



City Council

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

MINUTES REGULAR MEETING Monday, July 6, 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 6:50 p.m. on July 6, 2015. *Note from clerk: prior to tonight's meeting, a special City Council meeting was held with an executive session from 5:30 p.m. to 6:45 p.m. with a five minute break in between.*

ROLL CALL

Present on roll call: Mayor Gitz and council members Tom Klemm, Peter McClanathan, Art Ross, Jodi Miller, Patrick Busker, Sally Brashaw, and Andrew Chesney (7). Absent upon roll call was Alderperson Koester (*see below for entrance at 6:53 p.m.*) Corporation Counsel Sarah Griffin was also present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Brashaw.

At 6:53 p.m., Alderperson Koester entered the meeting bringing the number of council members present to eight.

APPROVAL OF AGENDA

Prior to a motion for approval of the agenda, Mayor Gitz noted we will be striking item number 8 which is an ordinance for zoning for a property on Island Avenue due to a request by the petitioner. Mayor Gitz also stated we will move forward before the public hearing items for the NICA resolution, IEPA trail alignment resolution, NIDA contract and building permit ordinance as requested through his correspondence to council. With those amendments, Alderperson Koester moved for approval of the agenda as amended, seconded by Alderperson Brashaw. Motion prevailed by voice vote without dissent.

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Alderperson Brashaw moved for approval of minutes of the regular meeting held on June 1, 2015 and the regular meeting held on June 15, 2015. This motion was seconded by Alderperson Koester. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

Michael Meade, 217 W. Main Street, Freeport Illinois, spoke against the funding for NIDA. He stated he is not being negative just providing his thoughts. He asked if this is the same business plan they have had for eight years and whether the council knows what they are working on. He spoke about the amount of dollars going for salaries. He suggested the dollars paid to NIDA over the last eight years should have been used to clean up blighted properties. Mr. Meade spoke as a resident and owner of buildings in downtown and stated NIDA should be working to market empty buildings to better market the downtown.

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He asked why the council would want to keep doing what the last two sets of alderman have done. He suggested there be a term limit for a marketing company.

Conor Brown, 1739 Red Oak Lane, Rockford, Illinois, spoke as the Government Affairs Director for the Realtor Association of Northwestern Illinois located at 24 W. Stephenson Street. He spoke in support of the removal of the arbitrary threshold for minor repairs for building permits. He stated that by eliminating the need for the building permit (that has nothing to do with life, health, safety of residents) is a positive move for Freeport. Current language is confusing and vague. He spoke about the timetable as being an entrapment measure for noncompliance. Freeport should be a welcoming place for investment of properties. He agrees with the new language for building permits and encourages passage. He spoke about the Community Development budget as it relates to landlord registration and asked council to eliminate the \$12,000 for landlord training, \$1,000 for landlord books and \$2,250 for landlord printing. He stated it duplicates language and service already available in the City through other non-for profits. It bears examining if this training was to be offered whether the City of Freeport is properly prepared to administer the training and defend against any Fair Housing violations.

RESOLUTION #R-2015-38:

RESOLUTION TO AUTHORIZE AGREEMENT WITH NORTHWESTERN ILLINOIS COMMUNITY ACTION AGENCY

Community Development Specialist Shelly Griswold presented a written memorandum with the resolution to authorize an agreement with the Northwestern Illinois Community Action Agency (NICAA) for assistance with the City's IHDA Homebuyer and Single Family Owner Occupied Rehabilitation (SFOOR) Grants. The memorandum explained that NICAA has been managing IHDA grants for many years and has a great deal of capacity and expertise in both project delivery and grant administration. Ms. Griswold stated they have agreed to work with the City to assist in completing the work plans for Freeport's Homebuyer and SFOOR grants. Both of these grants expire in less than one year, and with the Community Development Department having open positions over the past several months, these grants have fallen behind schedule. We can make up for lost time, but it will take a concerted effort that will be beyond the capacity of the new Grants Coordinator alone.

Ms. Griswold stated the agreement calls for NICAA to assist with project delivery and administration and to help the City train the new Grants Coordinator and help build capacity for management of future IHDA grants. With NICAA's familiarity with the community and their successful track record managing IHDA projects, the City's projects will be in good hands. Ms. Griswold explained NICAA has considerable expertise and experience in providing project delivery and grant administrative services for Illinois Housing Development Authority (IHDA) programs. She stated the City has been awarded \$562,000.00 in funding from the Illinois Housing Development Authority's (IHDA) Trust Fund Homebuyer program, which expires December 31, 2015 and the City has been awarded \$168,000.00 in funding from the Illinois Housing Development Authority's (IHDA) Single Family Owner Occupied Rehabilitation program, which expires March 31, 2016. NICAA will provide project delivery and grant administration services for its IHDA Trust Fund Homebuyer Grant (#STF-50713) and IHDA Single Family Owner Occupied Rehabilitation Grant (#HO-50832) through the following services

- a. Provide project delivery and grant administrative services for the City's IHDA Trust Fund Homebuyer (#STF-50713) and Single Family Owner Occupied Rehabilitation (#HO-

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- 50832) grants in accordance with the Grant Agreement between the City and IHDA and in an amount not to exceed the remaining project budgets for the respective grants; and
- b. Coordinate the projects for these grants, including marketing; applicant intake and selection; loan processing; construction bidding and award; project inspections and other activities required to fulfill the requirements of the City's Grant Agreements with IHDA; and
 - c. Provide training and oversight to the City's newly hired Community Development Grants Coordinator to assist the City in building capacity to manage future IHDA awards.

Ms. Griswold stated the City will pay NICAA an hourly rate of \$50.00 for services provided under this Agreement. She and the council discussed this is due to having a newly hired grant writer who needs training and to be able to fulfill the terms of the grant through distribution of the money. Discussion was held on the amount of dollars remaining through the grants, the expiration date of the grants and the training that will be provided through the knowledge and expertise by NICCA.

Discussion was held regarding hiring a Community Development Director and timing of receipt of resumes to the council. Council members spoke about their concerns for the delay in the process. Mayor Gitz stated the Community Development Director signs off on expenses on the grant but does not administer this grant. Alderperson Chesney made a motion to delay passage of this resolution to July 20, 2015 council meeting. The motion failed for lack of a second.

Alderperson Koester moved to approve the resolution as presented, seconded by Alderperson Brashaw.

Discussion was held on the timing of the resolution in order to be able to move toward fulfillment of the grants. Ms. Griswold stated there is no impact to the general fund and NICAA is a good match to complete the tasks involved with training our newly hired grant writer.

Ms. Griswold explained that we have people in the queue from moderate means who are not going to be able to purchase a house unless they have this assistance. They are prequalified by the bank, they are looking at the houses, and they have closings scheduled. There are also elderly residents and we are helping them stay in their homes and not go to assisted living because we are doing the repairs to their homes to make them manageable. She pleaded with the council that it is not the Community Development Department that you are bailing out, it is those citizens that you are helping and if we can't fulfill this grant we can't help those that are in the queue that need it the help.

