



City Council

City Council Chambers ♦ 524 West Stephenson Street, 3rd Floor ♦ Freeport, IL 61032

MINUTES

REGULAR MEETING

MONDAY, JANUARY 4, 2016 AT 6:00 P.M.

CALL TO ORDER

The regular meeting of the Freeport, Illinois, City Council was called to order in council chambers by Mayor James L. Gitz with a quorum being present at 6:00 p.m. on January 4, 2016.

ROLL CALL

Present on roll call: Mayor Gitz and council members Tom Klemm, Peter McClanathan, Art Ross, Jodi Miller, Patrick Busker, Sally Brashaw, Mike Koester, and Andrew Chesney (8). Representing the City of Freeport as special counsel was Michael Phillips, Esq.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Ross.

APPROVAL OF AGENDA

Alderperson Koester moved for approval of the agenda as presented, seconded by Alderperson Brashaw. Motion prevailed by voice vote without dissent. Mayor Gitz explained in regard to the proposal for the TIF Commission he has not had a chance to finalize with special counsel Riordan.

PUBLIC COMMENTS – AGENDA ITEMS

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

MINUTES

The minutes from the regular meeting on December 21, 2015 were presented for approval. Alderperson Koester moved for approval, seconded by Alderperson Miller. Motion prevailed by voice vote without dissent.

CONSENT AGENDA

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

A. Approval to receive and place on file:

- 1) [Finance Department Report on Balance Sheet for October 2015](#)
- 2) [Finance Department Report on Budget Comparison for October 2015](#)
- 3) [Finance Department Report on Balance Sheet for November 2015](#)
- 4) [Finance Department Report on Budget Comparison November 2015](#)

B. Approval of Water & Sewer Bills Payable (Registers #466) --- \$192,795.99

C. Approval of Payroll for pay period ending December 26, 2015 --- \$404,879.10

D. Approval of Finance Bills Payable (Registers #463, 464, 465) --- \$323,616.60

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

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

Nays: none

**MINUTES-REGULAR MEETING
MONDAY, JANUARY 4, 2016 AT 6:00 P.M.**

APPOINTMENTS TO THE BUILDING COMMISSION

Aldersperson Brashaw moved for acceptance of an appointment of Alderman Tom Klemm as the member of council on the Building Commission as appointed by Mayor James L. Gitz effective immediately, seconded by Aldersperson Koester. Motion prevailed by a roll call vote of:

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

Nays: none

The following was read into the record: "Effective immediately, Mayor James L. Gitz hereby appoints Michael Leslie, a licensed professional engineer and licensed structural engineer, to the Building Commission."

Aldersperson Koester moved for acceptance of an appointment of Michael Leslie, a licensed professional engineer and licensed structural engineer on the Building Commission as appointed by Mayor James L. Gitz effective immediately. This motion was seconded by Aldersperson Klemm.

Aldersperson Chesney asked if there was a resume available on Mr. Leslie. Aldersperson Chesney stated he is aware that Mr. Leslie lives in Dixon, Illinois.

Community Development Director Mills stated he asked for input from the Building Inspector and Mr. Leslie was recommended. Community Development Director Alex Mills read aloud from a resume of Michael Leslie. Mr. Leslie is a licensed professional engineer and licensed structural engineer and is the office manager for the Freeport office of Willett, Hofmann & Associates with twenty-four years of experience in the planning, design, and evaluation of structural systems and civil site designs. He reviewed his projects that he has worked on throughout the Freeport area. He has been the office manager of Willett Hofmann & Associates in Freeport for 10 years.

Mayor Gitz noted that Mr. Leslie may be the only person in Freeport at this time that has a structural engineering background.

Aldersperson Chesney stated the City Council has residency requirements along with other elected officials and asked whether it is prudent for the council to appoint someone from Dixon to a commission that in some ways acts in a judicial way because they vote based on an appeals process. He provided an example of someone who has a problem with a variance and needs something done by the commission, then he or she would appeal to this particular group. Aldersperson Chesney requested discussion from the council as to why we would appoint someone that is not willing to live here.

Mayor Gitz referred to the Illinois State Statute 65 ILCS 5/3.1-10-6 and stated this commission is different. He explained that residency is not a requirement when technical expertise is required and such is the case for the Building Commission because there has never been a residency requirement. He explained this commission requires appointment of people from the trades including building contractor, a licensed plumber, a licensed electrician, a licensed heating and air conditioning contractor, and a licensed professional engineer or architect. Mayor Gitz stated that Mr. Leslie is the office manager for a firm that has offices in the City of Freeport and he has held this job for several years.

Aldersperson Koester explained that we may need to go outside the City for professional expertise and the member of the Building Commission for the most part have been members in the past. He recommended in support of the appointments.

MINUTES-REGULAR MEETING
MONDAY, JANUARY 4, 2016 AT 6:00 P.M.

Aldersperson Klemm spoke in support of the appointments and stated he has known each of the appointees for a number of years.

