



City Council

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

MINUTES

REGULAR MEETING

MONDAY, MARCH 21, 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 Monday, March 21, 2016.

ROLL CALL

Present on roll call: Mayor Gitz and council members Tom Klemm, Peter McClanathan, Art Ross, Jodi Miller, Patrick Busker, Mike Koester, Sally Brashaw and Andrew Chesney (8). Corporation Counsel Sarah Griffin was also present.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Chesney.

APPROVAL OF AGENDA

Mayor Gitz noted that item #12 for (ordinance for special use permit for 1220 W. Galena) will be pulled from the agenda and he requested to move forward item #18 to after the public hearing due to outside consultants being present. Alderperson Brashaw moved for approval of the agenda with the requested changes, seconded by Alderperson Koester. Motion prevailed by voice vote without dissent.

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The minutes from the regular meeting on March 7, 2016 were presented for approval. Alderperson Koester moved for approval, seconded by Alderperson Ross. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

Martha Furst, Freeport Illinois, thanked all those who serve the City. She commended the energy of new members of the council. She spoke in support of keeping the in-house legal department versus outsourcing. She stated she worked as a financial consultant for the City and knows first-hand the hourly rate of our legal counsel compared to the cost to hire an outside attorney and this will not be a cost savings. She knows of no attorney you can hire for less than \$80 per hour. She asked council to review the numbers to make sure they are right before rushing to judgement.

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 Budget Comparison Analysis as of March 16, 2016
- 2) City Treasurer Monthly Investment Report for period ended February 29, 2016
- 3) Police Department Report on Activities for February 2016
- 4) Fire Department Report on Activities for February 2016

B. Approval of Water & Sewer Bills Payable (Registers #511 & 513) --- \$274,203.35

C. Approval of Payroll for pay period ending March 5, 2016 --- \$409,092.76

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D. Approval of Finance Bills Payable (Registers #509, 510, 512, 514, 515) -- \$575,766.47

Aldersperson Koester moved for approval of the consent agenda, seconded by Aldersperson Busker. Motion prevailed by a roll call vote of;

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

Nays: none

PUBLIC HEARING FOR FISCAL YEAR 2017 PUBLIC TRANSPORTATION PROGRAM

The following notice was published for this public hearing:

"The City of Freeport is preparing an application for funding to provide public transportation within the City of Freeport and throughout the County of Stephenson, Illinois, through Section 5311 of the Federal Transit Act of 1964, as amended, and the Illinois Downstate Operating Assistance Program. A public hearing will be held on Monday, March 21, 2016, during the regularly scheduled City Council meeting at the Freeport City Hall Building, 524 West Stephenson Street, 3rd Floor Council Chambers, Freeport, Illinois. At the hearing, interested persons will have an opportunity to comment on the transportation project. Interested persons may submit comments in person at the public hearing or in writing to Alexander S. Mills, Community Development Director, City of Freeport, 524 West Stephenson Street, Suite 330, Freeport, Illinois 61032 or to amills@cityoffreeport.org on or before March 30, 2016. From March 16, 2016 to March 30, 2016, a memo summarizing the City's transportation project will be available for viewing at the Office of the City Clerk, Freeport City Hall, 524 West Stephenson Street, Suite 310, Freeport, Illinois during the hours of 8:00 am to 5:00 pm local time, Monday through Friday."

At 6:12 p.m., Mayor James L. Gitz opened the public hearing. He stated this is a required public hearing by the State of Illinois Department of Transportation. He reminded those present to sign the sheet for the public hearing.

Community Development Director Alex Mills stated the City of Freeport currently provides demand response public transportation services for the general public in and around Freeport and Stephenson County. This service includes service for the general public and accessible para-transit services for the elderly and those with disabilities. He provided an overview of the City's plans for the period of July 1, 2016 through June 30, 2017. The City is seeking \$171,443 in Federal 5311 transportation funding and \$1,114,500 in State of Illinois Downstate Operating Assistance Program funding for this period. The City seeks to continue its services, providing high-quality and affordable demand-response public transportation services for the general public throughout all of Stephenson County. The City intends to renew a pass-through agreement for provision of public transportation services with the non-profit Senior Resource Center. Senior Resource Center provides operational, managerial, and human-resources staffing is anticipated to meet the demands of the County-wide transportation system. Director Mills stated the City's Program Compliance Oversight Monitor (PCOM) will provide monitoring and compliance oversight for the project.

Director Mills stated the typical service will remain door-to-door demand-response public transportation, as outlined below. The City's PCOM will, in turn, pursue service contracts with area businesses and non-profit organizations to increase fare-box revenue.

All rides will originate or end within the Stephenson County limits. The primary service will be door-to-door demand-response service for the general public, the elderly, and persons with disabilities in and around Stephenson County. For reservations, riders will call central dispatch at a designated phone number during the normal hours of operation. He explained the hours of operation will remain the same. The public transportation system hours of operation will be Monday-Friday, 5:00 AM – 12:00 AM, and Saturday, 5:00 AM – 1:00 PM. To maintain efficiency, rides between towns may be limited to particular days of the week.

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Director Mills explained that the fares will remain the same and provided the following in written documentation:

- Senior citizens, ages 60 and older, would access public transportation service on a voluntary donation basis. The suggested donation will be \$3.00 per ride for all rides beginning and ending within the same township or city limits within Stephenson County and \$6.00 per ride for rides between townships or cities within Stephenson County.
- Children under 6, accompanied by a paying adult, would ride on a voluntary donation basis.
- Children 7-11, accompanied by a paying adult, would ride for \$2.00, which is a reduced fare.
- Regular fares for riders ages 12-54 will remain \$3.00 for all rides beginning and ending within the same township or city limits within Stephenson County; for rides between townships or cities in Stephenson County fares will \$6.00 per ride. The public transportation system will work to accommodate same-day rides; however, same-day rides will not be guaranteed under any circumstances.

City-owned public transportation vehicles will be leased to the provider. The Senior Center will be encouraged to also utilize its own approved vehicles in the project. All vehicles used in the operation are requested to be in compliance with City, Illinois Department of Transportation, or Federal Transit Administration regulations, whichever are strictest. All vehicles must be adequate to provide public transportation services for the general public, persons with disabilities, and the elderly in and around Stephenson County. The Senior Resource Center will perform the managerial and supervisory functions over the provider's staff and personnel.

Director Mills provided that the draft application to the Illinois Department of Public Transportation for Federal Section 5311 and Illinois Downstate Operating Assistance Funding has been available for view at the Community Development Department since Wednesday, March 16, 2016 and will remain available for public inspection and comment until 5:00 PM on Wednesday, March 30, 2016.

