



City Council

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

MINUTES REGULAR MEETING Monday, May 6, 2013

CALL TO ORDER

The regular meeting of the Freeport, Illinois, City Council was called to order in Council Chambers by Mayor George Gaulrapp with a quorum being present at 6:00 p.m. on Monday, May 6, 2013.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Endress.

APPROVAL OF AGENDA

Mayor Gaulrapp asked to have a presentation of a certificate moved forward on council agenda to the presentation portion instead of department head reports. Alderperson Endress moved for approval of the agenda as amended, seconded by Alderperson Koester. Motion prevailed by voice vote without dissent.

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Alderperson DeVine moved for approval of the minutes from the meeting held on April 15, 2013, seconded by Alderperson Koester. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

James Gitz (*newly elected Mayor of Freeport*), 1561 W. Lincoln Blvd, Freeport Illinois, spoke about council agenda items. Mr. Gitz spoke about the proposed asphalt paver lease in which he worked with Mayor Gaulrapp, City Engineer Gallagher, and Public Works Director Dole to come to an agreement in an effort to find processes to benefit the street program. In regard to the ordinance for the accounts payable clerk, he stated that this is not a question of who is in the position as it is to allow the new administration to look at the budget and determine what positions should be in effect and then budget accordingly. He stated this position was a part time position and now has become full time. He stated as he understands it there has been some problems in recreating this position and he respectfully requests the council to think about this long and hard before authorizing this ordinance for first reading to wait until the budget considerations. He stated these functions were being done in a different way and they may not have been comfortable or easy but we need to be cognizant of everything as we go over this budget. Mr. Gitz stated his appreciation of several items of assistance by Mayor Gaulrapp and they have been working on transition issues.

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Mayor Gaulrapp stated he has received calls on his cell phones that the microphones are not working on the telecast of the council meeting and he asked Director Dole to continue to tend to the situation.

Marianne Garvens, 537 W. Dewey, Freeport, Illinois, stated she got here late and was not able to sign in to speak. Mayor Gaulrapp stated she may come and sign on the sheet for public comments and we would be more than happy to allow her to speak. Ms. Garvens stated you have my name why take extra time of the council to do that. Mayor Gaulrapp asked Ms. Garvens to sign on the sheet. Ms. Garvens stated at a recent meeting it was stated that if you came in late you did not need to sign the sheet. Corporation Counsel Griffin stated that technically the rules are that you need to sign in and it can be by leave of the council that it is waived, but that is up to the council. Ms. Garvens stated it is on public record. Mayor Gaulrapp asked if there was leave of the council. Ms. Garvens stated she will sign the sheet when she is done talking. Alderperson Crutchfield took the sign in sheet to Ms. Garvens to sign in. Ms. Garvens stated she will be sending a query to the attorney general's office.

Marianne Garvens, 537 W. Dewey, Freeport Illinois, spoke about items #11 in regard to transferring the title of the Rawleigh complex of building D. She stated she is curious about the process on the Rawleigh project has gone because the enterprise zone ordinance clearly states that any member of the public and greater public beyond Freeport can be made aware that this public property was available for lease or purchase for \$100 in exchange for an up to two year redevelopment agreement that once the conditions were satisfied the party could enter into acquiring the title for up to that \$100. Now the greater public had the right to know this opportunity but it seems that it was done somewhat in secret since she hasn't seen it appear other than an announcement that Mr. Alber, I don't think that it was necessarily, think that it is proper that he is doing it, it is just that she thinks that the process by which it was done. She stated because we have ordinance by which that exist that say what the process is and we have statutes that exist that say what this process is. She stated if you are going to change the process by home rule you still have to do it through the City Council and this has been done completely off the cuff as far a matter of public record and so other members of the community may want to form groups to buy space in there and it sounded like when she talked to Dave Young the business cooperative of New England that she raised years ago and he said better late than never and that is true that this should be open to all citizens whether you need 400 square feet or 40,000 square feet and that process was not followed so she disagrees with transferring title at this time since we have no idea what his redevelopment expectations were in the title in the first place.

Mayor Gaulrapp asked Corporation Counsel Griffin to comment on the above stated comments. Corporation Counsel Griffin stated that she has a stated conflict of interest in this so she is not dealing with this particular issue. She stated for the record there is not a title being transferred tonight. This is a letter of intent and Mr. Alber is well aware that this does have to be published prior to a redevelopment agreement going into effect with the City. Mayor Gaulrapp stated this is a reaffirmation of what we did about a year ago. Alderperson Klemm stated it was on council floor over a year ago.

