



City Council

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

MINUTES

COUNCIL MEETING

MONDAY, OCTOBER 3, 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, October 3, 2016.

ROLL CALL

Present on roll call: Mayor Gitz and council members Tom Klemm, Peter McClanathan, Art Ross, Jodi Miller, Patrick Busker, Sally Brashaw, Michael Koester and Andrew Chesney (8).

There was no contract attorney present at this time.

Also present were the following staff members: Finance Director Guary Bernadelle, Community Development Director Alex Mills, Public Works Director Tom Dole, Fire Chief Scott Miller, Police Chief Todd Barkalow, Water & Sewer Executive Director Tom Glendenning, City Engineer Shaun Gallagher, City Treasurer Linda Buss, and City Clerk Meg Zuravel

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson McClanathan.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Alderperson Koester moved for approval of the minutes from the meeting held on September 19, 2016, seconded by Alderperson Busker. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

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

CONSENT AGENDA

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

- A. Approval of Motor Fuel Tax Register #0088 --- \$890.80
- B. Approval of Motor Fuel Tax Register #0089 --- \$74,352.53

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- C. Approval of Motor Fuel Tax Register #0090 --- \$20,907.41
- D. Approval of Water & Sewer Bills Payable (Registers #640 & 643) --- \$1,658,635.48
- E. Approval of Payroll for pay period ending September 17, 2016 --- \$418,630.99 with fringe benefit payments in the amount of \$35,207.53 for a total of \$453,838.52
- F. Approval of Finance Bills Payable (Registers #636, 637, 639, 641, 642, 645, TBA) ---\$483,233.25

Aldersperson Miller requested discussion on the invoices presented for Bernie Mrugala. Mayor Gitz stated we will remove those for separate consideration.

Mayor Gitz requested a motion for approval of the Consent Agenda with the exception of the Bernie Mrugala invoices excepted. Aldersperson Brashaw moved for approval of the consent agenda, seconded by Aldersperson McClanathan. The motion prevailed by a roll call vote of:

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

Nays: None

Aldersperson Miller requested information on the invoices presented for Bernie Mrugala shown on Consent Agenda item F (board list prepared September 28, 2016) for his work as the Finance Consultant. She noted the invoices date back four months and total \$26,000. She asked if he was still working here since we have a Finance Director, a deputy accountant and a treasurer. Mayor Gitz stated Mr. Mrugala has completed all work for the City and most of the work was related to the audit and reconciliations of the Locis System of which he is quite proficient. Finance Director Bernadelle provided information on the billing of the invoices and stated that Mr. Mrugala chose to invoice all at once. He knows he was working many more hours than what he charged the City because he was with him well into the evenings often times until 9:00 pm but he only billed for eight hours. He redesigned the Locis software in an effort to clean it up and he assisted with training of the Finance Director on the system.

Aldersperson Miller moved for approval of the Bernie Mrugala invoices, seconded by Aldersperson Koester. The motion prevailed by a roll call vote of:

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

Nays: None

The consent agenda items were approved.

At this time, Michael Phillips, Esq. as Contract Attorney representing the City of Freeport entered council chambers.

COMMUNICATIONS AND WRITTEN REPORTS (TO RECEIVE AND PLACE ON FILE)

Provided in the council packet were the following reports.

- A. Report 1 of 2 Financial Highlights of General Fund as of August 2016
- B. Report 2 of 2 Financial Highlights of General Fund as of August 2016
- C. Report of Financial Highlights of Library as of August 2016
- D. Report of Financial Highlights of Water, Sewer and Storm Sewer as of August 2016
- E. Freeport Elected Official's Salary providing history and possible scenarios for compensation
- F. Municipal Salary Comparable Spreadsheet dated September 2016

Mayor Gitz stated we will hear from Finance Director Bernadelle to review items A through D.

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Director Bernadelle stated he provided to council a visual of the numbers for the revenue and expenses of the City. In the report under the heading of revenue, as of August 31, 2016, there were 42.77% of revenues collected compared to 24.09% collected last August. Most of the money came from tax collections: Property, Food & Beverage, Electricity, Natural Gas, Telephone, General Sales, and Video Gaming. He stated it is important to note that 27% of the collected revenues came from Debt Proceeds. The net collection for August 2016 is 31.15% compared to last year 24.09%. Since 51% of the collected revenues came from the Tax Collections, the pie chart below gives a breakdown of the tax revenue collections. Property Replacement Tax and Income Tax are not mentioned in this section because they are captured under Intergovernmental Section. The pie chart showed the following breakout for revenues: Property 32%, Food & Beverage 5%, Electricity 3%, Natural Gas 1%, Telephone 4%, General Sales 53%, and Video Gaming 2%.