Mayor Gitz asked if the council members had questions.

Aldersperson McClanathan stated he has questions but will ask them when the ordinance is presented.

Mayor Gitz opened the floor to the public comments. Community Development Director Alex Mills stated he received one phone call from a resident upon seeing the publication notice and they requested expanding Saturday and Sunday hours for handicap riders.

There were no other public commenters present.

At 6:15 p.m., Mayor Gitz closed the public hearing.

Prior to the agenda being approved, Mayor Gitz requested leave of council to move forward the following resolution on the council agenda:

RESOLUTION R-2016-14:

Resolution For the May 1, 2016 Contract For The City's Healthcare Coverage (Self-Funded NIHP)

Mayor Gitz called to the podium Mr. Stephen Lafferty, Benefits Broker, Dimond Bros. Insurance, LLC. Mr. Lafferty stated at last week's Committee of the Whole he provided a presentation to council that recommends the City healthcare plan should remain self-funded. Mr. Lafferty explained that with the new May 1, 2016 plan year the costs will decrease by 9.06%.

Mr. Lafferty reviewed the following costs of the group health plan May 1, 2016 renewal:

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PLAN YEAR	05/01/15	05/01/16
Reinsurance Carrier	ACE American Insurance Co.	ACE American Insurance Co.
Fixed Costs	\$ 525,216	\$ 531,273
Variable Costs	\$3,519,971	\$3,147,289
Maximum Costs	\$4,045,187	\$3,678,562

This resolution provides for that and determines that the City should enter into a contract with the Northern Illinois Health Plan for its TPA administration for a PPO with NIHP/ECOH2. Mr. Lafferty explained the City will enter into a contract with ACE American Insurance Company as our reinsurance carrier on a 24/12 specific \$90,000.00 contract basis, with a \$60,000.00 aggregating specific and 12/12 aggregate contract basis with a \$3,147,289.00 attachment point to contain its healthcare costs and a total possible exposure of \$3,678,562.00 through April 30, 2017 (based on the current census from March 1, 2016), with TPA administration for vision and dental coverage for the employees to be continued. This resolution authorizes the Mayor to execute an agreement with the Northern Illinois Health Plan for TPA administration for a PPO contract with NIHP/ECOH2 and ACE American Insurance Company for reinsurance coverage, and that coverages and policies in relation thereto be consistent with the preamble hereto and the Mayor and City Clerk, on behalf of the City are hereby authorized to execute such documents as are necessary for the carrying out of this Resolution.

Mr. Lafferty provided documentation that explained for the May 1, 2015 plan year, the City enjoyed an outstanding claim year based on 10 months of claims for May 1, 2015 to February 29, 2016. He stated if this trend continues for the full twelve month plan year, the claims will be substantially lower than the budgeted expected claims target. Because the City is using the partially self-insured model, those lower claim costs savings are passed on directly to the City. Mr. Lafferty explained that with the new May 1, 2016 plan year the costs will decrease by 9.06% and he recommends continuing with the partially self-insured model. Mr. Lafferty explained at the Committee of the Whole meeting, the evaluation process of the reinsurance carrier, the third party administrator, the preferred provider organization, the case management, pharmacy benefit manager, dialysis management and the fully insured quote comparison. He recommended renewing ACE /American Insurance Company health plan with NIHP, the ECOH2 PPO.

Aldersperson Koester stated he was able to discuss with Mr. Lafferty and learn about the health care coverage for the City and it was a beneficial discussion so he is in favor of adoption of this resolution.

Aldersperson Klemm spoke of his support of the resolution based on the supporting documentation presented at the Committee of the Whole.

Aldersperson Klemm moved for approval of Resolution #R-2016-14, seconded by Aldersperson Busker. Motion prevailed by a roll call vote of:

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

Nays: none

COMMUNICATION TO COUNCIL AND ACTION ITEMS

Receive and place on file the Fiscal Year Ending April 30, 2015 Audit Report and Management Letter as provided by Lauterbach and Amen LLP

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Alderson Miller moved for approval to receive and place on file the Fiscal Year Ending April 30, 2015 Audit Report and Management Letter as provided by Lauterbach and Amen LLP. This motion was seconded by Alderson Klemm. Motion prevailed by voice vote without dissent. A copy of each audit report was provided in with the agenda on the website for viewing with the council packet.

2016 Materials Bid Proposal (rebid) for all bidders for contract 16-00000-00-GM

City Engineer Gallagher presented the agenda item for approval of 2016 Materials Bid Proposal (rebid) for all bidders for contract 16-00000-00-GM. City Engineer Gallagher explained on March 10, 2016, the City of Freeport held a bid opening to rebid this year's Materials Proposal for road stone, hot-mix and cold patch. The four (4) bids submitted were by Conmat, Martin & Company, Fischer Excavating, and Rock Road Companies. This rebid saw an increased response from two (2) bidders to four (4) bidders covering all three (3) materials requested. Most importantly, the average bid for hot-mix dropped \$2.33 per ton, which results in a \$4,660 savings for the 2000 tons estimated to be used in 2016. The bid prices for road stone and cold patch remained the same from last year. City Engineer Gallagher stated based on bid prices and the number of bids received, it is his recommendation to award contract 16-00000-00-GM to all bidders, as there are numerous circumstances that could require us to use each vendor. Alderson Brashaw moved for approval of all bid prices from the bidders on March 10, 2016, seconded by Alderson Klemm. Motion prevailed by a roll call vote of:

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

Nays: none

Approval of 2016 Micro-Surfacing Program for apparent low bidder Struck & Irwin Paving in the amount of \$103,889.72 for bids opened March 10, 2016 for contract 16-00000-03-GM

City Engineer Gallagher presented the agenda item for approval of 2016 Micro-Surfacing Program for apparent low bidder Struck & Irwin Paving in the amount of \$103,889.72 for bids opened March 10, 2016 for contract 16-00000-03-GM.

