CALL TO ORDER

The regular meeting of the Freeport, Illinois, Committee of the Whole was called to order in council chambers by Mayor James L. Gitz with a quorum being present at 6:08 p.m. on August 8, 2016.

ROLL CALL

Present on roll call: Mayor Gitz and council members Tom Klemm, Peter McClanathan, Art Ross, Jodi Miller, Patrick Busker, Sally Brashaw, Michael Koester and Andrew Chesney (8).

Present from the City: Finance Director Guary Bernadelle, Community Development Director Alex Mills, Public Works Director Tom Dole, Battalion Chief Jim Blackbourn, Police Chief Todd Barkalow, and Water and Sewer Executive Director Tom Glendenning.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Brashaw. She then became the chairperson of the meeting.

PUBLIC COMMENTS

Michael Thompson, 3151 W. Pearl City Road, Freeport, Illinois spoke as a business owner and member of the committee to change government. He spoke on behalf of the committee against a proposed resolution for a city administrator position. He stated the petition process validates the support to change to a city manager form of government. He noted this is a deliberate attempt to distract and muddy the water. He stated the City Manager form of government is a smart move for an efficient and professional way for the City to function and this critical decision should be left up to the voters.

Joan Welt, 2812 Red Fox Court, Freeport, Illinois spoke as a member of the committee to change government. She explained that the committee had obtained 758 petition signatures that were filed with the Circuit Clerk today. They had more than enough signatures to place the referendum question on the ballot for November 8th. This is a successful grass roots effort to allow the voters to make the decision. She supports the council-mayor-city manager form of government.
APPROVAL OF MINUTES

Alderson Koester moved for approval of the minutes from the meeting held on July 11, 2016, seconded by Alderperson Chesney. Motion prevailed by voice vote without dissent.

PRESENTATION ON FREEPORT RIVERFRONT RENEWAL PLAN

A presentation was given by Shelly Dunham of Fehr Graham regarding a written document placed in the packet for the Freeport Riverfront Renewal Plan as written by Fehr Graham and Skeo Solutions. She also provided a written memorandum which stated in 2012, the City of Freeport applied for a USEPA Brownfields Area-Wide Planning Grant in order to support renewal and revitalization efforts in the City’s riverfront areas, including downtown, the east side, the arcade, and the third ward. The goal of the area-wide plan, from its inception, has been to support and build on existing efforts to revitalize the riverfront area. The intent has been to make this a community-driven plan. To that end, the City and its consultants, Fehr Graham and Skeo, have devoted considerable time and effort engaging the people of Freeport and most importantly those who are directly impacted by this plan. Ms. Dunham wrote she applauds the commitment of Mayor and City Council to fully and meaningfully engage the community in this and other planning efforts. She continued, “So often, communities make plans in a vacuum, asking for public opinion but not necessarily incorporating the needs and views of the public in the plans and work. The result of this effort, however, is a plan that truly is a product of the citizens of Freeport. It incorporates efforts already underway in the community. It supports projects that already have the passion and commitment of people and groups in Freeport. It supports goals and plans for which the Mayor and City Council have demonstrated commitment in time, funding, and human resources. Things like blight reduction and neighborhood revitalization, downtown investment, arts and culture, recreation and riverfront redevelopment, and more.”

“The Freeport Riverfront Renewal Plan is a product of the citizens of Freeport. It incorporates efforts already underway in the community. It supports projects that already have the passion and commitment of people and groups in Freeport. It supports goals and plans for which the Mayor and City Council have demonstrated commitment in time, funding, and human resources. Things like blight reduction and neighborhood revitalization, downtown investment, arts and culture, recreation and riverfront redevelopment, and more.”

