



City Council

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

MINUTES REGULAR MEETING Monday, August 5, 2013

CALL TO ORDER

The regular meeting of the Freeport, Illinois, City Council was called to order in council chambers by Mayor James L. Gitz with a quorum being present at 6:00 p.m. on Monday, August 5, 2013.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Endress.

APPROVAL OF AGENDA

Mayor Gitz requested to have item number 16 removed from the agenda for adoption of Resolution R-2013-58 (resolution opposing any unfunded mandate due to adoption of the 2012 NFPA 101 Life Safety Code). He asked for a motion to approve the agenda with that exception. Alderperson Koester moved for approval of the agenda as amended, seconded by Alderperson Endress. Motion prevailed by voice vote without dissent.

MINUTES

The minutes of the special meeting held on July 8, 2013 and regular meeting held on July 15, 2013 were presented. Alderperson DeVine moved for approval of the minutes, seconded by Alderperson Brashaw. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

There was no one signed on the sheet for public comments on agenda items.

CONSENT AGENDA

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

- A. Approval to receive and place on file:
 - 1) Building Permits Report for July 2013
 - 2) Water and Sewer Commission Report on activities June 25, 2013 to July 30, 2013
 - 3) City Treasurer's Monthly Investment Report for period ended June 30, 2013
 - 4) City Treasurer's Report of Cash and Fund Balances for period ended June 30, 2013
- B. Approval of Water and Sewer Bills Payable (Register #964, 968, 971) --- \$215,352.26
- C. Approval of Payroll for pay period ending July 13, 2013 --- \$409,033.86

MINUTES
REGULAR MEETING
Monday, August 5, 2013

D. Approval of Finance Bills Payable (Registers #963, 965, 966, 967, 969, 970, 972, 973, 974) --- \$661,509.46

E. Approval of Motor Fuel Bills Payable (MFT-0031) --- \$15,641.67

F. Approval of Resolution No. R-2013-53, Resolution to Request Temporary Closure of Streets for Colby Smith Memorial 4-Mile Classic – August 24, 2013

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

APPOINTMENT/REAPPOINTMENTS

Aldersperson Endress moved for approval of a reappointment of James Bienlien to the Freeport Public Library Board of Trustees effective immediately through May 31, 2016, seconded by Aldersperson Klemm. The motion prevailed by a roll call of;

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

Nays: None

Aldersperson Klemm moved for approval of an appointment of Stephen Lafferty to the Planning Commission effective immediately through October 31, 2013, seconded by Aldersperson DeVine. The motion prevailed by a roll call of;

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

Nays: None

Aldersperson Endress moved for approval of an appointment of Michael Reichert to the Liquor Commission effective immediately through May 31, 2017, 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

PRESENTATIONS

Executive Director Dave Young presented an update Northwest Illinois Development Alliance's 2013 action plan and mid-year report. Mr. Young provided an overview of the business retention and expansion activities by Northwest Illinois Development Alliance including explaining about fifty visits to participating organizations and over one hundred calls over the last year were made by representatives of the home field advantage team of Prospering Together. Mr. Young stated that NIDA worked with the County Board Chairman Bill Hadley to realign Stephenson County with the Boone/Winnebago/Rockford Workforce Investment Board. In January and February, NIDA, Northern Illinois University, the Whiteside, Lee and Ogle participated in economic development roundtables along with eighty companies and fifty education and training providers.

Mr. Young stated that NIDA is currently working with five companies in which they have developed relations with through the business call program; 1) has initiated a \$3.5 million dollar expansion generating four new jobs, (2) are in the process of evaluating an expansion that will generate a combination of capital investment and job creating; and (2) involve delivery of technical assistance and/or

MINUTES
REGULAR MEETING
Monday, August 5, 2013

workforce training which will create a foundation for further growth in the future. He stated that NIDA is working with local banks for developing a list of capital funds and possible grants to have dollars ready for growth and development projects. Their number one goal is retention of current employers. He stated with the opening of the Dollar General store it will bring nine new jobs to the area. He also spoke about the Regional Office of Education which will be moved to Freeport along with twenty six jobs and a computer lab.

