



## *City Council*

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

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### **MINUTES REGULAR MEETING Monday, October 19, 2009**

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#### **CALL TO ORDER**

The regular meeting of the Freeport Illinois City Council was called to order at 6:00 pm on Monday, October 19, 2009, in Council Chambers with a quorum being present by Mayor George Gaulrapp.

Mayor Gaulrapp stated that he will need to leave the meeting to attend his daughter's senior night for an athletic contest. Upon his exit; a motion will be needed for a mayor pro tem.

#### **ROLL CALL**

Present on roll call were Mayor George Gaulrapp and council members Klemm, Boldt, Bush, DeVine, Endress, Helms, O'Neill and Corbin (8). Also present was Corporation Counsel Sarah Griffin.

#### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by boy scouts visiting the council meeting.

#### **APPROVAL OF AGENDA**

Alderman O'Neill moved to approve the agenda as presented, seconded by Alderman Endress. Motion passed by voice vote without dissent.

#### **APPROVAL OF MINUTES**

Alderman DeVine moved to approve the minutes of the regular meeting held on October 5, 2009, seconded by Alderman Klemm. Motion passed by voice vote without dissent.

#### **PUBLIC COMMENTS - AGENDA ITEMS**

Prior to public comments, Mayor Gaulrapp asked for a statement from Public Works Director Tom Dole and Finance Director Craig Joesten. Director Dole stated that on Wednesday or Thursday of last week he and Director Joesten performed an inspection of Albertus Airport including the hangars and grounds. By no means was the intent to offend anyone and the intent was to do an inventory of the airport. There were no other public comments on agenda items this evening.

#### **PRESENTATIONS/PROCLAMATIONS**

- NIDA Executive Director Cheryl Kneubuehl provided an update on Northwest Illinois Development Alliance. A comparison by month of employment rates for 2009 shows a slight increase from July 2009 to August 2009. During the month of August in Stephenson County, 22,588 people were employed and in Freeport, 11,335 people were employed. She provided information on Microsoft online computer classes and certificate of employability. Discussion was held regarding the northwest corridor of Freeport and, per Alderman Corbin, their feeling of

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disconnection with NIDA and the City of Freeport due to growth and development on the south side of the City. Last year when Director Kneubuehl attended the International Convention of Shopping Centers properties along the northwest corridor were included with marketing displays.

- Community Development Director Shelly Griswold provided information regarding the USDA Rural Business Opportunity Grant. A grant has been awarded in the amount of \$50,000 for an agricultural entrepreneurship center. Director Griswold described the conditions of the grant including 1) project funding 2) scope of work within USDA requires prior approval 3) being properly insured and bonded 4) providing certification that activities will benefit a rural area 5) requesting advance reimbursement to agency no more than once per month, submission of quarterly financial and project status reports, final project status report, and evaluation report within one year of the conclusion of project 6) submission of annual audits to the agency.

**CONSENT AGENDA**

The following Consent Agenda items were presented:

- A. Approval to receive and place on file:
  - 1) Treasurer Monthly Investment Report for period ending September 30, 2009
  - 2) Treasurer's Report for period ending September 30, 2009
  - 3) Police Department Activity Report for month ended September 2009
  - 4) Fire Department Activity Report for month ended September 2009
  - 5) Community Development Report for month ended September 2009 including Cash and Miscellaneous Receipts; Building Permits; Electrical, HVAC, Plumbing and Sign Permits
- B. Approval of Water and Sewer Bills Payable (#316, 319, 320) ----\$176,277.17
- C. Approval of Payroll for pay period ending October 10, 2009 --- \$413,581.42
- D. Approval of Finance Department Bills Payable (# 318, 322, 323) ---- \$181,284.05

Alderman Endress moved to approve the Consent Agenda items as presented, seconded by Alderman O'Neill. The Consent Agenda items were approved by roll call vote.

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, O'Neill and Corbin (8)

Nays – None (0)

**APPROVAL OF FINANCE BILLS PAYABLE**

This item was not placed on the Consent Agenda so notice can be given of the landfill expenditure previously approved by this Council. The A/P Board Register #321 included an amount of \$787,002.14 written to William Charles for partial payment for landfill closure. Director Griswold provided status of the landfill closure project stating that the liner was installed over the weekend, over the next couple of weeks as weather permits the seeding will be worked on with the mat over it to hold it during winter. Also there is additional work being done due to wetlands mitigation along the creek at north end of landfill with plantings required. Additional bills payable were presented bringing the total to \$1,006,889.38.