Aldersperson Chesney stated he would like to have a requirement that members of the commission for any board need to attend 75% of the meetings and have a term expiration if they are not reappointed.

Mayor Gitz stated if that is the case they the council should adjust the policy but currently before you determine if Mike Leslie is qualified to serve, the State Law says that when technical expertise is required the person does not have to live in the City.

Upon a question from Aldersperson McClanathan, Special Counsel Phillips explained the role of the council is to confirm or not to confirm.

Aldersperson Chesney made a motion to refer the appointment of Mr. Leslie to the Committee of the Whole meeting. This motion was seconded by Aldersperson Miller.

Aldersperson Miller asked about the urgency of the appointment. It was discussed that it would be appropriate to discuss the appointment at the Committee of the Whole.

Aldersperson McClanathan requested when appointments are submitted to council that a resume be included with the appointment in the packet so that they have time for review.

The motion to send the appointment to the Committee of the Whole meeting prevailed by a roll call vote of:

Yeas: McClanathan, Ross, Miller, Busker, Brashaw, and Chesney (6)

Nays: Klemm and Koester (2)

Mayor Gitz requested the following appointment be read into the record, "Effective immediately, Mayor James L. Gitz hereby appoints James Lemanski, a licensed heating and air conditioning contractor, to the Building Commission."

Aldersperson Koester moved for acceptance of an appointment, seconded by Aldersperson Brashaw.

Aldersperson Chesney made a motion to refer this appointment to the Committee of the Whole. There was no second on the motion.

Council members provided their history with the appointee and stated he is well known as a contractor in the City of Freeport for heating and air conditioning. It was stated that Mr. Lemanski lives within 1.5 miles of the city limits on Stephenson Street, his contractor business is located in Freeport and he contributes to the tax basis of the City.

Aldersperson Chesney made a motion to refer to the Committee of the Whole the appointment of James Lemanski, seconded by Aldersperson Miller.

Aldersperson Koester asked Director Mills if residency is part of the code for the Building Commission. Director Mills explained that for the Building Commission it requires the members to be part of the trades and those trades include a building contractor, a licensed plumber, a licensed electrician, a licensed heating and air conditioning contractor, and a licensed professional engineer or architect. Director Mills explained residency is not part of the code requirement.

MINUTES-REGULAR MEETING

MONDAY, JANUARY 4, 2016 AT 6:00 P.M.

The motion to refer the appointment of James Lemanski to Committee of the Whole failed by a roll call vote of:

Yeas: Miller and Chesney (2)

Nays: Klemm, McClanathan, Ross, Busker, Brashaw, Koester (6)

Mayor Gitz stated that motion for confirmation of James Lemanski a licensed heating and air conditioning contractor, to the Building Commission is on the floor for approval. The motion prevailed by a roll call vote of; Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)

Nays: none

Mayor Gitz requested the following read into the record: "Effective immediately, Mayor James L. Gitz hereby appoints Jonathon A. Green, a licensed electrician, to the Building Commission."

Director Mills stated the appointee was recommended by the Building Inspector. Council members provided their history with the appointee and stated he is well known as an electrical contractor. It was stated that Mr. Green lives within 1.5 miles of the city limits in the Willow Lake area. Director Mills stated Mr. Green has been a member of the Building Commission for many years and residency is not a requirement of the code for this commission.

Aldersperson Koester moved for acceptance of an appointment, seconded by Aldersperson Klemm.

Aldersperson McClanathan stated his support of the appointment because of experience of being on the commission.

Mayor Gitz stated that motion for confirmation of Jonathon Green a licensed electrician, to the Building Commission is on the floor for approval. The motion prevailed by a roll call vote of;

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

Nays: none

ORDINANCES -- FIRST READING

Provided in the council packet was a memorandum from the Finance Department consultant, Duane Price, former City Accountant dated December 30, 2015 addressed to Mayor Gitz and City Treasurer Buss. Mr. Price's memo stated there are five ordinances abating the real estate tax levies for the 2015A, 2014A, 2014B, 2013, and 2013A bonds on the council agenda. He explained when we do a bond issue, we pass an ordinance authorizing the issuance of the bonds. That ordinance creates a tax levy for the annual debt service for each of the years of the life of the bond. Each year at this time we abate the tax levy for the coming year because we do not want this put on the real estate tax bills. Mr. Price explained we have revenue sources that we use to pay the debt service. Depending on the bond, the money we use to pay the debt service comes from:

- Downtown TIF for the money borrowed for the Rawleigh building,
- General Fund for the bonds for the new library,
- Fire Capital Improvement Funds for the bonds for the new fire station, and
- Sanitary Sewer Fund and the Storm Sewer Fund for money borrowed for projects that they have done.

Special Counsel Phillips explained when we abate these bonds we have to have enough money set aside to pay the total debt service for the coming fiscal year. These are backed by the full faith and credit of the City and the City requests the County Clerk to take off the real estate taxes. Mr. Phillips explained the City needs to pass the ordinances by the end of January.