PRESENTATIONS BY CITY ENGINEER

City Engineer Gallagher provided a summary of reports for the City Hall buildings including the report of Asbestos and Lead Testing for former City Hall Building (230 W. Stephenson Street) and former Carnegie Library Building (314 W. Stephenson Street); a summary of the soil boring report (Geotechnical Testing) on former City Hall Building (230 W. Stephenson) as provided by Testing Service Corporation; and the space needs report with comparisons provided for 524 W. Stephenson, 314 W. Stephenson, and 230 W. Stephenson.

City Engineer Gallagher stated that the above stated reports will be discussed in more detail at the Committee of the Whole meeting on Monday. He stated the results were pretty closed to what was anticipated and provided written estimates for Carnegie Library to be between \$65,000 to \$80,000 taking into consideration pipe insulation, transite cement sheeting, floor tile, mastic, roof (need to assume it has asbestos) and attic (limited access due to safety concerns). The estimated costs for asbestos at the former City Hall building will be between \$50,000 to \$65,000 taking into consideration pipe insulation, flooring materials and he noted that the roof was not tested. He noted that the assumption is that both roofs contain asbestos and the contractor will come back for further testing once those become available. The lead based paint abatement ranged from \$175,450 to \$493,050. He stated that those numbers represent lead based paint cost estimates for removal of paint down to the existing building materials. The majority of these costs would be covered in a conventional demolition of the existing walls, windows, doors which is typical of any renovation. This should be looked at as an outline for the architect as to the locations of lead based paint within each facility.

He reviewed the information in the soil borings which showed that the current building likely rests on solid or weathered rock. The experienced settlement of the southwest corner was likely the result of the deterioration to the beams that span the existing vaults. City Engineer Gallagher stated that most likely you would dig back down into the weathered solid rock to where the foundation is located and rebuild back up to replace the vault system with new block waterproof membrane to allow the structure to drain properly. Then you would back fill with drainage material and replace the exterior beams on the south side and the partial west side and this was included in McClure's original estimate. The council was provided an opportunity to ask questions about the reports. He stated that it has been suggested to place granite on the exterior lower portion of the outside of the building to assist with water issues.

City Engineer Gallagher reviewed the space needs report provided by Winter Designs. He stated the report indicates that based on potential growth within departments the projected future needs could eventually exceed the space available at the Carnegie Library. However, the former City Hall would provide additional square footage beyond any foreseeable growth. He stated that currently in the 524 building the City Hall office staff uses 13,020 square feet and the report projects a needed potential growth of 18,047. The police and fire stations are currently adequate. Chief Whitmore was asked about

MINUTES
REGULAR MEETING
Monday, August 5, 2013

the record storage and he stated that the new storage area is more than adequate so he does not have a concern looking 10-15 years ahead.

Aldersperson Klemm stated he would like to have further discussion of the reports at the Committee of the Whole meeting. City Engineer stated he could see if Scott Winter could attend the next council meeting.

Mayor Gitz stated that when we made the contract for the space needs study it was understood that he would be available to present directly to the council and he would do that without extra charge. He stated not only will this be discussed at the Committee of the Whole but we will make the report available and if there are further questions on the space needs we will forward them to Mr. Winter for the space needs response if there are further questions such as Aldersperson Brashaw's question about containment so we can get our arms around what are the costs. We can have him available depending on the will of the council. Aldersperson Crutchfield stated that having to wait to have him present he does not want it to slow down the process and he is comfortable with the report submitted. City Engineer stated the full reports are available to the council. Aldersperson Boldt asked if there were drawings that are available. City Engineer stated that Mr. Winter provided rough use of areas but nothing similar to a layout because that would be more up to what road you want to go down.

COMMUNICATIONS TO COUNCIL

Fire Inspector Clyde Butler read into the record a memorandum dated July 31, 2013 to the council. He stated this letter is in regard to the Residential Rental Task Force. The committee has met a total of nine times beginning on March 28, 2013 and finishing on July 17, 2013. The committee voted Clyde Butler as chairperson and it is as such that he submitted a report to the council. During these meetings we had a great discussion and debate and on July 17, 2013, the committee unanimously approved the resolution of recommendations to you as City Council. Attached to the memorandum was a four page draft resolution titled Residential Rental Task Force resolution (draft). He asked if the council had any questions. Aldersperson Klemm spoke about the task force and the items discussed and the document moving forward will change thing not only for landlords, for tenants, for the City, for the building department and some minor code changes. Aldersperson Klemm stated a big part of this goes back to the Mayor's Public Safety program and a lot will tie in with that program.

