



City Council

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

MINUTES REGULAR MEETING Monday, June 15, 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 7:40 p.m. on June 15, 2015. The Committee of the Whole meeting was broadcast this evening beginning at 5:00 p.m. and lasting until 7:35 p.m.

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). Corporation Counsel Sarah Griffin was also present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Busker.

APPROVAL OF AGENDA

Prior to a motion for approval of the agenda, request was made for leave of council to move the resolution for the NIDA contract (item 18) to the section before the ordinances. Council members nodded their agreement with the request. Alderperson Koester moved for approval of the agenda as amended, seconded by Alderperson Klemm. Motion prevailed by voice vote without dissent.

MINUTES

Alderperson Koester moved for approval of the special meeting held on May 30, 2015 (also known as council orientation), seconded by Alderperson McClanathan. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

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

PRESENTATIONS - FIRE DEPARTMENT

Mayor Gitz recognized a certification earned by Fire Chief Scott Miller to attain the status of Chief Fire Officer through the Illinois State Fire Marshal. Chief Miller stated the curriculum required for this certification had study in operations/tactical disciplines of Fire Departments and course work in leadership and he has been working on this for several years now, taking time off when he was newly hired as Fire Chief in Freeport.

Fire Chief Scott Miller introduced a new firefighter, John Barth, and stated he came to the department as a certified paramedic and firefighter III and wished him success in his new position.

MINUTES
REGULAR MEETING
Monday, June 15, 2015

CONSENT AGENDA

The following remaining 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 to receive and place on file:

- 1) City Treasurer's Schedule of Tax Receipts through April 30, 2015
- 2) City Treasurer's Monthly Investment Report for period ended April 30, 2015
- 3) City Treasurer's Monthly Investment Report for period ended May 31, 2015
- 4) City Treasurer's Report of Cash and Fund Balances for period ended April 30, 2015
- 5) City Treasurer's Report of Cash and Fund Balances for period ended May 31, 2015
- 6) Building Permit Report of Activities for May 2015
- 7) Police Department Report of Activities for May 2015

B. Approval of Motor Fuel Register #0063 --- \$3,411.06

C. Approval of Water and Sewer Bills Payable (Registers #358, 359, 362, 365) --- \$508,649.62

D. Approval of Payroll for pay period ending May 30, 2015 --- \$413,297.36

E. Approval of Finance Bills Payable (Registers #357, 360, 361, 363, 364) --- \$358,755.91

F. Approval of Resolution R-2015-30: Resolution to Request Temporary Closure of Streets for Dairy Days Parade – June 28, 2015

Alderpersion Brashaw moved for approval of the consent agenda as presented, seconded by Alderpersion McClanathan. The motion prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester, and Chesney (8)

Nays: none

The consent agenda items were approved.

COMMUNICATIONS TO COUNCIL

A memorandum from Finance Director Haggard was presented regarding garbage rate decrease based on consumer price index per contract and effective on July 1, 2015. The memorandum stated; "On July 1st of each year, we are required by contract to change the amount we pay Moring/Gill Environmental Services for garbage pick-up based on the change in the Consumer Price Index (CPI-U). The April CPI-U decreased by 0.2 percent. Therefore, we will decrease the amount we pay the haulers by \$0.02 per household per month. The rate will decrease from \$11.59 to 11.57 per month. Past practice has been to decrease the amount we charge the property owners by the same amount. If we do this, the monthly charge for the homeowner will decrease from \$12.25 to \$12.23. Also, the annual rent that Moring/Gill Environmental Services pays will decrease by 0.2 percent. Rent will decrease from \$243,732.90 to \$243,245.43."

Alderpersion Brashaw asked about the rent savings and the two cent per household savings. Corporation Counsel Griffin stated the rent is the rent for the transfer station and is paid by Moring Gills and that is a totally separate contract. We actually have three contracts with them and the hauling contract is adjusted by the CPI separately. The third contract is not affected by a decrease in the CPI.

Alderpersion Brashaw made a motion to receive and place on file the memorandum, seconded by Alderpersion Busker. Motion prevailed by voice vote without dissent.

The following item was moved forward on council agenda:

**MINUTES
REGULAR MEETING
Monday, June 15, 2015**

RESOLUTION #R-2015-36:

RESOLUTION TO AUTHORIZE AGREEMENT WITH NORTHWEST ILLINOIS DEVELOPMENT ALLIANCE

Mayor Gitz stated pursuant to the Committee of the Whole meeting this evening this item was forwarded to council for action. City Clerk Zuravel noted that it was forwarded to council with an amendment from the Committee of the Whole meeting on a motion by Alderperson Chesney and a second by Alderperson Miller with passage by majority vote. Mayor Gitz clarified the motion to forward to the council meeting was given by Alderperson Klemm with a second by Alderperson Koester and passed by majority vote.