PRESENTATIONS

Rock River Energy – Freeport Aggregation Results

Mike Mudge of Rock River Energy provided an update regarding the City of Freeport's Electrical Aggregation Results. He stated the City of Freeport's Electrical Aggregation Results under the current participation numbers of 7,237 residential accounts and 256 small commercial accounts. He stated the

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program started in August 2012 and has been running for 9 months. The First Energy Solutions rate of 4.76 cents/kWh hours compared to ComEd's current rate of 8.3 cents calculates into a 3.54 cents/kWh savings. Mr. Mudge explained the individual savings for an average usage/account/month of 700 kWh would equate to an average savings per account of \$25.00 per month. Then he explained what the community wide savings account for, if you assume an average average monthly usage in city program of 5,250,000 kWh, equating to an average monthly savings in city program in a total amount of \$185,850.00. He stated that to date the savings since beginning of program comes out to \$1,672,000.00. Mr. Mudge stated that the community rate is still available to anyone on a different supplier or anyone that initially opted out of program. He asked citizens to call Rock River Energy at 815 732-4603 to determine best options. Mr. Mudge stated that ComEd's rate did drop for June 2013 through May 2014, but community rate is still lower and will have positive savings.

Mr. Mudge stated Rock River Energy gave a grant back to the City to go out and get it in the amount of \$142,219.00 which Mayor Gaulrapp stated will be used to demo houses and improve lighting.

Aldersperson Koester stated he heard that the ComEd rate will make this aggregate program negligible if not more expensive than ComEd. Mr. Mudge stated that ComEd did drop their rate to 5.5 cents but the City's aggregation program rate is 4.76 cents per kilowatt hour. Mr. Mudge stated that we have a guarantee on our contract that if the ComEd rate ever drops below our community rate then it would be matched or our supplier would let people go back to ComEd, so there is a safety net built in. None of the residents will ever pay more than what ComEd is charging. Mr. Mudge stated that 95% of ComEd customers are on the community program and if they opted out initially they can still sign up and opt in. Mr. Mudge asked citizens to be aware that there are other suppliers out there trying to sign people but their rates are much higher than the community rate of 4.76 cents per kilowatt.

Aldersperson Koester stated he just received a text to say the sound is not working on the televised meeting. Director Dole stated it must be a Comcast because it is not this equipment in Council Chambers.

Chief of Police Jerry Whitmore provided a certificate to Tom Teich for his fast-thinking during a time of an emergency for calling 911 and asking emergency personnel to come to an accident. Mayor Gaulrapp and Fire Chief Kevin Countryman also recognized Tom Teich and thanked him for his service to the community.

Bernardi Securities

Mayor Gaulrapp asked for leave of council to have a presentation by Bernardi Securities. Mr. John M. Vezzetti and Mr. Robert Vail provided a presentation on refinancing proposal for General Obligation Refunding Bonds, Series 2004. Mr. Vezzetti stated the Series 2004 bonds recently became more appealing to refinance as interest rates decline. He stated they provided a written statement from Bernardi Securities which lists all the bond issues outstanding by the City of Freeport. He stated that currently the interest rate is 4.2% on the Series 2004 Bonds. Mr. Vezzetti stated if the City refinanced over the next month it could be a savings of about \$20,000 per year for an aggregate of roughly \$224,000 over the next twelve years. He stated they are looking at reducing the rate from 4.2% to 2.85%. Mr. Vezzetti stated he is presenting this so the council is aware that if they are proactive, they can take advantage of the market place. Aldersperson Koester asked about costs and Mr. Vezzetti stated the cost would be a net-net cost and

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those costs are included in the calculations provided. Mayor Gaulrapp stated we will see this item for on the next council agenda.