Mayor Gitz stated in the future there will be true and transparent reports from the grants coordinator as to the status of the grants.

Alderperson Miller recommended holding over the resolution to the next meeting. Upon no further discussion, a roll call vote was taken to adopt the resolution. The motion prevailed by a roll call vote of; Yeas: Klemm, McClanathan, Ross, Busker, Brashaw, Koester, (6)
Nays: Miller and Chesney (2)
Resolution R-2015-38 was adopted.

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RESOLUTION #R-2015-39:

RESOLUTION REQUESTING ASSISTANCE AND PARTICIPATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY FOR ENVIRONMENTAL INVESTIGATION OF CERTAIN PROPERTIES ALONG THE PECATONICA PRAIRIE TRAIL ALIGNMENT

Community Development Specialist Shelly Griswold presented a written memorandum with the resolution requesting assistance and participation of the Illinois Environmental Protection Agency for Site Evaluation (OSE). She explained the OSE has a crew that can assist communities with environmental site assessment activities. These services come at no additional charge to the community, and will help the City of Freeport augment their brownfields assessment grant funds. The sites targeted for this assistance are situated along the Pecatonica Prairie Trail alignment in the City's East Side neighborhood. As part of the trail planning and construction process, these sites will need to undergo environmental assessment, and the OSE's assistance will enable the City to complete some of this work without depleting local funds or grant funds. Ms. Griswold stated there will be no cost to the general fund.

Aldersperson Brashaw asked about the properties involved. Ms. Griswold explained that properties would be along Album Street from Hancock to three blocks over, the properties on the south side of Album are the properties they will be looking at. Aldersperson Ross asked what the process will be. Ms. Griswold explained that what they will do is site reconnaissance and look for pipes coming out of the ground, storage tanks, and depending on the past use of the property and some of this property is already having clean up with a Brownfields grant and they are between that and the river. So there could be some downgrading impact from that site so they will probably install some monitoring wells to monitor soil and ground water. That will give the City an idea of the issues that exist on the property. The Jane Addams Trail goes along that section, so there will have to be minor excavation along part of those properties so it is important and will be required to understand what the issues are before the City's IDOT dollars can be spent on that trail. She explained that perhaps the soil will need to be handled in a special way. If something is really bad then there will have to use a cleanup grant on it and it will end up being green space because it is part of the trail system. She stated those sites along Album are victim to illegal dumping so getting that area cleaned up and opened up is probably a big part of what is going to make the area more beautiful, safer, and less susceptible to illegal dumping.

Aldersperson Klemm moved to approve the resolution as presented, seconded by Aldersperson Miller. The motion prevailed by a roll call vote of;

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

Nays: none

Resolution R-2015-39 was adopted.

Mayor Gitz stated next we will go on to item #11.

RESOLUTION #R-2015-36:

RESOLUTION TO AUTHORIZE AGREEMENT WITH NORTHWEST ILLINOIS DEVELOPMENT ALLIANCE (AS AMENDED 06/15/2015)

This resolution was presented at the council meeting on June 15, 2015 and it was laid over to tonight's meeting on a motion by Aldersperson Klemm, second by Aldersperson Koester and approval by majority vote. City Clerk Zuravel noted there were two communications provided by NIDA and included in the council packet and they are both available on the website.

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Mayor Gitz introduced Dave Young and Fritz Kuhlmeier as representatives of NIDA present at the meeting. Mayor Gitz explained at the last meeting there was one amendment that was added to amend the term of one year with a one year option as opposed to a three year contract. Corporation Counsel Griffin noted there was a typo in 3.b. that was corrected. Mayor Gitz stated there was a second amendment request to add words into section 1.g. that did not receive a second.

Aldersperson McClanathan made a motion to amend paragraph 1.g. and add the words after “mayor” the two words “and council”. This motion was seconded by Aldersperson Chesney. The motion prevailed by voice vote without dissent.

Mayor Gitz asked if there was a motion to place the resolution on the floor with the amendment. Aldersperson Klemm moved to place the resolution on the floor for approval, seconded by Aldersperson Ross.

Mr. Young stated he sent information to the council on work by the committees and he encouraged members of the council to get engaged and become participants in these committees. In the communication, there were a number of attachments and if the council members would want copies, they should let him know so he can communicate that information out.

Aldersperson Klemm explained that at the last meeting the council made a change to the contract through 2015 with a year’s extension on it. The term as written in the agreement as presented provides; “the term of this agreement shall be retroactive to January 1, 2015 and run through December 31, 2015 with a one year extension option which will automatically take effect, absent written notice by either party hereto 120 days prior to the expiration.

Aldersperson Koester stated he was placed on a committee a couple years ago and the committee did not meet and he does not want that to happen again. Mr. Young stated that is a point well taken. Aldersperson Miller asked about the 120 day notice for the expiration and asked that discussion of such be placed on the August 2015 Committee of the Whole meeting. Mayor Gitz stated that is a given.

Upon no further discussion, Mayor Gitz requested a roll call vote for approval of the resolution.
Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester, and Chesney (8)
Nays: none
Resolution R-2015-36 was adopted.

Mr. Young thanked the council for their support of the passage of the resolution.

Mayor Gitz stated now we will go onto to item number 9 for the first reading of an ordinance to fee exemptions for building permits.

1ST READING OF ORDINANCE #2015-36:

AN ORDINANCE AMENDING CHAPTER 1442 – PERMITS AND FEES, SECTION 1442.11 (FEE EXEMPTIONS), SUBSECTION (B) “MINOR REPAIRS” OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

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Aldersperson McClanathan presented the ordinance by stating that what we are dealing with is a situation where it only deals with minor repairs; where you are not dealing with any change in regards to the other language that talks about what is involved on this. It replaces the arbitrary threshold of \$3,000. Furthermore, the ordinance is amended to make clarification that it does not affect some of the other permits and fees that are required. We have a situation that we are dealing with where we have put in a fair amount of money in regards to demolition work and the proposed budget has some increased money allocation for that proposed budget. That is the end scenario to have a demolition on a property and what we have is the beginning of the scenario what looks to me as the necessary steps to alleviate costs to the homeowner. We have further permitting for licensed contractor because that is not affected by this amendment to the ordinance. What it does, if you are doing those minor repairs and alterations which do not involve structural changes, installation of new units, or connections, that you don't need a permit for that. Furthermore, it indicates that it is not applying to chapter 1422, 1424, and 1426 for the electrical and plumbing as well as the other situations that are listed in the ordinance. Aldersperson McClanathan spoke about the number of inspections performed by the Building Inspector and they want him to be able to spend the time on those situations we are looking for permits for. So if a homeowner wanted to replace their carpeting and it is above that arbitrary threshold that is not a situation where we should be involved. Furthermore he noted that he had a concern when this was first discussed to not want to open up a Pandora's box for permitting so he had discussion with various individuals involved with permitting. This is common sense relief to individuals for things that we were not inspecting anyway. He appreciates support of having this ordinance move forward to a second reading.