City Engineer Gallagher provided a written memorandum which stated: "On March 10th, the City of Freeport held a bid opening for this year's Micro-Surfacing Program. The three (3) bids received were submitted by Microsurfacing Contractors, AC Pavement Striping Co, and Struck & Irwin Paving. The apparent low bid was submitted by Struck & Irwin Paving out of DeForest, WI. As you may recall, last year we switched to a steel slag based micro-surfacing, which was continued this year, rather than a sand based product. The following was noted by the Illinois Department of Transportation (IDOT) prior to bidding: Due to the possibility of a bid complaint for your agency's project, as it relates to the "Apprentice or Training Program Certification," the department will not concur with the award of any contract until the eight calendar day following the letting; therefore, the local authority shall not proceed with the award for eight (8) calendar days." City Engineer Gallagher stated based on the low bid, it is his recommendation to award contract 16-00000-03-GM to Struck & Irwin Paving for \$103,889.72, barring any bid protest in the eight (8) calendar days following the bid opening, as allowed by IDOT. Should a bid protest be filed with IDOT and be upheld, we will review the second low bid and make a recommendation on either proceeding with the project, which would be above the engineer's estimate, or rolling these funds into the Mill & Overlay Program for 2016.

Alderson Koester moved for approval of the 16-00000-03-GM award to Struck & Irwin Paving for \$103,889.72 as requested by City Engineer Shaun Gallagher, seconded by Alderson Busker. Motion prevailed by a roll call vote of:

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

Nays: none

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Approval of Album Street Corridor Sites Environmental Remediation Project bids opened March 10, 2016 for apparent low bidder Fischer Excavating in the amount of \$270,530.85

Shelly Griswold, Community Development Specialist, Fehr Graham Engineering and Environmental presented for approval the Album Street Corridor Sites Environmental Remediation Project bids opened March 10, 2016.

Below is the summary of the bid tabulation for the Album Street Corridor Sites environmental remediation project. Four bids were received for the project with the following results:

	American Demolition Corp	Fischer Excavating	Martin B. Company	Northern Illinois Service Co.
Base Bid	\$319,066.25	\$213,412.85	\$298,165.24	\$338,421.64
Alternate #1	\$63,100.00	\$57,118.00	\$100,500.00	\$11,370.00
Base + Alt	\$382,166.25	\$270,530.85	\$398,665.24	\$349,791.64

Ms. Griswold stated based on Fehr Graham's review of these bids, Fischer Excavating is the apparent lowest qualified bidder for the project. She explained the low bid is within the budget for the project, which is funded by USEPA Brownfields Cleanup Grant Funds (80%) and local funds in the form of cash and in-kind services (20%). Since grant funding is involved, time is of the essence on this project. As soon as the City has approved a bid, we will work diligently to get a construction contract prepared and presented to the City and the Contractor for execution. Once that is completed, we anticipate beginning the remediation project as soon as possible. The City's Community Development Department prepared a Community Relations Plan outlining the methods that will be used to notify neighbors, surrounding businesses, and other interested parties about the remediation project. Nick Jupin, Grants Coordinator, is in the process of implementing those notification methods in advance of the project getting underway.

Aldersperson Brashaw asked how this will be paid for in the form of cash and in-kind services. Mayor Gitz stated it has already been included in this year's budget and that was a condition of the grant.

Aldersperson Koester asked about the bids and whether Ms. Griswold felt there was a concern because of their disparity. Ms. Griswold assured the council that the bids were reviewed by a Fehr Graham engineer, Andy Reeter, and there were no outliner line items, the bid by Fischer Excavating was consistently lower on every line item and he has worked with Fischer as well as the other contractors and he does not have a concern.

Aldersperson Chesney asked about whether Alderman Ross has concerns. Alderman Ross stated he does not have any concerns and he is happy not to have to look at the fence.

Aldersperson Ross moved for acceptance of the bid for Fischer Excavating, seconded by Aldersperson Koester.

Aldersperson McClanathan asked where we are once the bid is approved with the overall project. Ms. Griswold explained that with this plan the property will be remediated and the end goal is a "no further remediation" letter from Illinois EPA which shows that we no longer have remediation. As far as what is going to happen with the site in the future, it is along the alignment of the Pecatonica Prairie Path but that is more of a question for the mayor. Mayor Gitz explained Album Street is a street that could eventually be vacated but there are some issues with the owners on the side facing the river. He stated it is probably in their interest to collaborate with the City because their land needs to be tested as part of the project since they did not do many steps when they bought the land, they could be liable for that. He explained the site will be cleaned up and it is unlikely that it will be redeveloped as an industrial site because it sits in the floodway and the rules are different now than they were 100 years ago. He stated this has been selected as the designated path for the Pecatonica Prairie Path which should take us all

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the way to the by-pass. He stated we have work to be done on the environmental remediation but also on getting things into alignment on the path.

Upon no further questions, Mayor Gitz requested a roll call vote on acceptance of the bid from Fischer Excavation in the amount of \$270,530.85. 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 #2016-17:

An Ordinance Amending Chapter 290 (Compensation and Benefits) of the Codified Ordinances of the City of Freeport, Illinois

The first reading was held on March 7, 2016. A motion to adopt was given by Alderperson Koester, seconded by Alderperson McClanathan. The ordinance was then requested to be on the Committee of the Whole for discussion. On March 14, 2016 the Committee of the Whole recommended the ordinance to council.

The following explanation was provided in the packet from Mayor Gitz; "The attached ordinance grants an additional 1% COLA increase to non-bargaining Administrative and Fire Management employees to be comparable to the 2% AFSCME increase. If you recall earlier in the year, we granted these same employees a 1% portion of this COLA. These employees have been told a further raise would be forthcoming since the initial 1% increase in August, after the AFSCME contract was concluded. The Police Department management was given an increase of 2.75% at that time to run parallel to their own bargaining unit, so they are not included in this ordinance. The 1% increase to these employees that is not covered under their current budget totals \$19,075. If we include the additional costs of the City's portion of the City Engineer's salary increase, which is \$14,400, this amount totals \$33,475.00. There is a contingency amount of \$146,294.84 in the Interdepartmental line item of the Spending Plan for Total Personnel Budget which will easily cover such increases."

The second reading was held and there was no discussion or debate. Motion prevailed by a roll call vote of:

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

Nays: none

Ordinance 2016-17 was passed.

2nd READING OF ORDINANCE #2016-18:

An Ordinance Amending Chapter 460 (Operation Generally), Section 460.03 (Yield Intersections) Of The Codified Ordinances Of The City Of Freeport – Yield Sign Valleyview At Westwood

The first reading was held on March 7, 2016. A motion to adopt was given by Alderperson Koester, seconded by Alderperson Chesney. The ordinance was automatically laid over to tonight's meeting. The second reading was held and there was no discussion or debate. Motion prevailed by a roll call vote of:

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

Nays: none

Ordinance 2016-18 was passed.

