



City Council

City Council Chambers ◊ 230 West Stephenson Street ◊ Freeport, IL 61032

MINUTES REGULAR MEETING Monday, September 19, 2011

CALL TO ORDER

The regular meeting of the Freeport, Illinois, City Council was called to order by Mayor George Gaulrapp with a quorum being present at 6:00 p.m. on Monday, September 19, 2011, in Council Chambers.

ROLL CALL

Present on roll call were council members Tom Klemm, Shawn Boldt, Jennie DeVine, Dennis Endress, Scott Helms, Michael Koester, and Andrew Crutchfield (7). Alderperson Ronnie Bush was absent on roll call and entered after the approval of the agenda. Corporation Counsel Sarah Griffin was present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Klemm.

APPROVAL OF AGENDA

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

At this time, Alderperson Bush entered bringing the number of alderpersons present to eight (8).

APPROVAL OF MINUTES

Alderperson Koester moved for approval of the minutes of the regular meeting held on September 6, 2011, seconded by Alderperson DeVine. Motion prevailed by voice vote without dissent.

Alderperson Endress moved for approval of the minutes of the special meeting held on September 12, 2011, seconded by Alderperson Koester. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

Mayor Gaulrapp asked for leave of council to hear public comment on a non-agenda item. It was granted. Peter Fleming, 653 Jefferson, Freeport Illinois spoke about the Provena campus.

PRESENTATIONS

Diana Roemer, Executive Director, American Red Cross/Northwest Illinois Chapter, spoke about the activities of the Red Cross. Director Roemer provided handouts including Power Outage Checklist, Flu Checklist, and Fire Prevention and Safety Checklist which are available through the Red Cross and on their website. Director Roemer stated that in addition to helping with flood victims in July of both this year and last year, the Red Cross and their volunteers assisted people during power outages and blizzard

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this February. Ms. Roemer invited and encouraged participation in a fundraiser the first Saturday in March.

Mayor Gaulrapp stated that there will not be a presentation in regard to the City Hall building or a report from the City Hall Building Task Force.

CONSENT AGENDA

- A. Approval to receive and place on file:
 - 1) Holiday Schedule for Calendar Year 2012
 - 2) City Council Regular Meeting Calendar for Calendar Year 2012
 - 3) Worker's Compensation Incident Report for August 2011
 - 4) City Treasurer's Monthly Investment Report for period ended August 31, 2011
 - 5) City Treasurer's Report of Cash and Fund Balances through August 31, 2011
- B. Resolution #R-2011-55: Resolution to Request Temporary Closure of Streets Freeport High School Homecoming Parade – October 5, 2011
- C. Motor Fuel Tax Funds (M.F.T.) Accounts Payable September 15, 2011 - \$8,913.37
- D. Water and Sewer Bills Payable (Register #605) ---- \$274,288.54
- E. Approval of Payroll for pay period ending August 27, 2011 --- \$419,092.57
- F. Approval of Payroll for pay period ending September 10, 2011 --- \$409,368.34
- G. Approval of Finance Bills Payable (Registers #602, 603, 604, 606) --- \$560,939.48

Alderperson Endress moved to approve the Consent Agenda items as presented, seconded by Alderperson Klemm. Motion prevailed by roll call vote of:

Yea: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nay: None

The consent agenda items were approved.

ORDINANCES – THIRD READING

3RD READING OF ORDINANCE 2011-47:

AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS – JAN. 18, 2011 - JULY 5, 2011

The first reading of this ordinance was held on August 15, 2011. A motion to adopt was given by Alderperson Klemm, seconded by Alderperson Boldt. The second reading was held on September 6, 2011 and the ordinance was automatically laid over to tonight's meeting. Upon the third reading and no discussion the motion prevailed by a roll call vote of;

Yea: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nay: None

Ordinance 2011-47 passed by a vote of 8-0.

ORDINANCES – SECOND READING

2ND READING ORDINANCE # 2011-51:

AN ORDINANCE AMENDING CHAPTER 868 (TAXICABS), SECTIONS 868.01 (DEFINITIONS), 868.05 (TAXI DISPATCHING SERVICE LICENSES), 868.06 GENERAL LICENSING REQUIREMENTS, 868.10 GENERAL

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**APPLICATION REQUIREMENTS, 868.15 PROMULGATION OF REGULATIONS BY LICENSE OFFICER, AND
868.17 CONDUCT OF DRIVERS OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT**

The first reading of this ordinance was held on September 12, 2011. A motion to adopt was given by Alderperson Bush, seconded by Alderperson Endress and it was automatically laid over to tonight's meeting. Upon the second reading a discussion was held as to applicants for the taxi dispatch service. Upon the second reading, Mayor Gaulrapp asked about inquiries for taxi cab dispatch licenses. The City Clerk has had three inquiries and only one person has come into the office to pick up an application. As of today, the City has not received an application for taxi dispatching service license. The ordinance was automatically laid over to the next meeting.