Aldersperson Chesney stated he asks to have this put into the 2015-2016 budget which we have had for thirty days now and we also reached out to Engineer Gallagher and the Building Inspector, Mr. Menke regarding the changes that we are proposing. We want to make sure that there are not any unintended consequences and, in fact, what we quickly learned was this was really unchecked revenue that we weren't doing any of the inspections anyway. So we reached out and took a look in Lena and Lena does not have code enforcement for any permit requirements whatsoever, including electrical and plumbing. He explained that he believes part of the council's responsibility is to set priorities for the City and one thing that we have all agreed on is that we believe in blight reduction and we want people to improve their homes. We want them to clean them up with no fee no charge because let's be honest there many houses in this city who are using tarps for shingles. In light of the 2008 economic crash we are not really permitting many of these codes, which we probably should anyway, so if someone wants to add a coat of paint, replace a window or a roof, we say go do it. You are still required to hire a licensed contractor, that contractor is still required to be licensed in the City of Freeport and he encourages Mr. Menke and his team to strongly enforce that. He added but if someone wants to go out and swap out some windows, you no longer have to walk with check in hand into this City. He stated Director Haggard was able to keep this into the budget, so it is budgeted for, and we are able to make the numbers work. He asked for the support of the council.

Aldersperson Koester stated he is not against this but he had a conversation with Engineer Gallagher and Director Haggard and he would like to see further information on the numbers. Director Haggard stated she has provided building permit numbers. The report showed building permit cash receipts of \$52,286 in fiscal year 2015, receipts of \$66,420 in 2014, and \$102,054 in 2013. Corresponding figures were provided for building permit receipts that went into the Fire Improvement Fund showing receipts of \$2,614 in

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2015, \$3,321 in 2014, and \$5,102 in 2013. He asked that once this is put on for first reading tonight to place it on the Committee of the Whole for next week's meeting.

Aldersperson Klemm agreed and it is not a dollars and cents issue but we want to make sure that it makes sense as to what we are doing in terms of roofs. He explained that roofs happen to be a state license thing and that is more of a license than a local license. He stated one of the concerns he has is in terms of demolitions and those involve a bunch of shut offs and things that need to be done before hand so he would like to see this go to the Committee of the Whole. He asked to have input from the Building Inspector.

Mayor Gitz stated he is the director of staff and he should have been asked if he has thoughts or concerns about it about this exemption. Aldersperson McClanathan stated he did talk to Mr. Gallagher and to Mr. Menke, the ones that would be implementing it. Furthermore going back to 2013, he thought their thoughts echoed your thoughts in regard to what you said about the amendment. Mayor Gitz stated no on this one. He stated the issue is at that time we raised the threshold to \$3,000 so the whole statement about this is windows, carpeting and minor repairs is set out the window and the figures can verify that. No one here has a definition of a minor repair so as we speak he is puzzled as to a) no one was consulted about this b) the Building Commission was not consulted on the overhaul of the fee for codes and if he is missing something the commission has not been sought for their input on this at all. Aldersperson McClanathan stated that one has not gone to the Building Commission but in terms on not going through anyone it has been as part of our budget for weeks as a proposed \$35,000 on the part of the revenue side. Second, they went to the City Engineer. Mayor Gitz stated the City Engineer is not in favor of this. The Building Inspector is not in favor of it either. Aldersperson McClanathan stated you are hearing something different.

Mayor Gitz stated the state law says the roofer has to be licensed so if there is no permit how is Mr. Menke supposed to find out who is a licensed roofer or not. Mayor Gitz asked whether the Building Inspector was supposed to drive the streets and look for a roof. Aldersperson McClanathan stated this does not change anything as far as the prior requirements so if that is an issue under state law then it is still an issue. Mayor Gitz stated if the issue is revenue and you truly think that a fee for our staff to do an inspection is an imposition then why not waive the cost of the fee and keep the permit. Then at least there is a piece of paper on file that says who is reportedly doing the work. Aldersperson McClanathan stated you need to have a licensed person doing the work regardless of whether you have a permit or not. Mayor Gitz asked how the staff is supposed to follow up on any renovations that are being made if they do not even have a piece of paper on file. Aldersperson McClanathan stated because of the type of issues that you are talking about that we are concerned about for safety, this is the same way that it is handled in Stephenson County and the same way it is handled in other cities in the county we are the only one with an exception like this under the exact same reason. They come in under the permits that are required as are those ones that are not dealing with those situations as explicably put out in the code they will not need to be affected. If we are having abuse of the system the ordinance the way it is written has a provision for review in a year for effectiveness and revision. If we don't have permits coming in which are supposed to be coming in we can review that down the road.

Mayor Gitz asked if someone decides to build a deck on the second floor of their house would that be considered a minor repair or is that structural. Aldersperson McClanathan stated he believes the definition

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of minor repair would be the exact same as it was prior and that is not being changed. Mayor Gitz stated would you agree that minor repair is not being defined. Alderperson McClanathan stated it has never been defined. Mayor Gitz stated he is confused as to whether or not that is covered for a permit or not. He explained that he does not know if that was covered the way it is written now but most of those are going to cost more than \$3,000 and require a permit which makes it easier for Mr. Menke to do his job. He stated he is puzzled that it was put in the budget so therefore we need to pass this thing when everything else around here has to go the Committee of the Whole and has to be vetted. He has to jump through six hoops in order to get anything done but instead of taking this to the Committee of the Whole, it is before the council to go through as first and second reading. There seems to be a division of opinion here between the City Engineer and staff on the wisdom of this item. Mayor Gitz recommended waiver of the fee but keeping the permit to do the renovation. Alderperson McClanathan questioned whether there would be a requirement for a permit where we currently are not requiring a permit. Mayor Gitz stated he does not care if someone is replacing a two by six on their porch or replacing windows (there might be an argument if they would replace every window in their house) but there is a real issue here about what is a minor structural repair and there is a real issue here about roofs. He stated if someone has two roofs on there already and they go and put a third or fourth one on; then you have a real structural stress. He asked why you would want to make it difficult for someone to do their job in code enforcement to guess what roof repairs are being made. Alderperson McClanathan stated your scenario is not applicable because the language of the ordinance as it always has provided that these are things that do not involve structural changes. If that is a situation that was going to require an inspection previously, it still would require an inspection now. Mayor Gitz asked you are stating that if there is a roof being put on a house that does require a permit. Alderperson McClanathan stated that if it is something that does not involve structural changes, that definition has not changed. Mayor Gitz stated that after his conversation with the Building Inspector that there are issues that we need to go through and not just this. There needs to be clarification of what is a minor repair or minor alteration. The fact that it is not there in the present code does not absolve us of our obligation to clean that up here. If someone is going to build a deck on the second floor or place shingles over an existing roof, that is a concern. Mayor Gitz stated he is suggesting that this belongs in the Committee of the Whole and give thought as to how it plays out to track things for inspections. Discussion was held on what is done in Stephenson County and Lena.