Alderperson Klemm stated coming from the Committee of the Whole meeting held this evening is the annual NIDA contract which was discussed at length and probably the biggest item that changed on it was the number of years of the contract. It was changed to one year with the automatic renewal. He stated pursuant to all the discussion, the council would like to move this resolution to the first meeting scheduled for July 6, 2015. Alderperson Klemm made a motion to refer this resolution to the July 6 council meeting for action on this resolution, seconded by Alderperson Koester. Motion prevailed by voice vote without dissent.

ORDINANCES – SECOND READING

2ND READING OF ORDINANCE #2015-29:

AN ORDINANCE TO PROVIDE FOR PUBLIC TRANSPORTATION IN THE CITY OF FREEPORT AND THROUGHOUT STEPHENSON COUNTY (FISCAL YEAR 2016)

The first reading was held on June 1, 2015. A motion to approve was given by Alderperson Koester and seconded by Alderperson Klemm. As requested by administration, the ordinance was referred to the Committee of the Whole meeting scheduled on June 8, 2015 and upon completion of discussion, it was referred back to council for a second reading. City Clerk Zuravel stated that she placed within this council agenda through the website a document placed on file for the public hearing (dated 05/26/2015). Mayor Gitz asked if there was any discussion or debate on the ordinance which will extend the public transportation within the City of Freeport and parts of Stephenson County. Upon no discussion, he asked for a roll call vote to approve the ordinance. The ordinance prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester, and Chesney (8)

Nays: none

Ordinance #2015-29 was passed.

ORDINANCES – FIRST READING

1ST READING OF ORDINANCE #2015-30:

AN ORDINANCE AMENDING SECTION 480.11 (PROHIBITED PARKING STREETS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT (ADAMS AVENUE)

This ordinance in draft form was presented at the Committee of the Whole meeting held on June 8, 2015. City Engineer Gallagher explained he will request suspension of the rules for immediate consideration and the ordinance was referred to council by recommendation of the Committee of the Whole. Alderperson McClanathan moved for approval of the ordinance as presented, seconded by Alderperson Brashaw. Mayor Gitz stated Ordinance #2015-30 is now on council floor for approval.

**MINUTES
REGULAR MEETING
Monday, June 15, 2015**

City Engineer Gallagher provided written memorandum which stated: "In order to accommodate the Jane Addams Trail within the existing right-of-way of Adams Avenue, the new alignment of Adams Avenue north of Exchange Street was shifted, creating an 8' transition across the intersection of Adams Avenue and Exchange Street. This change only affects the northbound drive lane which narrows from 22' to 14'. Given that the asphalt roadway and paved trail look very similar to approaching vehicles, it became clear while observing traffic that the narrowing of the lane was likely to cause an accident if signage or striping was not applied to warn drivers. Understanding that a standard parking lane is 8' in width, City Engineer Gallagher advised the contractor to reinstall the previous vacated parking lane to IDOT standards. This required a 75' taper from the Stephenson Street intersection, thus allowing for the addition of 2 parking stalls." City Engineer Gallagher explained he determined that due to the alignment shift, a striped parking lane would help delineate this transition and help avoid an accident, while providing additional parking in our downtown. He prepared the ordinance to allow for the use of the two parking stalls created in this design change, since the parking along the east side of Adams Avenue in this section has been previously vacated. City Engineer Gallagher explained that this will remove the "no parking" section along Adams Avenue from Stephenson to Exchange that was done for the change in alignment created for the Jane Addams Trail. He explained this is the area where there is a transitioning of lanes. He noted there was a vehicle-motorcycle accident in this intersection this past week and the striping configuration had nothing to do with that specific accident.

Alderman Koester made a motion for suspension of the rules for immediate consideration of Ordinance 2015-30, seconded by Alderman Klemm. Motion prevailed by voice vote without dissent.

Upon no further discussion, the passage of the ordinance prevailed by a roll call vote of;
Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester, and Chesney (8)
Nays: none
Ordinance #2015-30 was passed.

1ST READING OF ORDINANCE #2015-31:

AN ORDINANCE AMENDING CHAPTER 1026 – SIDEWALKS, SECTION 1026.17 (SALES; MERCHANDISE DISPLAYS; CAFES); CHAPTER 806 "ALCOHOLIC LIQUOR SALES", SECTION 806.17 (OUTDOOR SALES); CHAPTER 608 ENTITLED (ALCOHOLIC LIQUOR), SECTION 608.04 "POSSESSION OR CONSUMPTION IN PUBLIC PLACES"; AND CHAPTER 1252 ENTITLED (BUSINESS DISTRICTS), SECTION 1252.01 ENTITLED "B-1-1 RESTRICTED RETAIL BUSINESS DISTRICT", SUBSECTION (B)(10) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

This ordinance was recommended to the Liquor Commission by Alderman Miller and Alderman Klemm. The ordinance as drafted was recommended to council by the Liquor Commission on June 11, 2015. Mayor Gitz presented the ordinance by stating this was brought before the Liquor Commission and they heard from the Police Chief, Alderman Miller whose idea it was to bring it before the commission. There is a resulting draft with one brief amendment that was offered by the Liquor Commission and so the ordinance that comes before you is the version approved by the Liquor Commission.