ORDINANCES - FIRST READING

1ST READING OF ORDINANCE # 2011-52

AN ORDINANCE AMENDING CHAPTER 1442 (PERMITS AND FEES), SECTION 1442.11 "FEE EXEMPTIONS" – BUILDING CODE

Community Development Director Shelly Griswold stated this ordinance is presented due to the intergovernmental agreement with the Freeport Park District that was passed in the council meeting held on September 12, 2011. In the intergovernmental agreement, the Park District asked for a waiver of building permit fees and this is the ordinance that allows for the fee exemption in Chapter 1442.11 as it relates to the Building Permit Fees of the Building Code. Director Griswold read from Ordinance 2011-52, Section 1442.11 "Fee Exemptions (c) Freeport Park District. Work Performed for the Freeport Park District shall be exempt from the payment of a permit fee pursuant to consideration through a separate intergovernmental agreement." Discussion was held regarding whether other non-for-profits would request a waiver of fees. It was stated that this spring an ordinance was passed which removed the exemption for not-profit-entities. Corporation Counsel Sarah Griffin stated that she was very specific to include the wording as to the reason the Freeport Park District would be exempt due to the consideration through a separate intergovernmental agreement. She stated there is a reason we are doing this and it is because council has already approved the intergovernmental agreement. Alderperson Klemm made a motion to move forward the ordinance for adoption, seconded by Alderperson Boldt. The ordinance was automatically laid over to the next meeting. It was stated for the record that the intergovernmental agreement with the Freeport Park District was passed by their board and then signed by the parties.

1ST READING OF ORDINANCE #2011-53

ORDINANCE FOR VARIATION PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS – TYPE OF RELIEF: VARIANCE TO SECTION 1258.02 (YARD AREAS) OF CHAPTER 1258 (H-1 MEDICAL USE DISTRICT); OWNER OR APPLICANT: FREEPORT HEALTHCARE FOUNDATION; PROPERTY LOCATION: 1163 AND 1173 W. STEPHENSON STREET, FREEPORT, ILLINOIS

The Freeport Board of Zoning Appeals unanimously recommended approving the petition in the public hearing held on September 8, 2011. There were no written objections filed against this petition. Therefore, the City Council may take final action on the ordinance this evening. Community Development Director Shelly Griswold presented the ordinance stating that this variance passed through as an ordinance in 2010, but as written the variance would expire if no building had taken place in six months. The ordinance before council this evening petitions for a variance to allow a ten foot front yard area and adds in Exhibit B a special condition or provision to allow an extension of the timeframe allowed

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in Section 1242.10 (Expiration of Authorization) of Chapter 1242 (Administration, Enforcement and Penalty) of the City of Freeport Codified Ordinances from six months to 24 months at 1163 and 1173 West Stephenson Street for the FHN Leonard C. Ferguson Cancer Center, Freeport, Illinois. Alderperson Klemm made a motion to move forward the ordinance for passage, seconded by Alderperson Boldt. Upon no further discussion, the motion prevailed by roll call vote of;

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

Nays: None

Ordinance 2011-53 was passed by a vote of 8-0.

RESOLUTIONS

RESOLUTION #R-2011-56:

RESOLUTION IN SUPPORT OF THE CERTIFICATE OF EMPLOYABILITY AND NATIONAL CAREER READINESS CERTIFICATE PROGRAMS

Mayor Gaulrapp presented the resolution endorsing the Certificate of Employability (COE) and National Career Readiness Certificate (NCRC) and gives ACT and the Workforce Development Coalition permission to use the City's name in public awareness efforts to promote. The resolution states that the Certificate of Employability (COE) is an educational, workforce development-based program designed to supply well-prepared job candidates to employers looking to fill entry level positions with a goal of creating a workforce that understands what employers seek in their employees. Mayor Gaulrapp introduced Janet Vrtol as a representative of the COE program who explained that students that prepare themselves through grade point average, attendance record, and attitude are provided a certificate.

