hit bedrock and then stated that it showed that it went from dry to wet and as this kind of soil heats and thaws over the years it can move.

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Marianne Garvens spoke about the building originally being a fire station and spoke about the issue with the southwest corner and whether the safes in the building contributed to the sinking. Engineer Gharamti stated he did not feel this had a bearing on it.

Andy Dvorak discussed the report provided sixteen months ago and whether it included structural aspects.

Upon completion of the 230 W. Stephenson Building, the McClure engineers continued with:

**STRUCTURAL INSPECTION REPORT ON FORMER CARNEGIE LIBRARY BUILDING
LOCATED AT 314 W. STEPHENSON STREET, FREEPORT, ILLINOIS**

Contained in the council packet for this evening was a report dated January 10, 2013, regarding structural inspection of Carnegie Library Building located at 314 W. Stephenson, MEAI #04-31-13-001 written by McClure Engineering Associates, Inc. The report included six pages of written report and nineteen pages of labeled photos.

[City Engineer memo](#) [view report](#) [view photos](#)

The representatives from McClure Engineering, Ali A. Gharamti, P.E., S.E., Chief Structural Engineer and Christopher T. Baer, P.E., Project Engineer provided a PowerPoint presentation which included the photos from the above stated report and narrative to explain each photo. The engineers reported that the building showed a lack of maintenance and provided photos showing structural issues of the building located at 314 W. Stephenson. City Engineer Shaun Gallagher stated the roof needs to be removed and replaced. Council members were provided an opportunity to ask the engineers questions.

**DISCUSSION AND RECOMMENDATION OF COUNCIL ON PUBLIC QUESTION/S
(REFERENDUM) FOR DEMOLITION REPAIR, AND/OR REHABILITATION ON FORMER
CITY HALL BUILDING LOCATED AT 230 W. STEPHENSON STREET, FREEPORT,
ILLINOIS AND/OR ON FORMER CARNEGIE LIBRARY BUILDING LOCATED AT 314 W.
STEPHENSON STREET, FREEPORT, ILLINOIS.**

Council members provided their input as to a referendum question. It was a consensus of the council not to proceed with a referendum question because they do not have enough information for people to make an informed choice.

Andy Dvorak stated that they need to hear from Gary Anderson and this is not news because Mr. Anderson put together a report sixteen months ago.

Discussion was held on the City owned buildings in terms of roofs that need to be replaced, ADA issues, and whether parking would facilitate the use of the building to function as a government building. Council provided their opinions on the different choices. Alderperson Helms stated that over the next 30-60 days he would like to see a decision made as to; 1) keep 2) sell 3) moth ball or 4) demolish.

Discussion was held as to the cost to moth ball the 230 W. Stephenson Street building. Mayor Gaulrapp stated they will work on getting those numbers.

PUBLIC COMMENTS – AGENDA ITEMS OR NON-AGENDA ITEMS

- Kathy Knodle, 1612 W. Harrison Avenue, Freeport Illinois, spoke in support of having town hall meetings to discuss the building.

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- Jim Gitz, 1616 W. Lincoln, Freeport Illinois, spoke about the budget and the priorities of the City. He stated there are still bad feelings about the Stephenson County Courthouse. He asked consideration of the next budget as there may not be the same players. He asked that future administration should not be bound but to leave exit door.
- Marianne Garvens, 537 W. Dewey, Freeport, Illinois stated there was a 2006 proposal for the library. She stated there needs to be plan for City Hall and an advisory vote on what the citizens would like to do.
- Andy Dvorak, 1211 W. Stephenson Street, Freeport Illinois, spoke about the costs keep going up – first it was \$1 million now council is throwing out a \$4 to \$5 million dollar figure for the 230 W. Stephenson Street building. He would like a review of the cost estimates presented by Architect Gary Anderson. He stated we need our historical buildings to attract people to the City. He stated that he understands that the Carnegie Library needs to be preserved as well but not at the cost of not repairing the City Hall building.
- Alderperson Crutchfield stated that cost is not the only issue. He stated if cost was not an issue then how much is too much.
- Deb Elzinga, 1147 W. Lincoln, Freeport, Illinois, stated they had given Mayor Gaulrapp some solutions. She asked that the Historical Building Study Group remain intact and encouraged them to be part of the process. She discussed the possibility of moth-balling the building and to allow for preservation architects to examine the documents by the structural engineers.
- Kathy Wilkin, 902 S. 16th Avenue, thanked the council for being open minded about the referendum. She would encourage town hall meeting to find out what people want to have done with the building.

Upon motion duly made and seconded, the meeting was adjourned at 9:15 p.m.

s/ Meg Zuravel

Meg Zuravel, City Clerk