Alderman Chesney referred to the wording of a physical barrier (the specific area for outdoor liquor sales is delineated by a clear and unambiguous physical barrier as approved by the Chief of Police or his designee) and asked if new fencing would need to be purchased by the two businesses we are seeking to help out. Corporation Counsel Griffin stated there is only one business who has applied for a sidewalk

MINUTES
REGULAR MEETING
Monday, June 15, 2015

café permit and if indeed they do apply for such as license it would not have be a fence, it would have to be some sort of physical barrier that has been approved by Chief of Police that clearly and unambiguously delineates the area. She explained the purpose of the clear and unambiguous barrier is for a number of reasons a) so the police officers enforcing it can determine if there is a violation b) so customers know where not to go c) so that it is clear to the license holder where the liquor is allowed. She stated so it is clear to everyone if there is a liquor violation so not per se a fence they can use some sort of physical barrier as approved by the Chief of Police. Alderperson Chesney asked about the section which states the ordinance will be revisited in one year for effectiveness and revision if necessary and asked for further clarification. Corporation Counsel Griffin stated the intent was for the Liquor Commission to revisit it at that time to see if they had any further recommendations for the provision and if you want that to come back to council we can be more specific. Corporation Counsel Griffin stated a sidewalk café license actually expires in November so there is a period of time when the season ends so they will have time to review it prior to starting up again next season so they want to review to see if there were violations and for the Liquor Commission to recommend any tweaks at that time.

Alderperson Klemm moved for approval of Ordinance #2015-31 as presented, seconded by Alderperson Koester. Alderperson Klemm explained the intent for the review was for the Liquor Commission to make sure there were not issues that they would need to make a change. Alderperson Koester stated his concern as to what an unambiguous barrier and asked if this should be a guideline. Chief Barkalow stated if it is approved by him and it does not deviate much from what is already in place with the sidewalk cafés. He is looking for an area that is easily identifiable as to where the outdoor café is located and the zone they are supposed to be in. This is a mobile barrier and not permanently attached to the concrete. Alderperson Klemm explained the discussion that was held at the Liquor Commission.

Alderperson Klemm made a motion for suspension of the rules for immediate consideration.

Alderperson Ross asked about signage under 21. Chief Barkalow stated no because they can be under twenty-one in a licensed premises as a restaurant and this would not be any different other than extending this outside on the sidewalk. Alderperson McClanathan asked what steps there were for access incidence for minors and noted this is more substantive as a change in the liquor code so he recommending allowing more time for the public to comment in regard to the anticipated motion for suspension of rules. Chief Barkalow stated it is going to be very difficult to eliminate the possibility of the minors getting their hands on alcohol and we take that role very seriously. We are going to have to be vigilant as well as the owners and customers. The Police Department will take the necessary steps to prevent violations and we partner with other agencies to combat that and discourage that. Alderperson Ross asked how close to the street can they be. Chief of Police stated that there needs to be an ADA clearance of 44" on the sidewalk and the sidewalk café must submit a complete plan drawn out and if there are concerns about it being too close we can address at that time. Alderperson Miller stated a sidewalk café already has to do that to serve food outside so that doesn't change anything. Alderperson Koester stated he is in support of this.

The motion for suspension of the rules was seconded by Alderperson Brashaw.

A roll call vote was taken for suspension of rules;
Yeas: Klemm, Ross, Miller, Brashaw, Koester (5)
Nays: McClanathan, Busker and Chesney (3)

**MINUTES
REGULAR MEETING
Monday, June 15, 2015**

Mayor Gitz stated the motion fails. Mayor Gitz stated the ordinance will be automatically laid over to the next meeting on July 6, 2015. He encouraged the public and the council to ask questions and referred them to Corporation Counsel Griffin.