CONSENT AGENDA

The following items were presented on the Consent Agenda in the council packet;

- A. Approval to receive and place on file:
 - 1) City Treasurer's Report of Schedule of Tax Receipts through April 30, 2013
 - 2) City Treasurer's Investment Report for period ended March 31, 2013
 - 3) Reports on Building Permits and Permit Summary for period ended March 31, 2013
 - 4) Water & Sewer Report of Activities through April 23, 2013 by J. Holloway
 - 5) Water & Sewer Report of Activities through April 30, 2013 by S. Gallagher
 - 6) Minutes of Mayor's Residential Rental Property Task Force meeting March 28, 2013
- B. Approval of Motor Fuel Tax Fund Bills Payable (Register #0027) --- \$40,205.90
- C. Approval of Water and Sewer Bills Payable (Register #906, 909, 912, 917) --- \$2,082,598.09
- D. Approval of Payroll for pay period ending April 20, 2013 --- \$415,342.84
- E. Approval of Finance Bills Payable (Registers #903, 904, 905, 907, 908, 910, 911, 913, 914, 915, 916) --- \$815,398.41

Aldersperson Koester moved for approval of the consent agenda items, seconded by Aldersperson Brashaw.

The motion prevailed by a roll call of;

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

Nays: None

The consent agenda items were approved.

APPOINTMENTS/REAPPOINTMENTS

Aldersperson Crutchfield moved to accept the reappointment of Luann Davis to the Liquor Commission effective immediately through May 31, 2017, seconded by Aldersperson Klemm. Motion passed by voice vote without dissent.

Aldersperson Endress moved to accept the appointment of Connie Kraft to the Americans with Disabilities Act Compliance Commission effective immediately to replace Tiffany Vondra who has resigned this position, seconded by Aldersperson Klemm. Motion passed by voice vote without dissent.

ORDINANCES – FIRST READING

1st READING OF ORDINANCE #2013-19:

AN ORDINANCE AMENDING CHAPTER 290 (COMPENSATION) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT – ACCOUNTING CLERK, PAYROLL A/P CLERK

Mayor Gaulrapp asked Accountant Duane Price to present and he stated that this takes a clerical position in the Finance Department which is currently grade 10 and part-time and make it a grade 12 and full time. He stated the reason is because this is the way the position is in the preliminary draft of the budget He stated that there is no Finance Director position in the budget. Aldersperson Klemm asked for some background on the position of Accounting Clerk, Payroll Accounts Payable Clerk. Accountant Price stated a couple of years ago it was held by a full-time clerk, grade 12. He stated she retired. Then they made this position part-time grade 10 when that person only worked on accounts payable under recommendation of then Finance Director Joesten and Accountant Price. Mr. Price stated the Human

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Resource Director took care of running the payroll. This provided them the opportunity to know how long it took to run accounts payable. At that time, it was decided to have a clerical person within City Hall with the time due to work load to come to the Finance Department and work on accounts payable under those limited hours and we have been doing that for about a year. Accountant Price stated when Mr. Joesten left in May that left only him in the Finance Department. He was then working as interim Finance Director and it was working out until the busiest time of year when he went to the Mayor and said he could not do this all by himself. Accountant Price stated that a person was hired in the position and it was full time. Mayor Gaulrapp stated that no one was aware that the position was eliminated by ordinance and then Finance and Human Resources interviewed and hired the person. Mayor Gaulrapp stated a couple of months later, Corporation counsel Griffin found the ordinance that eliminated the position and said that I had to bring it forth to the council, so that is what I did.

Corporation Counsel Griffin stated that she asked for full disclosure by the Mayor and this person was inadvertently hired as a full time person in a position that does not exist. She stated that this ordinance takes corrective action for that and Duane fully intended to do that for the next budget and thought that it already was.

Aldersperson Brashaw stated she understands that the position is currently a part-time position and asked if it is legal to keep the person as full time during a time when there is no position that is open. Accountant Price stated the appropriate amount of funds have been appropriated in the Finance Department when the Finance Director left so it can be covered in the appropriation ordinance. Corporation Counsel Griffin stated that is why she wanted it to be brought to council immediately and because this person is also receiving benefits which are not approved by the ordinance. She stated if we brought this to you in good faith and you turn it down, the person would have to go to part-time and no benefits. Aldersperson Brashaw asked if this can be left for the next administration. Corporation Counsel Griffin stated as long as you are aware of it and it was brought to you in good faith and the funds are appropriated, she does not think that there are any illegalities.

Discussion was held on what the next administration would want from a budget standpoint. Corporation Counsel Griffin stated that in the perfect legal world you would pass this tonight and then wait until the next mayor comes in to see what he wants to do with the budget with this position.