**MINUTES-REGULAR MEETING
MONDAY, JANUARY 4, 2016 AT 6:00 P.M.**

A letter provided with each of the bond abatement ordinances contains a letter written by Mayor James L. Gitz that the City of Freeport has such funds as necessary to make the July 1, 2016 and January 1, 2017 debt service payments. This abatement should be issued to the Stephenson County Clerk and Recorder.

1ST READING OF ORDINANCE #2016-01:

An Ordinance To Abate The 2015 Real Estate Tax Levy For The Repayment Of The General Obligation Bonds, Series 2013

An excerpt of the Ordinance #2016-01 provided in Section 1: That it does hereby abate the 2015 tax levy only in the amount of three hundred seventy-five thousand four hundred dollars and 00/100 (\$375,400.00) for real estate taxes payable in 2016 for the refunding of the City's General Obligation Bonds, Series 2013 levied in such bond ordinance and further that it hereby directs the Stephenson County clerk, not to extend any levy for the repayment of said bonds for 2015 real estate taxes to be paid in 2016.

The first reading was held this evening and Mayor Gitz asked what the pleasure of the council on this ordinance was. Alderperson Koester moved for adoption of Ordinance #2016-01, seconded by Alderperson Klemm. The ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE #2016-02:

An Ordinance To Abate The 2015 Real Estate Tax Levy For The Repayment Of The General Obligation Bonds, Series 2013A

An excerpt of the Ordinance #2016-02 provided in Section 1: That it does hereby abate the 2015 Tax Levy only in the amount of eighty-seven thousand two hundred ninety-five dollars and 00/100 (\$87,295.00) for real estate taxes payable in 2016 for the financing of a new fire station as levied in the General Obligation Bonds, Series 2013A, as levied in such Bond Ordinance and further that it hereby directs the Stephenson County Clerk, not to extend any levy for the repayment of said Bonds for 2015 real estate taxes to be paid in 2016.

Upon the first reading of the ordinance, Alderperson McClanathan moved for approval of Ordinance #2016-02, seconded by Alderperson Brashaw. The ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE #2016-03:

An Ordinance To Abate The 2015 Real Estate Tax Levy For The Repayment Of The General Obligation Bonds, Series 2014A

An excerpt of the Ordinance #2016-03 provided in Section 1: That it does hereby abate the 2014 Tax Levy only in the amount of seven hundred seventy-two thousand five hundred seventy-five dollars (\$772,575.00) for real estate taxes payable in 2016 for the repayment of the General Obligation Bonds, Series 2014A as levied in such Bond Ordinance and further that it hereby directs the Stephenson County Clerk, not to extend any levy for the repayment of said Bonds for 2015 real estate taxes to be paid in 2016.

Upon the first reading of the ordinance, Alderperson Brashaw moved for approval of Ordinance #2016-03, seconded by Alderperson Busker. The ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE #2016-04:

An Ordinance To Abate The 2015 Real Estate Tax Levy For The Repayment Of The General Obligation Bonds, Series 2014B

MINUTES-REGULAR MEETING

MONDAY, JANUARY 4, 2016 AT 6:00 P.M.

An excerpt of the Ordinance #2016-04 provided in Section 1: That it does hereby abate the 2015 tax levy only in the amount of two hundred thirty-four thousand two hundred thirty-three dollars and 00/100 (\$234,233.00) for real estate taxes payable in 2016 for the refunding of the City's General Obligation Bonds, Series 2014B levied in such bond ordinance and further that it hereby directs the Stephenson County clerk, not to extend any levy for the repayment of said bonds for 2015 real estate taxes to be paid in 2016.

Upon the first reading of the ordinance, Alderperson Busker moved for approval of Ordinance #2016-04, seconded by Alderperson Klemm. The ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE #2016-05:

An Ordinance To Abate The 2015 Real Estate Tax Levy For The Repayment Of The General Obligation Bonds, Series 2015A

An excerpt of the Ordinance #2016-05 provided in Section 1: That it does hereby abate the 2015 tax levy only in the amount of four hundred ninety-eight thousand four hundred twenty five dollars and 00/100 (\$498,425.00) for real estate taxes payable in 2016 for the refunding of the General Obligation Bonds, Series 2015A levied in such bond ordinance and further that it hereby directs the Stephenson County clerk, not to extend any levy for the repayment of said bonds for 2015 real estate taxes to be paid in 2016.

Upon the first reading of the ordinance, Alderperson McClanathan moved for approval of Ordinance #2016-05, seconded by Alderperson Ross. The ordinance was automatically laid over to the next meeting.

1ST READING OF ORDINANCE #2016-06:

An Ordinance To Approve the Editing and Inclusion of Certain Ordinances As Parts of the Various Component Codes of the Codified Ordinances of the City of Freeport, Illinois (May 19, 2014 to November 16, 2015)

Upon the first reading of the ordinance, City Clerk Zuravel explained that the online Codified Ordinances are up-to-date. This ordinance provides the City with updates to the paper version in an edited, arranged, and numbered order to conform to the number system of the Codified Ordinances.

