



City Council

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

MINUTES REGULAR MEETING Monday, March 2, 2015

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 March 2, 2015.

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

Alderperson Endress moved for approval of the agenda, seconded by Alderperson Koester. Motion prevailed by voice vote without dissent.

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Alderperson DeVine moved for approval of the minutes from the February 17, 2015 regular meeting, seconded by Alderperson Koester. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

Signed on the sheet for public comments were:

- Steve Carroll, 811 S. Oak, Freeport, Illinois, spoke in support of the landlord registration fee. He stated that it was not too long ago that the city increased the building permit threshold to \$3,000 to allow for more cost savings for landlords to do their own maintenance projects without a permit. He stated many of the landlords have been rather disingenuous by passing their rental property registration fees onto their tenants. He stated not only are some passing the fee on, but it was plus some. He asked if the City did not charge the landlord fee, would they lower their rents. He referred to the rental properties Alderperson Brashaw owns and stated she is a member of Freeport Area Landlord Association and he has an issue with that on where she is coming from when she makes comments.
- Danielle Rogers, 604 W. Galena Avenue, Freeport, Illinois, spoke on behalf of Freeport Downtown Development Foundation in support of the Rental Property Registration. She stated

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the FDDF board supports this ordinance. Ms. Rogers recommends that this ordinance move forward because it promotes safe and clean neighborhoods which are vital to economic development and this is especially true in the downtown because they are surrounded by residential housing, much of which is blighted. They feel that it is the responsibility of the property owners to pay for this program. Ms. Rogers spoke as a citizen and a third generation resident of a home in Freeport, noting her neighborhood is deteriorating. She stated she is happy to pay the \$25.00 for this program to continue.

- George Buss, 760 W. Lincoln, Freeport, Illinois, spoke in support of the Rental Property Registration. He stated he is a landlord and is in favor of annual registration. He stated he did the math and the \$25.00 registration fee comes out to \$2.08 per month. He did not pass this fee along to his tenants. He stated we have a whole lot of issues facing the community. He closed by saying that \$2.08 per month is not worth the fight for the service you receive in the program and he urged council to vote yes to support this ordinance.
- John Zajicek, 100 Tanglewood Drive, Freeport, Illinois, spoke in opposition to the Rental Property Registration fee. He stated he has been a landlord in this town since 1976. He stated if you are confused, he can understand why. He is confused and he is in the business. We have the landlords that are saying one thing and are experts in the business. We have the administration that is saying something else. We have the mayor that lecturing everyone for 10-15 minutes in terms of what is wrong. Mr. Zajicek stated this rental property ordinance does not solve the problem. We have a housing problem issue in Freeport and an industrial and commercial property issue. We have a problem with City Hall. We are not solving the problem because people that know how to solve it are not really engaged and involved with the decision making. The only way you will solve the housing problem is to get the experts involved locally here and that is why you have the head butting here. He proposes that you have a workshop with the alderman, the administration, and the landlords to have an open discussion so that we can work to fix the problem. He does not care what the fees are, the major problem is the tenants and until you solve that problem and tie it into a data base and how we can move bad tenants along and do something about it then we are not solving anything.
- Brian Borger, 1828 W. Canyon Drive, Freeport, Illinois provided a written letter which was read into the record in support of the landlord registration ordinance by stating rental property is a business that a landlord choses to be in and there is a cost to doing this business, the police provided statistical information supporting increased calls to rental properties, and there are many rental properties that can be considered inadequate living conditions. He stated we need to start somewhere and make a change in the housing stock and provide better living conditions for the citizens. We all would like to see the quality of Freeport improve. In his opinion this is one piece of a more complex comprehensive approach to our community's challenges.

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- Terry Heilman, 516 W. Clark, Freeport, Illinois, spoke against the proposed Rental Property fees as the president of Freeport Area Landlord Association. He stated he is also an investor in this community. He stated that there must have been miscommunication because he does not think that he ever said he does not want this. We have problems in the community. Mr. Zajicek said that. One of the things they have asked for is fairness in fees. It doesn't make sense for my company to buy blighted homes and bring them back up to code. We move responsible families in and if Mr. Carroll can do a better job, then please do it. Please take your money and do better than me. Many of the alderman have walked my properties and so has the inspector, you can nit-pick anyone can do that. Can you make a change more than I have done. He asked if it makes sense that he paid nine times more than someone who owns the largest units last year. We have asked that the fee structure is more fair across all of us. We are standing at the table together and this is a rental tax, essentially. Why not have a person who owns one unit pay a proportional share compared to someone who has two hundred units. The only thing he asks is equity in fees. He asked to be able to sit down and discuss with the council.
- Tracy Johnson, 801 E. Stephenson Street, Freeport, Illinois, stated he is here as a citizen. He stated he is concerned about the affect low income population. He has read on the internet and from the minutes of the City council that there is some concern that the rental property fees will affect low income. The research he has worked on works with low income population and there is no proven fact that it affects low income. We do know that the lower income the lower you disposable income. What we do know is that you need to take low income and provide them with some budgetary support. He asked the council to vote in favor. You should focus on making the apartments that our low income are living in and making them suitable, safe and free of any danger.