Aldersperson Crutchfield stated that unfortunately there are further issues because this position was never posted and then low and behold the position does not actual exist.

Aldersperson Crutchfield moved to send the ordinance for discussion at the Committee of the Whole meeting next Monday, seconded by Aldersperson Koester. Aldersperson Klemm stated that we should just deal with it tonight and put it on. Corporation Counsel Griffin stated that technically all the positions are being discussed as part of the budget and will probably be up for discussion anyway.

The motion to send to the Committee of the Whole prevailed by a roll call of;
Yeas: Boldt, Bush, DeVine, Brashaw, Koester and Crutchfield (6)
Nays: Klemm and Endress (2)

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RESOLUTIONS

RESOLUTION #R-2013-26:

RESOLUTION AUTHORIZING SUBMITTAL OF A COMBINED APPLICATION FOR 2014 SECTION 5311 NON-METRO PUBLIC TRANSPORTATION CAPITAL/OPERATING ASSISTANCE AND DOWNSTATE OPERATING ASSISTANCE GRANT FUNDING

Community Development Director Griswold stated this is the annual public transportation resolution authorizing submittal of public transportation funds in the amount of \$109,273.00 from Federal 5311 and \$837,430.00 from the State of Illinois Department of Transportation Program. She stated that we have yet to use all of the dollar allocated but after the extension in the County it could happen. She stated this is the resolution to allow us to apply for this grant funding and it does not require local match. It is in anticipation of expansion out in the County, which has been delayed because the proposal is under review in IDOT.

Director Griswold stated that Stephenson County voted to participate in the intergovernmental agreement for the program. Director Griswold stated the fiscal year runs July 1 to June 30 and the application deadline is early May to submit the grant application. She stated that IDOT knows where we are in the process and they are working hand in hand with us and we have had the RFP out for a couple of months now and we are not in a danger of missing a deadline. She stated that movement to the County will depend on when IDOT is done with the RFP, so we need about 2-3 months after that to be up and running. Director Griswold stated we were hoping for July but it is probably going to be later than that. She stated that once they approve that then we will begin working on the vehicle leases. She stated that Transit Coordinator Kevin Cooley is working with IDOT on short-term vehicle lease extensions so there is not any interruption in service.

Aldersperson Boldt made a motion to approve the resolution as presented, seconded by Aldersperson Crutchfield. The motion prevailed by a roll call of;

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

Nays: None

Resolution #R-2013-26 passed.

RESOLUTION #R-2013-27:

RESOLUTION AUTHORIZING APPLICATION FOR ILLINOIS DEPARTMENT OF TRANSPORTATION 2013 CONSOLIDATED VEHICLE PROCUREMENT ROLLING STOCK CAPITAL ASSISTANCE GRANT

Community Development Director Griswold presented the resolution stating that the Community Development Department is intending to apply to the Illinois Department of Transportation for the 2013 Consolidated Vehicle Procurement for two minivans that are ADA accessible. She stated this is in anticipation of expansion of the transit program into the county since routes in the county would be with fewer people and the need would be for smaller vehicles. She stated they will apply for this in May and it usually takes about two years to get the vehicle which can we can expect if we receive the grant they would come in 2015. Aldersperson Klemm made a motion to approve the resolution as presented, seconded by Aldersperson Endress. The motion prevailed by a roll call of;

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

Nays: None

Resolution #R-2013-27 passed.

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RESOLUTION #R-2013-28:

RESOLUTION AUTHORIZING APPLICATION TO THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY TRUST FUND FOR 2013 HOME HOMEBUYER ASSISTANCE GRANT PROGRAM

Community Development Director Griswold presented the resolution stating that at the last council meeting she explained to council that this grant has been applied for and the grant application does not become official until and unless you pass this resolution. They applied for \$586,000 for homebuyer grants in order to get people into homes that are foreclosed. The people who come to us through the application process must be bank qualified so they have to have a credit score to allow them to obtain a bank loan. This is for people who are less than 50% of the median income to allow them to apply for down payment assistance and an amount for rehabilitation of the house. That assistance is provided in a forgivable low interest loan that is forgiven after a period of time when calculated on the basis of pre-rehab and post rehab. So it could be a five or ten year recapture timing. There is not local match for this grant. Alderperson Klemm made a motion to approve the resolution as presented, seconded by Alderperson Crutchfield. The motion prevailed by a roll call of;

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

Nays: None

Resolution #R-2013-28 passed.