Discussion was held regarding the importance of the COE and that it is utilized by employers in the area including Berner Foods, FHN, Wal-Mart and Seaga Manufacturing. Alderperson Klemm made a motion to move forward the resolution for adoption, seconded by Alderperson Bush. Upon no further discussion, the motion prevailed by roll call vote of:

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

Nays: None

Resolution #R-2011-56 was adopted.

RESOLUTION #R-2011-57:

RESOLUTION TO AUTHORIZE AGREEMENT WITH FREEPORT DOWNTOWN DEVELOPMENT FOUNDATION, NFP

Community Development Director Shelly Griswold presented the resolution which authorizes an agreement with Freeport Downtown Development Foundation as a means for earning funding through the City's 2011 Downtown TIF District Spending Plan in an amount up to \$25,000.00. This amount would be paid according to the schedule to reimburse for the cost of updating the printed directories of the downtown kiosks, place ads to visit historic downtown Freeport, renovating and updating the speaker system, and matching dollar for dollar fundraising revenue to be used in business recruitment and retention efforts in the FDDF operation plan. Members of the FDDF were in the audience in support of the funding. Corporation Counsel Sarah Griffin stated that Director Griswold, Library Director Carole Dickerson, and Mayor Gaulrapp are on the FDDF Board through representation of the City in their role as their positions in the City, not as private individuals. Alderperson Boldt made a motion to approve the resolution, seconded by Alderperson Klemm. Upon no further discussion, the motion prevailed by roll

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call vote of:

Yea: Klemm, Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nay: None

Resolution #R-2011-57 was adopted.

OTHER

DEPARTMENT HEAD REPORTS

Community Development

Community Development Director Shelly Griswold spoke about the demolition budget through the Appropriation for Fiscal Year 2011/2012. In the Community Development Department she had budgeted demolitions at \$25,000.00 and, in addition, there is a contingency line item in the amount of \$10,000.00. As of today, the Community Development Department has spent \$34,865.00 for demolitions. Director Griswold stated we were not supposed to use this additional \$10,000 without council approval. She explained that there was a demolition of a property located on Blackhawk that due to the tipping fees of this structure it used up a majority of the funds. Director Griswold stated that she knows there will be additional funds spent for this line item because of the court case at 204 W. Stephenson Street for the Mahoney and Hauser building. All of the legal fees that we incur for that come out of the demolition line item. Director Griswold stated that the City has incurred \$1,300.00 in legal fees thus far and those expenses will continue. Director Griswold spoke of properties high on the priority list including 407 S. Galena which was a burn-out since 2008, 137 N. Harlem which is in a court case, and 707 S. Float. There are about 100 properties on the list for probable demolitions. Director Griswold stated that recently the City received from the state snow storm reimbursement funds in the amount of \$48,668.00. This was reimbursement of costs that we actually incurred during the beginning of February blizzard. Director Griswold stated the line item is expected to receive revenue through an \$8,700.00 wage garnishment for a property on Orin that needed to be demolished. There are a couple of revenue sources. Director Griswold stated that she is presenting this information to council but no action may be taken on it. Mayor Gaulrapp stated that we will be looking for reimbursement of the legal costs for the Mahoney and Hauser building. Director Griswold stated that there is a chance that the City will need to pay for the demolition of the Mahoney and Hauser building if it is so decided in the court case. The demolition costs of this building are estimated to be \$100,000.

Community Development Director Shelly stated another component of the City Hall building has been to request a quote from a building disassembly company and recycling of the pieces. She will be working on that next week with the Building Inspector. Mayor Gaulrapp stated that it is not that we are looking to demolish the building but we would like to have options in place for demolition, refurbishing it or putting it on the market with restrictions that whoever purchases it has to have a plan and timetable.

Director Joesten stated that it is revenue that is booked this fiscal year and it will reduce the reserves if used.

Finance/Water and Sewer

Finance Director Craig Joesten provided a copy of a proposal from O'Mara for the cost of moving City Hall offices not including Township Supervisor offices. Mayor Gaulrapp read the quote from O'Mara Moving and Storage which included \$850.00 for Fire Department, \$1,245.00 for the Township Assessor,

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\$1,755.00 for the Water and Sewer Department, \$595.00 for Council Chambers, \$6,570.00 for the Mayor's Offices and remaining second floor offices, and \$544.00 for the Vault. The total estimate for the move is \$11,559.00.

Finance Director Joesten presented a written cost estimate from Stewart Centre for office space to the City of Freeport as presented on September 16, 2011. The proposal is an alternate interim location and includes 5,000 to 6,500 feet of office space for the offices of City Hall. The 524 building provided a verbal quote and it has been requested to receive a written quote and that should be provided by them in the next day or two.