2nd READING OF ORDINANCE #2016-19:

An Ordinance To Supplement The Appropriation Ordinance Fiscal Year 2015-2016 For The City Of Freeport, Illinois (Fourth Supplemental) [view memo](#)

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The first reading was held on March 7, 2016. A motion to adopt was given by Alderperson Brashaw, seconded by Alderperson Koester. The ordinance was then requested to be on the Committee of the Whole for discussion. On March 14, 2016 the Committee of the Whole recommended the ordinance to council.

The second reading was held and there was no discussion or debate. Motion prevailed by a roll call vote of:
Yeas: Klemm, McClanathan, Ross, Miller, Busker, Brashaw, Koester and Chesney (8)
Nays: none
Ordinance 2016-19 was passed.

ORDINANCES -- FIRST READING

1st READING OF ORDINANCE #2016-20:

An Ordinance To Provide For Public Transportation In The City Of Freeport And Throughout Stephenson County (Fiscal Year 2017)

Refer to the public hearing held this evening for further information.

Upon the first reading of the ordinance, discussion was held as the role of the City as the agent for the project and the grant in regard to reimbursement for employee related items. Director Mills stated that is correct, the grant reimburses the City for employee related costs. Alderperson Chesney asked whether the risk and work is shared among the other taxing bodies. He explained further that if there are items that are not covered under the grant, is Stephenson County going to be asked to pay a percentage of the settlement and everyone else involved or does the City shoulder the entire financial burden. Director Mills stated it is his understanding for ineligible expenses that can't be paid for with the grant that has never been discussed. He knows that the City of Freeport is the grantee and he will have to figure that out.

Alderperson McClanathan asked for further information on reimbursements and funding issues due to the State of Illinois' budget. Mayor Gitz stated there are no guarantees for funding for next year because they have not approved the fiscal year 2017 budget. He stated however this program has been the subject of both litigation and general assembly action. He was told by IDOT officials that you need to apply in order to be eligible for funding for 2017. The budget will be at the discretion of the General Assembly and the Governor's office. The grant portion with the State of Illinois is not fully guaranteed, however the State is the pass through on the portion that is funded by the Federal considered the 5311 grant. He reiterated that if we do not apply then you are not eligible for funding. The City is the authorizing agent of this program because we have administered it for years.

Alderperson McClanathan spoke about the role of the County in local matches since the transportation program goes outside the City of Freeport. Mayor Gitz explained the County and the City had extensive conversation well before any of us took office and their view was go ahead and extend into the County but we don't want to have a role or be involved in it. He explained they received approval by the County to extend service into the County and that was needed in order for that to occur. It was with the understanding that they would not take an active role on funding or administering. He explained there was some level of dissent when the question was asked on the referendum. He explained the County is a passive participant in the extension public transportation into the County. The City has become the authorizing agent to provide this program because we have administered this program for years. We are familiar with how to operate under the 5311 program and also the Downstate Operating Assistance Program (DOAP) that provides most of that money.

A motion to adopt Ordinance #2016-20 was given by Alderperson Koester, seconded by Alderperson McClanathan.

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Discussion was held on the grant application due on April 1, 2016. Mayor Gitz noted there is leave from IDOT knowing this may not be approved until April 4th. Director Mills stated the IDOT officials would not say the word "leave" because of the legislative requirements but he asked if there were penalties or any other things that would happen considering the small window provided for the documents to be prepared and they were not aware of anything bad that would happen.

Aldersperson Chesney moved for suspension of the rules for immediate consideration of the ordinance, seconded by Aldersperson Busker. Motion prevailed by a roll call vote of:

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

Nays: none

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

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

Nays: none

Ordinance 2016-20 was passed.

1st READING OF ORDINANCE #2016-21:

Special Ordinance For Variation, Permit Or Amendment Of Codified Ordinances Of Freeport Illinois

Type of Relief: Special Use Permit to allow the sale of alcoholic beverages in an outdoor restaurant area in a M-1 (Limited Manufacturing District) at the property located at 928-930 West Galena Avenue Freeport, Illinois (PIN 18-13-25-477-021); Owner or Applicant: Frank Mazzarisi; The Freeport Planning Commission at their meeting held on March 15, 2016, unanimously recommended the Special Use Permit. There were no written objections filed on the petition.

Community Development Director Alex Mills presented the ordinance. Director Mills requested two corrections in the ordinance including on page 1 of 9 to correct the recommendation and vote of the Planning Commission from six members to five members voting in favor (unanimous) and on page 3 of 9 to correct the address of the property to 928-930 W. Galena Avenue. Mayor Gitz requested leave of council to correct these items on their face. Leave was granted.

Included with the ordinance was the minutes of Planning Commission meeting which stated the basic facts of the petitioner's application for a special use permit, including current M-1 zoning, the proposed special use to allow sales of alcoholic beverages in an outdoor restaurant area, compliance with notice requirements, and the provisions within the City of Freeport's zoning code that would allow such a special use to be granted. Director Mills also referenced the City's codified ordinances within the liquor code that address sales of alcoholic beverages in an outdoor restaurant area. Included in the ordinance were the following findings of fact and Director Mills read them aloud:

1. The establishment, maintenance or operation of the special use will not be detrimental to, or endanger the public health, safety and general welfare in that there will be adequate trash receptacles in place in the outdoor restaurant area.
2. The establishment, maintenance or operation of the special use will not be detrimental to, or endanger the public health, safety and general welfare in that access to the outdoor restaurant area will accomplished only through the indoor restaurant area, and that the exit gate from the outdoor restaurant area shall provide access outward from the said area only, being passage preclusive.

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3. The establishment, maintenance or operation of the special use will not be detrimental to, or endanger the public health, safety and general welfare in that the current exterior lighting in place for the outdoor restaurant area will not be expanded upon.
4. The establishment, maintenance or operation of the special use will not be detrimental to, or endanger the public health, safety and general welfare in that the fence is permanently anchored into the concrete, and the height of the fence enclosing the entire outdoor restaurant area will be raised from three feet to five feet for safety purposes.

Aldersperson Klemm moved for approval of Ordinance #2016-21 with the aforementioned conditions, seconded by Aldersperson Busker.

Aldersperson Ross asked about the location of the fence. Director Mills stated this patio will be located in the rear of the building and described where a patio is currently located in the north end of the building.

Aldersperson McClanathan asked about the findings of fact as to whether the loud music would be an issue and whether there were concerns about that aspect and also whether the current ordinances are sufficient to that if it were to arise given it did not make its way into the findings of fact. Director Mills stated he did not have any concerns in regard to that and there are plans in place in regard to nuisances that should be sufficient. The Planning Commission was ultimately responsible whether that should be in the findings of fact.