Alderperson Miller noted a discrepancy under the date for Ordinance #2014-56. City Clerk Zuravel noted the typographical error of the date and stated it will be corrected for the second reading of the ordinance.

Alderperson Klemm moved for approval of Ordinance #2016-06 as presented, seconded by Alderperson Ross. The ordinance was automatically laid over to the next meeting.

RESOLUTIONS

RESOLUTION #R-2016-01:

Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code Section #16-00000-00-GM

City Engineer Gallagher presented the resolution for the 2016 General Maintenance MFT Section # 16-00000-00-GM. He explained the proposed Motor Fuel Tax (MFT) Maintenance Resolution for 2016 will cover materials, construction, and inspection fees for our annual street program. At this time we are not anticipating any additional funding beyond our monthly MFT allotments which are estimated to total at \$630,000. It is important

MINUTES-REGULAR MEETING

MONDAY, JANUARY 4, 2016 AT 6:00 P.M.

to remember that this is for maintenance only, as the City does not currently have funding for reconstruction projects. This program will be broken out into four (4) general maintenance section numbers as described below, with the intent to spend all revenues received in 2016:

- The 16-00000-00-GM section number will cover costs for Public Works materials purchases for road stone, cold patch, and hot-mix for the City-wide Patch Program. This section also covers \$45,000 of street lighting in exchange for the City Engineer's services from the Water & Sewer Commission. These materials will be bid in February.
- The 16-00000-01-GM section number will cover costs for our Mill & Overlay Program, which has been successful over the years in providing a renewed surface to our streets. In order to reduce mobilization costs, this work will be organized in one or two geographical areas. The 2016 program will be bid in early April with construction ending in mid-summer.
- The 16-00000-02-GM & 16-00000-03-GM section numbers will cover costs for Crack Sealing and Micro-surfacing. We are currently nearing completion of eligible streets for crack sealing, so after this year, this program will likely alternate every other year moving forward. These programs will be bid in March for spring and summer construction.

City Engineer Gallagher explained \$30,000 will be spent for crack sealing and \$110,000 will be expended for micro-surfacing. MFT engineering for this maintenance program will be completed by the City Engineer. Due to a lack of funding, construction inspection will also be performed in-house whenever possible, rather than utilizing consultants.

Aldersperson Koester made a motion for approval of Resolution R-2015-01, seconded by Aldersperson Busker. The motion prevailed by a roll call vote of;

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

Nays: none

RESOLUTION #R-2016-02

Resolution In Support Of Enterprise Zone Expansion Application For JJ Venture I LLC

Community Development Director Alex Mills presented the resolution in support of Enterprise Zone Expansion Application for JJ Ventures. He stated JJ Ventures is pursuing a realignment of the parcel boundaries and property identification numbers (PINS) of the three properties it currently owns at the southwest corner of Youngs Lane and West Avenue in Freeport. To accomplish this realignment, they are applying for an expansion of the Enterprise Zone to include the smallest parcel of the three, which houses only parking spaces, is only 0.23 acres in size, and has not previously been included in the Enterprise Zone. The two other parcels are already within the Enterprise Zone. This expansion of the Enterprise Zone will facilitate further development within the complex, not only by encouraging further build-out and development in the existing units, but by also allowing for realigning of the parcels in order to encourage future development at the northeast corner of South Street and West Avenue.

Director Mills explained the resolution is necessary to indicate the City's support of this endeavor. Upon its passage a letter of support will be forwarded to the Enterprise Zone Committee. They will review the request later this month and this would trigger an ordinance to expand the Enterprise Zone for each of the members. Director Mills explained the map provided in the packet outlining that most of the property is in the Enterprise Zone except for this small portion which is not.

Aldersperson Koester moved for approval of the resolution R-2016-02, seconded by Aldersperson Klemm. The motion prevailed by a roll call vote of;

**MINUTES-REGULAR MEETING
MONDAY, JANUARY 4, 2016 AT 6:00 P.M.**

Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)
Nays: none

RESOLUTION #R-2016-03:

Resolution To Approve A Tax Increment Financing District Fund Expenditure Plan – Downtown Redevelopment Project Area

Community Development Director Alex Mills explained the TIF Expenditure Plan for the Downtown. He stated on January 1, 2016, there was a \$332,080.55 cash balance in the TIF District special allocation fund, with an additional \$195,000.00 incremental property taxes and interest to be collected in 2016, for a total of \$527,080.55 in TIF funds projected for 2016. The resolution provided that the City of Freeport hereby designates the following funds to the enumerated projects, consistent with the “City of Freeport, Illinois Tax Increment Redevelopment Area (TIF) Downtown Area TIF Redevelopment Plan and Project” dated August, 1994. These funds are estimated and are authorized up to 10% above the estimation, if and only if such funds are unexpended in another funding line item herein.