Ms. Dunham spoke about the importance for City officials to address disproportionate flood regulation impacts on Freeport’s East Side. For the community to fully realize its vision of riverfront renewal and economic revitalization, the City of Freeport will need to work closely with the Federal Emergency Management Agency (FEMA) and the Illinois Department of Natural Resources (I.D.N.R) to review agency policies and practices as they pertain to East Side homes and businesses. Freeport’s East Side community, in the state-designated floodway of the Pecatonica River has exposed residents to persistent flooding. The East Side is also disproportionately impacted both by state floodway designations, which are more restrictive than comparable federal standards, and by FEMA floodway regulations, which limit improvements to structures located in a floodway to half of the structure’s value (the 50 percent rule). Because property values in the neighborhood are already disproportionately low, this regulation severely restricts owners’ abilities to maintain and improve their homes, further contributing to a cycle of neighborhood disinvestment. The end result has been declining economic stability and quality of life for East Side residents.
Mayor Gitz stated he asked Ms. Dunham to incorporate changes to the plan to show work that is in progress and they will amend the report for the City Council meeting.

Council was provided the opportunity to ask question and discuss the plan with Ms. Dunham. Ms. Dunham explained she asks the resolution adopting the Riverfront Renewal Plan be placed on the next council agenda.

Mayor Gitz stated this item will be placed on the next City Council agenda for adoption of the plan at that time and he will ask Ms. Dunham to show the redlined changes in the wording.

PRESENTATION BY COMMUNITY DEVELOPMENT DIRECTOR OF STEPHENSON COUNTY MULTI-HAZARD MITIGATION PLAN

Provided in the council packet was a memorandum written by Community Development Director Alex Mills which stated in September 2015, the City of Freeport received a grant from I.E.M.A. to update the 2008 Stephenson County Multi-Hazard Mitigation Plan. Blackhawk Hills Regional Council provided facilitation, technical, and drafting services in conjunction with support of the Stephenson County Emergency Management Agency and the Community Development Department. The updated plan was produced with the input and cooperation of governmental and community leaders throughout Stephenson County. Key action items for the City of Freeport are listed in Table 4.8 (pg. 106-108) including:

- Explore Community Rating System as part of National Flood Insurance Program
- Continue land and property identification and acquisition in/nearby floodway/floodplain (voluntary basis)
- Create re-use (no-use) plan for acquired land/property in floodway/floodplain
- Identify intersections and roadways prone to flooding
- Connect warning sirens to countywide system
- Pursue Storm Ready certification
- Digitize paper record and distribute to libraries
- Update future land use map/comprehensive plan
- Develop a social media and website strategy
- Support NINGA and NG-9-1-1 implementation (Next Generation 911)
- Adopt continuity of government plan and update public works recovery plan
- Revisit and update mutual aid agreements
- Relocate and rebuild water production facility away from railway

Three primary reasons for updating and adopting the plan exist:

- By identifying key action items through the Multi-Hazard Mitigation Plan, the City of Freeport can begin taking steps to be more resilient and better prepared in terms of response to and recovery from disaster events.
- With an updated and adopted plan, the City will be better positioned to received State and Federal funding in the event of a disaster.
- With a plan in place, grant opportunities are increased for State and Federal resources to reduce, mitigate or otherwise address disaster concerns
Community Development Director Mills introduced Robert Baker of the Stephenson County Emergency Management Agency who worked on the committee with Director Mills to write the Stephenson County Multi-Hazard Mitigation Plan. Council members were provided the opportunity to ask questions of the plan. It was noted this plan is being adopted by other governmental agencies in Stephenson County.

Alderperson Chesney motioned to form a resolution to adopt the Hazard Mitigation Plan, seconded by Alderperson Busker.

Discussion was held regarding the role of the Fire and Police departments in the emergency management providing crucial roles during times of flooding, storms and administration of the storm sirens. It was noted the main action plan is provided beginning on page 93 and it has important content for which to play a role in the action plans. Mayor Gitz explained the importance of adopting this as a whole with other taxing bodies in Stephenson County for future funding from emergencies.

Upon no further discussion, Chairperson Brashaw requested a voice vote on the motion. Motion prevailed by voice vote without dissent.