PROCLAMATION

A proclamation was read aloud to recognize March 2015 as Youth Art Month and presented to Barry Treu of the Freeport Art Center. Mayor Gitz presented the proclamation to Mr. Treu and wished him success with the events to commemorate Youth Art Month. Mr. Treu provided the importance of art education for our youth. It promotes critical thinking and positive self-esteem. There will be exhibits open to the public through the month of March and he invited council to attend the opening reception on March 20, 2015, from 5:00 p.m. to 7:00 p.m.

CONSENT AGENDA

The following items were presented on the Consent Agenda in the council packet and Mayor Gitz read the listed items into the record: [Consent Agenda PDF](#)

- A. Approval of Motor Fuel Tax Fund Register # MFT-0057 --- \$123,882.13
- B. Approval of Water and Sewer Bills Payable (Registers #297 & 300) --- \$189,600.35
- C. Approval of Payroll for pay period ending February 21, 2015 --- \$418,240.33
- D. Approval of Finance Bills Payable (Registers #296, 298, 299) --- \$442,802.89

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Aldersperson Koester moved for approval of the consent agenda as presented, seconded by Aldersperson Klemm. The motion prevailed by a roll call vote of;

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

Nays: none

The Consent Agenda items were approved.

APPOINTMENT/DESIGNATIONS

Aldersperson Brashaw moved for acceptance of an appointment effective immediately of Aaron M. Full to the Americans with Disabilities Act Compliance Commission (ADA Commission) and replacing Deborha K. Harms, seconded by Aldersperson Klemm. The motion prevailed by a roll call vote of;

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

Nays: none

OPEN MEETINGS ACT DESIGNATION TO THE PUBLIC ACCESS COUNSELOR

The following was written by Mayor James L. Gitz and read aloud:

“Effective immediately, I hereby designate the following individuals as the employees, officers or members of the municipality to receive training in compliance with the Open Meetings Act:

- Martha E. Zuravel, City Clerk
- Mary Beth Eilders, Deputy City Clerk

The names of these trainees will be forwarded from my office to the Public Access Counselor. The applicable electronic training curriculum developed by the Attorney General's Office will be completed by the above stated individuals within 30 days of this designation.”

Aldersperson Endress moved for acceptance of Open Meetings Act designations, seconded by Aldersperson DeVine. The motion prevailed by a roll call vote of;

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

Nays: none

FREEDOM OF INFORMATION ACT DESIGNATION OF OFFICERS

The following was written by Mayor James L. Gitz and read aloud:

“Pursuant to Illinois Freedom of Information Act, the following individuals have been designated as the Freedom of Information Officers of the City of Freeport:

- Martha E. Zuravel, City Clerk
- Mary Beth Eilders, Deputy City Clerk
- Jeff Mastroianni, Deputy Chief of Police
- Denise Scudder, Fire Administration Assistant

The electronic training curriculum development by the Attorney General's Office will be completed by the above stated individuals within 30 days of this designation.”

Aldersperson Koester moved for acceptance of Freedom of Information Act designation of officers, seconded by Aldersperson Klemm. The motion prevailed by a roll call vote of;

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

Nays: none

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ORDINANCES - SECOND READING

2nd READING OF ORDINANCE #2015-15:

AN ORDINANCE AMENDING CHAPTER 876 (RESIDENTIAL RENTAL PROPERTY REGULATIONS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT TO ADD ANNUAL REGISTRATION FEES -

The first reading of this ordinance was held at the special meeting of the City Council held on February 23, 2015. A motion to adopt was given by Alderperson Klemm, seconded by Alderperson Bush and the ordinance was automatically laid over to tonight's meeting. Provided electronically as a hyperlink on this agenda was the February 23, 2015 PowerPoint presentation for Rental Property Registration.