Mayor Gitz asked for leave to hear from Mr. Menke. John Menke, Building Inspector asked for a definition of a minor repair because to him a roof is not a minor repair. He explained that there are quite a few roofs that require a truss repair from rotting that had to be replaced. For minor repairs he asked for a definition except to patch a hole in a wall, but we don't permit for that and there is really not a good definition of a minor repair. Building Inspector Menke requested of the council not to rush anything through there are ways we can work with you and this does not have to be decided tonight. He would like to have a chance to go through the building codes and make amendments and recommendations but we have just not had that kind of time because we are spread thin here. He asked on code issues like this not to rush through them and he would be willing to go through them with the council.

Alderperson Brashaw stated some of this is ridiculous. The only thing that is being changed here is that none of the verbiage for minor repairs is being changed from the old ordinance at all. Under Fee Exemptions, minor repairs – no permit shall be required for minor repairs or alterations which do not involve structural changes. She stated roofs do not even apply to this – they still have to get a permit for that. Then it goes on to say installation of new units or connections and the part that was crossed off

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stated “and which do not exceed three thousand dollars as the price charged to the owner”. She stated all the regular permits that are required for building permits, for fire protection review, for plumbing, for electrical, for mechanical, for boiler, for HVAC, for commercial, for canopies, everything else still applies. The only thing that changed was taking out the cap at \$3,000 charged to the owner. She stated she is supporting this tonight. She stated this has nothing to do with structural or whether someone is building a deck.

Fire Chief Miller stated his support of this ordinance being placed on the Committee of the Whole. He understands that you are not really targeting a homeowner that wants to do a weekend fix it repair and that is pretty clear. He provided an example of a repair job for his pre-fab fireplace that he recognized needed some work. He had three different contractors out for quotes, contractors that are supposed to be licensed in the City, and some of the repairs that two of them offered to him for less than \$3,000 would have resulted in his house burning down. There is some value in having a fee-less permit that way you can vet out who the reputable contractor are and who is not.

Aldersperson Koester at the time it was raised from \$1,500 to \$3,000 it was done with the intent to allow more work to be hired out so there could be a higher cap for repairs.

Aldersperson Chesney stated none of these rules apply if you step out of Freeport. He stated an arbitrary number was pulled out and if you look at the mayor comments at the time, he wanted this to go up to \$4,500 and it is an arbitrary threshold. He recommended moving forward with the ordinance as presented.

Mayor Gitz stated his concern is that when you remove the threshold there will be unintended consequences and there are questions as to whether a roof is included or not included and whether you need a permit if you are replacing a roof and that is not spelled out. Discussion was held as to what items are included and charging permits. He asked to have minor repairs defined and to allow the administration to clean up the code and confer with the people who administer the code before we pull the trigger on it. There is nothing wrong with consulting with the Building Commission, our licensed inspectors, or licensed contractors and asking what do you think.

Aldersperson Klemm spoke about other municipalities and what is expected in Rockford permitting. He stated the reason for a permit is to have the job done properly and to have it inspected. One of the issues with taking out a permit here is that there is an agency here that will look at what permits are taken out and turn around and talk about your taxes. He does not have an issue with the dollars and cent but there are issues with going to no fees. He suggested making the changes that are needed to be made in the code and to make sure it is all done together.

Aldersperson Klemm made a motion to send this ordinance to the Committee of the Whole for discussion. This motion was seconded by Aldersperson Koester.

Discussion was held to the timing and whether it would have implementation time, having a chance to put some clean-up language in as to what is in and what is out.

Aldersperson Klemm withdrew his motion. Aldersperson Koester withdrew his second on the motion for referral to the Committee of the Whole.

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Aldersperson McClanathan made a motion to move the ordinance forward for a second reading, seconded by Aldersperson Busker. Upon this motion, Aldersperson Klemm made a motion to recommend the ordinance for further discussion at the Committee of the Whole meeting next week, seconded by Aldersperson Koester. Motion prevailed by voice vote without dissent.

Aldersperson McClanathan asked for a point of clarification. Mayor Gitz explained that the ordinance would be sent to the Committee of the Whole and then would come back, subject to any motions at the Committee of the Whole. If they recommend it back to the council, then it will be at a second reading and could be available for passage.

PUBLIC HEARING

Published and posted by the City Clerk June 25/26, 2015: The City of Freeport will conduct a public hearing on its Appropriation Ordinance for Fiscal Year 2015-2016. This hearing will be held on Monday, July 6, 2015 at 6:00 p.m., or as soon thereafter as the agenda permits, in City Council Chambers, City Hall, 524 West Stephenson Street, Freeport, Illinois. An electronic copy of Ordinance #2015-33, Appropriation Ordinance Fiscal Year 2015-2016 (a link was provided on the website to the draft Ord 2015-33) for the City of Freeport, Illinois, is available on the city website under Finance Department. A paper copy is available for public inspection at the City Clerk's Office during regular business hours. Anyone wishing to express comments or concerns should attend the public hearing or submit a written comment to the Mayor's Office, City of Freeport, 524 West Stephenson Street, Freeport, Illinois prior to the public hearing. A link was also provided on the website for a draft budget document dated July 6, 2015.

At 8:30 p.m., Mayor Gitz opened the public hearing. City Clerk Zuravel stated there were no public comments received in the office of the mayor.

Finance Director Haggard stated she will first explain what the appropriation ordinance is. She stated State law requires passage of the appropriation ordinance before July 31st. The appropriation is the limit on the amount of money we can spend during the current fiscal year. The fiscal year is for May 1, 2015 and ending April 30, 2016. It is a statement of the maximum amount we can conceivably spend and have sufficient funds to do so. Conversely the spending plan, which is later on in the agenda, is prepared for internal operations. For these purposes the spending plan is what drives the appropriation ordinance. She went through the time line:

- On May 11, 2015 - council was provided the preliminary budget document and this document was a collaborative effort of all the department heads
- On May 18, 2015 – the preliminary budget documents were presented for the public works and community development departments were discussed
- On May 28, 2015, additional attachments were provided to council in regard to the Police Department, drug forfeiture fund, DUI grant funds, Fire Department, Fire Department Improvement Fund, Foreign Fire Insurance Fund
- On June 1, 2015, discussion was held for the departments of the Police and Fire in regard to their budget documents.

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- On June 8, 2015 there was a discussion of the preliminary budget for all funds and a presentation by the City Engineer.
- On June 15, 2015 there was a continuation of discussion of all funds and the preliminary budget.
- On June 25, 2015, Director Haggard provided an updated copy of the discussion draft with the recommendations from the council implemented along with other changes.
- On June 25 and 26, 2015, the public hearing notice was published. A copy of the draft appropriation ordinance was placed on file in the clerk's office and placed for viewing on the website.
- On July 6, 2015 the public hearing is being held and any changes to the appropriation ordinance must be in the form of a motion once it is on the floor for passage of the ordinance.