PRESENTATION BY EXECUTIVE DIRECTOR OF THE WATER AND SEWER – WATER & SEWER UTILITY OPERATIONS & MAINTENANCE SHORTFALLS

Tom Glendenning, Executive Director of the Water and Sewer Commission, provided an update on what is currently happening and needs to happen. He stated recently the City Council adopted an ordinance to allow for the consumer price index on the rate structure. He recapped the project for the energy reduction and efficiency program. He stated on a five year average the Water and Sewer Commission spends $290,000 in electricity annually at the Waste Water Plant. This is about 10% of all the operation costs and it is contingent upon how much rainfall we receive and the inflow-infiltration to the system as well as how much water everyone will use. They were after four targets concerning energy efficiencies including aeration system and equipment, lighting, biogas production and pumping system. The last two items will be delayed until the facility plan is done for the Waste Water Treatment Plant. That will be entertained when they look at the upgrade to the plant. To try to enter into that would be money not spent well because at this time they do not know where the capacity when they redo the Water Treatment Plant and what the regulatory requirements are going to be.

Director Glendenning explained the installation of upgraded blowers which will be put into place at the plant. They are the top project to address because of the biological aerated filter which is the largest user of electricity. This process is a tertiary process which allows the waste water plant to treat all the ammonia that comes through the waste water plant. Director Glendenning explained there are seven blowers that are over 350 horse power which need to be replaced and converted to a 200 horse power high efficiency blower. He stated the average temperature when the blowers are running is 150 degrees and they are noisy and hot. There will be a savings of just over a million kilowatt hours per year with a cost savings of $70,000 per year amounting to 24% of annual electrical costs at the Waste Water Plant. The estimated costs on the project is $662.00 because they were awarded the grant by the Illinois Clean Energy Community Foundation in the amount of $128,000. Since the passage of the State budget they were awarded the $406,000 in DCEO funding. They will also see a reduction of an estimated $12,000 in maintenance costs that is so intensive with this equipment. Right now we are looking at 1.8 years in payback with this improvement. If they would not have received the grant dollars it would have been 7.8
years. He provided photos of the equipment and explained the issues in installation due to the size of the equipment. Director Glendenning explained the facility lighting improvements that will be made for energy savings.

Director Glendenning explained that due to the recent increase by the consumer price index there have been questions as to what they are doing and the shortfalls of the system. The first one is the water distribution valve and hydrant maintenance. They have 1,572 valves on the system and 1,187 hydrants on the system. These valves take on a lot of work and he has provided to the council there are 271 valves that should be replaced right now. They are getting at about 70 on the Phase B project and that will help out a little bit but we still have twenty broken ones they have not been able to get to lately. He referred to the age of the hydrants and noted there is a tremendous amount of aged equipment in use. There are 137 that need to be replaced right now. He explained they work on water distribution and flushing which is an semi-annual maintenance of the system performed by the crews as staffing permits. They are limited in staffing due to construction projects and that affects general maintenance of the system. They usually have a crew of four but are down to a crew of two through the construction projects. The valve operation program takes between 60 and 90 days because there are three corridors of valves to operate on an annual basis. They are lucky to get through one set let alone the three. He provided information on the collection system cleaning and inspection for one billion gallons of water per year which is an ongoing basis.

Director Glendenning stated funds are also needed for collection system metering and the flow meters. The forty meters that were added then added significantly to operation and maintenance needs and costs in order to maintain. It is something that has seen a shortfall due to a lack of time and staffing. We have forty meters and the City of St. Louis has 60 and they have two full time persons monitoring these. He stated the clock is ticking on what little we do with that. He also noted there is a need for water service replacements. He explained how there are 50% services that are around 100 years old. There used to be a constant crew of two persons that worked on service replacements and that had to get cut down quite a few years ago due to lack of revenues and staffing to do it. To replace the known ones right now is a $4.0 million dollar project. Director Glendenning explained the costs involved in building and ground maintenance. He reviewed the building and structure maintenance needed because they are 143 years old and we have a lot of building that need attention that do not have the revenue to support. One example is Carroll tank but it needs preventative maintenance to get the rust and all the coatings on the inside and to redo the outside to keep its life expectancy up with an estimated cost of $750,000 at this point. Director Glendenning reviewed the status of the lift stations. Because of all the elevation changes throughout the City, there are five key lift stations that were installed in 1968. Each pump is $21,000 and we have four more to go. There are over 210 control panels for electricity in the utility system and there is constant maintenance needed on those and the maintenance on those usually waits due to a shortfall of revenue. He stated another area which is in need of dollars is for back-flow inspections. Now it is becoming a requirement of the IEPA on an annual basis to go through every-other year to check for changes in plumbing connections. He couldn’t even estimate the amount of manpower that will take.