Below is Ordinance #2015-15 as on the floor:

ORDINANCE NO. 2015-15

WHEREAS, the Residential Rental Property Regulations of the City of Freeport, Illinois have proved extremely successful by allowing for personal follow up of police calls with the owner or agent of a rental property; and

WHEREAS, the Residential Rental Property Regulations have given owners and managers of residential rental properties additional tools to work with their tenants and the Police Department in an effort to control potentially dangerous living situations and to improve the overall quality of neighborhoods; and

WHEREAS, it has always been the City Administration's position that this program should be self-sustaining, since all proceeds of the fee are expended on rental related issues; and

WHEREAS, when the program was enacted it was agreed that the rental property fee structure would be reviewed after one year; and

WHEREAS, the City's budgetary conditions cannot sustain the cost of this program without additional funding.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS as follows:

Section 1. That Chapter 876 entitled "Residential Rental Property Regulations", Section 876.08 entitled, IMPLEMENTATION FEE of the Codified Ordinances of the City of Freeport, Illinois shall be amended as follows:

876.08 IMPLEMENTATION FEE.

~~Implementation fees shall be twenty five dollars (\$25.00) for single family dwelling containing one residential rental unit, thirty five dollars (\$35.00) for dwellings containing two to four residential rental units, and forty five dollars (\$45.00) for dwellings containing five or more residential rental units. For apartment complexes, each separate building will be assessed a registration fee as outlined above. For mobile home parks, a single trailer is considered one residential rental unit and the entire contiguous park is considered one dwelling. Implementation fees shall be due and payable as part of the initial registration pursuant to Section 876.02.~~

"ANNUAL REGISTRATION FEE.

At the time of annual registration under Section 876.04, there shall be fees payable as follows:

\$25.00 single family dwelling containing one residential rental unit;

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\$35.00 dwellings containing two residential rental units;
\$50.00 dwellings containing three or four residential rental units;
\$100.00 dwellings containing five to nine residential rental units;
\$150.00 dwellings containing ten to fourteen residential rental units;
\$175.00 dwellings containing fifteen or more residential rental units.

For apartment complexes, each separate building will be assessed an annual registration fee as outlined above. For mobile home parks, a single trailer is considered one residential unit and the entire contiguous park is considered one dwelling.”

Section 2. All other provisions of Chapter 876 shall remain as currently set forth.

Section 3. This Ordinance shall be effective immediately upon its passage by the City Council, its approval by the Mayor, and its publication as provided by law.

Section 4. This Ordinance is expressly adopted pursuant to the Home Rule Powers of the City of Freeport under Section 6 of Article VII of the Illinois Constitution of 1970.

Section 5. All ordinances or parts of ordinances in conflict with this Ordinance are repealed insofar as they conflict.

Section 6. If any section, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid, and this City Council hereby expressly declares that it would have enacted this Ordinance even with the invalid portion deleted.

Mayor Gitz stated this ordinance is on the floor as a second reading. At the last meeting, council asked for one or two amendments to the ordinance providing fee structures in a format that was per unit. He stated he met with Mr. Heilman of the landlord association in regard to their concerns about the fees. He stated council has on their desk alternative fee structures, one being the DeKalb fee structure and the second amendment is the current fee structure. He stated he has also had discussion with a person who owns multiple units and they have determined that the original fee structure is fairer to them (current fee structure model).

Alderpersion Brashaw asked for clarification of the amendments placed on the council desks.

Corporation Counsel Sarah Griffin stated the following is on the floor for the annual registration fee.

\$25.00 single family dwelling containing one residential rental unit;
\$35.00 dwellings containing two residential rental units;
\$50.00 dwellings containing three or four residential rental units;
\$100.00 dwellings containing five to nine residential rental units;
\$150.00 dwellings containing ten to fourteen residential rental units;
\$175.00 dwellings containing fifteen or more residential rental units.

Corporation Counsel Griffin stated this was provided and extrapolated by Mike Lehmann as the Police Department Rental Property Specialist and are the necessary fees to pay for a self-sustaining program. The above stated is what is on the floor right now and if the council chooses to make a motion for either

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of the other options. Corporation Counsel Griffin stated there is an excel spreadsheet provided which has examples of the fee structures across the columns in a comparative format. She noted the DeKalb model had a \$50.00 base unit but they had many more units than Freeport, so that was reduced to a \$25.00 base fee. There are two options provided this evening. Amendment one is marked as 03/02/2015 and is the DeKalb model for fees which is \$25.00 per dwelling containing one or two residential rental units and a per unit fee of \$16.18 per unit thereafter. She stated this was based on the proposed budget cost of \$65,906 for the next year. Corporation Counsel Griffin reviewed the 03/02/2015, marked as amendment 2, "Current Structure Updated" which shows the fees will be \$29.27 for a single family dwelling containing one residential unit, \$39.27 for dwellings containing two to four residential rental units, and \$49.27 for dwellings containing five or more residential units. Those fees were extrapolated using the proposed costs for the program. She stated you have the one on the floor and you can do as you please with the two options.

Council members provided their opinions of the options of fees including the ordinance on the floor.

Aldersperson Klemm asked about the ordinance as one the floor and stated the current one is the one proposed by Mike Lehmann. Mayor Gitz stated yes and the only thing in this ordinance is the fee structure for the program. He stated that when you look at these and compare them it is a cost shifting to multi units.