Aldersperson Boldt made a motion to receive this document and place it on file, seconded by Aldersperson Koester. Aldersperson Boldt asked if this will be discussed at the Committee of the Whole. Mayor Gitz stated that the staff will need to dissect this and review it with the public safety plan. The administration will need to bring all the pieces together it can be discussed at the Committee of the Whole but it would be best to have the staff formulate the changes that need to be made and then present to the council for approval. Mayor Gitz stated there is a lot of staff work that will need to be done before it is ready to go. Mayor Gitz stated that he hopes to have a listing of every change and how they relate and what order you can expect them to be made and he is hoping to have this a week from now. Discussion was held as to the timing for presenting the changes coming from this document.

The motion to place the document on file was approved by voice vote without dissent. Mayor Gitz offered to Clyde Butler and the Residential Rental Property Task Force congratulations on a great job.

ORDINANCES – SECOND READING

**MINUTES
REGULAR MEETING
Monday, August 5, 2013**

2ND READING OF ORDINANCE #2013-35:

AN ORDINANCE AMENDING CHAPTER 868 “TAXICABS” OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

The agenda stated, “this ordinance amends due date of licenses to July 1 of each year for taxi drivers and vehicles with inspections continuing to be performed on a vehicles every six months. The first reading of this ordinance was held on July 15, 2013. A motion to adopt was given by Alderperson Brashaw, seconded by Alderperson Koester and it was automatically laid over to tonight’s meeting.” Upon the second reading, Alderperson Crutchfield asked about the drivers licenses of for the taxi drivers. Chief Whitmore stated that each driver of a taxi cab must obtain a City of Freeport taxicab driver license and the licenses are valid for a year. Upon no further discussion, the motion for passage of the ordinance prevailed by a roll call of;

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

Nays: None

Ordinance #2013-35 passed.

2ND READING OF ORDINANCE #2013-36:

AN ORDINANCE AMENDING CHAPTER 480, SECTION 480.24 (HANDICAPPED PERSONS AND DISABLED VETERANS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT (W. PLEASANT)

The agenda stated, “This ordinance amends parking along church hall entrance of Embury Church on W. Pleasant to provide two handicap parking spaces. The first reading of this ordinance was held on July 15, 2013. A motion to adopt was given by Alderperson Klemm, seconded by Alderperson Koester and it was automatically laid over to tonight’s meeting.” Upon no further discussion, the motion for passage of the ordinance prevailed by a roll call of;

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

Nays: None

Ordinance #2013-36 passed.

2ND READING OF ORDINANCE #2013-39:

AN ORDINANCE AUTHORIZING AN AMENDMENT TO INTERGOVERNMENTAL AGREEMENT FOR THE OPERATION OF AN ENTERPRISE ZONE – VOTING MEMBERSHIP

The agenda stated, “This ordinance amends the City code to adopt the amendments to the Enterprise Zone chapter to add City of East Dubuque as a member with non-voting rights. The first reading of this ordinance was held on July 15, 2013. A motion to adopt was given by Alderperson Koester, seconded by Alderperson Klemm and it was automatically laid over to tonight’s meeting. Upon no further discussion, the motion for passage of the ordinance prevailed by a roll call of;

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

Nays: None

Ordinance #2013-39 passed.

RESOLUTIONS

RESOLUTION #R-2013-54:

RESOLUTION ACCEPTING FEDERAL SECTION 5311 AND ILLINOIS DOWNSTATE PUBLIC TRANSPORTATION ACT (DOAP) FUNDING

MINUTES
REGULAR MEETING
Monday, August 5, 2013

The motion to adopt Resolution #R-2013-54 was given by Alderperson Boldt, seconded by Alderperson Koester. Community Development Director Shelly Griswold presented the resolution by stating an application has been made to the Division of Public and Intermodal Transportation, Department of Transportation, State of Illinois, for a financial assistance grant under Section 5311 and the Act for fiscal year 2014, for the purpose of off-setting a portion of the Public Transportation Program operating expenses and deficits of the City of Freeport. While participating in said operating assistance program the City will provide all required local matching funds. The Corporate Authorities hereby authorize the Mayor and/or his designee to negotiate and enter into such Agreement(s) pursuant to the terms of said grants and to be able to make any amendments if necessary. Upon no further discussion, the motion for adoption of the resolution prevailed by a roll call of;

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

Nays: None

Resolution R-2013-54 was adopted.

