



## **City Council**

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

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### **MINUTES SPECIAL MEETING Monday, June 10, 2013**

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*The special meeting of the Freeport, Illinois, City Council for Monday, June 10, 2013, was called by Mayor Gitz and council at the meeting held on June 3, 2013. Notification through council packet publication was provided to council members and department heads on Thursday, June 6, 2013. The agenda posting process was completed on Friday, June 7, 2013, including emailing to the media notice listing and posting the agenda to the City website.*

#### **CALL TO ORDER**

The special meeting of the Freeport, Illinois, City Council was called to order in Council Chambers by Mayor James Gitz with a quorum being present at 5:30 p.m. on Monday, June 10, 2013.

#### **ROLL CALL**

Present on roll call: Mayor Gitz and council members Tom Klemm, Shawn Boldt, Jennie DeVine, Dennis Endress, Sally Brashaw, Michael Koester and Andrew Crutchfield (7). *See notation at 6:37 pm for Alderperson Bush to enter meeting.* Corporation Counsel Sarah Griffin was present.

#### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Alderperson Crutchfield.

#### **APPROVAL OF AGENDA**

Alderperson Endress moved for approval of the agenda, seconded by Alderperson Klemm. 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.

#### **ACCEPTANCE OF THE FOLLOWING ACTION TO BE EFFECTIVE IMMEDIATELY FOR THE RESIDENTIAL RENTAL PROPERTY TASK FORCE**

- **Rescind all previous member appointments**
- **Appointment of the following members: Mary Artman, Clyde Butler, Tim Davenport, Sheila Fane, John Franklin, Shaun Gallagher, Brad Hartog, Tom Klemm, Mike Koester, Ken Opperman, Joy Sellers, Patrick Sellers, Craig Wainman, Jilly Whiting, Dean Wright and John Zajicek**

Corporation Counsel Sarah Griffin presented agenda item for the above stated action items and stated that the Residential Rental Property Task Force has experienced an inability to obtain a quorum at several recent meetings because currently as it was formed with 22 members. It has been requested that the Task Force be reconstituted in an effort for them to have a quorum. She reviewed the listing based on attendance and a member's respective point of interest while being mindful of the member factions and

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keeping the same number of tenants and property owners. She stated that Fire Inspector Butler felt comfortable having 16 members because he felt he could have nine members show up for a meeting. Corporation Counsel explained the the first motion would be to rescind all previous member appointment.

Aldersperson Klemm made a motion to rescind all previous member appointments, seconded by Aldersperson Brashaw. Mayor Gitz explained the rational was to reduce the number of members and do so in a way that was in line with the original composition of the task force.

Discussion was held regarding the make-up of the members being from different facets relating to rental properties such as tenants, landlords, council members, Water and Sewer commission member, Freeport Area Church Cooperative representative and other public entity members such as the Township Supervisor. Corporation Counsel stated that just because they were not named to the task force does not mean that they can't attend the public meeting, it is an open meeting where public is invited to attend.

Discussion was held as to whether Aldersperson Koester's work schedule would allow him to attend meeting. Aldersperson Koester stated that since he could not make the next meeting scheduled for Thursday he feels it is in the best interest of the committee to appoint Aldersperson Ronnie Bush in his place. Mayor Gitz stated we will contend with that when we get to the next part.

At 6:37 pm, Aldersperson Bush entered the meeting bringing the number of council members present to eight.