Aldersperson Koester stated that he had a chance to speak to various landlords and none of them are against the program but they are against the proposed fees because the DeKalb model for fees is fairer per unit. He asked for more information on the proposed costs for next year. Some of the landlords do not know how this program is operated and he asked if there could be a workshop for the landlords to give them a better understanding and information sharing. Aldersperson Koester asked what the \$10,000 training would be used for.

The proposed budget for 2015-2016 as presented on February 23, 2015 was as follows:

Personnel (Total cost for two part-time)	\$43,656
Landlord training program	10,000
Rental Handbook	1,000
Software license and customization	5,000
Capital outlay (compute equipment)	2,000
Other printing and supplies	2,250
Employee training and memberships	2,000
Total Costs	\$65,906

Chief Barkalow reviewed the cost projections that were provided at the last meeting, noting the landlord training program in the amount of \$10,000. Chief Barkalow stated the landlord training is a very important component and they will rely on Mike Lehmann and Heather Lancaster. This cost includes sending them to training and they will bring the information back and provide training for the landlords. The \$10,000 is a budget number and, if they only spend \$7,000 on training, then that is what will be spent.

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Mayor Gitz provided there are 800 landlords in the City and most do not know what they are doing. The training of landlords will teach them how to screen prospective tenants and train them in barring notices. Mayor Gitz stated this administration believes that by using the best practices of other communities we can utilize that knowledge and pass it along to the landlords to have increased results in terms of problem solving in the community.

Discussion was held on the various training and how FALA has done training in the past and whether we could use the knowledge they have instead of spending the money for training.

Aldersperson Klemm made a motion to amend the ordinance by using the DeKalb formula as provided in amendment #1, seconded by Aldersperson Koester. Mayor Gitz stated discussion is in order on the amendment #1.

Aldersperson Brashaw stated based on the three options before the council, this example is the most fair to the landlords across the board. Aldersperson Boldt stated he does not agree. He stated looking back at last year's fees he can see that it needed to be changed because the one and two unit picked up the majority of the expense last year. He did like the one that is on the floor right now as being a little more equitable. He stated the DeKalb model takes those larger owners in town and takes their payment from last year of about \$1,200 to just under \$5,000 this year.

Alderman Boldt asked Chief Barkalow to comment on where the majority of police calls were coming from. The DeKalb model penalizes those larger unit buildings. Chief Barkalow stated the majority of properties are one to four units and rental properties account for 79% of police incident reports. Aldersperson Boldt stated he will not support the DeKalb model. Aldersperson Koester stated that those fees are unfair for the single family dwellings and it need to be spread out more equally for the units.

After much discussion on the fee structure, Aldersperson Boldt called the question. The motion on the floor was for amendment #1, also referred to as the DeKalb model (which is a base \$25.00 per dwelling containing one or two residential rental units and a per unit fee of \$16.18 per unit thereafter). The motion failed by a roll call vote of:

Yeas: Klemm, Endress, and Koester (3)

Nays: Boldt, Bush, DeVine, Brashaw, and Crutchfield (5)

Mayor Gitz stated the ordinance in its original form is now before the council.

Corporation Counsel Sarah Griffin stated the following is on the floor for the annual registration fee:

- \$25.00 single family dwelling containing one residential rental unit;
- \$35.00 dwellings containing two residential rental units;
- \$50.00 dwellings containing three or four residential rental units;
- \$100.00 dwellings containing five to nine residential rental units;
- \$150.00 dwellings containing ten to fourteen residential rental units;
- \$175.00 dwellings containing fifteen or more residential rental units.

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City Engineer Gallagher presented the calculations for the proposed amendment #2 "Current Structure Updated" which shows the fees will be \$29.27 for a single family dwelling containing one residential unit, \$39.27 for dwellings containing two to four residential rental units, and \$49.27 for dwellings containing five or more residential units. Those fees were extrapolated using the proposed costs for the program. Alderperson Koester stated that a 15 unit property would not have to pay as much as someone owning 15 properties and this is not a fair schedule.

Alderperson Crutchfield stated that we have heard that there is a tenant problem and he discussed some of the deplorable conditions of properties. Alderperson Crutchfield spoke about the revenues generated by the gaming machines and he would like to see us dedicate the first \$60,000 from those machines to pay for this program. Discussion was held on how you would take \$60,000 out of the general fund and what would be cut.

Mayor Gitz stated there is a huge issue in front of us because the Governor has said he will be taking \$1.3 million out of our budget for next year. If this program is going to exist it is going to have to be self-funded. It has proven its mettle in its first year. We have problems in the neighborhood. Mayor Gitz stated this program is a baby step and it has proven itself; it is an improvement over doing nothing.

Alderperson Koester stated he cannot vote positive for the ordinance that is on the floor due to the disparity in favor of the bigger guys and based on the fee structure he cannot vote for it.