RESOLUTION #R-2013-55:

RESOLUTION TO AUTHORIZE AND APPROVE DOWNTOWN TIF BUILDING EXTERIOR IMPROVEMENT PROGRAM (REPLACING FAÇADE IMPROVEMENT PROGRAM)

The motion to place Resolution #R-2013-55 on the floor for adoption was given by Alderperson Brashaw, seconded by Alderperson Koester. Community Development Director Shelly Griswold presented the resolution by stating that the City of Freeport has designed a program to provide owners of properties financial incentives to preserve, restore, and rehabilitate the exterior features of buildings located within the downtown Tax Increment Redevelopment (TIF) Area. This program is consistent with the City's approved Tax Increment Financing District Fund Expenditure Plan. A copy of the marked up Building Exterior Improvement showing the changes that had been made compared to the previous year's Façade Improvement Program. Director Griswold stated that items including the façade improvements along with roof and exterior improvements will be included with this program in an effort to not only make aesthetic improvements but to also make those exterior improvements to enhance the structural soundness of downtown building. Director Griswold stated that in the downtown TIF spending plan there is an amount of \$50,000 available for this program. Applicants can receive up to 50% reimbursement up to an amount of \$10,000. The City Council makes the final decision on grant awards.

Community Development Director Griswold reviewed the application period in 2013 and provided the proposed dates contingent upon tonight's resolution passing which gave an August 20, 2013 historic preservation review application due, September 3 grant applications would be due, September 10 the historic preservation review hearing and a date of September 16 for the grant recommendations to City Council. She stated that time table has been developed so that people can get projects completed by this fall before winter sets in. Discussion was held on the amount of funds left over from last year. Director Griswold stated we had some dollars unspent last year but each year the amount starts over. She stated that is an amount that was encumbered from last year that has a project finishing up this year.

Alderperson Klemm made a motion to send this resolution to the Committee of the Whole meeting next Monday, seconded by Alderperson Endress. Discussion was held as to the timing of application and projects that need to get started prior to the weather turning into winter. She stated her concerns over the grant application process going into October because it would not allow much time to complete work before winter.

MINUTES
REGULAR MEETING
Monday, August 5, 2013

Mayor Gitz stated that because of an ITEP grant resolution that will need to be presented to council there will be a special meeting of the council prior to the Committee of the Whole meeting on Monday, August 12, 2013. Director Griswold reviewed the timetable in the document with the application process to begin on August 20, 2013 if approved by resolution this evening. She included that a mailing would be performed on business owners in downtown properties.

Aldersperson Klemm withdrew his motion to refer the resolution to the Committee of the Whole meeting. Aldersperson Endress withdrew his second. Director Griswold stated she could ask Freeport Downtown Development Foundation to come and talk as well because they are in support of this program.

Aldersperson Bush made a motion to send this resolution to a special meeting of the City Council to be held on Monday, August 12, seconded by Aldersperson Crutchfield. Motion passed by voice vote without dissent. Resolution R-2013-55 was laid over to the special meeting to be held on August 12, 2013.

RESOLUTION #R-2013-56:

RESOLUTION TO AUTHORIZE PUBLIC SIDEWALK PROGRAM

Aldersperson Boldt made a motion to place the resolution on the floor for adoption, seconded by Aldersperson Bush. The resolution stated that Freeport has more than 50 miles of publicly used sidewalks in a state of disrepair and disintegration. Previous programs to remove disintegrated sidewalks by the Street Department and others, have proved insufficient to address the deteriorated condition of sidewalks throughout older neighborhoods. In several previous years the City Council has adopted several resolutions to continue and reauthorize a Public Sidewalk Program. The Mayor and the City Council have determined that it is in the best interests of the health, safety and welfare of Freeport to continue and adjust this program. There are ever-growing numbers of pedestrians who frequently use sidewalks and who are endangered by sidewalks in a condition of disrepair.

City Engineer Shaun Gallagher presented the resolution and explained the 2013 Sidewalk Program as a reimbursement program of \$1.50 per square foot reimbursement. He stated the reimbursement would average about \$400 to \$600 per homeowner on average. Upon completion of the work, the applicant shall notify Public Works for final inspection of the work. Once the new sidewalk is approved, the applicant can submit their receipt to the City of Freeport Finance Department for the reimbursement. No reimbursement will be given for sidewalk costing over \$5.00 per square foot or for custom sidewalks (e.g. granite, colored, custom design, etc.) and driveways. The City of Freeport will also contribute in-kind services for removal of existing sidewalks for eligible projects. The City of Freeport will continue to build ADA-compliant corner ramps where applicable, with the City paying the entire cost of the ramps. Aldersperson Boldt asked if there would be a contractor listing. City Engineer stated that this program will be first come first served with priority given to those homeowners that are able to coordinate the completion of an entire city block. Once all funding has been used, the program will be closed.