Aldersperson Koester stated he was present at the restaurant recently and he is in favor of approval because it is an ideal location for the concrete pad that they have.

Mayor Gitz requested a roll call vote for passage of the ordinance. Motion prevailed by a roll call vote of:

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

Nays: none

Ordinance #2016-21 was passed.

Item #12 was removed from the agenda at the beginning of the meeting:

[1st READING OF ORDINANCE #2016-22:](#) Special Ordinance For Variation, Permit Or Amendment Of Codified Ordinances Of Freeport Illinois *Type of Relief: Special Use Permit to allow the sale of package liquor sales in a B2-1 (Limited Service Business Zoning Classification) at the property located at 1220 West Galena Avenue, Freeport Illinois (PIN 18-13-25-383-012); Owner or Applicant: AB Oil Inc., 1220 West Galena Avenue; The Freeport Planning Commission at their meeting held on March 15, 2016, unanimously recommended the Special Use Permit. There were no written objections filed on the petition.*

[1st READING OF ORDINANCE #2016-23-A:](#)

An Ordinance Amending Chapter 238 Entitled "Purchases and Contracts" To Create a New Section 238.25 To Be Entitled "Contracts For Outside Professional Consultants" of the Codified Ordinances of the City of Freeport, Illinois

This ordinance was recommended to council by the Committee of the Whole in the meeting held on March 14, 2016. Aldersperson McClanathan stated he was able to review the Ordinance version marked as 23B and case of Sampson v. Graves and he concurs that the language upheld as constitutional where it referenced approval by all members then holding office of the City Council and it also references state statute that references the corporate authorities and it even though it mentions city council it includes the mayor. He recommended going with version 23B.

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The following ordinance was placed on the packet and marked as **Ordinance #2016-23 B:**

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

Section 1. That Chapter 238 entitled "PURCHASES AND CONTRACTS" is hereby amended to create a new Section 238.25 to be entitled "CONTRACTS FOR OUTSIDE PROFESSIONAL CONSULTANTS" and to read as follows:

"238.25 CONTRACTS FOR OUTSIDE PROFESSIONAL CONSULTANTS.

Notwithstanding the formal contract and bidding procedures set forth in this Chapter (along with any other provision to the contrary contained in this Chapter 238) from time to time, as determined by a majority vote of the ~~City Council~~ **Corporate Authorities**, the ~~City Council~~ **Corporate Authorities** may ~~directly~~ select, retain and contract for outside professional consultants which require technical training or knowledge, including, but not limited to, engineers, auditors, legal counsel, land planners and other professional consultants and the ~~City Council~~ **Corporate Authorities** may appropriate funds to provide for such services."

State Law Reference- Contractual Liabilities; Limitations, 65 ILCS 5/8-1-7.

Section 2. This Ordinance shall be effective upon its passage by the City Council, its approval by the Mayor, and its publication as provided by law.

Section 3. All ordinances or parts of ordinances in conflict with this Ordinance are repealed insofar as they conflict.

Section 4. If any section, clause or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid, and this City Council hereby expressly declares that it would have enacted this Ordinance even with the invalid portion deleted.

Aldersperson McClanathan moved for approval of Ordinance #2016-23 (version B), seconded by Aldersperson Chesney.

Aldersperson Koester spoke about his concerns about possible abuse of this ordinance. Aldersperson McClanathan asked Aldersperson Koester to discuss his concerns with him to address the specifics.

The ordinance was automatically laid over to the next meeting.

1st READING OF ORDINANCE #2016-24:

An Ordinance Discontinuing the Legal Department of the City of Freeport and Amending Chapter 234 of the Codified Ordinances of the City of Freeport, Illinois to Provide for the Position of City Legal Counsel

This ordinance was requested to be placed on council agenda by Aldersperson Klemm and Aldersperson Chesney.

Aldersperson Klemm stated he appreciates the comments during the public comment period. He spoke about what is the best thing for the City of Freeport as we move forward and asked if we are utilizing our money wisely

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and whether we could save dollars and cents. He asked if we could eliminate things to make thing better for next year's budget and the shortfalls that we are going to have this year. He explained the way it has been proposed, noting that it wasn't just drummed up in the last fifteen minutes. He asked council to keep in mind for item one if you eliminate a department or intend to eliminate a department, if you don't do it by the end of the year you bought the department for the next year. He stated there is never a good time to do anything that has any amount of opposition but that is the timing that it is and it is at year-end so it will be effective on May 1. The second item is we were handed the costs of the corporation counsel over the last couple of years and a bunch of Cities that do or do not use legal counsel and some of them from figures he has are accurate and some of them are not accurate. He stated it is easy to say that the corporation counsel position came in house in 88-89 and times were different in Freeport. One can argue there was not as much going on legally then as there is now and some can argue that there is more going on legally now than there was then. Alderperson Klemm asked council to look at this year and ask if there are reasons that we have spent up to \$400,000 or better, not including the bunch of benefits and that kind of stuff. He asked if it is the right thing to do to have a legal department with two people in it. He stated we farm out to eight other law firms besides that. He asked if we should go to one firm and ask to have them. Alderperson Klemm explained that the intention is for this to go out for an RFP or an RFQ and the mayor will pick whoever it will be with the council approval. He stated they will be looking for a firm to provide quality advice and the rate per hour will depend on the people they can provide. He referred to a listing placed on the council desks and stated some of the numbers are different from the numbers he had available to him. He asked council to review it based on the population and the annual budgets for the legal department. He noted Machesney Park has needed quite a bit of legal due to all the building and road work they have been doing, along with Loves Park, Rockton and Roscoe.

Mayor Gitz stated he does not have an issue with looking at the numbers and doing a comparison of legal expenses. He stated that unlike the administration proposals, this never went to the Committee of the Whole and instead came directly to council. He stated his concerns that he did not see a copy of this until the date it was placed on the agenda. He requested council members to talk to the department heads as to their uses on a daily basis of the Legal Department. He stated he did not know where the \$400,000 figure came from. The departments utilize the Legal Department on a daily basis to check their steps before they act. You lose a benefit of that unless you are going to pay an absolute fortune for basically daily consultation. He spoke about his experience using outside legal and he worked for a municipal law firm. Mayor Gitz spoke about his concerns with the quantity of legal work we have, more than ever before. He used examples of grievances filed by the unions that have gone to arbitration and there are two contracts for unions that are under negotiation now. Those are very difficult to negotiate because we were asking for changes that are without precedent and they are not a routine contract. Mayor Gitz explained that if these contracts go to arbitration you lose the one person who has 17 years of negotiation experience. He stated on a daily basis there are more things happening than ever before just in the demolition realm. He provided examples of various demolitions and the issues are more involved than what is the bottom line and who has the best bid. He asked the council whether they are willing to hire a legal counsel based on who gives the best bid and whether we really want the cheapest person. We hire architects and engineers based on who can do the best job and legal counsel should be somewhat similar. He recommended review of bills and noted this will in the end cost the City more due to the cost of institutional knowledge and the access to legal advice.