Mayor Gitz stated because the council members have requested to have the Resolution for COBRA rates to be written in ordinance form the appropriate time to present that would be now so he asked for item #14 to be moved forward on council agenda and asked for a recital of the following:

Per request from Alderperson Chesney, Miller, Ross and Busker the above stated resolution was also drafted in Ordinance form:

1ST READING OF ORDINANCE #2015-32:

AN ORDINANCE AMENDING CHAPTER 288 (OFFICERS AND EMPLOYEES GENERALLY) SECTION 288.19 “MEDICAL AND LIFE INSURANCE” OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Mayor Gitz introduced Mr. Stephen Lafferty and Karen Smith. Corporation Counsel Griffin stated this is in the form of an ordinance so that the COBRA rates have been placed into Chapter 288 where our employee medical and life insurance is located in the code book and it is where our COBRA premium is set as percentages so it is placed into that same section. The difference on this particular section regarding a resolution and an ordinance is minimal until you actually get to the secondary portion where we talked about last week with the 30-70 split; which will come later. This puts the two together – the premium percentages and the actual rates and they are setting those. Corporation Counsel stated this is for the COBRA rate.

Finance Director Haggard stated she provided a memorandum to council as follows:

The resolution presented to Council is to adopt amended Consolidated Omnibus Budget Reconciliation Act (COBRA) rates for the monthly premiums for the City’s healthcare continuation coverage for participating former City employees and is to be effective August 1, 2015

The recommended monthly rates are as follows:

COBRA Rates					
Coverage Type	Medical	Dental	Total	Prior Year Total	Percentage Increase/ (Decrease)
Single	859.12	22.37	881.49	795.02	11%
Single + 1	1,968.82	45.16	2,013.98	1,852.74	9%
Family	2,111.94	59.00	2,170.94	2,010.85	8%

Note: Medical includes prescription premiums as follows:

MINUTES
REGULAR MEETING
Monday, June 15, 2015

COBRA Rates			
Coverage Type	Rx Only	Prior Year Total	Percentage Increase/ (Decrease)
Single	162.21	150.89	8%
Family	414.79	350.85	18%

The COBRA rates are as recommended by our third party administrator - Northern Illinois Health Plan.

Alderperson Koester asked if this is the standard adjustment for COBRA rates. Corporation Counsel Griffin stated that is correct and that the retiree changes will come later in a resolution.

Alderperson Chesney provided his concerns on side letter agreements negotiated by previous administrations as a way to encourage retirement through a package and noted that the council was not aware of this so he reached out to the Corporation Counsel to look for ways to prevent this from happening in the future or if they are necessary to have visibility by the council. He explained that Corporation Counsel Griffin first recommended placing the COBRA rates in the form of an ordinance and the second piece of this would be the administration's end and the mayor has agreed to draft an ordinance once he has reached out to appropriate department heads to see how we can prevent this from happening again. He noted it is something that pre-dates this administration. This is not anything that the present mayor enacted. Alderperson Chesney asked if this would be something that Director Haggard should have a suspension of the rules for passage. Director Haggard stated she is looking for an August 1st start date for change in the COBRA rates. Corporation Counsel Griffin stated we do have to give 30 day written notice and NIHP is the one that provides the notice to the retirees. It was noted that it would be beneficial for passage of the ordinance this evening in order to provide notice.

Alderperson McClanathan moved for approval of Ordinance #2015-32, seconded by Alderperson Miller.

Alderperson Koester asked about the side letter and the effect of those employees on side letter. Mayor Gitz stated that this sets the COBRA rate for an annual basis. He stated the side letter issue that generated in part moving toward an ordinance is not encompassed within this particular ordinance. He stated the only issue before the council is every year on August 1 we set the new COBRA rates and that is the rate in which we expect our cost to be equal on basis of maximum claims that are expected. The only issue here is the wisdom of adopting the new COBRA rate and in doing so in time to give notice to all employees as to what that rate is. Alderperson Klemm stated he understands approving the COBRA rates but do we want to do it in ordinance form. Mayor Gitz stated that was the request of council. Alderperson Klemm stated if that is the case, that once you put it into an ordinance, then you have to come back next year and change those numbers and come back the year after and change those numbers again because if you forget they are there as the old rates. Mayor Gitz stated that is correct. Alderperson McClanathan stated would that not be the same issue if it was in the resolution form. Mayor Gitz stated that yes but what Alderperson Klemm is saying that you are putting it into the code and now you have to go through two readings to make sure you do it on time. Mayor Gitz stated the side letter issue needs to be addressed down the road. Mayor Gitz stated we have a motion and a second for approval.

Alderperson Chesney made a motion to suspend the rules for immediate consideration. This motion was seconded by Alderperson Miller. Mayor Gitz stated we have a motion and a second for immediate

MINUTES
REGULAR MEETING
Monday, June 15, 2015

consideration and the motion is non-debatable and requires an extraordinary majority. He asked for a roll call vote to approve the motion to suspend the rules;

Yeas: Miller, Busker and Chesney (3)

Nays: Klemm, McClanathan, Ross, Brashaw, Koester (5)

Motion for immediate consideration failed.

Mayor Gitz stated that this is in ordinance form and it has been moved and seconded and the ordinance will be automatically laid over to the next meeting on July 6, 2015.