Alderperson Klemm stated that if this goes past not voting on one of these and perhaps we should vote on the current one on the floor and put the program into place. Alderperson Boldt stated this is more equitable than it was last year.

Alderperson Crutchfield proposed that the cost be as close to \$30 per unit fee. Corporation Counsel Griffin stated that those calculations were provided and it came out to \$32.66 per unit to come out to the budgeted amount for the program. Alderperson Koester asked for a flat calculation based on the cost of the program and the proposed budget for next year for expenditures. City Engineer Gallagher stated if you look at the excel spreadsheet he provided that number in the last column which is the cost of the program of \$65,908 divided by the number of properties and that amount came out to \$32.66. City Engineer stated this number is per property, PIN, or per parcel and that is how the \$32.66 was calculated (estimated budget of \$65,908 divided by the total number of properties registered which was 2,018).

Alderperson Crutchfield moved to adopt the amount of \$32 per unit as the fee, seconded by Alderperson Koester. City Engineer Gallagher clarified that the \$32.66 fee was based on individual properties and was not per unit. Alderperson Koester withdrew his second and the motion died for lack of a second.

Alderperson Crutchfield asked how many total units are in the program. It was answered that there are 3,557 units in the program.

Alderperson Crutchfield made a motion to amend the fee to \$20.00 per unit, seconded by Alderperson Koester. After calculations, it was noted that this fee per unit would generate \$71,140 for the program.

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The motion failed by a roll call vote of:

Yeas: Klemm, Endress, Koester, and Crutchfield (4)

Nays: Boldt, Bush, DeVine, Brashaw (4)

Mayor Gitz was called on to vote due to the tie. Mayor Gitz voted nay to the amendment and the motion failed.

Mayor Gitz stated the original ordinance is on the floor.

Aldersperson Klemm made a motion to lay over the ordinance to Monday night for additional figures. This motion was seconded by Aldersperson Endress. Aldersperson Klemm stated we can have a special meeting before the Committee of the Whole meeting. Discussion was held on moving on with this ordinance and putting an amendment on the floor. Aldersperson Klemm stated this is \$2.08 per month. Aldersperson Crutchfield stated we should be able to hammer this out tonight. Aldersperson Endress withdrew his second and Aldersperson Klemm withdrew his motion to defer this to next Monday as a special meeting.

Aldersperson Koester asked for a calculation to be given to him that is the per unit fee for the total cost of the program. City Engineer Gallagher stated that amount would be \$18.52.

Aldersperson Koester made motion to have a fee of \$18.52 per unit, seconded by Aldersperson Endress. Mayor Gitz stated that number is an administration nightmare. Aldersperson Koester asked if he could amend that motion and make it \$19 per unit, seconded by Aldersperson Endress. Mayor Gitz stated it is before the council on a motion and a second to amend the fee to \$19.00 per unit. He asked for discussion and debate. Hearing no discussion, he asked for a roll call vote to approve the motion. City Engineer Gallagher stated that amount generates \$67,583. A roll call vote was taken:

Yeas: Klemm, Endress, Koester, and Crutchfield (4)

Nays: Boldt, Bush, DeVine, Brashaw (4)

Mayor Gitz was called on to vote due to the tie.

Mayor Gitz voted yea to the amendment.

The motion to amend the fee to a flat \$19.00 per unit passed.

Mayor Gitz stated the ordinance is now on the floor with the amendment of the fee being \$19.00 per unit. A roll call vote for passage of the ordinance (as amended) was taken.

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

Nays: Boldt (1)

The ordinance as amended passed by a vote seven to one.

ORDINANCES - FIRST READING

The following cover memo provided for Ordinance #2015-16, 2015-17, and 2015-18 and was written by Finance Director Cynthia Haggard:

“The abatement ordinances and levy request to Stephenson County for the 2006, 2014A and 2014B Bonds needs to be amended.

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“The County has in its possession a levy schedule for the Series 2006. This schedule reflects a levy amount of \$892,850 for levy year 2014. I submitted a request to abate \$448,300 which agrees with a schedule I have in my possession. According to John Vezzetti with Bernardi Securities, the levy schedule the County has, dating back to 2006, is wrong. The amount that should be abated for Levy Year 2014 is \$448,300 not \$892,850.

“Nonetheless, I’m issuing an amended abatement request for the Series 2006 to match the County’s schedule. I see no need in recreating the wheel for the Series 2006 as we are refunding it later this year.

“The levy schedules the County has for the 2014A and 2014B are correct, and the abatements should be:

- 2014A \$774,875
 - December 2015 and June 2016 payments totaling \$774,875
 - I used June 2015 and December 2015 payments totaling \$780,975
- 2014B \$239,983
 - December 2015 and June 2016 payments totaling \$239,982.50
 - I used June 2015 and December 2015 payments totaling \$240,382.50

“In the case of the 2014A and 2014B bonds, John Vezzetti informed me we were okay with our original abatement requests because the amount we requested is higher than what we needed. Nonetheless, I’m issuing an amended abatement request for the Series 2014A and 2014B to match the County’s schedule.”