Director Bernadelle stated he provided to council a visual of the numbers for expenses of the City. As of August 2016, expenditures should be at 33% of the Spending Plan. We spent \$5,895,604.39 (27.36%). Coincidentally, at the same time last year we spent \$ 5,860,575.35 (27.77%). The fact that expenses appear to be where they are supposed to be, we have to have caution that some invoices/bills may have not yet been turned over to accounting. He noted that 74% of expensed are related to Fire and Police Departments. Interdepartmental accounts for 7% of expenses. Most of the 7% goes to pay for COBRA (Retirees) and General & Auto Liability Insurance. Director Bernadelle explained in Department 63, line 01-63-591 is over budget and this is for a firework's donation check which has since been received and deposited in the bank in September.

City of Freeport, IL Four Months Summary Report FY 2016-2017 as of August 31, 2016

TOTAL REVENUE	9,235,753.12
TOTAL EXPENSES	5,895,604.39
GAIN/LOSS	3,340,148.73

Summary of Expenses by category

PERSONAL SERVICES	\$2,628,933.88	45%
PERSONAL BENEFITS	\$2,361,277.78	40%
CONTRACTUAL SERVICES	\$634,537.21	11%
COMMODITIES	\$186,141.06	3%
CAPITAL OUTLAY	\$23,973.00	0%
OTHER FINANCING SOURCES (USES)	\$60,741.46	1%
Grand Total	\$5,895,604.39	

Director Bernadelle explained that 85% of expenditures for the City are for salary and benefits of employees with 42% coming from the Police Department and 32% from the Fire Department. Alderperson Koester requested information as to how much of the dollars expended for the Fire Department comes from the Fire Capital Improvement Fund. Director Bernadelle stated he does not have that amount with him and he can prepare it for the next meeting.

**FREEPORT ELECTED OFFICIAL'S SALARY PROVIDING HISTORY AND POSSIBLE SCENARIOS FOR COMPENSATION
AND MUNICIPAL SALARY COMPARABLE SPREADSHEET DATED SEPTEMBER 2016**

City Clerk Zuravel explained the following reports: E) Freeport Elected Official's Salary providing history and possible scenarios for compensation and F) Municipal Salary Comparable Spreadsheet dated September 2016. She stated the reports were compiled by Deputy Clerk Diane Kahly after extensive research on other municipalities in order to provide a picture of what other municipalities provide for salary for part-time or full-time mayor, city

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manager, city administrator, clerk, treasurer, and council members. She noted each municipality is different and duties can vary by person.

Aldersperson McClanathan stated the report was quite comprehensive and provided the information needed by the City Council. He thanked those who worked to develop the report and for their time to compile.

Aldersperson Koester asked about possible additional maintenance that is needed for the rehabilitation of 314 W. Stephenson and asked about the progress of a couple of the windows which were not included in the initial budget. He asked if City Engineer Gallagher had a chance to do a report and provide the costs. Mayor Gitz stated we can provide that information or give additional tours.

APPROVAL OF REQUEST TO TRANSFER FUNDS FROM CONTINGENCY

Finance Director Bernadelle provided an action item to request to transfer funds from contingency in the amount of \$18,550 for line item 31-02-720 of Fund 31 to pay for repairs to the roof of the Police Department. He explained that on June 20, 2016, the City Council approved a bid of \$48,550.00 from Freeport Industrial Roofing, Inc. for repairs on the Police Department roof. The Appropriation Ordinance that was passed under line item 31-02-720 of Fund 31 provided for a Spending Plan amount of \$30,000, Contingency of \$20,000 and a total Appropriation of \$50,000.

Chief Barkalow explained to save the City money the Police and Fire jointly bid their roof repairs and the bid was approved shortly before the Appropriation Ordinance knowing that part of it would need to come out of contingency.