Corporation Counsel Griffin stated that the rates will need to be changed to September 1, 2015 for notification purposes because the administration needs thirty days after passage when it is passed and the letters will need to be mailed out. Alderperson Klemm asked what the cost would be changing the date from August 1 to September 1. Mayor Gitz asked Mr. Lafferty and Ms. Smith to the podium. Mr. Lafferty stated if the COBRA rates are not approved for the August 1st effective date, the City will pay for the additional dollars that COBRA will be charged for the month of August. He explained the rates go up because the COBRA rates are based on the maximum costs for the claims and the City would be losing out on the contributions by those employees, the non- bargaining employees that are currently paying 12% of what COBRA rates are. He stated if COBRA rates increase, which they have, for plan year 2015 compared to plan year 2014, the 12% percentages will be based on the lower amount rather than the new COBRA amount. He explained the whole mission of the work that we have done in regards to changing the non-bargaining employee's contribution rates as well as the changes to the non-bargaining benefits and also the proposed changes to the retiree benefits is to better manage these costs and we would be losing a significant starting point in starting to administer those changes to the COBRA rates. The actual dollar amount would take some calculations but the City would be absorbing those additional costs.

Alderperson Klemm made a motion as a dissenting member to reconsider the suspension of the rules, seconded by Alderperson McClanathan.

Alderperson Klemm stated he does not agree to have this in ordinance form but understands the need for passage in a timely manner.

The motion to reconsider suspension of the rules passed by a roll call vote of:

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, and Chesney (7)

Nays: Koester (1)

The motion passed by a vote 7-1.

Mayor Gitz stated Ordinance #2015-32 is back before the council and the proper motion is for immediate consideration for passage and asked if there was such a motion. Alderperson Chesney moved for suspension of the rules for immediate consideration, seconded by Alderperson Miller. The motion for suspension of the rules prevailed by a roll call vote of:

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, and Chesney (7)

Nays: Koester (1)

Mayor Gitz stated Ordinance #2015-32 is now before the council for immediate consideration or discussion and debate.

**MINUTES
REGULAR MEETING
Monday, June 15, 2015**

Aldersperson McClanathan asked Corporation Counsel Griffin if legally there is any reason not to put this in ordinance form. Corporation Counsel Griffin stated there is no reason not to put it in ordinance form. She stated there is no reason not to put it in resolution form, it is a preference issue. Aldersperson Chesney noted his thanks on the reconsideration to Aldersperson Klemm. Aldersperson Koester stated he will be abstaining from vote since he is a retiree on the COBRA rate and that is a financial interest.

The motion for passage of the ordinance prevailed by a roll call vote of:

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, and Chesney (7)

Abstain: Koester

Nays: none

Corporation Counsel Griffin ruled the abstention goes with the majority and the passage of the ordinance passed by a vote of 8-0.

RESOLUTIONS

RESOLUTION #R-2015-25:

RESOLUTION AUTHORIZING SUBMITTAL OF A COMBINED APPLICATION FOR SECTION 5311 NON-METRO PUBLIC TRANSPORTATION CAPITAL/OPERATING ASSISTANCE AND DOWNSTATE OPERATING ASSISTANCE GRANT FUNDING (FY 2016)

The resolution was presented at the council meeting on June 1, 2015. As requested by administration, the resolution was referred to the Committee of the Whole meeting scheduled on June 8, 2015 and, upon completion of discussion, it was referred back to tonight's meeting. Mayor Gitz requested Ms. Griswold to come to the podium. Shelly R. Griswold, Community Development Consultant for the City of Freeport, Illinois stated this resolution was presented at the June 8th Committee of the Whole and this authorizes the City to submit the application and as you know from the last time we talked there is still a question on which budget we will working from because we are still waiting on word from what the Governor's position will be as far as funding rural transportation so we will seek guidance from IDOT. She explained that she expects IDOT will ask the City to submit both budgets so they have them both on file and then we will find out what that is going to be. She stated the full application was provided in a link on the website for public viewing. Aldersperson Koester moved for approval of the resolution as presented, seconded by Aldersperson Busker. The resolution prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester, and Chesney (8)

Nays: none

Resolution #2015-25 was adopted.