- \$233,480.55 for professional services in connection with the TIF District. This complies with the state law as “Cost of studies, surveys, development of plans, and specifications, implementation and administration of the redevelopment plan, including but not limited to staff and professional service costs for architectural, engineering, legal, marketing, financial, planning or other services”. It complies with the City’s goals by improving the physical environment of the RPA in order to make the Downtown Freeport Area more attractive for new business location and expansion and with the objective of promotion acquisition, consolidation and private sector redevelopment of vacant and/or underutilized sites, particularly those with high-visibility and impact (e.g. former Burgess Battery site and Rawleigh Complex).
- \$90,000 for site improvements (aesthetic and infrastructure improvements) to the TIF District. This program is intended to fund both aesthetic and physical infrastructure improvements within the TIF District through improvements to sidewalks, curb and gutter, parking lots, etc. This complies with the state law as a “cost of the construction of public works or improvements”. It complies with the City’s goals by improving the physical environment of the RPA in order to make the Downtown Freeport Area more attractive for new business location and expansion.
- \$130,000 for rehabilitation costs associated with buildings in the TIF District. This program is intended to assist with the costs of making exterior improvements and enhancements to downtown buildings. This complies with the state law as a “cost of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings”. It complies with the City’s goals by retaining and upgrading sound buildings that are compatible with the overall redevelopment plan.
- \$11,500 for debt service for acquisition and associated costs for the City Lights property. Acquisition of this property complies with the state law as “property assembly costs, including but not limited to acquisition of land and other property, real or personal, or rights or interest therein”. It complies with the City’s goals by giving the city the opportunity to promote acquisition, consolidation and private sector redevelopment of vacant and/or underutilized sites, particularly those with high-visibility and impact. This is intended to assist with long-term financing in relation to this property and is intended to be committed through the life of the TIF District.
- \$6,100 for debt service on Curb and Gutter improvements. This program is intended to focus on the heart of the TIF District, specifically Main, Stephenson, and Locust streets and is intended to assist with long-term financing. It is intended to be committed through the life of the TIF District. This complies with the state law as a “cost of the construction of public works or improvements”. It complies with the City’s goals by improving the physical environment of the RPA in order to make the Downtown Freeport Area more attractive for new business location and expansion.

MINUTES-REGULAR MEETING

MONDAY, JANUARY 4, 2016 AT 6:00 P.M.

- \$50,000 for debt service on the Rawleigh Office Building Bond. The redevelopment project for which this bond was issued is projected to eventually be self-funding through its direct tax increment under a formal redevelopment agreement. These funds are intended to cover the debt service in the interim. This complies with the state law as a “cost of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings”. It complies with the City’s goals by retaining and upgrading sound buildings that are compatible with the overall redevelopment plan.
- \$6,000 for payments to the developers of the Hampton Inn in accordance with a redevelopment agreement entered into by and between the City of Freeport and BW Freeport, whom shall strictly follow all terms of said agreement. This complies with the state law as development of “anchor projects that encourage retail, commercial and related mixed use (including institutional) development”. It complies with the City’s goals by improving the physical environment of the RPA in order to make the Downtown Freeport Area more attractive for new business location and expansion and with the objective of promotion acquisition, consolidation and private sector redevelopment of vacant and/or underutilized sites, particularly those with high-visibility and impact.

Aldersperson Koester moved for approval of the resolution #R-2016-03, seconded by Aldersperson Klemm.

Aldersperson Miller made a motion to place into the Planned Expenditures for the Downtown TIF an amount to reduce the rehabilitation line item by \$5,000 (\$130,000 to \$125,000) and to increase the professional services \$5,000 for A-5 rebranding (\$233,480.55 to \$238,480.55). This motion was seconded by Aldersperson Chesney. Mayor Gitz stated the rehabilitation line item reduction would be the emergency structural repairs.

Aldersperson Koester spoke against support providing money towards A-5 at this time because he does not have enough information on it. Aldersperson Miller stated it is setting aside money to use in case it can be used. Aldersperson Koester stated the council needs to have final approval on the use of A-5.

Aldersperson McClanathan asked if the rehabilitation line item was meant to reduce the emergency structural repairs. Aldersperson Miller agreed it would be to change it from \$75,000 to \$70,000 for emergency structural repairs.

Director Mills stated the City Centre Plan currently has an allocation of \$120,000 and their items one through five using debt initiatives were included in this plan and asked if council has the intention of leaving it the way it is written. Aldersperson McClanathan stated the dollar figures indicated in the plan are appropriate.

Mayor Gitz stated there is an amendment on the floor to have \$5,000 for A-5 to be taken out of the line item for rehabilitation. The motion to amendment to resolution prevailed by a roll call vote of;
Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)
Nays: none

Aldersperson Klemm stated this is the plan expenditures that are set and asked if there is the ability to adjust items later on in the year as needed. Mayor Gitz stated yes there are.

Aldersperson Chesney discussed that a lot of the downtown TIF dollars are spent on reactive measures and not really proactive items. He asked for further information on how the rehabilitation should change from emergency structural repairs to reactive structural repairs which takes up \$130,000 share of the plan.