Director Glendenning stated everything he reviewed for the council this evening amount to an additional 16,900 hours of labor to get caught up with this. It is also several millions of dollars. It will take up to a decade to catch up with this at the current consumer price index and he noted that inflation will continue to eat that up each year and energy efficiencies will be beneficial. He stated his plan is
more of a task. His task is to operate and maintain a $400 million dollar water and sewer utility without the proper revenue and resources to sustain the system on an acceptable level. He provided this plan to the council and they all received a 30 plus page report clearly detailing every asset and the operations of the utility. He appreciated the start of the consumer price index but added everyone underestimates the revenues needed in order to support this system for water and sewer. He is willing to provide future presentations but he is operating in a deep hole and he is working to try to get ourselves out of it.

The council was provided an opportunity to ask questions of Director Glendenning.

**CONSIDERATION AND POSSIBLE RECOMMENDATION OF NON-BINDING REFERENDUM PROPOSAL ON CITY ADMINISTRATOR FOR PLACEMENT ON NOVEMBER GENERAL ELECTION BALLOT**

Mayor Gitz presented the sample resolution and spoke in support of an administrator position stating he is familiar and has working knowledge of how this works. He prefers a City Administrator over a City Manager.

Alderperson Klemm spoke in support of a person to act as the Chief Administrative Officer of the municipality for financial reasons.

The document in the packet provided a non-binding referendum proposal. Under this wording the City Council would approve the City Administrator’s duties, powers, authority, compensation and benefits package. The Mayor appoints the City Administrator on the basis of education and experience in the accepted competencies and practices of local government management. The City Administrator shall not be required to be a resident of the City or of the State of Illinois at the time of appointment, but the City Administrator shall become a resident of the City no later than one (1) year after that appointment.

Alderperson Chesney moved to postpone the agenda item and corresponding document indefinitely. Alderperson Miller seconded the motion. Motion prevailed by roll call vote of:

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)
Nays: none

Alderperson Klemm made a motion requesting Attorney Phillips or another qualified municipal attorney to complete legal research necessary to determine the date to set the compensation of the elected officials and to determine if this date can be set following the November 8, 2016 election and, if so, to draft an ordinance setting the inauguration date for elected officials accordingly. This motion was seconded by Alderperson Koester.

Mayor Gitz stated this motion was out of order because this topic was not clearly identified on the agenda and council can take no action. He stated he will ask Attorney Phillips to provide a report at the City Council meeting.

Alderperson Klemm withdrew his motion. Alderperson Koester withdrew his second and the meeting moved on to the next agenda item.

**UPDATE BY DIRECTOR OF FINANCE ON 1ST QUARTER BUDGET COMPARISON SUMMARY**
COMMITTEE OF THE WHOLE  
MINUTES - REGULAR MEETING  
MONDAY, AUGUST 8, 2016 AT 6:00 P.M.

Director Bernadelle provided a written report and the City’s revenue and expenditures through the first quarters. He explained this is a preliminary report because the quarter is not over. He is not satisfied with the format and will look for a better way of reporting financials.

Director Bernadelle provided his thanks to Deputy Accountant Michelle Richter for her attention to items for the audit otherwise it would not have been ready and for her help he is grateful. Alderperson Chesney asked if Bernie Mrugala is still working for the Finance Department. Director Bernadelle stated as they get done with different parts of the audit he will phase him down to fewer days per week.

Alderperson Miller requested more detail information from Police and Fire. Chief Barkalow explained his budget is on schedule for the first quarter and there were no numbers that jumped out to him. He noted clothing allowance are paid out in the first quarter and then are not repeated. His overtime line item was a 24.76% for the first quarter and that is on target.

Battalion Chief Blackbourn stated the number for the Fire Department overtime came out at 23% versus what is normally at 25% for the first quarter. He would attribute that to vacations during summer months. They noticed some inconsistencies in the insurance number but this is the first time it has been reported that way. He also noted the line item for workers compensation was paid up front and will not be repeated throughout the year.

Alderperson Koester stated he liked the format used for the report.