RESOLUTION #R-2015-27:

RESOLUTION AUTHORIZING EXTENSION OF SERVICE AGREEMENT BETWEEN THE STEPHENSON COUNTY RESOURCE CENTER AND THE CITY OF FREEPORT

The resolution was presented at the council meeting on June 1, 2015. As requested by administration, the resolution was referred to the Committee of the Whole meeting scheduled on June 8, 2015 and, upon completion of discussion, it was referred back to tonight's meeting. Shelly R. Griswold, Community Development Consultant for the City of Freeport, Illinois presented the resolution by stating the copy of the draft agreement was provided in the council packet. She stated due to some question by council

MINUTES
REGULAR MEETING
Monday, June 15, 2015

members, if you look on page 5 of the agreement in the first paragraph it talks about the city's obligation to pay the contractor being limited to funds from the grants. It provided the following:

"All grants, payments, and obligations of the City under this Agreement are subject to the receipt of funds by the City from the Department. All payments and obligations by the Department to the City under this Agreement are subject to the receipt of funds by the Department from the FTA. The City and the Department shall not be liable to the Provider for any failure or delay in the performance of its obligations to the Provider, including but not limited to delays in making payments to the Provider. No debt, payment or obligation of the City, Department or FTA to the Provider under this Agreement shall be a general obligation of the City, Federal and State governments, but shall be payable, if at all, only from funds received by the City from the Department and FTA and from funds authorized pursuant to the Section 5311 and Downstate Public Transportation Acts.

Similarly, all grants, payments, and obligations of Provider under this Agreement are subject to the receipt of Title XX and IIIB funds. The Provider shall not be liable to the City for any failure or delay in the performance of its obligations to City for to delays in performing on the Agreement due to lack of receipt of Title XX and IIIB funds."

Ms. Griswold asked for the council to make a motion for passage of resolution with the the agreement with a qualifier that it is passed in substantially the same form as it is in the attachment. She noted a couple reasons 1) because we do not have those budget numbers yet from IDOT 2) this agreement has not yet been approved by the Senior Resource Center. Ms. Griswold stated they have received comments back from the SRC on the agreement and three of those are operational comments and they will not impact the contract per se. The fourth could potentially but it is also hinges on that IDOT budget so until we have those numbers we can't look at that item. She explained they are asking for a commitment of a couple more lap top computers and a printer. That is a reasonable request, all grant funded, and they are asking for a different commitment on the number of vehicles. We currently provide them with 11 vehicles and the contract says 6-10 that we will provide and they would like to raise that floor up to ten. She noted if our budget gets changed substantially by IDOT then we need to make sure it takes care of that contingency. Ms. Griswold asked for passage of the resolution and the agreement in passed in substantially the same form as it is in the attachment so we can make minor amendments. She stated the current contract expires June 30, 2015, so time is of the essence.

Discussion was held on the timetable while we are extending this we want to begin discussion. Mayor Gitz stated we think it is a bad idea to be involved in the day to day operations of the center since especially when grant funding will provide for an administrator and they have already hired two to three people to be involved in some supervisory level. Mayor Gitz went on to explain the supervisory level and what he expects for the timetable.

Aldersperson Koester moved for approval of the resolution as presented, seconded by Aldersperson Brashaw. The resolution prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester, and Chesney (8)

Nays: none

Resolution #2015-27 was adopted.

**MINUTES
REGULAR MEETING
Monday, June 15, 2015**

RESOLUTION #R-2015-28:

RESOLUTION TO AUTHORIZE EXTENSION OF PUBLIC TRANSIT VEHICLE LEASE AGREEMENTS BETWEEN THE CITY OF FREEPORT AND THE STEPHENSON COUNTY SENIOR RESOURCE CENTER

The resolution was presented at the council meeting on June 1, 2015. As requested by administration, the resolution was referred to this council meeting to coincide with the SRC agreement resolution. Alderperson McClanathan moved for approval of the resolution as presented, seconded by Alderperson Brashaw. The resolution prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester, and Chesney (8)

Nays: none

Resolution #2015-28 was adopted.

RESOLUTION #R-2015-31:

RESOLUTION TO APPROVE AMENDMENT TO RETIREES' AND PENSIONERS' HEALTH INSURANCE PLAN, AND TO REPEAL ALL CONTRARY RESOLUTIONS AND MOTIONS

A presentation was given by Stephen Lafferty, Benefits Broker, Dimond Brothers Insurance, LLC at the Committee of the Whole meeting on June 8, 2015. Upon completion of the presentation, it was recommended by the Committee of the Whole to present the health insurance plan changes to the council. Provided in the council packet was a letter from Stephen Lafferty recommending adoption of the plan changes to the retiree and pensioner group health benefits and this would be effective August 1, 2015. It stated the City has experienced monumental cost increases in the health plan in the past 5 years, due to huge increases in medical claims. Clearly, the City cannot sustain this trend. Consequently, one area to better manage these costs to the City is to make these benefit changes. There has been no such benefit changes made since 2006. There recommended changes are required response in addressing the continued challenges of the health plan costs to the City. Included with the resolution were exhibits A and B providing the amendments and the estimated savings. It was estimated the overall savings to the City of Freeport would equate to \$45,000 if this were a full fiscal year and we are already 2/3 of the way into it. Mayor Gitz noted these are formidable changes in order to balance the budget.