MINUTES-REGULAR MEETING
MONDAY, JANUARY 4, 2016 AT 6:00 P.M.

Aldersperson McClanathan asked if the façade grant program for buildings was included in the \$130,000 line item for rehabilitation. Mayor Gitz stated the façade program is not broken out individually under this plan and if it is covered under any item it is covered under rehabilitation.

The resolution provided in the packet Exhibit A stated that the line item for rehabilitation costs associated with buildings in the TIF District is intended to assist with the costs of making exterior improvements and enhancements to downtown buildings. This complies with the state law as a “cost of rehabilitation, reconstruction or repair or remodeling of existing public or private buildings”. It complies with the City’s goals by retaining and upgrading sound buildings that are compatible with the overall redevelopment plan.

Director Mills explained that the emergency line item does not have to be spent if there is not an emergency.

Mayor Gitz explained the urgency of a building that has water pouring in and the danger it poses to an adjacent building. This is a real issue that has faced the downtown when you have a building owner who does not take responsibility for their building and it impacts and threatens damage to an adjacent building. He explained the use of TIF funds are used all over the State to assist with emergency repairs to save the other buildings so it does not become a checker board. That doesn’t mean that the owner of the building gets away free because there will be legal proceedings. There is a public interest and if there is any use of the TIF district that leads to the retooling of the community and the expansion of the tax base it would be making sure that the buildings that are adjacent to a building that has an accident or has a collapse that they are not also damaged. If that is not an appropriate use of funds than Mayor Gitz stated he does not know what is. It was in the City’s interest to take action and not wait months to get something done. If this building was going to be saved at all we had to do something to enclose it in order to stop the water which you know last month was coming in substantially. Mayor Gitz stated that they have informed the council that repairs to the Rawleigh roof need to be done or there will be a serious problem. He envisions that if it is not done and the roof caves in, then the staff and the mayor will be culpable because we did not take care of the problem but if you do not give us the resources we cannot take care of the problem. If you do not want to spend the \$30,000 or so dollars to do some repairs then how would you like us to come back and ask for a quarter of a million to clean up the mess that has been created.

Aldersperson McClanathan asked if the expenditure plan has \$35,000 in it for the Rawleigh roof repairs and whether there is a motion on the floor to remove that line item. It was clarified there was no motion on the table to remove that amount.

Aldersperson Chesney discussed that he believes the way the TIF dollars have been allocated in the past is a lipstick approach and he recommends moving towards an approach that will generate more increment in the TIF. He asked how spending dollars on curb and gutter will help a business who needs help. He spoke about store fronts as being the thing that drives people to the downtown and having residences above them would bring more people in which would expand the tax base. He spoke in support of a proactive use of the TIF funds by using it to benefit the businesses in the downtown to drive more business into the downtown.

Aldersperson Koester spoke about the 1% tax on downtown businesses that was talked about to be used for repairs, maintenance and upkeep on downtown businesses and he asked whether that would be useful.

Aldersperson Miller spoke in support of economic development for the downtown and to do something different and see how it goes and she is tired of putting lipstick on a pig.

Aldersperson McClanathan made a motion to approve the amended #2016-03 TIF spending plan, seconded by Aldersperson Koester. City Zuravel asked for a point of clarification and noted that we already had a motion and

MINUTES-REGULAR MEETING

MONDAY, JANUARY 4, 2016 AT 6:00 P.M.

second for approval of the resolution and then the majority of the council amended the resolution. Special Counsel Phillips stated we need to vote on the resolution as amended.

Mayor Gitz noted Resolution #R-2016-03 and the spending plan for the downtown TIF as amended. The motion for adoption of the resolution as amended prevailed by a roll call vote of;

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

Nays: none

Resolution #R-2016-03 as amended was adopted.

OTHER

REPORTS OF DEPARTMENT HEADS

City Engineer

City Engineer Shaun Gallagher provided an update on City-owned buildings. At the former City Hall building at 230 W. Stephenson they have completed the exterior façade inspection and the building inspection and that process went very well with the help of the Public Works crew and the bucket truck. It allowed a very good visual observation of what has been going on as far as deterioration since McClure looked at that in 2012. The draft report has been provided and it will be finalized in a meeting with Prairie Forge. There will be a forthcoming presentation given to council to go over options and cost estimates. He is working on that to happen February 1st. City Engineer provided an update of the Carnegie Library building as it is being prepared for use at the City Hall building. They are working to bid out the asbestos abatement. Winter Construction is working on the first phase bid estimates for that building which will be presented in the next couple of weeks. He stated both projects have been kept on pace despite the weather.

City Engineer Gallagher will have the Motor Fuel Tax supplemental appropriation for the 2015 spending because it did go over budget. The specific overages were the intergovernmental agreement to pave Forest Road, additional hot mix patching and paving for the Public Works Department and we had an additional section of Park Boulevard that was paved to complete the section at LaCresta north to Empire and that was done through the intergovernmental agreement with the Park District. Upon completion of that section the Park District indicated they would provide an additional \$25,000 towards that project to make it continuous with their improvements for the trail from one end to the other. That was in the budget at the time but it was above the appropriated amount.