RESOLUTION #R-2013-29:

RESOLUTION TO REAFFIRM INTENT TO TRANSFER TITLE TO BUILDING D OF THE RAWLEIGH COMPLEX, 101 S. LIBERTY AVENUE, FREEPORT ILLINOIS, TO PETER ALBER AND TO AUTHORIZE AN EXTENSION TO THE LEASE AGREEMENT FOR THAT PARCEL

Community Development Director Shelly Griswold presented the resolution stating that in 2012 we entered into a lease agreement with Peter Alber for Rawleigh Building D (far southeast corner). Mayor Gaulrapp has asked us to bring a resolution reaffirming the City's intent to negotiate a redevelopment agreement and a purchase of the building from the City. She stated that this also extends the lease until October 2013. Director Griswold referred to the lease agreement provided in the council packet and stated she had placed a revised version on the desks this evening. She stated the changes to the lease is the term which now goes to October 2013. She stated that on the top of page two there is language because we did asbestos cleaning in floors one, two, and the lower level so on floors three through six they are not allowed open to anyone unless you are a licensed asbestos professional, so language has been added in this lease saying that Mr. Alber agrees to limit access to those floor. She stated on section six, the language was clarified because it had said that the lessee shall not sub-let the premise and we added the language, "or assign interest of the premises" which is on page four. Alderperson Crutchfield asked why we are not transferring the title to the building. Director Griswold sated that we have not received our no further remediation letter from the Illinois Environmental Protection Agency. The documentation has been sent to the State and we are awaiting our final "NFR" letter. Another reason she stated was because the Alta survey was requested for Fehr-Graham & Associates to complete and once those are done we will work on something similar to a condominium plat, setting forth the easements and access and that has to be done before we can transfer the title. She stated we will need to complete a set of owner association rules so that one tenant in the building doesn't engage in activities that are disruptive to other tenants in the building. Director Griswold stated we must have those things done before we can transfer title to the building.

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Discussion was held on the asbestos abatement and lead paint removal needed in the building and Director Griswold stated that we can still get a no further remediation letter with asbestos and lead in the building.

Corporation Counsel Griffin stated in regard to what Ms. Garvens said at the beginning of the meeting and what is in this resolution is that we still have a developer who is hoping to get TIF incentives and those still have to be negotiated, that still has to be advertised for a period of time under the TIF statute and all of that needs to be done in addition to everything else before the actual transfer of title. Director Griswold stated they had that conversation with Mr. Alber last week so he fully understands that even before we can enter into a redevelopment agreement with him we need to put an advertisement out and let other people give their proposals on what they would do with the building. Corporation Counsel Griffin referred to section 12 of lease in which Mr. Alber is under is an "as is" and he agrees that he has inspected and is aware of all those conditions and that remains in this ongoing lease.

Aldersperson Klemm made a motion to approve the resolution as presented, seconded by Aldersperson Brashaw.

Aldersperson Crutchfield stated that we are a year into this and it is too bad that we are starting to cross our t's and dot our i's and all that should have been done throughout this past year. Mayor Gaulrapp stated what we have been doing is making the building clean by going out for grants in order to do this to get the building habitable so somebody would lease it and so somebody would redevelop it and somebody would purchase it. Director Griswold stated we have been doing the remediation work over the last several months. She stated there is only one of me and she is the only person on staff that works on this and when you have a very small staff things have to be staged out.

The motion to approve the resolution with the proposed lease prevailed by a roll call of;

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

Nays: None

Resolution #R-2013-29 passed.

RESOLUTION #R-2013-30:

RESOLUTION TO ENTER INTO A SUB-RECIPIENT GRANT AGREEMENT WITH UNIVERSITY OF WISCONSIN DEPARTMENT OF URBAN AND REGIONAL PLANNING FOR SERVICES RELATED TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SUSTAINABLE COMMUNITIES CHALLENGE PLANNING GRANT

Director Griswold presented the resolution stating that we are the sub-recipient of a grant with University of Wisconsin Department of Urban and Regional Planning for services related to the United States Department of Housing and Urban Development Sustainable Communities Challenge Planning Grant. She stated we will receive assistance through grad students. This is a \$8,000 sub-grant and they will be working on housing stabilization in the 3rd Ward, transit systems planning for preliminary work on a fixed route system, passenger rail planning and marketing by looking at ridership issues, brownfield program indicator assessment and markers on our GIS system, green building infrastructures and guidelines, to work on the Food Enterprise Center market business plan, Riverfront Arts and Cultural center planning, and an Entrepreneurial Center business plan. Aldersperson Klemm made a motion to approve the resolution as presented, seconded by Aldersperson Koester. The motion prevailed by a roll call of;

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

Nays: None

Resolution #R-2013-30 passed.