Alderman Endress moved to approve the A/P Board List #321 dated October 8, 2009 as presented, seconded by Alderman O'Neill. The bills payable register #321 was approved by roll call vote.

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, O'Neill and Corbin (8)

Nays – None (0)

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**MAYOR PRO TEM**

At 6:27 pm, Mayor Gaulrapp left council chambers to attend a previously stated commitment. Alderman Klemm moved to nominate Alderman Boldt as Mayor Pro Tem, seconded by Alderman Endress. Motion passed by voice vote without dissent. Alderman Boldt moved to the Mayor's place in council chambers.

**COMMUNICATIONS TO COUNCIL**

A memorandum to the Freeport City Council was included in the council packet from Accountant Duane Price regarding 2009 Real Estate Tax Levy and it was read into the record as follows:

Attached is a summary of the administration's proposal for the 2009 real estate tax levy. The tax levy is made up of four components:

- Contribution to the firefighter's pension fund – The amount that the City needs to contribute to the firefighter's pension fund is determined by the Illinois Department of Insurance. The contribution for next year increased by \$149,921 or 26.2%.
- Contribution to the police pension fund – This amount is also determined by the Illinois Department of Insurance. The contribution for next year increased by \$81,562 or 9.9%.
- Illinois Municipal Retirement Fund (IMRF) – This is the pension fund for AFSCME employees and non-union employees who are not in the police and fire pension funds. The amount the City contributes is based on a percentage of the employee's wages and the IMRF determines what the contribution percentage will be each year. Based on the percentage and the estimated wages, I estimate how much the City will contribute into the fund. I estimate our expense will increase by \$44,000 or 26.2%.
- Corporate Fund – A certain amount of the tax levy goes into the Corporate Fund to be used for the City's operating expenses. The administration has proposed that the amount of the levy for the Corporate Fund remain the same as last year. The overall levy increase is \$275,483 or 10.7%. The levy must be passed by the last Tuesday in December.

Discussion was held regarding the above stated items and the increase over last year. The decision has been to use the stated actuarial figures. Each of the different funds has different management of funds. Upon no further discussion, Alderman O'Neill moved to place the above memorandum on file, seconded by Alderman DeVine. Motion passed by voice vote without dissent.

**ORDINANCES – THIRD READING**

**3<sup>RD</sup> READING OF ORDINANCE 2009-64:**

**An Ordinance to Approve the Editing and Inclusion of Certain Ordinances as Parts of the Various Component Codes of the Codified Ordinances of the City of Freeport, Illinois (February 2, 2009 through July 6, 2009)**

The first reading of this ordinance was held on September 21, 2009. A motion to adopt was given by Alderman O'Neill, seconded by Alderman Endress. The second reading was held on October 5, 2009 and it was automatically laid over to tonight's meeting. The ordinance was properly on the floor and open for discussion. Upon no questions, a roll call vote was taken.

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, O'Neill, and Corbin (8)

Nays – None (0)

Ordinance 2009-64 was adopted.

**ORDINANCES - SECOND READING**

**2<sup>ND</sup> READING OF ORDINANCE 2009-65:**

**An Ordinance Amending Chapter 486 Winter Parking Regulations – Clarifying Central Business District and Adding Van Buren North of E. Clark**

The first reading of this ordinance was held on October 5, 2009. A motion to adopt was given by Alderman Boldt, seconded by Alderman Endress. The second reading was held this evening and upon no discussion, it was automatically laid over to the next meeting.

**ORDINANCES - FIRST READING**

**1<sup>ST</sup> READING OF ORDINANCE 2009-66**

**An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year beginning May 1, 2009, and ending April 30, 2010 for the City of Freeport, County of Stephenson, and State of Illinois**

Alderman Endress moved to put Ordinance 2009-66 to the floor, seconded by Alderman O’Neill.