Alderperson Chesney moved for approval of the resolution as presented, seconded by Alderperson Miller. The resolution prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, and Chesney (7)

Abstain: Koester

Nays: none

Resolution #2015-31 was adopted.

RESOLUTION #R-2015-32: Resolution to Adopt COBRA (Consolidated Omnibus Budget Reconciliation Act) Rates was placed on council agenda but was not acted on because of passage of Ordinance #2015-32 earlier in the evening (*see minutes page 6*).

RESOLUTION #R-2015-33:

RESOLUTION TO APPROVE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FREEPORT, ILLINOIS AND THE FREEPORT PARK DISTRICT FOR ADA TRAIL IMPROVEMENTS

In the council meeting held on June 1, 2015 City Engineer Gallagher stated he would be bringing this forward as a cost savings measure for the Freeport Park District to work cooperatively through the City's 2015 Mill and Overlay Program. The Park District will pay for their share of construction cost and

**MINUTES
REGULAR MEETING
Monday, June 15, 2015**

inspection cost estimated to be \$55,000 and \$3,000 respectively. Alderperson Klemm moved for approval of the resolution as presented, seconded by Alderperson Brashaw. The resolution prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester, and Chesney (8)

Nays: none

Resolution #2015-33 was adopted.

RESOLUTION #R-2015-34:

RESOLUTION TO APPROVE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FREEPORT, ILLINOIS AND ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) FOR MAINTENANCE OF MUNICIPAL STREETS

City Engineer Shaun Gallagher presented the resolution and provided a memorandum from the Illinois Department of Transportation as a cover. It stated the Illinois Department of Transportation intends to enter into an Intergovernmental Agreement for Maintenance of Municipal Streets with the City of Freeport and this agreement replaces the previous ten year agreement expiring on June 30, 2015. The dates for the agreement are July 1, 2015 through June 30, 2025 with a total compensation amount of \$735,035.00 based on the computation sheets provided with the agreement listing out the sections and streets covered in the agreement. The agreement total for one year July 1, 2015 to June 30, 2016 was \$63,981.90. City Engineer Gallagher stated this is for pavement preservation of 26.6 lane miles including routine surface and pothole repairs, temporary depth patching, removing expansion bumps, sealing cracks and joints, cleaning, picking up litter, controlling snow and ice and other routine operational services. Discussion was held on the improvements needed on Route 75 east (Stephenson Street) to address concerns with standing water which has caused a sink hole on a local business property. City Engineer Gallagher explained that although the document is dated May 12, 2015 it was not received by the City until the first of June and by then it had already missed that first meeting packet.

Alderperson McClanathan moved for approval of the resolution as presented, seconded by Alderperson Busker. The resolution prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester, and Chesney (8)

Nays: none

Resolution #2015-34 was adopted.

At this time (9:25 p.m.), Alderperson Koester left council chambers.

RESOLUTION #R-2015-35:

RESOLUTION FOR THE AGREEMENT BETWEEN CITY OF FREEPORT AND FEHR GRAHAM FOR CONSTRUCTION ENGINEERING SERVICES – 2015 MFT PROGRAM SECTION NO 15-00000-01-GM MILL & OVERLAY PROGRAM)

City Engineer Gallagher presented the resolution which is for the construction engineering and materials testing to be performed by Fehr Graham for the 2015 MFT Mill & Overlay Program consisting of improvements to various streets throughout the City. The cost will be 6% of the final construction costs estimated in an amount of \$31,062.24. Alderperson Klemm moved for approval of the resolution as presented, seconded by Alderperson Busker. The resolution prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, and Chesney (7)

Absent: Koester (1)

**MINUTES
REGULAR MEETING
Monday, June 15, 2015**

Nays: none

Resolution #2015-35 was adopted.

The following resolution was moved forward on council agenda – see page 3 under RESOLUTION #R-2015-36: Resolution To Authorize Agreement With Northwest Illinois Development Alliance.

OTHER

REPORTS OF DEPARTMENT HEADS

Finance Department

Fire Department Capital Improvement Fund Transfer Request

Request for transfer of funds from Fire Department Capital Improvement Fund per memorandum written by Director Haggard as follows:

“Per City Ordinance 242.53, Fire Department Capital Fund, “. . . once the threshold amount of the greater of two hundred forty thousand dollars (\$240,000) or an amount equal to sixty percent of the total amount remitted to the City in the prior fiscal year is placed in the Fire Department Fund, any further funds may be deposited to the General Fund of the City at the discretion of the City Council.”