Alderperson Koester spoke about his concerns and recommended doing a comparison as to what the corporation counsel does on a day to day basis. He asked that this comparison needs to be done as to what it would then cost using an outside counsel. He stated he likes being able to come to City Hall and ask questions of the legal counsel. He thinks that the cost will be prohibitive if you go with a firm outside of Freeport. He recommended deferring this to the Committee of the Whole. Mayor Gitz asked if there was a second to this motion. There was no second.

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Alderson Chesney stated when we passed the tax levy we knew we would be looking down the barrel of a pretty pension shortfall. He stated in the first time in the City's history it is required to come out of the City's general fund. He stated what he and Alderson Klemm did was to look at other municipalities best practice in this particular area. One item that came out in his view that was very alarming was the cost of the overall legal department. He read through the numbers and noted they do not include what is about 50% more in an overall benefits package. He explained there is a short term benefits package including pension payment, PEHP, health insurance and then you would have your long term legacy costs which would be your pension in the end which is a complicated pool that it goes into that has a direct effect on the property taxes that we held the levy on just a few months ago. Alderson Chesney read numbers that he obtained for the Legal Department for FY12 at \$178,490, FY13 at \$193,822, FY 14 \$200,324, FY 15 \$212,472 (numbers that do not include the legacy costs he eluded to). He stated in fiscal 16 as we just passed the supplemental appropriation ordinance it is going to go to \$380,610. He stated what is not included in the \$380,610 is the health, pension, PEHP, social security, Medicare which comes to about another \$75,000 which is going to bring us right now to \$451,350 that we are approximately spending and that does not include long term pension liability and this does not include vacation time. He stated in addition to this we spent about \$100,000 in supplemental and he explained that we were able to do that by allocating the money under a different budget item so if you are under professional services you can't exceed the sum total. He stated this does not include the TIF districts or any of the various departments that we book legal services. He stated these numbers were only the numbers under the Legal Department. Alderson Chesney spoke about outside legal services used, including Attorney Coon and Hinshaw. He spoke about the possible savings and based on the law firms he spoke with it is tough to get to \$75,000 to write ordinances and attend council meetings. He spoke about the other municipalities Cities using outside legal and stated that Freeport and Rockford are the only municipalities using in-house legal. He spoke about the costs of the legal costs of the City being well over \$500,000 spent this year.

Alderson Koester spoke about his concerns of having this ordinance come to the council at the last minute. He stated this is a very serious ordinance with a lot of ramifications and he felt as though this is getting shoved through and that is unjust and a mistake to not take the time to do the research on it.

Alderson Busker spoke about the time and requested additional time for consideration and recommended the ordinance have a second reading at the next meeting.

Alderson Busker moved forward Ordinance #2016-24 for a second reading, seconded by Alderson Chesney.

Alderson McClanathan requested clarification on some of the numbers that he heard this evening and whether they included benefits, what intended as far as the RFP and whether they see the role under one umbrella under one firm or multiple firms.

Alderson Klemm explained how he thought the request for proposal process would go and it could be based on one firm or based on different firms and this could be local firm fairly easily or we could go with a larger municipal firm that has multiple lawyers.

Alderson Chesney spoke about the numbers being reflective of contractual services but they do not include the services in the TIF districts and various other departments and that was how the administration had the spending authority and why we did the supplemental because the sum total within the entire budget was not exhausted. He explained that the dollars were re-appropriated under the legal department and that is how we got to the estimated \$380,000, not including any of the benefits packages.

Alderson McClanathan asked if the base numbers reported by Alderson Chesney if they included benefits.

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Aldersperson Chesney stated the base numbers that he was including did not include any benefits or any legacy costs. The only number that includes benefit and some legacy costs because the long term legacy pension is difficult because it is a moving target that goes into the pool but if you back out the vacation and the long term pension legacy costs, we will have spent \$451,350. He stated that does not include any of the departments that does not book under the legal and that does not include legal work under the TIF districts.

Mayor Gitz noted that when the Finance Department was asked for numbers today they came up with a completely different set of numbers. Mayor Gitz recommended asking the departments about the legal work done on a daily basis.

Aldersperson Ross spoke about his concerns of the corporation counsel being accessible. Mayor Gitz stated that is an unknown and it depends on the agreement of the firm and what services they offer and the staff they have.

Aldersperson Chesney asked if there are questions on the legal, costs savings and the implementation. He asked if there are concerns about the legality of the ordinance. He stated he provided to council members and the mayor a legal brief which outlined the particular case laws that support this particular change. He stated this has been practiced widely in the State of Illinois.

Aldersperson Koester stated he wants more research as to what our counsel does on a daily basis and what it would cost the City to have similar services performed by an outside firm to do the same thing. He asked whether there could be a cost comparison completed.

Aldersperson McClanathan requested this information from Aldersperson Klemm and Aldersperson Chesney. Aldersperson Klemm stated there are if's and but's in it and the outside firm could have a person sitting in this office and there are options on how to go with this. Aldersperson Chesney stated there is a compatibility approach and a cost approach. He stated you need to ask if there is a benefit of having it under one firm and one roof or is there a benefit of outsourcing this with eight, ten or twelve attorneys. He stated we are already using nine and does this make the City more efficient if we can put this under one roof. Rather than having nine different agreements with nine different firms. He stated we can give you estimates but it is largely dependent on how much you use this firm. He stated we need to be good stewards of the tax payer dollars and utilize services with some restraint. He spoke about different cities and different scenarios that this could be structured depending on the economics of Freeport. He estimated the savings to be upwards of \$100,000. He stated we are going to decide the "what" and the mayor is going to decide the "how" and this can be discussed further.

Aldersperson McClanathan asked if this affects the entire department. Aldersperson Chesney stated that is correct it dissolves the entire department.

Aldersperson Koester spoke about doing a cost comparison, what the corporation counsel does on a daily basis and what it would cost to farm that out. He stated the property taxes were cut \$640,000 and cutting personnel in this manner is not the proper way to cut that amount from the budget. There could be some tax increases that could be put into place to keep the services the way they are now.