Mayor Gitz asked if there were any questions from the council on the appropriation ordinance. Mayor Gitz asked if there were any comments from the public. He stated there is a sign in sheet and there was no one signed in the sheet for public comments. He asked for comments from the audience. He asked the record show there were no public comments.

At 8:35 p.m., Alderperson Klemm made a motion to close the public hearing on the appropriation ordinance for fiscal year 2015-2016, seconded by Alderperson Ross. Motion prevailed by voice vote without dissent.

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) Building Permit Activity Report for June 2015
- 2) Fire Department Report of Activities for May 2015
- 3) Illinois Environmental Protection Agency Permit No. 1971-35 for Landfill 2 & 3

B. Approval of Motor Fuel Register #0064 --- \$66,678.63

C. Approval of Water and Sewer Bills Payable (Registers #366,370,371,374,376) --- \$526,837.06

D. Approval of Payroll for pay period ending June 13, 2015 --- \$396,806.94

E. Approval of Payroll for pay period ending June 27, 2015 --- \$426,303.45

F. Approval of Finance Bills Payable (Registers #367, 368, 369, 372, 373, 375, 377) --- \$560,404.83

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

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

Nays: none

ORDINANCES – SECOND READING

[2ND READING OF ORDINANCE #2015-31:](#)

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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

The first reading was held on June 15, 2015. A motion to approve was given by Alderperson Klemm, seconded by Alderperson Koester and the ordinance was automatically laid over to tonight’s meeting.

Alderperson McClanathan stated he appreciated the council giving this ordinance the extra weeks of consideration to hear from the public input. At this time the council members stated they heard no comments on the ordinance. He noted that Chief Barkalow will oversee and keep the council informed of issues. Upon no further discussion, the motion for passage prevailed by a roll call vote of;

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

Nays: none

Ordinance #2015-31 was passed.

ORDINANCES – FIRST READING

1ST READING OF ORDINANCE #2015-34:

AN ORDINANCE TO ASCERTAIN THE PREVAILING RATE OF WAGES FOR LABORERS, WORKMEN AND MECHANICS EMPLOYED IN PUBLIC WORKS OF THE CITY OF FREEPORT, ILLINOIS

Corporation Counsel Sarah Griffin presented the ordinance and stated each year the City is required by Illinois statute to pass a prevailing wage ordinance. This is an unfunded mandate of the state. The wages are for laborers, mechanics and other workers in the City of Freeport employed in performing construction of public works and are those which are published by the Illinois Department of Labor for Stephenson County for June 2015. Under the City’s purchasing policy, this applies to contracts for public works projects in an amount over \$50,000.

Corporation Counsel Griffin noted the City has about \$17 million dollars’ worth of projects that are considered state funding projects and this is something the City has to pass in order to keep their funding for those projects. Those contract state we will enforce the prevailing wage ordinance. Alderperson Brashaw stated she was vocal about passage of this ordinance but there is nothing that can be done it needs to be passed.

Alderperson Koester moved for approval of the ordinance as presented, seconded by Alderperson Ross. The ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE #2015-35:

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS

Type of Relief: Amendment of Zoning Ordinance from B2-1 (Limited Service Business) to M-3 (Heavy Industrial); Owner or Applicant: Dennis and Cheryl Kerchner; Address: 549 North Island Avenue, Freeport IL (PIN #18-13-25-478-047); The Planning Commission unanimously recommended denial of the application at their meeting held on June 23, 2015.

NOTE FOR RECORD – the above stated ordinance was removed from the agenda per request from the petitioner.

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1ST READING OF ORDINANCE #2015-36:

AN ORDINANCE AMENDING CHAPTER 1442 – PERMITS AND FEES, SECTION 1442.11 (FEE EXEMPTIONS), SUBSECTION (B) “MINOR REPAIRS” OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

NOTE FOR RECORD - This ordinance was moved forward on council agenda, see page 5

1ST READING OF ORDINANCE #2015-33:

APPROPRIATION ORDINANCE, FISCAL YEAR 2015-2016 FOR THE CITY OF FREEPORT, ILLINOIS
[*view budget document dated 07/06/2015*](#)

Finance Director Cynthia Haggard stated this is the first reading for the Appropriation Ordinance and any changes from this point forward have to be made on the floor.

Aldersperson McClanathan and Aldersperson Chesney handed out an Excel spreadsheet containing sixteen changes to the spending plan budgetary document for which most members of the administration saw for the first time this evening. Director Haggard explained these amendments did not have references to the appropriation ordinance only the budgetary document so they would need to be analyzed as to their effect on other funds to see if other line items are impacted. She would need to take it and do a thorough review. Director Haggard stated if there are changes made tonight she would work on updating the spreadsheets tomorrow.

The document was provided via email by Aldersperson Chesney to council members, Director Haggard and Mayor Gitz on July 6, 2015 at 3:13 p.m. It was labeled as 2016 Budget Amendments and it is provided as follows:

- Page, 9, 1-21-575, Mayor’s Office – Education, Training and Travel reduction of \$1,500.00 from \$7,000.00 to \$5,500.00
- Page 10, 1-31-527, Office of Finance and Budget – Other Technical Services reduction of \$1,000.00 from \$5,000.00 to \$4,000.00
- Page 11, 1-32-575, City Treasurer's Office - Education, Training and Travel reduction of \$600.00 from \$1,350.00 to \$750.00
- Page 12, 1-33-508.1, Legal Department, Outside Legal reduction of \$25,000.00 from contingency
- Page 12, 1-33-575, Legal Department - Education, Training and Travel reduction of \$1,000.00 from \$2,000.00 to \$1,000.00
- Page 17, 1-44-625 Street Department - Equipment Supplies, reduction of \$5,000.00 from \$65,000.00 to \$60,000.00
- Page 17, 1-44-542, Street Department - Contracted Vehicle Repairs and Maintenance reduction of contingency by \$2,000.00
- Page 17, 1-44-543, Street Department - Contracted Equipment Repairs and Maintenance reduction of \$7,000.00 in contingency
- Page 19, 1-45-421 City Cemetery - Temporary - Non-Bargaining, reduction of \$1,000.00 from \$4,000.00 to \$3,000.00
- Page 23, 1-49-575, Community Development - Education, Training and Travel reduction of \$11,400.00 from \$12,400.00 to \$1,000.00

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- Page 23, 1-49-612 Community Development -Books, Periodicals and Memberships, reduction of \$1,000.00 from \$1,125.00 to \$125.00
- Page, 23 1-49-613 Community Development - Office Supplies, reduction of \$2,550.00 from \$4050.00 to \$1,500.00
- Page 23, 1-49-411 Community Development - Non-Bargaining, reduction of \$5,000.00 in contingency
- Page, 71, Dept. 2, 742 Capital Equipment Fund – Vehicles reduction of \$27,500.00 from \$110,000.00 to \$82,500.00
- Page, 71, Dept. 4, 741 Capital Equipment Fund - Machinery and Equipment , reduction of \$106,500.00 from \$375,985.00 to \$269,485.00
- Page 73, Dept. 0, 542 Fire Improvement Fund - Contracted Vehicle Repairs & Maintenance reduction of \$60,000 from \$60,000 to \$0.00

Aldersperson Chesney stated this evening he provided to the council and administration a number of proposed amendments to the budget and he made a motion that we adopt these changes and put these in the fiscal 2015-2016 budget. This motion was seconded by Aldersperson Miller.