Upon no further discussion the motion to rescind all previous member appointments passed by roll call vote of: Yeas: Klemm, Boldt, Bush, DeVine, Endress, Brashaw, Koester and Crutchfield (8)  
Nays: None

Aldersperson Klemm made a motion to accept the appointments to the Residential Rental Property Task Force named by Mayor Gitz and replacing member Aldersperson Koester with member Aldersperson Bush. This motion was seconded by Aldersperson Koester. Mayor Gitz requested to have his appointment letter read into the record. The letter written by Mayor James Gitz was dated June 10, 2013 in regard to appointments and stated "effective immediately, I hereby rescind all previous appointments to the Residential Rental Property Task Force, and appoint the following: Mary Artman, Clyde Butler, Tim Davenport, Sheila Fane, John Franklin, Shaun Gallagher, Brad Hartog, Tom Klemm, Ronnie Bush, Ken Opperman, Joy Sellers, Patrick Sellers, Craig Wainman, Jilly Whiting, Dean Wright and John Zajicek."

Aldersperson Klemm stated for the record that members Patrick Sellers and Joy Sellers are not related.

Upon no further discussion the motion for acceptance of the appointments passed by roll call vote of: Yeas: Klemm, Boldt, Bush, DeVine, Endress, Brashaw, Koester and Crutchfield (8)  
Nays: None

**RESOLUTIONS**

**Consideration of the following resolutions presented by City Engineer Shaun Gallagher and subsequent roll call vote of action considered:**

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City Engineer Gallagher presented the resolutions stating that before the council are four resolutions with two options for the Carnegie Library and two options for the former City Hall building. He stated these are not necessarily apples to apples comparisons. He reviewed the proposals from Fehr Graham Engineering and Environmental in which he stated encompasses all the potential sampling issues that we would expect from a normal project with no additional extras anticipated. He stated where the two proposals provided by Anderson Environmental are more of a trimmed down version and indicate an initial sampling testing followed by they will come to us for additional result expenditures that will go through depending on what type of material is found. City Engineer Gallagher stated he does anticipate a few extras when it comes to the Anderson proposal which will account for additional costs which could add up to about \$2,000 to \$3,000. He stated that being diligent on the front end the better off you will be during the final bidding period for the abatement portion of the project at the end.

City Engineer Gallagher explained that should the building be refurbished the disturbed areas will require abatement or encapsulation. Should the building(s) be demolished, sampling for lead and asbestos is still required in order to determine the proper removal techniques and disposal methods for debris. Although environment testing is clearly not the only concern for either building it will be required if the buildings are restored or demolished.

City Engineer Gallagher recommended approval of the Fehr Graham proposals although more expensive the thought behind that would be to save us costs in the long run and to shore up those estimates as firmly as we can at this time. A representative from Fehr Graham was present and City Engineer Gallagher stated he had invited Anderson Engineering to attend and were provided an opportunity to speak.

Alderson Klemm explained that he had the chance to speak with former clients and he explained where he thought the difference was in the testing phase and the management of the project. City Engineer Gallagher stated the reason he felt comfortable with Fehr Graham would allow the local voice and the expertise in the environmental engineering side of it which he does not have and to have them facilitate the project so he would not have to. He stated this would allow two engineers with that expertise to review oversee the project and formulate the cost estimates based on the analytical results providing an approximate quantity of identified asbestos containing building materials. Alderson Klemm made a motion to move forward for approval Resolution #R-2013-33 and 2013-40, seconded by Alderson Boldt. It was discussed as to whether each resolution should have its own motion. Alderson Klemm withdrew his motion on Resolution 2013-40.

**RESOLUTION #R-2013-33:**

**A RESOLUTION TO AUTHORIZE AN AGREEMENT FOR ASBESTOS AND LEAD BASED PAINT INSPECTION OF THE BUILDING LOCATED AT 230 W. STEPHENSON STREET BETWEEN THE CITY OF FREEPORT AND FEHR-GRAHAM ENGINEERING AND ENVIRONMENTAL**

The resolution provided a NESHAP Asbestos and Lead Based Paint Screening Inspection proposal from Fehr Graham Engineering and Environmental providing the scope of the project for the building located at 230 W. Stephenson with field work for the inspection to be completed within 20 working days of the authorization. The final written report will be provided within 10 days upon receipt of the laboratory analytical results. Fehr Graham anticipates the field work to take approximately 2-4 working days to complete and the cost for completing the inspections is \$19,500.