At this time in order to pay the bill, Director Bernadelle requested council approve use of \$18,550 from the contingency fund. Aldersperson Koester moved for approval of the request, 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

RESOLUTIONS

ADOPTION OF RESOLUTION R-2016-48: A RESOLUTION AUTHORIZING EXECUTION AND AMENDMENT OF DOWNSTATE OPERATING ASSISTANCE GRANT AGREEMENT (FY 2017)

Community Development Director Alex Mills presented Resolution 2016-48 Authorizing Execution and Amendment of Downstate Operating Assistance Grant Agreement (FY 2017). Director Mills stated the City of Freeport has previously applied for Downstate Operating Assistance Program (DOAP) funding from the State of Illinois for use in operating Pretzel City Area Transit in fiscal year 2017. The grant application has been approved by the Illinois Department of Transportation (IDOT) and a resolution authorizing the Mayor to sign the grant agreement is required for acceptance. The 'Amendment' of the DOAP agreement as referenced in the resolution refers simply to new grant accountability rules and regulations that the State of Illinois has put in place for each and every grant program. These rules and regulations are a part of the Grants Accountability and Transparency Act, or GATA. Aldersperson Koester moved for approval of Resolution #2016-48 as presented, seconded by Aldersperson Klemm. Aldersperson McClanathan noted a scrivener's error on the date for signing of the resolution. Mayor Gitz stated we can correct the resolution on its face. The motion for adoption of the resolution prevailed by a roll call vote of:

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

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Nays: None

Resolution R-2016-48 was adopted.

ORDINANCE IN DRAFT FORM FOR COMPENSATION ELECTED OFFICIALS

REVIEW OF DRAFT ORDINANCE ESTABLISHING THE COMPENSATION OF THE MAYOR, THE CITY CLERK, THE CITY TREASURER AND THE CITY COUNCIL BY AMENDING VARIOUS SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT ILLINOIS

Mayor Gitz stated this item was requested by Alderperson McClanathan and Klemm and a draft ordinance was provided in the packet by Contract Attorney Phillips. He stated the intent is not to approve this tonight but to allow for discussion on the subject.

Attorney Phillips stated one of the issues is that the current law sets the salary through April 30, 2017. It anticipates that the new term would begin on May 1, 2017. The City Council sought to delay the beginning of the term to May 15, 2017. He stated the question comes up as to the payment for the two week period from May 1, 2017 to May 15, 2017. The new term does not start until May 15th and this draft ordinance would set the salary from the date the term begins. Our current ordinance ends the payment period on April 30, 2017. There is a fifteen day or two week time period that is a gap between that so the question is are the current elected officials going to work the two week period and do they get paid for the two week period. Their payment for elected service ends on April 30, 2017 as written currently.

Alderperson McClanathan referred to the draft ordinance of the mayor, clerk and treasurer and asked if there were any salary changes or are we leaving it open at this point. Attorney Phillips stated he did not place into the ordinance any numbers for the upcoming term. Alderperson McClanathan asked if the clerk, treasurer and council could be split out from the Mayor and then we could discuss two forms on the mayoral one after the election for the referendum. Mayor Gitz clarified so you are asking for two separate ordinances. Attorney Phillips stated you can always amend an ordinance to break it down into separate ordinances so you don't have to do it at the same time.

Alderperson Miller stated she is confused because she thought based on our last discussion there was going to be an option A and option B. She thought perhaps the council could have a roundtable discussion like we did with the budget so we can talk about both scenarios. Alderperson McClanathan stated for the mayor's salary he would like to have a couple of options and he recommended referring it to the Committee of Whole.

Alderperson Chesney asked about the clerk's salary now that there is a full time Deputy Clerk. City Clerk Zuravel stated as she reviewed the information on the salary charts provided to the City Council it noted the salary paid by the City of Freeport are comparable and slightly less than other municipalities. There are examples where the salary of the clerk is higher but in most cases in discussions held with other clerks in Northwest Illinois Municipal Clerk's Association the duties are comparable to Belvidere and Sterling. She recommended a 1.5% to 2.0% then you will be able to get a qualified person to run for the position. She stated the job duties have not been reduced but the work load has been made better because of the Deputy Clerk so she is not working the twenty hours extra each week that she was working. Alderperson Chesney noted on the spreadsheet that there are part time clerks making \$4,500 to \$7,300 and it would appear that the City of Freeport is the highest paid clerk. City Clerk Zuravel noted in those cases the duties that she performs during the week are performed by the Deputy Clerk and the City Clerk only attends the Council Meetings and does the minutes. She emphasized those other municipalities have Deputy Clerks performing the other duties and most of them have two.

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Aldersperson Miller recommended freezing the salary because if you look at Belvidere the mayor is making \$71,000. If you look at the numbers, our mayor gets paid more than comparable populations. She noted that she does not recommend an increase at this time. She stated if you look at the City Treasurer most of the duties are fulfilled by the Finance Director or they have moved that position to part time. She asked if we should consider moving the treasurer position to a part time staff.