Mayor Gitz stated these are housekeeping ordinances and we ask for passage this evening for immediate consideration.

1st READING OF ORDINANCE # 2015-16:

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2015-01 TO ABATE THE 2014 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2006 AND ABATING THAT SAME SERIES UTILIZING A NEW ABATEMENT AMOUNT

Director Haggard referred to her above provided memo to council and stated the amended value aligns with the bond schedule filed with the County with the original Series 2006 bonds. Alderperson Koester moved for approval of Ordinance #2015-16 as presented for abatement of General Obligation Bonds, Series 2006, seconded by Alderperson Brashaw.

Alderperson Brashaw moved for suspension of the rules for passage this evening, seconded by Alderperson Klemm. The motion prevailed by a roll call vote of;

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

Nays: none

The motion for passage of Ordinance #2015-16 prevailed by a roll call vote of:

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

Nays: none

Ordinance #2015-16 was passed.

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1st READING OF ORDINANCE # 2015-17:

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2015-04 TO ABATE THE 2014 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2014A AND ABATING THAT SAME SERIES UTILIZING A NEW ABATEMENT AMOUNT

See memo on provided prior to Ordinance #2015-16. Alderperson Koester moved for approval of Ordinance #2015-17 as presented for abatement of General Obligation Bonds, Series 2014A, seconded by Alderperson Endress.

Alderperson Koester moved for suspension of the rules for passage this evening, seconded by Alderperson Endress. The motion prevailed by a roll call vote of;

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

Nays: none

The motion for passage of Ordinance #2015-17 prevailed by a roll call vote of:

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

Nays: none

Ordinance #2015-17 was passed.

1st READING OF ORDINANCE # 2015-18:

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2015-05 TO ABATE THE 2014 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2014B AND ABATING THAT SAME SERIES UTILIZING A NEW ABATEMENT AMOUNT

See memo on provided prior to Ordinance #2015-16. Alderperson Koester moved for approval of Ordinance #2015-18 as presented for abatement of General Obligation Bonds, Series 2014B, seconded by Alderperson Endress.

Alderperson Koester moved for suspension of the rules for passage this evening, seconded by Alderperson Klemm. The motion prevailed by a roll call vote of;

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

Nays: none

The motion for passage of Ordinance #2015-18 prevailed by a roll call vote of:

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

Nays: none

Ordinance #2015-18 was passed.

1st READING OF ORDINANCE # 2015-19:

AN ORDINANCE AMENDING CHAPTER 1460 (FLOOD MANAGEMENT AREAS), SECTION 1460.02 “DEFINITIONS” OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

Corporation Counsel Sarah Griffin stated the City was contacted by Paul Osman of the IDNR to notify us that the previous ordinance (Ordinance No. 2015-07) to adopt the flood maps for March 16, 2015, missed the definitions section of the chapter. The section, 1460.02, Definitions was amended as follows:

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1460.02 DEFINITIONS.

“(m) "Floodplain" and "Special Flood Hazard Area (SFHA)" are synonymous, and mean those lands within the jurisdiction of the City, the extraterritorial jurisdiction of the City, or that may be annexed into the City, that are subject to inundation by the base flood. The floodplains of the Pecatonica River and Yellow Creek are generally identified as such on the Flood Insurance Rate Map prepared for Stephenson County by FEMA and dated March 16, 2015 ~~March 3, 2011~~. The floodplains of those parts of unincorporated Stephenson County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City are generally identified as such on the Flood Insurance Rate Map prepared for Stephenson County by FEMA and dated March 16, 2015 ~~March 3, 2011~~. Floodplain also includes those areas of known flooding as identified by the City.” and;

“(q) "Floodway" means that portion of the floodplain required to store and convey the base flood. The floodway for the floodplains of the Pecatonica River shall be as delineated on the countywide Flood Insurance Rate Map of Stephenson County prepared by FEMA and dated March 16, 2015 ~~March 3, 2011~~. The floodways for each of the remaining floodplains of the City shall be according to the best data available from Federal, State, or other sources.”

Aldersperson Koester moved for approval of Ordinance #2015-19 as presented, seconded by Aldersperson Brashaw.

Aldersperson Koester moved for suspension of the rules for passage this evening, seconded by Aldersperson Klemm. The motion prevailed by a roll call vote of;
Yeas: Klemm, Boldt, Bush, DeVine, Endress, Brashaw, Koester, and Crutchfield (8)
Nays: none

The motion for passage of Ordinance #2015-19 prevailed by a roll call vote of:
Yeas: Klemm, Boldt, Bush, DeVine, Endress, Brashaw, Koester, and Crutchfield (8)
Nays: none
Ordinance #2015-19 was passed.