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Motion for approval was made after the presentation by Engineer Gallagher made by Alderperson Klemm and seconded by Alderperson Boldt. The motion prevailed by a roll call of;

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

Nays: None

Resolution #2013-33 was approved.

**RESOLUTION #R-2013-38:**

**RESOLUTION TO AUTHORIZE AN AGREEMENT FOR ASBESTOS AND LEAD BASED PAINT INSPECTION OF THE BUILDING LOCATED AT 230 WEST STEPHENSON STREET BETWEEN THE CITY OF FREEPORT AND ANDERSON ENVIRONMENTAL ENGINEERING**

Mayor Gitz stated we will entertain a motion for the resolution. There was no motion. He stated Resolution #2013-38 dies for a lack of a motion.

**RESOLUTION #R-2013-40:**

**RESOLUTION TO AUTHORIZE AN AGREEMENT FOR ASBESTOS AND LEAD BASED PAINT INSPECTION OF THE BUILDING LOCATED AT 314 W. STEPHENSON STREET BETWEEN THE CITY OF FREEPORT AND FEHR-GRAHAM ENGINEERING AND ENVIRONMENTAL**

The resolution provided a NESHAP Asbestos and Lead Based Paint Screening Inspection proposal from Fehr Graham Engineering and Environmental providing the scope of the project for the building located at 314 W. Stephenson Street with field work for the inspection to be completed within 20 working days of the authorization. The final written report will be provided within 10 days upon receipt of the laboratory analytical results. Fehr Graham anticipates the field work to take approximately 2-4 working days to complete and the cost for completing the inspections is \$9,250. Alderperson Koester made a motion to approve the resolution, seconded by Alderperson Klemm. The motion prevailed by a roll call of;

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

Nays: None

Resolution #2013-40 was approved.

**RESOLUTION #R-2013-39:**

**RESOLUTION TO AUTHORIZE AN AGREEMENT FOR ASBESTOS AND LEAD BASED PAINT INSPECTION OF THE BUILDING LOCATED AT 314 WEST STEPHENSON STREET BETWEEN THE CITY OF FREEPORT AND ANDERSON ENVIRONMENTAL ENGINEERING**

Mayor Gitz stated there was no motion. He stated Resolution #2013-39 dies for a lack of a motion.

**Reports of Department Heads**

**Public Works**

**Approval of Bids for 2013 Material Letting Bids through the Illinois Department of Transportation and for Motor Fuel Tax Section 13-00000-00-GM**

Upon the absence of Public Works Director Tom Dole, the City Clerk read into the record a letter by Director Dole dated June 3, 2013 regarding MFT Material Bid Tabulation. It stated, "Each year the City of Freeport has gone out for bid the materials used by the Public Works Department such as hot mix, cold patch, and miscellaneous aggregates. Three bids were received and opened today. Typically we award all bidders in the process to make it convenient for the department for daily operations. This will be my recommendation for council to accept all bids." On the bid tabulation provided by the Illinois Department

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of Transportation for Section 13-00000-00-GM there were bids from Conmat of Freeport Illinois in the amount of \$33,340.00 for various products, Rock Road Companies in the amount of \$28,000 for bituminous mix complete, and from Fischer Excavating, Inc. of Freeport Illinois for aggregate surface and aggregate seal coat in the amount of \$2,690.00.

Director Dole entered the meeting. Discussion was held on approving all the bids and Director Dole stated that we only obtain the material if we need it but would like the opportunity to have options because sometimes a hot mix plant may not be open so they will need to go elsewhere for product. Alderperson Boldt made a motion to move forward the recommendation to accept all bids, 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

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

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

Upon motion duly made and seconded, the meeting was adjourned at 5:56 p.m.

*S/ Meg Zuravel*

Meg Zuravel, City Clerk