Mayor Gitz stated we have a motion and second and asked if there was any further discussion.

Mayor Gitz requested from Aldersperson Chesney an itemization of his calculations because he does not see how he can come up with a figure of \$450,000, noting it was not from the Finance Department.

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Mayor Gitz stated there needs to be a comparison and further input from the departments how they use the corporation counsel. He spoke about his concerns about placing restrictions on how much you seek legal advice and they will end up costing the City much more in the end in litigation expenses. He spoke about being in support of ways to save money but it has to be a proven difference. Mayor Gitz stated the lawyer element of this City government is one of the most important functions that we utilize and Alderman McClanathan can affirm that as the Assistant State's Attorney. He stated the issues we are looking at with labor unions could cost the City. Mayor Gitz spoke about this being an unusual year for department expenses. He asked for a thorough review of what is going to serve the City's needs best going forward.

Alderman McClanathan spoke about his concerns about what is the best way for the City to go forward and he does not expect the discussion to end. He expects there will be further information reviewed going forward in the process.

Alderman Busker requested to see comparisons and he hopes the departments would be available for conversations over the next couple of weeks. He would like to find out what happens with the Legal Department and the other departments on a day to day basis.

The ordinance was automatically laid over to the next meeting.

RESOLUTIONS

RESOLUTION R-2016-10:

Resolution In Support Of Funding The a5 Branding And Digital Marketing Campaign (3/7/2016 version)

This resolution was referred from the Committee of the Whole on March 14, 2016.

Alderman Miller asked about the contract end of this and she is aware that the City would be a third party signature on this. Mayor Gitz stated that is his current understanding. She asked if that needs to be specified in this resolution. Mayor Gitz stated no. Corporation Counsel Griffin stated there is almost a contract done she has been working with Alderman Klemm and she has been dealing directly with a5 since Friday. There are a couple of questions she needs clarified by the City Council before that contract can be finalized. She stated there is one question that may affect the resolution.

Corporation Counsel Griffin asked that her understanding from what the council had said is that you are going to commit the \$20,000 and you are going to figure out how to do it starting with the next fiscal year beginning on May 1, so do you want the contract to reflect that date as the beginning date on the contract. Alderman Miller stated that is the understanding that she has.

Corporation Counsel Griffin asked whether the council would want to un-TIF the dollars in this resolution. Alderman Miller stated that is her question. Corporation Counsel Griffin stated because we had talked to a5 and NIDA about that as well.

Corporation Counsel Griffin stated the last question she has is the resolution itself has the appropriation language in it and that is the only thing that is not in the contract itself yet and then we are done with the contract.

Alderman Miller asked Mayor Gitz with that as far as the payment is concerned, this will not be something that is invoiced that it is instead a payment on a time schedule such as June 15, September 15 and December 15 for a third of the \$20,000 paid out at that time, so is that how you are looking at it. Mayor Gitz deferred to Corporation Counsel Griffin. She stated not quite, Alderman Klemm had worked out the language and some understandings

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with NIDA that yes they would be separately invoiced by a5; they would have the detail, but then they would invoice us along with that. She explained we need that for our auditors and accounting just so we have the full detail so then NIDA would invoice us the three times like you are saying. Corporation Counsel Griffin stated we would pay NIDA and they would pay a5, but just so we have the data.

Corporation Counsel stated it is up to the council to figure out if it will come from general fund expenses. Mayor Gitz stated that is not his advice. He stated we have already overstressed the general fund. He explained that the funds could come from the hotel motel tax. He explained that if you tie it to the TIF funds it creates extra work that most people are not interested in accounting for so there are ways to do it for this particular commitment. Mayor Gitz stated he is not going to pledge to anyone that the budget you are going to receive is going to include this in the general fund unless we can find ways to take care of the stress that exists on that fund. The general fund must take care of the City's most critical priorities in running City government. He spoke about funding sources from other organizations. The council has the final authority on the budget and they can appropriate funds they care to.

Aldersperson Miller asked if we should amend the 2016 Downtown TIF expenditures to remove the appropriation of \$5,000 for funding of a5. Mayor Gitz stated he has no objection to it. Corporation Counsel Griffin stated she would not amend the Downtown TIF budget because that is not on the agenda at this time. She recommended an amendment to the resolution. She referred to the line which stated be it further resolved after the \$20,000 where it says is to commit \$20,000 she would add "comma of non-TIF funding comma". She noted it could be amended before placing the resolution on the floor.

Aldersperson McClanathan made a motion to place Resolution #R-2016-10 using recommended revision 3-7-16 on the council floor for approval subject to recommended amendment by Corporation Counsel to commit non-TIF funds. This motion was seconded by Aldersperson Miller.

Aldersperson Koester spoke about his concerns for the cost and where we are as a City. He stated that we should check with other firms as to what they can do and it is premature to do this before we know where the City is going.

Aldersperson Brashaw disagreed and suggested to market people as a positive community for people to raise their families and to bring outside help to bring visitors. We live in a wonderful community and she refuses to be negative about this.

Aldersperson Chesney asked for leave of council to hear from NIDA director Dave Young. He asked Mr. Young if he is good with this version. Mr. Young stated yes.

Aldersperson McClanathan stated that the private sector has committed \$90-\$100,000 to this endeavor.

Aldersperson Klemm stated that we need to keep looking at the positive things and this was brought forward by the young people and these are the people that will be paying for it for a long time forward.

Upon no further discussion, Mayor Gitz requested a roll call vote to approve the resolution using version 3-7-16 with the amended wording. Motion prevailed by a roll call vote of:

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

Nays: Koester (1)

Resolution #R-2016-10 was adopted.

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RESOLUTION R-2016-12:

Resolution Accepting the Special Warranty For Public Transportation Funding FY 2017

Community Development Director Mills presented the resolution stating that this assures employee protection that accommodates the needs of participants in the Section 5311 program as agreed upon by the U.S. Department of Labor and the U.S. Department of Transportation. Alderperson Koester moved for approval of Resolution #2016-12, seconded by Alderperson McClanathan. Motion prevailed by a roll call vote of:

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

Nays: none

Resolution #R-2016-12 was adopted.

RESOLUTION R-2016-13:

Resolution Authorizing Submittal of a Combined Application For Section 5311 Non-Metro Public Transportation Capital/Operating Assistance and Downstate Operating Assistance Grant Funding (FY 2017)

Alderperson Koester moved for approval of Resolution #2016-12, seconded by Alderperson McClanathan. Motion prevailed by a roll call vote of:

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

Nays: none

Resolution #R-2016-13 was adopted.