Mayor Gaulrapp stated in regard to the City Hall building, there is a second opinion from an engineering firm that specializes in buildings such as this coming this week. He stated that information will be forwarded to the task force and to council members. Mayor Gaulrapp stated there is an architectural firm that will be determining the cost of rehabilitating a couple of different buildings such as the Journal Standard building and some of the other buildings that we looked at. The council had no further questions on the City Hall building.

Public Works

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

City Engineer/Water and Sewer

City Engineer Denise Ihrig stated that the Water and Sewer Department has received inquiries as to the flow of water going down South Street and stated that "no" this is not draining of the water tower. The purpose of the flow of water is to run well number 8 because it was not in operation for twelve months. The well has been rehabilitated so the Water and Sewer Department is pumping the well down until they are able to get the bacterial analysis to pass and it requires two days. It is going to take some time due to the dormancy of that well. There may be some erosion control that will be completed after the flow of water stops.

City Engineer Denise Ihrig provided an update on the Route 75 project and stated that in the plans from IDOT there were no drainage improvements. The plans were for sidewalk improvements only. The contractor was not approved by IDOT to put in any drainage. Some areas have been targeted with issues of standing water and the Public Works department is in the process of placing slotted drains. The first intersection being done currently is the intersection of Stephenson and Mary. The Public Works department will move along Route 75 and, where it is feasible, will be putting in slotted drains to help alleviate localize flooding on the roadway. The intersection of Johanna and Hooker will be difficult because it is uphill from Route 75. The project that was completed on Route 75 was a sidewalk project not a road project. City Engineer Denise Ihrig stated that she has plans in moving forward to include storm sewer drainage in road projects.

Library

Library Director Carole Dickerson was present and had no report.

Police

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Chief of Police Jerry Whitmore spoke about staffing levels. The police department authorized strength is 51. Currently, the department is two short of its projected staffing level with 49 on staff. There are two replacement officers scheduled to start on Monday. There are also two officers scheduled to graduate from police training institute this Thursday. With those officers, the Police Department will be up to 51. There is an officer that will be retiring the end of the month and then the level will be back down to 50. The time table for training is that an officer that was hired back in January just received his release from the FTO training so after seven months he is finally out on his own.

Fire

Fire Chief Kevin Countryman was present and had no report.

MAYOR'S REPORT

Mayor Gaulrapp stated that on September 28, 2011 there will be a presentation and luncheon by the Quad Cities Regional Economic Development Authority.

NEW BUSINESS/COUNCIL ANNOUNCEMENTS

Each council member was provided the opportunity to publicly address significant items of interest.

- Alderperson Bush requested a proclamation in November for the St. Paul Baptist Church as they celebrate their one-hundred year anniversary.
- Alderperson Helms asked about street repair and Director Dole stated that they are still patching and will work to fulfill the list.
- Alderperson Koester requested a report from the Finance Department by the next meeting describing the revenue sources for expenses with the City Hall. Finance Director Craig Joesten stated they are working on it and have found some debt items that are coming to an end and they are looking at funds that replenish themselves. The Finance Department should have by the next council meeting ideas of various funding sources to provide ongoing dollars for maintenance but also potential sources of dollars if it is necessary to go to a new location. They are looking at a 10 year debt services and these will be preliminary funding sources. This report should be ready by tomorrow and will be forwarded to council. Mayor Gaulrapp stated that our building inspector has provided preliminary estimates for rehabilitating possible locations.

PUBLIC COMMENTS AGENDA OR NON-AGENDA ITEMS

- Tom Teich, 653 Jefferson Street, Freeport, Illinois, spoke about the building at Provena and a new location for a retail establishment which will be opening soon in Freeport.

EXECUTIVE SESSION (CLOSED SESSION)

The following was read into the record, "Executive Session is called pursuant to 5 ILCS 120/2 (c) (5) Purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired."

At 6:55 pm, Alderperson Klemm moved to enter closed session, seconded by Alderperson Koester. Motion prevailed by roll call vote of:

Yea: Klemm Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nay: None

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At 7:15 pm, Alderperson Endress moved to return from closed session, seconded by Alderperson Boldt. Motion prevailed by roll call vote of:

Yea: Klemm Boldt, Bush, DeVine, Endress, Helms, Koester, and Crutchfield (8)

Nay: None

Upon motion duly made and seconded, the meeting was adjourned at 7:16 p.m.

s/ Meg Zuravel
Meg Zuravel, City Clerk