City Engineer Gallagher reviewed two projects that he is working on for completion in January and February and those are the Newell parking lot agreement and the Pec Path facilities at Tutty's Crossing.

Aldersperson McClanathan asked about state funding as it relates to the trails. City Engineer Gallagher explained that most of the grant funds are federal grants and those are not held up by the State's budget impasse. He was concerned with the Federal Transportation bills but at this point we have not experienced a shut down. We actually received the first construction invoice for the Jane Addams Trail recently and that will move forward to the other parties for payment. The budget for the Tutty's Crossing facility was in the Pec Path grant 100% funding within that original \$225,000 which was the original estimate to go toward those improvements for that structure.

Police

Chief of Police Todd Barkalow provided an update on "Conversations Over Pizza" (COP) being held with the Freeport Housing Authority's Westview Community building and anyone is welcome to attend. The new police squads are here and are being outfitted as necessary.

MINUTES-REGULAR MEETING
MONDAY, JANUARY 4, 2016 AT 6:00 P.M.

Fire

Fire Chief Scott Miller provide a report on a fire occurring in a garage and the attic space of a main house, a basement house fire on December 27th and the assistance provided to Anna, Illinois for special urban search and rescue for flood victims.

Aldersperson Miller spoke about an ambulance unable to travel through a mobile home park and asked if there should be regulations to require plowing of the streets so that emergency crews can assess those areas.

Water & Sewer

Water & Sewer Executive Director Tom Glendenning stated in 2016 he will be providing additional education to council members regarding water and sewer utility issues and the needed upgrades to the system.

Director Glendenning provided information on the Illinois EPA and the Department of Health mandated fluoride concentration levels and stated that that amount has been lowered by one third. The Water Treatment plant is working on testing and operations to bring it within the .65 to .74 milligrams per liter. We have a natural content in our well water so there is a very small amount parameter. The savings that would have been realized in chemical application have been spent in new chemical pumps in order to hit this target level. The amount of testing and operation has been a strain on the facility to hit the required range with less than 1/10th part per million.

Director Glendenning encouraged council members who have not taken the tour of the facilities to contact him to schedule that as an educational opportunity of the utility. Phase B project will have a huge requirement on the utility to complete all the steps required of that project.

Aldersperson Klemm asked about the billing and the thirty day timing. He asked for an appointment with Director Glendenning so they can discuss it further.

Public Works

Public Works Director Tom Dole provided an activity report to council.

Aldersperson Busker spoke about on-call plow drivers and asked if there could be a use for something similar to what the State and County uses. Director Dole explained that the State runs two twelve hour shifts and they hire a whole team of workers in the winter time that are called snow birds and they run all night. Director Dole explained we have a limited staff so we need to space out our workers so they can get enough rest to get at the storm when it is done. All the storms start at different times and we have to react at different times. He does have to allow for time for our drivers to rest before they have to come back in the next day and battle the streets. We do not have fill-in people. We have enough drivers to handle the plow routes period and there is no additional help. Director Dole stated he provides an update to the Police Department as to the schedule and lets them know what time they expect to be back in to carry out the efforts to tackle the storm. He keeps the communications open with the Police Department and we are always available if an emergency vehicle needs assistance.

Community Development

Director Mills provided an update on snow and ice on the sidewalks and due to the unusual freezing that occurred the Nuisance Inspector is issuing warnings to clear the sidewalks. He urged citizens to salt and clear paths on the sidewalks.

Director Mills provided an update on the status of the building at 17 West Main Street as to the emergency repairs that are nearly complete. The back second story and third story wall which collapsed will have plywood and tar

MINUTES-REGULAR MEETING

MONDAY, JANUARY 4, 2016 AT 6:00 P.M.

paper on it. The first floor is now framed in and covered with tar paper. This is not a permanent solution but it is a temporary solution so that the building is no longer exposed to the elements.

Discussion was held on vision clearance in the right-of-way and a recent issue with a private snow plow contractor piling up snow so an intersections became hazardous. Council members spoke about their concerns on how a situation was handled by the Community Development Department.

Aldersperson Miller spoke about her concerns about fixing buildings in the downtown. Director Mills assured the council that the City is seeing reimbursement for the costs and will place a lien on the property if City funds are expended to make the repairs.

Aldersperson Chesney spoke about his concerns on the vacant property ordinance and the enforcement of the registration and inspection of properties. Director Mills explained that he does not have ample staff to enforce and inspect but the department is working on their priorities and this is an item they are working on. Aldersperson Klemm stated this could be an item that could be discussed at a Committee of the Whole meeting as to perhaps having another half time inspector. Aldersperson Chesney spoke about his concerns with having a policy that is not being enforced.