Upon no further discussion, the motion for adoption of the resolution prevailed by a roll call of;
Yeas: Klemm, Boldt, Bush, DeVine, Endress, Brashaw, Koester and Crutchfield (8)

Nays: None

Resolution R-2013-56 was adopted.

RESOLUTION #R-2013-57:

**MINUTES
REGULAR MEETING
Monday, August 5, 2013**

SUPPLEMENTAL RESOLUTION FOR IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE MOTOR FUEL TAX FUNDS 2012 SECTION NUMBER 12-00157-00-CG

The motion to adopt Resolution #R-2013-57 was given by Alderperson Koester, seconded by Alderperson Endress. City Engineer Shaun Gallagher presented the resolution by stating that this resolution is for a close out to a resolution by the City Council on January 17, 2012 appropriating \$350,000 on Motor Fuel Tax Funds for construction maintenance, preliminary engineering and construction engineering of streets and highways for use on S. Harlem Avenue from LaCresta Drive to south end which was approved by Illinois Department of Transportation as Section 12-00157-00-CG. He stated due to additional engineering costs and overages on the project, the total final costs for maintenance and engineering for this section were \$411,519.91. This resolution appropriates the sum of \$61,519.91 of Motor Fuel Tax funds for the purpose of maintaining streets and highways from January 1, 2012 to December 31, 2012.

City Engineer Gallagher stated he provided a written document to council titled 2012 cost MFT breakdown. He summarized the report by stating that last year the City spent \$1.1 million of the motor fuel tax fund dollars with an 80-20 split to complete projects on thirteen city blocks. This year, with the reduction in engineer fees, the crack sealing projects and the micro-surfacing of streets, they will be able to complete 135 city blocks at construction costs of \$560,000 and engineering costs of \$80,000.

Upon no further discussion, the motion for adoption of the resolution prevailed by a roll call of;
Yeas: Klemm, Boldt, Bush, DeVine, Endress, Brashaw, Koester and Crutchfield (8)

Nays: None

Resolution R-2013-57 was adopted.

RESOLUTION #R-2013-58:

RESOLUTION OPPOSING ANY UNFUNDED MANDATE DUE TO THE ADOPTION OF THE 2012 NFPA 101 LIFE SAFETY CODE

Note from clerk -- this item was removed from the agenda as requested by Mayor Gitz.

OTHER

Reports of Department Heads

Community Development

Action item for acceptance of a bid for Rawleigh Complex Walkway Masonry Repairs – bid tabulation link on agenda

Community Development Director Shelly Griswold provided a written document dated July 23, 2013, for bid tabulation on the Rawleigh Complex Walkway Masonry Repairs. The agenda included an action item for acceptance of a bid for Rawleigh Complex Walkway Masonry Repairs. Director Griswold stated that bids were opened on July 15, 2103 and three bids were provided from Nicam Construction in an amount of \$49,950.00, Mike Harris Mason Contractor in an amount of \$43,260.00, and Renaissance Restoration, Inc. in an amount of \$51,958.00. Director Griswold recommended accepting Mike Harris Masonry Contractor's bid of \$43,260.00 and entering into an agreement with that firm to complete the work. Alderperson Bush moved for approval of Director Griswold recommendation of accepting the bid of Mike Harris Masonry Contractors, seconded by Alderperson Klemm. Discussion was held as to the line item

MINUTES
REGULAR MEETING
Monday, August 5, 2013

this expenditure will come from and Director Griswold stated there is a line item for general building maintenance of City owned buildings in the amount of \$100,000 and this expense will come out of that fund. Discussion was held on the contractor and Director Griswold stated that Gary Anderson prepared the bid documents and he is very comfortable and familiar with the contractors. The motion prevailed by a roll call of;

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

Nays: None

Mayor Gitz asked for consideration of the press to note that it is less expensive to repair than it would cost to take it down.