“Ambulance receipts and respective expenditures are posted directly to the Fire Improvement Fund. The fiscal year 2015 recommended amount to be transferred from the Fire Improvement Fund to the General Fund is \$244,417.46 as calculated below:

Ambulance Receipts Transfer

Description	Amount
FY2015 Receipts	\$ 642,844.89
Less: Andres Payments	31,801.24
Net Receipts	<u>\$ 611,043.65</u>

Fire Improvement Fund Share	\$ 366,626.19	(Greater of \$240,000 or 60 percent of net receipts)
General Fund Share	<u>244,417.46</u>	
Net Receipts	<u>\$ 611,043.65</u>	

Aldersperson Klemm moved for approval of the transfer of the amount of \$244,417 from the Fire Capital Improvement Fund to the General Fund, seconded by Aldersperson Ross. The motion prevailed by a roll call vote of;

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, and Chesney (7)

Nays: Koester (1)

OTHER

Reports of Department Heads

Public Works

MINUTES
REGULAR MEETING
Monday, June 15, 2015

Public Works Director Tom Dole provided an update on the stages of the river and rising water. Director Dole and his crew in the Public Works Department were thanked for all their work to prepare Tutty's Crossing by mowing, trimming trees, and installing flags in preparation for the grand opening ceremony of the Jane Addams Trail which took place on June 13, 2015. There were many visitors at the event and State dignitaries were present.

Fire

Fire Chief Miller cautioned the public when nearing rivers and streams to take precautionary measures to stay away from embankments due to high water.

Police

Chief of Police Todd Barkalow provided an update on meetings held by the emergency management with Stephenson County and they are watching the Pecatonica and Yellow Creek for possible flooding. He will attend a graduation ceremony on Thursday for officers completing training in Champaign. The Police Department will attend the Juneteenth Celebration on Boggess Street. Alderperson Klemm spoke about rolling stops.

City Engineer

City Engineer Gallagher provided an update on Crack Sealing, Mill and Overlay ongoing projects. He will be meeting with the Army Core of Engineers regarding flood assistance and spoke about the possible source of funding.

Water and Sewer

Water and Sewer Director Tom Glendenning provided an update on the treatment plant inflow due to the excessive rains. They are pumping through 17 million gallons per day and the usual amount is 3.5 to 4.0 million gallons per day. The crews have been set-up for by-pass pumping just in case it is needed. Director Glendenning stated the sanitary sewer lining project which was completed as part of the Big Four projects may have saved the plant because it cut down on the inflow of water. Director Glendenning provided information on a water main break on a 12" water main which will need to be repaired beginning on Wednesday which effects business on South Street by Sawicki Motors.

Library

Public Library Director Carole Dickerson was present and had no report.

MAYOR'S REPORT

Mayor Gitz thanked Colton Haven for volunteering to run the camera for the council meetings. Mayor Gitz provided a report on the Jane Addams Trail grand opening ceremony. He thanked the many volunteers who worked to make the event a success. He provided an update on hiring status of positions in the Community Development Department and was pleased to report a grant writer and administrative assistant have been offered positions. He provided information on flood concerns and work being done with the Stephenson County Emergency Management team. Alderperson Chesney asked about the status for a rent plan from the 524 Building Owner. Mayor Gitz stated he will have those figures from Mr. McConnel and will send them to council the middle of next week.

COUNCIL ANNOUNCEMENTS/NEW BUSINESS

**MINUTES
REGULAR MEETING
Monday, June 15, 2015**

Council members were provided an opportunity to give announcements and discuss items for their wards.

Aldersperson Busker provided information on a Neighborhood Watch meeting to be held at the Central Fire Station on Tuesday at 6:00 p.m.

Aldersperson Brashaw stated it was recently discussed at a Neighborhood Watch meeting that if you see suspicious persons in your neighborhood to call the police.

Aldersperson Koester spoke about a telephone scam for computers and asked the public to be cautious.

Aldersperson Chesney spoke about concerns he has on the budget document and the cuts that need to be made.

Aldersperson McClanathan thanked the committee for the work done on the Tutty's Crossing Grand Opening Ceremony. He spoke about the positive aspect to bring the Jane Addams Trail into the downtown as an accomplishment of all the partners involved.

Aldersperson Ross provided information on a 3rd Ward Neighborhood Watch that will be held at St. Mary's Church on June 18, 2015.

Aldersperson Miller spoke about the successful grand opening ceremony at Tutty's Crossing on Saturday. She thanked the many volunteers and especially the photographers who volunteered their services.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

Tom Teich provided flyers to the council members for an ice cream social at Presence Provena to be held on June 28, 2015.

EXECUTIVE SESSION (CLOSED SESSION) PURSUANT TO 5 ILCS 120/2 (c)

The following exception was on the council agenda: 2) Collective negotiation matters between the public body and its employees or their representatives or deliberations concerning salary schedules for one or more classes of employees. Mayor Gitz stated it is not necessary to go into executive session this evening.

Upon motion duly made and seconded, the meeting was adjourned at 9:58 p.m.

s/ Meg Zuravel

Meg Zuravel
City Clerk