MAYOR'S REPORT

Mayor Gitz explained that he is working on finance issues. The work resumes for the audit that needs to be completed. There are four issues concerning grants and some updates, depreciation schedule, general ledger issues and Water & Sewer entries. There are two people assisting with this and one is skilled on the Locis System. He stated we have a draft of the Finance Director's responsibilities and he is waiting for feedback from WIPFLI and the auditors.

Director Chesney asked if there was an interim Finance Director. Mayor Gitz stated we do not have an interim Finance Director and we may name someone shortly. We have two people that are capable of doing those responsibilities. Aldersperson Chesney referred to 5 ILCS 120-7.3 that the City has to be updating our website to include compensations that encompass employees of the City of Freeport with salaries in excess of \$75,000 and that has to be done six days after approval of the budget. He noted we are not in compliance with that particular report.

COUNCIL ANNOUNCEMENTS/NEW BUSINESS

Aldersperson Miller spoke about an email an individual seeking to bring a small fleet for hire service in the spring of 2016 and before he processes the paperwork he would like a re-evaluation of Chapter 868 for taxicabs, dispatch companies and drivers. Mayor Gitz stated he will look into it. He stated that to not have inspection of the vehicles is a non-starter from his point of view. He spoke about the issues the City has had in having a quality taxi company. Aldersperson Klemm spoke in support of reviewing the ordinance but noted issues with cab companies in the past.

Aldersperson Busker spoke about a taxi service and recommended the City review the ordinance in regard to communications systems because there have been technology changes since it was written. He recommended the safety lane inspections operated by a state licensed inspector on an annual basis.

Aldersperson Brashaw spoke about the importance of clearing sidewalks of snow and ice in the areas around the schools so that children have a safe passage to school.

MINUTES-REGULAR MEETING

MONDAY, JANUARY 4, 2016 AT 6:00 P.M.

Aldersperson Koester spoke about regulations regarding state mandated inspections and that should be checked into. He spoke about manpower in the City and the fact that it has been down since the 90's with the economy and positions not getting filled and we do not have a department within the City that is close to being staffed the way they should. If we want to continue to have the ordinances enforced like the vacant property ordinance it is an issue that we will have to address and there may need to have a part time inspector added.

Aldersperson Chesney spoke about the need for a taxi service in Freeport and we can identify areas where we are missing the market. We need to be more receptive to these entities and we need to look at our regulations.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

There were no public comments at this time.

EXECUTIVE SESSION (CLOSED SESSION)

The following exceptions were read aloud by Mayor Gitz:

- Pursuant to 5 ILCS 120/2 (c) (11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.
- Pursuant to 5 ILCS 120/2 (c) (21) Discussion of minutes lawfully closed under this act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06

At 9:15 p.m., Aldersperson Busker made a motion to enter closed session, seconded by Aldersperson Brashaw. The motion for adoption of the resolution as amended prevailed by a roll call vote of;

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

Nays: none

At 10:04 p.m., Aldersperson Busker made a motion to return from closed session, seconded by Aldersperson Miller. The motion for adoption of the resolution as amended prevailed by a roll call vote of;

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

Absent: Klemm (1)

Nays: none

Aldersperson Klemm returned to council chambers.

Approval Of Executive Session (Closed Session) Minutes And Determination Of A) The Need For Confidentiality Still Exists As To All Or Part Of Those Minutes Or B) That The Minutes Or Portions Thereof No Longer Require Confidential Treatment And Are Available For Public Inspection

Aldersperson Brashaw moved for approval of the following closed session minutes:

- October 5, 2015 – Exception 5 ILCS 120/2 (c) (11) Litigation and Exception (21) Minutes
- October 13, 2015 - Exception 5 ILCS 120/2 (c) (1) appointment, employment, compensation, discipline, performance or dismissal of specific employee of the public body or legal counsel
- October 19, 2015 - Exception 5 ILCS 120/2 (c) (1) appointment, employment, compensation, discipline, performance or dismissal of specific employee of the public body or legal counsel and Exception (11) Litigation
- November 2, 2015 - Exception 5 ILCS 120/2 (c) (11) Litigation

MINUTES-REGULAR MEETING

MONDAY, JANUARY 4, 2016 AT 6:00 P.M.

- November 16, 2015 - Exception 5 ILCS 120/2 (c) (1) appointment, employment, compensation, discipline, performance or dismissal of specific employee of the public body or legal counsel
- November 30, 2015 - Exception 5 ILCS 120/2 (c) (1) appointment, employment, compensation, discipline, performance or dismissal of specific employee of the public body or legal counsel

This motion was seconded by Alderperson Busker.

The motion prevailed by a roll call vote of;

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

Nays: none

Alderperson Brashaw moved to find that the above stated minutes that were just approved require confidentiality and therefore they should not be released for public inspection or copying and this includes not releasing the tapes of these closed sessions, seconded by Alderperson Klemm. The motion prevailed by a roll call vote of;

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

Nays: none

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

s/ Meg Zuravel

Meg Zuravel
City Clerk