OTHER

DISCUSSION OF PRELIMINARY DRAFT OF FISCAL YEAR 2013-2014 BUDGET

Accountant Duane Price stated that last week he again reviewed the budget now that he had the data from the last fiscal year complete so he could review an entire year's worth of revenue and expense items. He has since made some changes to the budget that was distributed to council members in March, bringing down the amount of budgeted deficit to an amount of \$415,000 which accounts for a reduction in the deficit of \$160,000. Mayor Gaulrapp asked if council would like to have Accountant Price prepare copies of the amended version of the budget at the Committee of the Whole meeting next Monday. Council members concurred with placing this item on the Committee of the Whole agenda.

DISCUSSION ON PROPERTIES OWNED BY THE CITY OF FREEPORT, ILLINOIS - 230 W. STEPHENSON BUILDING

As requested at the Committee of the Whole held on April 22, 2013, discussion will continue on Items A and C below pending additional information from City Engineer;

- A) Environmental testing for asbestos and lead
- B) Opening walls and floors for determination by architectural professional as to degree of required renovation
- C) Boring and analysis conducted by geo-technical engineer for determination of proper foundation repair

City Engineer Shaun Gallagher stated that currently he has contacted two agencies to provide numbers for items a and c on the item list for obtaining a proposal for asbestos and lead testing as well as getting Testing Services back to complete the remainder of their borings that they recommended in the first round of testing. He stated the proposals he has not seen because this is a very busy time for asbestos sampling due to school projects, so he is hopeful to have something next week. He expects the costs to be in the range of \$15,000 to \$17,000 for the sampling and about \$5,000 for the soil borings.

Aldersperson Koester asked if the costs for opening the walls and the floors and whether that is proceeding. City Engineer Gallagher stated that would be best left for architect who would be contracted to do the work on the building because his concern would be a duplication of work and costs. He stated the largest variables would be environmental and whether we need to underpin. He stated once we have that knocked out then the architectural elements would be pretty consistent with what Mr. Anderson has provided.

Aldersperson Bush asked about the comments made at the Committee of the Whole and the eleven steps provided by Mayor-elect Jim Gitz and whether Mayor Gaulrapp and Mayor-elect Gitz had a chance to review those items and bring it back tonight for council to look at. Mayor elect Gitz was called forward and stated that he has provide the eleven steps and he is open to how the council would modify it and they have not had the chance to discuss it further. It was asked if there could be something prepared by next Monday and Mayor Gaulrapp stated yes.

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Mayor elect Gitz stated that whether it is done in-house or out-sourced, there needs to be a space needs study conducted which would include looking at the needs of the Police Department because that needs to be evaluated as well.

Discussion was held on the need for having town hall meetings and perhaps utilizing Northern Illinois University's office of governmental affairs to develop a survey. Mayor elect Gitz stated that he is looking at different financing options including a tax credit and a public-private partnership. Mayor Gaulrapp suggested that the City look into historic tax credits as well. Discussion continued with council members providing input from their constituents.

REPORTS OF DEPARTMENT HEADS

Community Development

Community Development Director Griswold had no further report.

Finance Department

Accountant Duane Price had no further report.

Public Works

The following action item was listed on the council agenda:

Rental of a LeeBoy 5000 Asphalt Paver from Casey Equipment on a trial basis for \$6,900/month for up to 3 months as a sole source procurement under the City's Purchasing Policy (this type of used equipment is of a nature and type that typically would not be retained by the seller for the period of time it would take to comply with the Policy)