Aldersperson Koester asked to review the duties of the City Treasurer before there is consideration of moving the duties to the Finance Director. He asked to have this information presented at the Committee of the Whole.

Aldersperson Chesney read aloud sample salaries of governors. He stated as long as the constituent's salaries are not going up then he is not going to give elected officials a raise.

Aldersperson Klemm stated that if you have a City Manager then the part-time mayor generally works about sixteen hours per week.

Aldersperson Brshaw provided a sampling of municipalities within the same population range as Freeport and averaged the salaries. She reviewed the salaries with 23,000 to 27,000 populations. She highlighted the municipalities with all the information. She did a statistical analysis on a sampling of 10 within that range and the City Manager average salary came out to \$134,400 and a part time Mayor at \$27,000 (she was not sure how many hours that is). She stated the council member average salary was \$7,560 and she noted a few of them were paid per meeting such as Westmont who is paid \$100 per meeting so if you had three meetings a month that would be \$300 per month or \$3,600 per year where Elmwood pays council members \$12,000 per year. She stated all the municipalities are different with some having fourteen council members and some with seven.

Aldersperson Miller asked what was approved in July for the non-bargaining salaries. City Clerk Zuravel stated there has not been a raise for non-bargaining this fiscal year.

Aldersperson Chesney asked if there was money in contingency for non-bargaining. Mayor Gitz answered yes and the reason we have not done that is because we are in the middle of two crucial labor negotiations and we have talked to council about the timing of this. Mayor Gitz stated, in any event, the issue before you is not what we are doing with the non-bargaining, it is elected officials.

It was requested by Aldersperson McClanathan to place this item on Committee of the Whole for further discussion. Mayor Gitz stated we can put this item on the agenda. He stated we will take into consideration the possible bifurcation on this issue and there was an additional request from Aldersperson Koester to have a report of job duties by Treasurer Buss.

OTHER

REPORTS OF DEPARTMENT HEADS

PUBLIC WORKS

To approve or reject the Award of Bid for the purchase of two (2) 2017 350/3500 Two Wheel Drive Cab & Chassis Truck with 10' Flatbed in an amount of \$32,613.19 each for total of \$65,226.38

Public Works Director Tom Dole reviewed the bid tabulation and noted that only one bid was received although it was provided to seven vendors. He recommended that we accept the bid from Barkau Automotive in the amount of \$32,613.19 for each vehicle. The Fund #31, Capital Equipment Fund had an amount of \$70,000 budgeted for

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these two vehicles. Council members stated their disappointment in having one bid. They asked for further information on how the truck specifications were provided for the bidding.

Aldersperson Klemm moved to reject the bid and to require a re-bidding. This motion was seconded by Aldersperson Koester. Motion prevailed by a roll call vote of:

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

Nays: McClanathan (1)

Aldersperson Chesney requested to explore used vehicles.

Public Works Director Tom Dole stated that he placed in the specifications white or yellow but he did not leave it wide open because there was a listing of specifications as to the engine, torque, wheel base, size and all that was very specific. There were a few things left open for a truck that may be available on a lot. He stated the specifications that he used were similar to another bid for trucks.

Director Dole stated he provided activity reports to the council members.

Community Development

Community Development Director Mills provided information on the Planning Commission and Board of Zoning Appeals upcoming meetings. Both meetings will be held on October 6, 2016. Discussion was held on the storage of material in the Rawleigh building as a holding spot for the decomposition of houses. Director Mills provided information on the status of Pretzel City Kitchen. He stated they are working on by-laws and they have not purchased equipment.

Finance

Finance Director Bernadelle stated he received a large invoice and it was from Bowen Oil Company for \$14,000. He noted it will be paid but he wanted to let the council know because it will be paid before the next meeting and is for fuel payments for our fleet.

Aldersperson Miller thanked Director Bernadelle for the reports and complimented him on the work he is doing.

Water and Sewer

Water and Sewer Executive Director Tom Glendenning provided information on lead and copper three year test program across the City of Freeport focusing on educational and childcare facilities. He reported that our sites are below the percentiles approved by the Illinois Environmental Protection Agency for water quality. The Water and Sewer Commission will continue evaluation of the plumbing needs of the facilities. It will take them well into the next year to test over thirty sites and complete the database.