Corporation Counsel Griffin stated the budget is the spending plan and asked Aldersperson Chesney if he was talking about the appropriation ordinance. Aldersperson Chesney stated it would be the appropriation and we would do the same to the spending plan. She asked if each of these affect the appropriation ordinance. He stated correct. She noted she was just given a copy and she has not had a chance to review, even the changes made to her own line items for her department.

Aldersperson Koester asked why the reduction in the training and travel line items. He is not against them he just wants to know why in this manner. Aldersperson Chesney stated to save money for starters. He added we were given limited access to some department heads, so Alderman McClanathan and I are proposing these amendments to the budget with some visibility and some of these particular changes were with censored or filtered information so while he would like to say that we had the opportunity to sit down with every department head and fully vet each and every one of these particular adjustments that just simply wasn't the case. He stated they did try to do their best with the information they were able to get and looking at the historical data of those particular line items, they were able to come up with a quarter million dollars in cuts. He stated they did reach out to each director and made themselves available some with more success than others. He explained that it is important to look at this budget thoroughly.

Aldersperson Koester noted he too just received this for the first time tonight because he did not have a chance to check his email this afternoon. He asked if we adopt these tonight and then after review he had some questions on them can they then be changed at a later date. Director Haggard stated any changes to the appropriation ordinance had to be a motion on the floor tonight so if a change happens with that. Corporation Counsel Griffin stated it would need to be a motion on the floor. Mayor Gitz noted it may be amended on the second reading.

Mayor Gitz stated he takes exception to the use of “filtered information” as Aldersperson Chesney and Aldersperson McClanathan set up their own meetings with department heads and you met with them. He stated these capital budgets were discussed with them but they were not discussed with mayor who is the chief administrative officer of the City. He received this amendment at the same time as everyone else.

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The majority vote of this council will decide what you want to do. He asked to discuss the amendments. In reference to the outside legal, this council was apprised a couple weeks ago that there are grievances that are being taken to arbitration by several bargaining units and there are extensive labor negotiations. Council has been advised about a litigation that we have. He stated you have been given by our professional staff what that is going to cost. This line item of \$25,000 was put into contingency and now you are removing the contingency. The litigation is going to proceed do not have control on how much is going to be spent on it. You will be back here amending this budget. He explained that you were told by the staff as to their best estimate of what this is going to cost. He stated we have had conversations about the landlord tenant and that has nothing to do with the general fund and this council wants to gut several programs. He discussed the training budget items that were cut without any supporting documentation. In the amendments, you are eliminating one vehicle in the Police Department and we have not heard from the Police Chief as the impact this has on his purchase of squad cars.

Aldersperson McClanathan went through and explained justification for the line item amendments. He explained that the \$60,000 was made upon discussions with Chief Miller on repairs to the ladder truck as long as we understand it will be on the capital plan for FY 2016-2017, so that is deferred. Some of the other education training and travel are in line with historical spending expense but they are appropriate. He explained in the legal department it was ok to take the contingency and he can see Attorney Griffin coming back to us and depending how thing play out. here is a broader issue when you look at the contingency in the spending plan, everything in the contingency on the spending plan as it is currently in place, shows that there are two types of contingency. One is a contingency that comes back to council and two the contingency that goes to the Finance Director. Everything on the last page of the spending plan with the exception of Carnegie money, is set on a contingency basis. Although he approves in your discretion it is not an amount that we approve the total amount out of contingency and there is no real oversight by the council. A lot of the other matters to education and training are self-explanatory. Aldersperson McClanathan explained that for the vehicle line item that is three of the four requested police vehicles for the Police Department. They balanced it with the Chief with the additional manpower and it is appropriate and will serve the department well.

Aldersperson McClanathan explained the machinery number is an arbitrary number and there were numerous attempts where we thought there was going to be feedback on those vehicles. Aldersperson McClanathan stated there was a note on the capital equipment plan that the Mayor was not in agreement with the department heads as well and the council brought this up on the floor and there has not been a definite answer from Mayor Gitz as to what to change. He explained that they thought they would get some costs back. The amendment provides if we were to not go new on those items and instead go with used items. He stated as of today, we don't have any feedback on that item. He stated that is 70% of the initial number. If there is some alternative on a used vehicle that can save us a certain sum of money then we are open to that.

Director Haggard reviewed each of the items line by line as to what is behind each of the numbers. Director Haggard noted the item placed in the contingency for the Community Development Director was at the direction of the council in order to attract more qualified candidate and now this item is being removed so that line item is back down to \$65,000 for that position. She explained that the first thirteen items are for the general fund, and the remaining three items are for the capital fund. She stated the general fund proposed amendments brings us down 0.3% for the total budget and is \$64,000 worth. Next

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she explained what is proposed to cut out of the capital funds including a police vehicle, street department machinery and contracted repairs for the refurbishment of Ladder #3051. She stated you can take this money away and not buy a police car but the revenue source that comes into that fund is still going to be there. You save it or you utilize it. These are not savings for the general fund, these are a deferment. If we are not buying equipment now, we are just deferring it. She stated if you vote on this you are saying we are going to defer purchase of one police vehicle, \$100,000 for street department replacement items and \$60,000 to fix a ladder truck.

Director Haggard stated just because you are changing numbers does not mean you are changing our needs. Our needs may still be there. Reducing an item down \$1,000 does not mean she needs something less. Our needs are still our needs. You have to have faith in the department heads and we met and came up with these original numbers, it was not arbitrary. It was all thought out and we made a little bit of a cushion. Some of us are in the position and are new, we do not know exactly what to expect so why not have a cushion.

Then the departments were allowed to state their justification for their budget. There was extensive discussion informing council as to the needs of a departments to operate efficiently and effectively.

Corporation Counsel Griffin addressed the first five items. She understands the City Council is new but when we decided the approach to review the budget, we as a whole decided to segment out the departments first starting with public safety including police and fire. After that we reviewed public works and community development. After that the council seemed to say we are all done. She asked if you wanted to hear from the other departments and council members said just Shaun Gallagher. So even though every other year since she has been here since 1999, she has prepared a budget justification report for every single line item utilizing charts and graphs and the rationale behind it, she figured if you had questions you would ask. Unfortunately when Mr. Chesney first brought up the cut to her budget, she said she has chart and graphs and she had them right there in the council meeting and Mr. Chesney said, "I don't think it is incumbent upon the City Council to ask questions of the department heads." She stated she thought that was an odd comment. But nonetheless she spoke with Mr. McClanathan afterwards and told him she has the justification in chart and graphs and she printed them off the next day and thought someone would call her and ask if they still had questions. She has spoken to each alderman separately and together on any number of occasions since then and presumed it was no longer an issue. She stated you do not have a problem with access to me. So when you say that there is a problem with access for information from these departments, at least to my department that is bologna. She stated to Alderperson Chesney you have never asked me about this. She had prepared the information and knows what it will cost for one arbitration, not just one arbitration, one union issue, one EEOC issue. They are printed and here for viewing. Once we offered to give you a presentation the burden then shifted on the council and we were ready to give you a presentation all of us were. We have done it every single year since she has been here. She does not understand how you are randomly cutting her department and giving it to us tonight and stated that is crazy.