Public Works Director Tom Dole stated they met with Mayor Gaulrapp, Mayor elect Gitz and City Engineer Gallagher to go over the City street program. He asked for leave of council to provide Mayor elect Gitz the ability to provide his opinion on how to proceed. Mr. Gitz stated upon review of the street program proposal he noticed we were further along on projects for resurfacing and not so far along in terms of pavement preservation and taking care of some immediate issues. That initiated a series of meetings between Director Dole and City Engineer Gallagher. He stated in light of the pressing issue of the City streets, which have problems virtually everywhere, we ought to err on the side of crack filling everywhere, not on the streets that are scheduled to be resurfaced, but on streets that are in relatively good condition which would benefit from crack sealing. He stated they proposed to spend \$100,000 on crack filling which would be out-sourced with the possibility of splitting it into a couple of contracts with the goal of sealing as many streets that could benefit this year as possible. Mr. Gitz stated the other issue is pot-hole filling and in particular intersections that would benefit from excavation and hot patch – this would be sizeable areas. Those are projects that could be done by the Street Department putting it as their highest priority, but they do not have the equipment to do this. At this time, we are proposing a venture which we hope to have a lot of future payoffs. He stated he has recommended that instead of buying the equipment that we lease this equipment perhaps on a temporary basis to see how this unfolds. They will utilize a prioritized list throughout the seven wards and, hopefully, we will hit every major project.

Mr. Gitz stated that as recommended by City Engineer Gallagher there are two sections of streets that would remain on the project list and those would be Logan and Stover retaining them because they have water and sewer substructures issues that need to be addressed. So those streets would stay on the list to

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be resurfaced. He stated the trade-off on this process would be 1) you are addressing immediate issues and you are doing it everywhere instead of resurfacing a couple of street 2) not only will we have better streets for the most part but we will be taking steps for pavement preservation which would be an investment in the future because you are stopping the deterioration of streets that are in relatively good condition 3) this is a new plan of action for the Street Department in terms of priorities but there are trade-offs on the number of streets that can be completely resurfaced. Mr. Gitz stated the immediate issue before council is the leasing of the equipment and if we are going to lease this equipment we would like to get started as soon as possible to take advantage of the weather. Director Dole stated the Street Department crew would work on patching and the crack sealing would be out-sourced. Director Dole explained the current process for patching and said for the most part it gives you a very poor product. Discussion was held on the timing of the lease of the equipment, deposit necessary, and the costs. Director Dole stated that this equipment will provide for a more long-term better quality patch. He stated that if he needs to purchase asphalt and it can't be obtained from the Civil hot mix plant then he may have to obtain it from Monroe or Oregon.

Director Dole recommended the leasing of the rental of a LeeBoy 5000 Asphalt Paver from Casey Equipment on a trial basis for \$6,900/month for up to 3 months as a sole source procurement under the City's Purchasing Policy (this type of used equipment is of a nature and type that typically would not be retained by the seller for the period of time it would take to comply with the Policy). Alderperson Klemm made a motion to move forward with the lease of the above stated request, seconded by Alderperson Boldt. Discussion was held on contracted mill and overlay on sections of Logan and Stover and that those projects will still proceed and the Street Department will take the information from the evaluations and set forth their priorities on 600-700 intersections. Once they focus on intersections they may work on some streets but in order for this project to work they need to stay focused on the priority listing. The motion prevailed by a roll call of;

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

Nays: Koester (1)

Motion passed 7-1.

Fire

Fire Chief Kevin Countryman spoke about the ceremony at the All Veteran's Memorial Park which dedicated the monuments for law enforcement and fire emergency personnel. He thanked the coordinators for the service which was held on Saturday, May 4, 2013. Chief Countryman stated the public safety building will be delayed slightly by the wet spring weather so conditions can improve to do the paving so it looks like it will be the first part of next week for things can be completed.

Library

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

Police

Chief of Police Jerry Whitmore had no further report.

Water and Sewer

Water and Sewer Director Tom Glendenning provided an update on the Burchard stacked water tower that is being erected and it should move along quite quickly. He stated we as long as we have good

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weather we have everything staged. Director Glendenning reported that we have less than 1,000 meters left to be installed for the water meter replacement program which is an excellent staging point for them to be at. Director Glendenning stated they recently ended up in a storm water overflow mode due to the heavy rainfalls and reported no serious property damage although there were reports of homes getting ground water coming in but nothing really major. He stated the compliance reporting and testing has been submitted to the EPA and recorded so we are in pretty good shape with that. Director Glendenning was pleased to pass the Water and Sewer budget and have it passed by the commission although there is a deficit due to his crystal balling and needing contingencies but nothing that the cash flow can't handle. He stated he was extremely conservative on the water and sewer cash at the moment until the meter project is done and we see with the new accounting software where we will be by the next fiscal year.