RESOLUTION R-2016-14: Resolution For the May 1, 2016 Contract For The City's Healthcare Coverage (Self-Funded NIHP) – *see page 3 of the minutes as this item was moved forward on the agenda.*

OTHER

Northwest Illinois Development Alliance (NIDA) invoice for 3rd and 4th Quarter 2015 non-TIF (tax increment financing) related items in the amount of \$23,685.00

Mayor Gitz noted this item was presented at the last council meeting but it was dependent on the passage of the supplemental appropriation ordinance. This ordinance was passed this evening. Alderperson Koester moved for approval of a Northwest Illinois Development Alliance (NIDA) invoice for 3rd and 4th Quarter 2015 non-TIF (tax increment financing) related items in the amount of \$23,685.00, seconded by Alderperson Busker. Motion prevailed by a roll call vote of:

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

Nays: none

REPORTS OF DEPARTMENT HEADS

Fire

Fire Chief Miller reported that he needs to obtain quotes in order to move forward with the request to authorize purchase of two cardiac monitors for use in firetruck/ambulances for the Fire Department. He and his staff members will work to obtain the appropriate quotes and research for the equipment for the next meeting. He provided a written memorandum which provided that due to a closure of a local ambulance company he is anticipating shortage of available ambulances for emergency transports to the hospital. He explained on a daily basis, both of our ambulances are committed to emergency calls at the same time.

Alderperson Busker asked Chief Miller about his concerns of the closing of the ambulance company. Chief Miller stated he has come up with short term, medium range and long term goals and suggested council members contact him with any questions. He stated he is concerned about the response time in the mutual aid role of ambulance providers.

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Mayor Gitz stated the next item on the agenda is the discussion on sale of vacant fire station located at 1819 S. West Avenue, Freeport Illinois but at this time he is still waiting for the appraisal on the property and he should have it by the next meeting.

Police

Chief of Police Todd Barkalow provided information on the Civilian Police Academy that will begin on April 12, 2016. He noted the application is available on the website under the Police Department page and their Facebook page. He spoke about the curriculum as being very beneficial to learn the different roles of the police and judicial system. Alderperson Busker thanked Chief Barkalow for the public service announcement on the Police Facebook page about the graduated licenses.

Water and Sewer

Director Glendenning was present and had no report.

Community Development

Community Development Director Alex Mills thanked all involved with the emergency demolition of the property located on Blackhawk and Mosely. He stated it was a group effort including the Building Inspector, Fire Inspector, Fire Department personnel, Animal Control Officer, Public Works and the Police Department. He also thanked the Stephenson County Health Department. He also thanked David Dorsey and Sue Lambert of the Senior Resource Center for their assistance with the resident. Alderperson Koester spoke about receiving calls on that house for over six years now and it was just as full on the outside as it was on the inside. He commended Director Mills and everyone involved with this removal.

Public Works

Public Works Director Tom Dole provided a written report of functions including tree trimming and stump removal.

Alderperson McClanathan stated he will get together with Chief Miller regarding the emergency storm siren.

Mayor's Report

Mayor Gitz provided a report on demolitions and code enforcement and noted in the case of the most recent demolition the resident needed intervention. He stated that property had been cleaned up several times. He spoke about the dilemma of houses that have reached the point of no return and the only real task is to remove them from the housing stock. Mayor Gitz spoke about working with the county tax trustee on the direct transfer of the title. This should assist in transferring title to the not for profit. Mayor Gitz commended the opening of the Wagner House as a successful event. Alderperson Chesney requested review of parcels under the ownership of the City and how to get some of those properties removed from the City's ownership.

COUNCIL ANNOUNCEMENTS/NEW BUSINESS

Alderperson Chesney spoke about how he arrived to the numbers for the Legal Department in the amount of \$450,350. He referred council members to a budget presented by the Finance Department and dated 7/15/2015. He explained the total budget for the Legal Department was \$287,610. He then added the supplemental of \$102,000 which was just passed. He also added the pension costs and the benefits of both the paralegal and corporation counsel. He stated he estimated the benefit cost of the Corporation Counsel to be \$45,740 and he estimated the paralegal to be \$25,000 because that particular member was not listed on the Total Compensation Report. He noted these do not include what he referred to as legacy costs. That is how he arrived at the number of \$451,350.00 for this fiscal year. He stated that does not include the legacy cost of the pension and it does not

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include vacation or personal time. It does not include office space. Nor did it include the TIF districts or other expenses under the other departments. He would be willing to review the numbers.

Aldersperson Klemm announced that the "Madman" will be working on the shed teardown and they will be working on the landscape removals.

Aldersperson McClanathan spoke about the first draft of the budget. Mayor Gitz stated that will be ready for the Committee of the Whole in April. He thanked everyone for their work in getting the a5 resolution completed. He congratulated the Wagner House on their opening.

Aldersperson Ross encouraged people to continue to move Freeport forward.

Aldersperson Miller asked what we are doing to get the City Centre out of the impasse. Mayor Gitz commented on emails from today and noted they are moving forward to comply with the City's purchasing policy. She asked if there can be a round table discussion of the budget in an informal setting. Mayor Gitz requested Aldersperson Miller contact him to schedule this and discuss it further.

Aldersperson Brashaw provided information on the Neighborhood Watch meeting to be held at the Schwarz Funeral Home on Park Boulevard on Tuesday evening. She reminded citizens to pick up the trash, especially if people are out for a walk.

Mayor Gitz reminded people not to put brush out to the curb because it will not be picked up.

Aldersperson Koester stated that the ABATE chapter had a 30th anniversary on Saturday evening. There will be a meeting about fireworks tomorrow and they will have collection buckets out soon. There will be a website called freeportfireworks.com and this will have information on the activities and entertainment.

Aldersperson Koester spoke about phone calls he has received from constituents upset about the hostile environment of the City Council, the arguments with the mayor, arguing with corporation counsel, the treatment of the special counsel and even reprimanding one of the department heads on council floor. He stated the people out there in the community are watching and they are not happy about it. We are supposed to be leaders in the community. What one or two of us does reflect on all of us and this entire council. He stated he hopes that we can act like leaders that we are and start doing things in the manner appropriate for our position.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

Tom Teich, Freeport Illinois, spoke about the celebration he wants to have for the demolition of the Oky Doky.

Upon a motion duly made and seconded, the meeting was adjourned at 8:32 PM.

s/ Meg Zuravel

Meg Zuravel
City Clerk