DISCUSSION ON REQUEST FOR PROPOSALS – LEGAL SERVICES, GENERAL MUNICIPAL LAW (REFERRED FROM JULY 18 COUNCIL MEETING TO AUGUST COMMITTEE OF THE WHOLE)

Alderperson Chesney provided that he requested this item on the agenda because he would like to be able to test the market. He spoke about his concerns because Mayor Gitz had not yet provided communications regarding the document provided in the packet.

Mayor Gitz provided his concerns on going out for requests for proposals at this time and noted it is presumptuous to do so at this time. He stated we are in union negotiations and to change at this time would be pointless and not effective use of resources. He recommended we continue with the attorney he has hired for union negotiations especially since we are preparing for arbitration. Mayor Gitz provided his support of Attorney Phillips and noted his rate is very good compared to the market at $125 per hour for the first 20 hours and $150 per hour after that. He has chosen his counsel and does not see the need for a request for proposal.

Council members spoke about their support for going out for proposals in order to see what the market would provide. They noted it would be beneficial to know for budgeting for legal services for 2017-2018 Fiscal Year and to have quotes available to the City.
Alderperson Chesney requested this item be placed on the City Council agenda and made a motion for its recommendation. Alderperson Miller seconded the motion to have the item on the agenda for discussion purposes. Motion prevailed by voice vote with one dissenting vote by Alderperson Koester.

**DISCUSSION OF AMENDING THE COMMITTEE OF THE WHOLE STRUCTURE TO FORM COMMITTEES**

Chairperson Brashaw noted this item was laid over from July Committee Of The Whole.

Alderperson Busker stated he wanted to bring this up due to the long meetings and topic discussion ongoing. He noted meetings last three-four or longer hours in length. He also thought separating into committees would allow those with more expertise in a certain field to be on those committees.

Alderperson Brashaw asked who appoints the council to the committees. Mayor Gitz stated by City Code it is the mayor. It was noted it would be with the advice and consent of the council.

Alderperson Koester asked if this would replace the Committee of the Whole. Alderperson Chesney stated that was correct and the intent is to have four committees.

Alderperson Chesney referred to a copy of a sample ordinance he provided to the City Council members. Because the document was provided at a late hour for the meeting, it was recommended to allow more time for review and consideration before discussion on the subject. Mayor Gitz stated he was not provided a copy of the document.

Alderperson Klemm stated his concerns about council members not hearing the background and reasoning for an ordinance. He explained he sees an advantage to the Committee of the Whole because each council member gets to see what it is like to run a meeting. He also noted an extreme disadvantage of the Committees is nothing could get done unless it first went to the committee. He noted if you are looking to save time it would not. He stated council members will have extra meetings per month because each person will need to be placed on two committees.

Alderperson Klemm provided his experience between the two methods of Committee versus Committee of the Whole. He stated the advantage of the Committee of the Whole is that everyone hears the same thing. He also noted a disadvantage was department heads were scrambling to get items through committee so they would end up having meetings immediately preceding the council meeting. He stated the way it is proposed, council members will have a minimum of two council meetings and two committee meetings and that could amount to more time in meetings than having a Committee of the Whole meeting.

Alderperson Klemm made a motion to have a discussion of this item placed on the next City Council agenda. Alderperson Koester seconded the motion.

Mayor Gitz noted the Open Meetings requires items to be posted as to the nature of the action to be taken and so an item can’t be referred out of committee unless it is posted on an agenda. The chairperson of the committee will be responsible to make sure it complies with State Statutes.
Discussion was held on there being a good chance that council members would have more than two meetings per month in addition to the council meetings. It was suggested to have discussion at the first meeting in September to allow for more time for everyone to review the proposed document.

Alderperson Klemm amended his motion to move this discussion item to the first meeting in September of the City Council. Alderperson Koester amended his second on the motion. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS (LIMITED TO 3 MINUTES PER PERSON)

There were no public comments this evening.

ADJOURNMENT

Upon a motion duly made by Alderperson Koester and seconded by Alderperson Chesney, the Committee of the Whole meeting adjourned at 8:52 p.m.

s/ Meg Zuravel

Meg Zuravel
City Clerk