City Engineer

City Engineer Gallagher stated that he re-benched marked the building at 230 W. Stephenson and it registered the same. He was pleased with that because we have received a lot of rainfall recently.

Update on Street Lighting Project

City Engineer Gallagher stated they were supposed to meet with ComEd last Friday to start working on some light poles. He stated the cost will be \$150.00 for each location to upgrade to 250 wattage bulbs at the intersections and 150 wattage bulbs at mid-block for the lighting upgrades and those should be taking place in the next month.

Mayor Gaulrapp stated Asplundh Tree is the contractor for 2013 and they have been out trimming trees through ComEd and if council members don't like what they see, they should contact them.

MAYOR'S REPORT

Mayor Gaulrapp reported that the cash on-hand was \$1.8 million due to receipt of extra payments by the State of Illinois.

NEW BUSINESS/COUNCIL ANNOUNCEMENTS

Each council member was provided the opportunity to discuss items of interest.

Aldersperson Endress asked if the City receives a cut of the video poker and Mayor Gaulrapp stated the City receives 5% and it currently goes into the general fund. He thanked Fire Chief Countryman for the tour of the new public safety building.

Aldersperson Brashaw asked if there would be an open house for the new public safety building. Fire Chief Countryman stated there will be an open house scheduled when the station is fully functional, probably. She thanked residents for cleaning up their yards and houses.

Aldersperson Koester spoke about motorcycle awareness the month of May.

Aldersperson Klemm provided an update on the landlord registration task force and stated there is a lot of good communication going on in those meetings. He stated they are reviewing processes with inspectors.

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Aldersperson Bush asked if an item can be added to the Committee of the Whole meeting to have a discussion of committees. Mayor Gaulrapp stated yes that could be on the agenda. Aldersperson Bush stated he would like to have a retreat to continue discussion and would also like to have tours of the wards.

Mayor Gaulrapp asked Mayor elect Gitz to join him on his radio show on Thursday.

PUBLIC COMMENTS AGENDA OR NON-AGENDA ITEMS

Steve Carroll, 811 S. Oak, Freeport Illinois spoke about Broadway and Oak and provided council members information on sex offenders rented in the area by landlords on Broadway.

Kevin Johnson, 535 E. Winneshiek, Freeport Illinois, spoke about an issue that he had with the building department about a code violation and he thanked the staff members for doing their job now that the issue has been resolved.

Windy Pearson, Chicago Illinois, spoke about the 700 block of Carroll and how that atmosphere has changed in the area. Now there is gambling, loitering and disruptive behavior. She spoke about recommending a ordinance which would make parents responsible for the actions of their children.

Marianne Garvens, 537 W. Dewey, Freeport Illinois, spoke about the agreement that she had with Ms. Pearson's comments. She stated that we need to protect witnesses and witnesses need to be willing to come forward and officers need to be willing to look into complaints. Ms. Garvens stated that people throughout the wards need to step up and they need to care enough about their community to get to know someone that you don't know. She used different examples of people going through difficult times.

Aldersperson Bush stated that he is in agreement with Ms. Garvens comments. He stated he does know there is something on the books in regard to parents and he has spoken with Corporation Counsel Griffin and Chief about this as far as curfew and truancy.

Corporation Counsel Griffin stated she can certainly look into the suggested wording changes. She reviewed the code and there is curfew and truancy where we have the right to put an affirmative duty on the parent. She will need to look to see if we can project anything further onto the parents and at the restitution through courts issue.

Ms. Pearson spoke asking what can be done and whether parents can be held responsible for what their children do. She recommended that parents should have to pay restitution for what their children do, perhaps in the terms of community service time by the parent and the child. She stated it is time as a community that we start taking action for what is going on in our community.

Tom Teich, 653 Jefferson Street, Freeport Illinois, thanked Chief Whitmore for the certificate.

Ms. Garvens stated that people need to get involved. She quoted her favorite poem stating, "I am one, but still I am one. I cannot do everything. But still I can do something. And because I cannot do everything, I will not refuse to do the something I can do." She stated the City needs to develop a City-wide lease.

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Upon motion duly made and seconded, the meeting was adjourned at 8:02 p.m.

S/ Meg Zuravel

Meg Zuravel, City Clerk