Director Glendenning reported Pearl City Road progress of the 800 feet of water main to complete the loop for the water main. He noted there will be intermittent shut down of traffic but it is necessary for safety of the workers.

Director Glendenning reported the project for the biological aerator filters is beginning construction next week. The fabricator will be here next week to deconstruct the old blowers. This is a major tertiary process requiring compliance. He noted it should be November before they can begin to bypass the system.

Director Glendenning reported the crews will be performing hydrant flushing throughout the City and they will also work on sanitary collection cleaning. This is a good time of year to accomplish this before leaf pick-up season.

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Director Glendenning also provided an update on a storm sewer collapse all the way down Cherry between Stephenson and Main. Because of an issue with flowable fill put there by an adjacent service, the project has turned into a total rebuild of the storm sewer. They will do a temporary patch for the winter and will begin a total rebuild project including a twelve inch line and a new street for next year. They need to work on finding funds for the project.

Alderman Brashaw complimented the Water and Sewer Commission on the work and customer relations to communicate to the constituents to keep them informed throughout Ward 6.

Alderman McClanathan requested further information on the project on Cherry. Director Glendenning explained because the project involves a total rebuild from each curb line and includes major utilities and fiber optics it is very extensive. It also involves storm sewer so they need to evaluate and cost estimate the project for next spring. He estimated the project will cost three times as much as initially expected.

Police

Chief of Police Todd Barkalow provided information on the Conversations over Pizza to be held at Lincoln Douglas School on October 5, 2016 beginning at 5:00 pm. He will also attend the Special Olympic banquet that same evening. He stated the 9-1-1 Consolidation Committee will meet on October 12, 2016. Chief Barkalow provided a brief overview of the progress to limit heroin on the streets.

Fire Department

Fire Chief Scott Miller reported the firefighters assisted with an MDA boot drive and collected over \$8,000.

Alderman Koester requested a report on how much mutual aid of ambulance over the last three months has been needed. Chief Miller stated he will pull the statistics.

MAYOR'S REPORT

Mayor Gitz stated two of the items of greatest concern will be covered in Executive Session. He will discuss salary with Alderman Chesney and whoever else wants to discuss.

Alderman Chesney requested a presentation on the project located at Westport Village. Mayor Gitz stated perhaps they can provide an overview of their project at an upcoming meeting. Alderman Klemm and Brashaw provided information on the project as it was touched on at their neighborhood watch meeting.

COUNCIL ANNOUNCEMENTS/NEW BUSINESS

Alderman Ross welcomed in the 3rd Ward a new grocery store on Stephenson, a hair care products retail establishment with a barber shop by the fire station. He stated in the downtown there is a new boutique and bike shop recently opened.

Alderman Ross asked for information on having street lights fixed. Director Dole explained that calls need to be put into ComEd. He can also call the street department. He stated it helps for ComEd to hear that address two or three times so they can respond. Alderman McClanathan stated on the ComEd website they have a form for people to complete for service calls.

Alderman Ross stated there is a Neighborhood Watch meeting for the 3rd Ward on October 20, 2016.

Alderman Koester provided a progress report on the 2017 Sky Concert. They are finalizing procedures for fundraising. They have had interest by a number of businesses that want to be involved. He spoke about the

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musical portion of the program and whether they will enter into a contract with a radio station. He noted they are working on a date for 2017 and he is working with the Fair Board with a possible date of July 2, 2017. They are also negotiating a date for 2018 and hope it can be on the 4th since the fair is scheduled for the following week. The committee meets the fourth Wednesday of the month at 4:00 pm and people are welcome to volunteer and attend.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

Tom Teich provided information on a Special Olympics Banquet to be held on Wednesday and noted Chief Barkalow will be present.

City Clerk Zuravel provided information from the City of Freeport website to call ComEd about street light outages. That number is 1-800-334-7661 or 1-800-Edison-1.

Executive Session (Closed Session) Pursuant to 5 ILCS 120/2

The following was read aloud by Mayor Gitz for calling an executive session:

- 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
- 5 ILCS 120/2 (c) (2) – Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees

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

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

Nays: none

At 9:18 p.m., Alderperson Koester made a motion to return from executive session, seconded by Alderperson McClanathan. The motion prevailed by a roll call vote of:

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

Nays: none

Absent: Klemm

Upon a motion duly made and seconded, the meeting was adjourned at 9:21 PM.

s/ Meg Zuravel

Meg Zuravel
City Clerk