Director Joesten explained the implications of the tax levy for each taxpayer. He explained if you would take a \$100,000 house and based upon the EAV remaining flat, the increase will be \$35.00 per year. Upon discussion with the assessor and there is some hope that the EAV will go up a little this year. This would allow the amount per tax payer to go down from the \$35.00 estimated increase.

Director Joesten stated some options that the council may take would be to levy for a portion of the pension and the remainder paid out of the corporate fund. The tax levy can be reduced but what would happen the residual dollars would be shifted to the general fund because these are the dollars that we are told by the actuaries that we need to contribute to maintain the financial solvency of the pension plans. Those dollars need to be paid it is a matter from what source. The amount going to the general fund has remained flat and the pension funds are increasing. He stated that contributions that are recommended by the actuaries are a year behind so these are predicated upon the basis of 2008. Next year, we will be looking at 2009. With what happened to the stock market the end of last year, the numbers will be worse next year because we are a year behind. Alderman Helms asked Director Joesten to provide information as to whether personnel services numbers stayed the same. Upon no further discussion, the ordinance was automatically laid over to the next meeting.

**1<sup>ST</sup> READING OF ORDINANCE 2009-67:**

**An Ordinance Amending Chapter 480, Section 480.11 (Prohibited Parking Streets) of the Codified Ordinances of the City of Freeport – Galena Avenue**

Public Works Director Tom Dole presented the ordinance stating he received a request from Alderman Endress to eliminate parking places on Galena, north side and east of Float to provide more visibility. It was measured back from 70 feet amending it to 110 feet. The additional changes were to correct the parking as it stands today on Galena Avenue. This wording will be no parking on Galena Avenue both sides, Main Street north and then west to City Limits.

Alderman Klemm moved bring the ordinance to the floor, seconded by Alderman Endress. Upon no further discussion, the ordinance was automatically laid over to the next meeting.

## RESOLUTIONS

### **Resolution #R-2009-101:**

#### **Resolution to Approve Plans and Specifications as Proposed by the State of Illinois, Department of Transportation, for a Joint City-State Improvement of Illinois Route 75 in the City of Freeport, Stephenson County, Illinois**

Public Works Director Tom Dole stated that at the previous council meeting the Route 75 project resolution was approved for our share of the project being \$38,000. Resolution 2009-101 approves the plans and specifications for the improvement of Illinois Route 75 (Douglas Street) from West Avenue (Illinois Route 26) to Howard Avenue, FA Route 505, State Section (108, 109) RS-4, City Section 09-00149-00-RS. He stated that the bid letting will be held in January 2010.

Alderman Endress moved to adopt Resolution 2009-101 as presented, seconded by Alderman Klemm. Motion passed by voice vote without dissent.

### **Resolution #R-2009-102:**

#### **Resolution Authorizing Application for Illinois Department of Transportation Capital Improvement Grant through the American Recovery and Reinvestment Act of 2009 – ITS Hardware and Software-**

Finance Director Craig Joesten stated that we have been awarded a \$100,000 IT grant to improve public transportation facilities. These funds will be used for the purchase and installation of ITS Hardware and Software to increase efficiency in reporting and enhancing communications with transportation vehicles. Alderman Klemm motioned to pass Resolution 2009-102 as presented, seconded by Alderman Endress. The resolution was approved by roll call vote.

Yeas: Klemm, Boldt, Bush, DeVine, Endress, Helms, O'Neill and Corbin (8)

Nays – None (0)

## **DEPARTMENT HEAD REPORTS**

### **Community Development**

Community Development Director Shelly Griswold stated an open house will be held on Tuesday, October 20, 2009 from 2:30 to 4:30 pm about a public comment period for the Spring Street Clean-up site which is the Lazarus property south of the Rawleigh property. We have a clean-up plan and have been out for bids and part of the cleanup plan requires a public comment period for remediation of that site. Documents have been on file in the City Clerk's office since October 9, 2009 and they will remain there until November 9, 2009 to satisfy the thirty-day comment period. The City of Freeport, funded by U.S. Environmental Protection Agency Brownfields Assessment and Cleanup Grants, is voluntarily undertaking remediation of subsurface contamination on the Spring Street Site.