OTHER

REPORTS OF DEPARTMENT HEADS

Finance Department

Director Haggard had no further report.

Public Works

Director Dole reported on a demolition of a property located at 608 East Stephenson. He provided photos for the council members. He stated work on this demolition started last Wednesday and then the crews had to be relocated to remove snow due to the storm. The crews will haul the debris again tomorrow. The next house on the demolition list is the 300 block of American and next after that will be a house on Cherry and Clark, weather permitting. Mayor Gitz explained that the owner of the property at 608 E.

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Stephenson did not want to participate in the DNR grant because he wanted to save the building to the left. He did enter into an agreement with the City, so we are taking down the structure and he is paying the tipping fee in installments.

Library

Freeport Public Library Director Carole Dickerson had no report.

Fire

Battalion Chief Jim Blackburn reported over the last ten days we have suffered four significant fires. Of these two were total losses. He cannot comment on a thread of commonality to these fires other than due to the cold winter, people are using alternative heat sources. He thanked the support of the council and the community to bring support to the firefighters. The firefighters have performed admirably under these extreme cold conditions, well below zero in several of these fires. The crews were taking a beating out there and the support of the community including coffee meant a lot to them.

Police

Chief of Police Todd Barkalow provided a reminder about the Civilian Police Academy beginning on March 19, 2015. He stated the applications are on the City website or people can stop by the station and pick up one. He thanked council for the support of the Rental Property Registration. He stated does this solve everything, the answer to that is no but it takes a step towards that direction. This program works. The fees are tough to accept and we saw that tonight. The community is counting on this program and council came through with that. Currently we have all the right people in place, with Mike and Heather and we have the council in our corner. It is tough to figure out who has to pay for this program and neighborhoods can't afford to lose this program

Water and Sewer

Water and Sewer Executive Director Tom Glendenning had no report

City Engineer

City Engineer Shaun Gallagher stated there was a walk through at the Carnegie building for the design build request for qualifications. There were four to five design build teams that were present. The qualifications are due March 12, 2015 and he will provide to council a report in the next following weeks.

City Engineer Gallagher reported on the Phase B project and he spoke about an anomaly in that our water main run under a lot of our key routes. They have spent a lot of time to look at creative ways to improve everything that we do in these corridors not just the water main itself. What they have looked at is to remove the water main alignment from the roadway and place them in the parkway. That is a significant advantage because of the cover you get from the snow packed. If a water main break does happen, (hopefully long way down the road because these are new), the advantage is that we are not tearing up roadways. As we begin to move around utilities to accommodate that, one of the things that we have the opportunity to do, since these are main corridors to the City, would be to provide trails within our municipality. He provided the difference between a five foot sidewalk versus and eight foot trail and said the eight foot trail is about 50% cheaper over an entire city block. Then you have the opportunity to move

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bikes and pedestrian off the roadways. He is working with Fehr Graham and they are working on when we do one of these water mains projects on any of the corridors, we would take the parkway section and edge a pavement and place a curb and, if it make sense to put in a trail or a sidewalk, we are going to do that at that time. He referred to the Laurel and Park Crest areas that feed into school areas and were left without sidewalks, so students will have a safe way to walk to school. He stated they are also working to fix the drainage issues that we have and to try to have better connectivity. He has reached out to the Park District for assistance with these trails in the winter to see if they can assist so they can stay open in the winter or would it be up to the property owner to shovel. He would like to have a buy in from other entities such as FHN due to healthy lifestyles these trails would promote. There may need to be future ordinances as to how that would work.

MAYOR'S REPORT

Mayor Gitz provided that he shares that fact that there is a division of opinion about how we get to yes in some places. He is grateful that we at least ended up with a funding formula. He realizes there has been a lot of discussion candidly he thinks this process was constructive and useful. One of the things that has occurred is there is a lot of dialogue with the users of the program and there is a great opportunity to partner on our neighborhoods and he looks forward to that. He noted we have some fairly substantial software issues to tie in Police and Community Development and those will be the highest priority. He encouraged the council to each write down and communicate with him as to what the chief things you would like to see or have the Rental Property program achieve, if they are not there now.

Mayor Gitz invited attendance to the FACC Hunger Luncheon which will be held on Thursday, March 5, 2015, beginning at 11:30 a.m. He stated the police, fire and administration have pledged to purchase a table amongst ourselves and if there is a member of the council who would like to attend on behalf of the City please feel free to do that and it would be a good show of support.

Mayor Gitz stated there is a planning session scheduled to discuss the council retreat and that will be held tomorrow at 9:30 am and that should help get that off its feet. He is working on application process for the Community Development Director position.