City Treasurer Linda Buss asked what has been cut from her department. She was not provided any documents. She was informed her education, training and travel line item was cut by \$600.00 from \$1,350 to \$750.00. She stated she was not reached out to either. She was under the assumption that each of the departments would be discussed, she has been here for twenty-two years and every year has her

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budget documents ready to present and discuss with council. City Treasurer Buss explained that she has requirements with the State of Illinois, she has to earn points for her certification. Because of her previous training she has got it down to where she has to attend two training events per year and still meet her mandated requirements. It is similar to what the attorney has to have and the City Clerk has a similar program. This training allows her to keep track of the legislative changes. She can't go out to Highland and take classes on how to be a City Treasurer. This training is for other City Treasurers who are doing the similar things. This is where we find out about the reports that have to be filed. Things that we are not going to hear unless we attend these events. Her job requires anything from TIF reporting, motor fuel taxes, and the list goes on and on. She can't get this training anywhere else. As the City Treasurer she is responsible for \$70 million in pension funds and if \$1,300 dollars is exorbitant for her training, she thinks that is against her duty as the treasurer. She has fiduciary responsibilities as do all of the council members. If you look at her budget the total is only \$2600 for her to run her department and half of that is for the training. That is how crucial it is. The amounts have been slashed over the years and she asked council to put back the education and training item to the \$1350 where it was.

Chief of Police Todd Barkalow spoke about having one less squad car will hurt the department. These are not luxury vehicles they are rotated to take a car out of service and they were planning to replace a 2006 transport vehicle. Chief Barkalow stated that if you are going to cut the landlord program and have it defunded, then he would prefer you take that vehicle but keep the landlord training and the program. Our neighborhood cannot afford it. He noted the registration has already paid for the program the money has been collected in the registration fees that were paid this year.

Mayor Gitz explained his frustrations about council members making cuts to programs that were in place and dropping these budget amendments on the administration in the 11th hour and the last possible minute. He stated we agreed in April we would have as many Committee of the Whole meetings as needed to be able to discuss the budget in order for people to get comfortable as necessary. Now we are arguing about trifles and arguing about the landlord training fund that has no impact on the general fund. The issue tonight is what you are going to do about the appropriation ordinance. Are you going to put it on the first reading and you going to pass these amendments and worry about it later. You can pass a complete budget that is not even going to work. The deal is that he wants the record to show clearly what we are doing here so that when we have this conversation down the road all the facts are out on the table.

Aldersperson Chesney stated these particular amendments need to be considered and they can be discussed at the next Committee of the Whole meeting. He spoke about the access of information relating to the department heads and he was not putting Director Dole on a task he was simply asking for analysis of what it would like under a used equipment plan. He stated he feels this city council should have reasonable access to department heads without being stonewalled. This particular modifications are less than 1% of the budget and he does not see great strong justification for each line item and we can refer it to the next COW meeting for additional discussion.

Director Dole stated he wants to be clear about something. He did have a discussion with Aldersperson Chesney. After thinking about it himself and the mayor had no idea about it – he did not instruct him one way or another. It is very clear to him as a director that he works for the mayor. If you want a pot hole filled, good give him a call. If you want a tree trimmed, give him a call. When we are talking about a budget document that we take months to work to create and it takes a lot of effort. It is certainly very

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uncomfortable to have him make any changes to his budget without first clearing through his office, respecting him. As far as used equipment, he stated that is not a news flash. He has been doing used equipment for fifteen years. It just doesn't always happen that good used equipment is available. Director Dole explained that Alderperson Chesney made it sound like he has never looked at it. He listed out twelve pieces of equipment that he has purchased for his department and they have been used and they have been ok. He explained when it comes to essential equipment it does not pay off. When a plow truck is broken on curbside, you are not getting your street plowed. When we use a piece of equipment every day such as an end loader, we buy a piece of essential equipment and we don't know the history of it whether someone bought it and used and abused it. When he comes to the council with a request to purchase, typically he will have already looked into new from this dealer and used. At that time, we will decide. For him to sit down and look at every piece he has on the list and recreate it, it was not worth the effort and it certainly was not going to be worth the effort without the mayor knowing about it.

Alderperson Koester asked if we could place the ordinance and the amendments to the Committee of the Whole. Mayor Gitz explained that we have a timing issue we to have the ordinance moved to a first reading tonight. Once it is on the floor it can have a motion of move it to the Committee of the Whole. Mayor Gitz stated this is the most important item to go to first reading on the agenda tonight. Alderperson Chesney stated these amendments came at the last minute because he was waiting for a reply.

Alderperson Koester asked about the last three items on the amendment list and noticed that they are capital equipment fund items so they do not save the general fund any money what they do it to put off a purchase of an item until the next year. So they are not freeing up any money to be used somewhere else. Mayor Gitz stated that is correct. Alderperson Chesney stated any time you defer spending on a particular item that is a saving and anytime we can defer maintenance or defer something providing it does not run a risk to health and safety it is a good idea because that deferment does have some savings. Discussion was held on what the savings would be if the cost of the equipment goes up from year to year. Alderperson Chesney suggested looking at gently used for all equipment purchases because there could be a significant savings. They thought they would have a listing and when they did not receive it that what caused them to take a 30% savings out of the equipment fund so push toward the used category versus the new.

Alderperson Koester made a motion to move forward the appropriation ordinance to the floor for the first reading, seconded by Alderperson McClanathan.

City Clerk Zuravel clarified there was a motion and second by Alderperson Chesney/Miller to place the amendments on the floor for approval and that motion was on the floor. Mayor Gitz asked what the council wanted to do with the amendments whether they wanted to send them to the Committee of the Whole for further discussion Alderperson Chesney withdrew him motion for approval of the amendments. Alderperson Miller withdrew her second on the motion.

Mayor Gitz stated we do not need a formal motion to place the appropriation ordinance, spending plan or amendments on the agenda for the Committee of the Whole meeting and stated that it is understood. Alderperson McClanathan agreed that we have eight requests to put them on the agenda, maybe nine. Mayor Gitz noted if there is information that is outstanding, he will do his best that it is provided.

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Aldersperson Ross recommended the council members have a discussion with Mike Lehmann of the rental property registration for the Police Department because he can make a case of the landlord registration and explain the process. Mayor Gitz stated he can ask to have Mike Lehman present at the Committee of the Whole meeting.