Director Griswold provided an update on demolition projects requiring additional funding for properties located at 37 S. Hooker Avenue and 407 S. Galena. These properties cannot be demolished by City crews due to their close proximity to other properties. With only \$10,000 in the line item there will not be enough funds to demolish both of these properties.

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\$1.5 million in grant applications have been submitted by the Community Development Department for housing and environmental assessment.

The Comprehensive Plan was reviewed by the Planning Commission and is available to any council member wishing to review. The next step will be a public comment period. Director Griswold explained that the Comprehensive Plan is not supposed to be a step by step plan of everything that will happen; it is a broad guideline for the City to use when making planning and growth decision. Where there is more specificity is in the two different sub-area plans for the areas of Downtown and West Galena Corridor.

Bulky waste pick-up is scheduled for the week of November 16, 2009. A flier will be mailed to all households communicating this information and people will be able to sign-up by calling their haulers.

**Finance**

Finance Director Craig Joesten stated it is his responsibility as the risk manager to make sure the City is properly insured. Currently our insurance is through the IML. As a cost saving measure, bids are being sought for other insurance options from three different brokers. To this end, a risk assessment needed to be completed on all properties of the City to determine values; one of which is the Albertus Airport. The IML provides to the City a quote and we have 10 days to take advantage of the discount. In order to take advantage of the discount, quotes were needed by the outside brokers. A survey of the property at the Albertus Airport was needed including a survey of fuel tanks and the insurability of the property and hazards contained in the buildings. This information was needed by October 21, 2009. Inspections were made for the insurability of the property. One broker has told the City that our experience is so poor; they are not interested in providing a quote.

**Public Works**

Public Works Director Tom Dole stated that leaf pick-up has started throughout the City and the progress on McKinley Avenue project. Director Dole answered questions regarding street resurfacing.

**NEW BUSINESS**

Each council member was provided the opportunity to publicly address significant items of interest. Alderman Helms asked about the budget for of the Comprehensive Plan. Director Griswold stated the approved funds for the Comprehensive Plan was \$96,000 and \$71,000 has been spent on the project thus far. Alderman Boldt asked Corporation Counsel Sarah Griffin to look a political signs and limiting the amount of time they can be displayed. Any thoughts or concerns should be provided to Alderman Boldt. City Clerk Meg Zuravel provided notice regarding Neighborhood Watch for 1<sup>st</sup> and 6<sup>th</sup> Wards to be held on October 20, 2009 at Schwartz Funeral Chapel and for all wards to be held on November 7, 2009 at the Freeport Public Library.

**PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS**

- John Staben, 1070 N. Canyon, Freeport, Illinois, spoke about a hangar tenants association which has been recently formed. He spoke against the inspection of the hangars on October 14, 2009. Mr. Staben stated he will be removing his aircraft from Albertus Airport by the end of the year. In addition he has filed a report with Freeport PD, FAA, and other agencies regarding the inspection.

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- David Jones, 12315 McMahan Road, Pecatonica, Illinois, spoke against the inspection of hangars by Finance Director Craig Joesten and Public Works Director Tom Dole. He stated he does not want anyone to enter his hangar except in an emergency.
- Laurence Gebler, 960 Woodside Terrace, Freeport, Illinois, spoke regarding the negotiations of the new tenant leases at Albertus Airport. He stated he is very regretful that this action of inspection has rendered us under any trust that has been developed having negotiated with that lease. He stated notification should have been provided to the tenants.
- Greg Manuel, 7923 Kilona Drive, Rockford, Illinois, spoke against the inspection of the airport hangars and provided information on the insurability of the City.
- Jaime Dadez, 1409 S. Chicago Avenue, Freeport, Illinois, stated that the pilot's group would have assisted the City with making sure that the hangars were in compliance with an investigation that needed to take place in order to keep our insurance costs down.
- Jack Hooker, 30 East Jefferson Street, Freeport, Illinois, stated he is on the Airport Commission and voiced that his opinion on the tenant lease. He stated that he thinks tenants are down about ten and with more to lose. He spoke against the inspection of the hangars.
- Tom Teich and Alex Dvorak, 669 E. Jefferson Street spoke about new pavement, parking lot areas and businesses in Freeport.

There being no further business, the meeting was adjourned at 7:20 pm.

*s/ Meg Zuravel*  
Meg Zuravel, City Clerk