Corporation Counsel Griffin stated the Library Director had a lecture series to attend this evening but she asked for promotion of the "One Book, One Freeport" and if anyone is interested in the "Rocket Boy" book they should see Director Dickerson. Mayor Gitz stated there is a series at the Lindo and there are classic movies showing with local commentators and that is scheduled on Thursday.

NEW BUSINESS/COUNCIL ANNOUNCEMENTS

Council members were provided an opportunity to discuss matters of public concern or to make announcements for their wards.

- Alderperson Brashaw thanked Director Dole and his staff for the snow removal this winter and noted they receive a lot more complaints than compliments so at this time she would like to give them compliments and appreciation. She also thanked those in her neighborhood who assisted others in clearing the sidewalks, especially in areas that have school zones.

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- Alderperson Koester stated he is glad that we passed the Landlord Registration Ordinance. He realizes it was not ideal for everyone. He thinks that the structure is fair for all and it will work out well. He would like to see us working on this with the landlords. He has extended his willingness to meet with the landlords belonging to FALA. He would like to have a meeting set up with the two people who handle the Rental Property Program and open it up to the landlords so they can meet these people. He would like them to present the statistics to them because it will go a long way to help inform them what this program is and how effective it is.
- Alderperson Klemm encouraged working together with the landlords. He thanked Chief Barkalow and the department for the work to make this a beneficial program.
- Alderperson Boldt stated there has been a lot of communication and we need to keep up the open communication and all of us working together. It will go a long way to maximize the program.
- Discussion was held on the new Water and Sewer logo that was provided in color format on the council desks. City Engineer Gallagher stated they have been on the logo along with M45 and the Water and Sewer Commission has chosen the design. They do not have a roll out date at this time but the intent is to begin using it in 2015.

PUBLIC COMMENTS AGENDA OR NON-AGENDA ITEMS

Tom Teich spoke about Joe's Pizza and seeing Chief Barkalow at that establishment. He asked for a progress report on the Canine Unit. Chief Barkalow stated the handler will be at a ten week academy specializing in training canine units. Mr. Teich stated there was a break-in at his house and will discuss it with Chief Barkalow after the meeting.

Susanne Heilman thanked Chief Barkalow, Alderperson Klemm and Corporation Counsel Griffin for their assistance in resolution of major tenant issue who refused to leave their premise. She stated this is a perfect example of how the police and the landlords can all work together and take care of the problems. It took her three months of going through the court system and after getting possession twice she still refused to leave the property and this is a beautiful home on the 1200 block of American. She stated by working together we can make this a better City. She thanked council for passing this ordinance because this fee structure is fair and there are not too many landlords who will disagree with that.

Terry Heilman stated he appreciates the passage with a fair fee structure and this works for all. He appreciated the conversation this week and if he did not have a chance to speak to the other council members he try to make contact because the best way for this program to improve is to have all of us working together.

CLOSED SESSION (EXECUTIVE SESSION)

The following was read into the record by City Clerk Zuravel, "An executive session is called 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."

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At 7:55 p.m., Alderperson Koester made a motion to enter executive session, seconded by Alderperson Boldt. The motion prevailed by a roll call vote of;

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

Nays: none

The council members left council chambers for the conference room.

At 8:03 p.m., Alderperson Klemm made a motion to return from executive session, seconded by Alderperson Endress. The motion prevailed by a roll call vote of;

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

Nays: none

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

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.

Alderperson Boldt stated the council determined the following;

“1) I move to approve the following minutes with specific notice that their tapes are not released:

- August 4, 2014 Subject #1 Collective Negotiating Matters
- August 4, 2014 Subject #2 Minutes Review and Approval
- September 2, 2014 Purchase or lease of real property
- December 1, 2014 Personnel

“2) I move to make a determination that the need for confidentiality still exists in relation to all other closed session minutes and tapes identified as not released.

“3) I move to make a determination that the need for confidentiality exists as to the minutes from the following closed session meetings or portions of minutes for:

- August 4, 2014 Subject #1, Collective Negotiating Matters
- September 2, 2014, Purchase or lease of real property
- December 1, 2014, Personnel

and 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:

- August 4, 2014, Subject #2 Minutes Review and Approval

“and, finally number, 4) I move to authorize destruction of verbatim recordings of the following closed sessions; all of which are over 18 months old and the written minutes of these closed sessions have been previously approved by this City Council;

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March 18, 2013	Minutes	Yes 08/05/2013
August 5, 2013	Subject #1 Minutes	Yes 02/03/2014
August 5, 2013	Subject #2 – Litigation	Yes 02/03/2014

Aldersperson reiterated, “I so move”. The motion was seconded by Aldersperson Klemm. The motion prevailed by a roll call vote of:

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

Nays: none

Upon motion duly made and seconded, the meeting was adjourned at 8:06 p.m.

s/ Meg Zuravel

Meg Zuravel
City Clerk