Community Development Director Griswold stated that there will be a special council meeting held on August 12, 2013 before the Committee of the Whole meeting and presented will be an Illinois Department of Transportation Transportation Enhancement Program (ITEP) grant application for a section of the Pecatonica Prairie Path at Tutty's Crossing Trailhead. She stated the grant application is due August 20, 2013. She stated the partners on this project will be the Freeport Park District and Stephenson County.

Public Works

Director Dole provided an informational item that he will send out for bids for new skid steer loader with a bucket and it will include a pavement grinder. These bid packets will be prepared, publicized, and placed on the city website for viewing. The bids will be due August 15, 2013 so he should have it ready for the next council meeting. Director Dole explained the width of this piece of equipment will allow for better passes on the projects. Alderperson Crutchfield made a motion for Public Works Director to go out for bids on the equipment, seconded by Alderperson Bush. Mayor Gitz stated that technically this item does not have to go to council but it was provided as an informational item. The motion passed by voice vote without dissent.

City Engineer

Action Item For Acceptance Of Bid For Contract For Pearl City Road - Kiwanis Drive Intersection Roundabout Bids

City Engineer Gallagher presented that on August 2, 2013 the City of Freeport and Stephenson County received bids for the Pearl City Road – Kiwanis Drive roundabout. This is a federal project, so all bids were received and opened by the Illinois Department of Transportation. City Engineer Gallagher stated that three bids were received on the project with a bid of \$1,495,087.39 from Civil Constructors; a bid of \$1,346,194.88 from Fischer Excavating; and a bid of \$1,532,592.52 from Martin and Company Excavating. He stated in January he had provided a construction estimate to council for the project and had estimated the project out to be \$1,382,500 so that leaves about \$39,000 in contingency on this project moving forward. He stated one thing that was not in that funding mechanism was a reimbursement from Heritage Woods as part of their annexation agreement so there is an additional \$35,000 to \$45,000 so going into the project we will assume to have contingency of about 6% or about \$80,000.

Alderperson Klemm moved for approval of acceptance of the low bid from Fischer Excavating in an amount of \$1,346,194.88, seconded by Alderperson Boldt.

MINUTES
REGULAR MEETING
Monday, August 5, 2013

Discussion was held as to the estimated contingency was about 10% but as we get closer to construction you would take about 3-5% contingency into it. They reviewed the project this afternoon with Fehr Graham and they feel that there is a pretty tight set of plans on the project to come into budget.

City Engineer explained the cost of the \$1.38 million dollar project that \$457,500 is from a legislative grant received by Stephenson County for work on this project. He stated the City has \$750,000 in federal funds for the project from STU funds and there will be \$75,000 spent from the Lamm Road TIF funds. He stated that the County's money is the first in. Our money is the last spend so we have to have approval of all change orders and any costs above and beyond the original contract. The State pays for the project and they do not expect to see payment until half way through next year. Engineer Gallagher stated there will be a preconstruction meeting in the next couple of weeks, they expect full closure beginning after labor day. Discussion was held as to the entrance of the Heritage Road and City Engineer Gallagher explained that the formal entrance to Heritage Woods is located on Forest Road. The Pearl City Road entrance is for emergency vehicles.

City Engineer Gallagher stated that all the right of ways for this project was donated and the surrounding properties have been on board with this project.

Discussion was held regarding making the intersection a four-way stop, a signalized intersection and the roundabout and the differences. City Engineer Gallagher stated that a four way stop was not recommended because of the severity of accident and the false sense of security of a four-way stop by assuming that the major route is going to stop. He also used the example of a driver on a foggy morning coming around a corner, not seeing a stop sign and stated that is how T-bone type accidents happen which can result in fatal accidents. Illinois Department of Transportation only use a four way stop as a temporary formality but he does not think that it was ever a reasonable approach. What was considered was a signalized intersection but with that there would have been an additional \$100,000 for required turn lanes and another \$250,000 for the electrical equipment so the costs would have risen by \$350,000 bringing it into a \$1.7 million project with signalization.