RESOLUTIONS

RESOLUTION #R-2015-36: RESOLUTION TO AUTHORIZE AGREEMENT WITH NORTHWEST ILLINOIS DEVELOPMENT ALLIANCE (AS AMENDED 06/15/2015)

NOTE FOR RECORD - This resolution was presented earlier this evening – see page 4

RESOLUTION #R-2015-37:

RESOLUTION FOR THE AGREEMENT BETWEEN CITY OF FREEPORT AND ILLINOIS DEPARTMENT OF TRANSPORTATION (SECTION NO. 14-00161-00-RS FEDERAL STREET IMPROVEMENTS)

City Engineer Gallagher presented a written memorandum for the resolution and agreement which are required for the road improvements for Harlem Avenue from Stephenson Street to Galena Avenue, Stephenson Street from Walnut Avenue to Locust Avenue, and Lincoln Boulevard from Whistler Avenue to West Avenue. The City of Freeport is required to approve the attached Resolution for Improvement by Municipality Under the Illinois Highway Code and Agreement for Local Agency Agreement for Federal Participation, in order to expend Federal Surface Transportation Urban Funds (STU) and Local Motor Fuel Tax Funds (MFT) through the Illinois Department of Transportation. This project is set as an 80/20 Federal/Local split, with local MFT expenses not exceeding \$200,000. Currently, all temporary construction easements needed for the project have been acquired through donation and plans are being finalized for the July 31st State Letting. These improvements will provide new curb and gutter on Harlem Avenue and Stephenson, along with mill and overlays on all three routes. Additional storm sewer, driveway and sidewalk improvements will also be made. At this time it is expected that construction will begin shortly after Labor Day and completed prior to Thanksgiving. The overall intent of this resolution is to approve the IDOT funding agreement and the appropriation of MFT funds to the project, while accepting the temporary easements needed to construct the project. All costs for the project have been planned for since January of 2014 and will likely be invoiced by the State in 2016 for our 20% of the project.

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

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

Nays: none

Resolution R-2015-37 was adopted.

RESOLUTION #R-2015-38: RESOLUTION TO AUTHORIZE AGREEMENT WITH NORTHWESTERN ILLINOIS COMMUNITY ACTION AGENCY

NOTE FOR RECORD - This resolution was presented earlier this evening – see page 2

RESOLUTION #R-2015-39: RESOLUTION REQUESTING ASSISTANCE AND PARTICIPATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY FOR ENVIRONMENTAL INVESTIGATION OF CERTAIN PROPERTIES ALONG THE PECATONICA PRAIRIE TRAIL ALIGNMENT

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NOTE FOR RECORD - This resolution was presented earlier this evening – see page 4

RESOLUTION #R-2015-40:

RESOLUTION TO ADOPT CITY OF FREEPORT SPENDING PLAN FOR FISCAL YEAR 2015-2016

Mayor Gitz and Finance Director Cynthia Haggard noted this will be on the Committee of the Whole agenda for July 13, 2015 and it is a document that drives the appropriation ordinance.

OTHER

REPORTS OF DEPARTMENT HEADS

Finance Department

Director Haggard had no further report.

Public Works

Public Works Director Tom Dole had no further report

Fire

Fire Chief Miller reported there were no fireworks related incidents over the weekend.

Police

Chief of Police Todd Barkalow stated there were many calls about fireworks and the department spent a lot of time chasing down leads, but nothing major to report. The department is preparing for the special event called Cruise Night on August 1, 2015 and it is a large community event in downtown Freeport. On June 20, 2015 the Police Department completed the first round of physical agility testing and now moves to the phase for background checks in order to place candidates on the list for officers.

Chief Barkalow stated they have recently received complaints about door to door sales persons and asked residents to call the non-emergency number for the police department 815-235-8222 to turn in or ask question about solicitation permits.

City Engineer

City Engineer Gallagher was not present. Director Haggard read aloud a memorandum from City Engineer Gallagher regarding a parking lot leased to Newell and its possible funding for resurfacing and the effect it would have on budgetary considerations. The cost estimates for such project will be presented at the Committee of the Whole meeting next week. They are working to make this budget neutral.

Water and Sewer

Water and Sewer Director Tom Glendenning had no report.

Library

Public Library Director Carole Dickerson had no report.

MAYOR'S REPORT

Due to the late hour, Mayor Gitz stated he had no report.

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COUNCIL ANNOUNCEMENTS/NEW BUSINESS

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

Aldersperson Koester spoke about phone calls he received that the fireworks display were not as good as last year's display.

Aldersperson Miller thanked the crew of Zambelli fireworks for this year's display. She also thanked the Police and Fire Department for their assistance to help make the 4th of July fireworks held on July 5, 2015 as successful event.

Aldersperson Miller asked to have this item placed on the November Committee of the Whole to begin discussion for the event scheduled in 2016. Aldersperson Koester stated he already asked the administration to have this item placed on the August 2015 Committee of the Whole in order to discuss with the Visitors Bureau and to form a committee to organize the event.

Aldersperson Miller noted in regard to item number eight, she was told by the petitioner they did not want to withdraw and then asked what their next step would be to change the zoning ordinance for their property to allow for tanks. Corporation Counsel Griffin stated council members are not to talk to petitioners for any Planning Commission or Board of Zoning Appeals items. She recommended the petitioner speak to Ms. Griswold and cautioned council members of hearing any testimony or communication outside of a hearing. She noted council members are welcome to attend the hearing and they are posted with council members receiving notice, but there is case law regarding further information except what is provided under oath at the hearing.

Aldersperson Busker provided compliments to the Fire Department for work done to improve a Fire Station by the department staff. He also thanked the Public Works Department for the work completed to fix alleys in the 5th ward.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

Windy Pearson, 711 S. Carroll, stated she was gone for three and a half years and now she is back. She listened intently to the council discussion this evening and noted the crowd that was here and their leaving had nothing to do with the budget and more to do with what was going on with council. She spoke about having a city that works together and one that has safe neighborhoods because it has an affect on every one of us. Nobody wants a police officer to drive around in a 2006 vehicle and nobody wants our attorney or treasurer not to acquire training for their certifications. She reprimanded the council on their actions this evening. She asked them to work with the administration to move Freeport forward in the right direction. She spoke about an incident with gunfire on Carroll Avenue and noted that on both sides of the property there were children out playing so we are very lucky something worse did not also happen. This whole town is all of our town and change is needed from all of us. The only way for that change to happen will be by putting our feet on the ground and changing it. She implored people to stand firm and press charges when they see illegal activity.

Ms. Pearson spoke about a Pecatonica River Clean Up on July 26, 2015. They are in need of volunteer and monetary support for their efforts to help to keep the river clear of debris and alleviate flooding issues.

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Upon motion duly made and seconded, the meeting was adjourned at 10:12 p.m.

s/ Meg Zuravel

Meg Zuravel
City Clerk