City Engineer Gallagher stated that another consideration on this project is the grading work and he estimates that its cost is about 50% of the project and it would have had to be done no matter what the choice taken for the signalization or roundabout. He stated there is also about \$200,000 project of water projects that will be performed as well to put in a new water main and move it away from around the roundabout area and there will be storm sewer added that were not in the original estimates so this is a big full design with all the bells and whistles for the same price as shown back in January. He stated ComEd will be moving their utilities along with other underground utilities. City Engineer Gallagher stated the last week of August you will begin seeing signage and the Citizens State Bank will be provided an alternate temporary entrance on the east side. He stated there will be access to the Heritage Woods property as well. Entrances from the north and east will be accessible. Entrances from the west and south will be limited. He stated that the roundabout has been designed to accommodate a WB-65 tractor trailer and the school busses.

City Engineer Gallagher stated that typically the aprons on the roundabouts are red but taking into consideration Highland Community College and Freeport Pretzel colors the engineers selected to use orange as more representative of this area.

MINUTES
REGULAR MEETING
Monday, August 5, 2013

The motion to accept the bid for contract for Pearl City Road - Kiwanis Drive Intersection roundabout bid from Fischer Excavating prevailed by a roll call of;

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

Nays: None

Finance Department

Accountant Price was present and had no report.

Library

Library Director Carole Dickerson was not present at the meeting.

Fire

Interim Fire Chief Jim Blackburn was present and had no report.

Police

Chief of Police Jerry Whitmore spoke about eagle scout projects that will be performed at the Police Department including installation of a medical prescription drop off box and a pergola. There is a dedication ceremony scheduled on August 6, 2013.

Water and Sewer

Water and Sewer Director Tom Glendenning stated the time line for the completion of the Burchard Tank has been set back once the staging was committed to what they are doing. He stated we are looking at mid-September before we will see substantial completion on that project.

MAYOR'S REPORT

Mayor James L. Gitz thanked the Residential Rental Property Task Force. Community development will be the primary focus of the departments and in our residential neighborhoods and the goal is to bring this together and integrate it with the Public Safety Plan so in the future there will be ordinance changes and reports in regard to that. Mayor Gitz will be communicating with council regarding the appointment of directors. He stated there are quite a few business opportunities coming down the pipeline. The council will be asked at the special meeting for approval action on an Illinois ITEP grant for the Pecatonica Prairie Path. He stated we want to assure the council that not only are we going to connect the Jane Addams trail but we stand a really good chance through the funding cycle to acquire the \$2 million that we need in order to make the connection over US 20 but to also take us out to US 20. It is very important for us to come together on this because one of the things that came out of the meeting earlier last week was that not all the taxing bodies are seeing the value in this. He stated it will be important to fortify the coalition and it will take all of us including the County at the table to do that. We all will enjoy the additional benefit from the completion of this project.

Mayor Gitz stated there have also been some questions as to the Rawleigh building and as to a business owner and one of the surprising things with that has been the final dawning realization that it is not as simple matter of us bringing it to the council but there are a number of steps that we have to go through. We are pushing the staff to collapse as many of those steps into one as possible. He stated we are hopeful to have progress on this in September and we are working to have him take possession as soon as possible. He stated that we need a legal description, we need a plat, we need have a redevelopment

MINUTES
REGULAR MEETING
Monday, August 5, 2013

agreement but we don't have a necessary sign off on it and we will need to have sign off on all the environmental issues, so there are a lot of moving parts. He stated that owner needs to obtain his legal counsel and, as of late this afternoon, he is in the process of doing that.

NEW BUSINESS/COUNCIL ANNOUNCEMENTS

- Alderperson Endress spoke about the neighborhood watch meeting and thanked Chief Whitmore and Mayor Gitz for attending. Alderperson Endress provided a special thank you to Reverend John Hollis and wished him well for his retirement.
- Alderperson Brashaw spoke on behalf of the Freeport Housing Authority to announce the first graduation of the work force development institute. This will be held at Westview on Friday and she spoke about the businesses that came forward to teach skills programs to those who are disadvantaged in the soft skills program. Berner Foods was the first business in Freeport to step forward and promote it. Now there are other businesses that have stepped forward. Berner Foods will do some of the hiring from this group of graduates.
- Alderperson Crutchfield spoke about the reports on City Hall and asked about the eleven point steps in the process. He asked if the next steps can be reviewed in the Committee of the Whole. Mayor Gitz stated the next step is to determine the square footage requirements. He stated we need some more work before we have some really good apples to apples comparisons and he does not see that being done in a week with everything else having to be accomplished. He stated we need to zero in on the rehab costs. Mayor Gitz stated we are working on numbers for both buildings and looking at the possible tax credits that could be available. Mayor Gitz stated his hope is to expand this discussion to the present building that is known as the art center.
- Alderperson Boldt stated that discussion regarding the roundabout began in 2001 with public works committee discussions and this process has gone on a long time so it is hard to believe when people say it just happened. Alderperson Boldt asked about the plan in front of the Post Office. City Engineer Gallagher stated that we performed the street topography. Now he needs to have the time in order to be able to design the plans and he will be working on it in August. After that he will have Director Dole review the plans to decide what his crews can do and what they will need to contract out.
- Mayor Gitz stated he does not like the huge investment that the roundabout brings about but he does recognize the safety factor and the previous administration brought this forward so he will honor the will of this body and there is a relationship with the County with the grant received from the State, so there are a lot of moving parts to this.
- Alderperson Boldt asked about solicitation for electrical rates and Chief Whitmore stated that he does not think that there is a current solicitor's permit taken out on that. He asked about the Mahoney building and Mayor Gitz stated that his understanding is that there have been some discussion with the owner about the stabilization at the rear of the building.
- Alderperson Bush asked where we are with proceeding with the tour of the wards. He stated that his hope is to get that underway in the very near future. His goal it is to take the council retreat, the tour of the wards and to roll that together. Alderperson Bush stated that on August 17 there will be spoke about the Back to School program that will be held at the Boys and Girls Club with a workshop before school supplies are handed out.
- Alderperson DeVine stated there will be an open house on August 10 at the Freeport School District transportation center.

MINUTES
REGULAR MEETING
Monday, August 5, 2013

PUBLIC COMMENTS AGENDA OR NON-AGENDA ITEMS

John Gallagher, spoke as a member of the river committee and thanked the City for the dumpsters to assist in the clean-up of the Pecatonica River.

Kay Ostberg, 1226 S. Homestead, spoke as a member of the committee of citizens to save City Hall by stating that she was pleased to hear it is a solid building and a sound building and she is looking forward to moving the City services back into that building. She stated that the roof is a pressing matter.

Tom Teich, 653 Jefferson Street, spoke about the new building that is being worked on Galena Avenue which will house a retail establishment.

EXECUTIVE SESSION (CLOSED SESSION)

The following was read aloud by City Clerk Meg Zuravel, "Pursuant to 5 ILCS 120/2 (c) (11) litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal and pursuant to 5 ILCS 120/2 (c) (21) discussion of minutes lawfully closed under this act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

At 8:07 p.m., Alderperson Brashaw moved to enter Executive (Closed) Session, seconded by Alderperson Endress. The motion prevailed by a roll call of;

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

Nays: none

The council members left council chambers for a conference room.

At 8:15 p.m., Alderperson Crutchfield moved to return to open session, seconded by Alderperson Brashaw. The motion prevailed by a roll call of;

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

Nays: none

ACTION ON SEMI-ANNUAL REVIEW/APPROVAL OF EXECUTIVE SESSION MINUTES AND TAPES

Alderperson Boldt stated that 5 ILCS/120 2.06 provides that minutes of closed sessions should be made public once a public body determines that it is no longer necessary to protect the public interests or the privacy of an individual by keeping the minutes confidential. The City of Freeport City Council, in closed session, reviewed the minutes of past closed sessions currently kept in a closed file and determined the following;

Alderperson Boldt made a motion to approve the minutes of the executive session held on March 18, 2013; to make a determination that the need for confidentiality still exists in relation to all other closed session minutes previously identified as not released; to make a determination that the need for confidentiality no longer exists as to the minutes from the following closed session meetings or portions of minutes and that these portions should be made available for public inspection March 18, 2013 executive session subject #1 – minutes and he moved for the authorization for the destruction of verbatim recordings of the following closed sessions; all of which are over eighteen months old and the written

MINUTES
REGULAR MEETING
Monday, August 5, 2013

minutes of these closed sessions have been previously approved by this City Council (Sept. 06, 2011 and older)

- January 17, 2012
- December 19, 2011, subject #1, #2, and #3
- October 17, 2011, subject #1, #2, and #3
- September 19, 2011
- September 6, 2011

He stated, "I so move." This motion was seconded by Alderperson Crutchfield . The motion prevailed by a roll call of;

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

Nays: none

Upon motion duly made and seconded, the meeting was adjourned at 8:16 p.m.

s/ Meg Zuravel

Meg Zuravel, City Clerk