



City Council

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

MINUTES

COUNCIL MEETING

MONDAY, NOVEMBER 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, November 21, 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).

Also present was Contract Attorney, Michael Phillips, Esq.

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, Deputy Chief of Police Matt Summers, Water and Sewer Executive Director Tom Glendenning, City Treasurer Linda Buss, and City Clerk Meg Zuravel

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Brashaw.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Alderperson Brashaw moved for approval of the minutes from the meeting held on November 7, 2016, seconded by Alderperson Koester. Motion prevailed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

- Todd Weegens, Freeport, Illinois, spoke in support of the ordinance setting up a transition committee for hiring of a City Manager.
- Jim Berberet, resident of Freeport, Illinois spoke in support of the ordinance setting up a transition committee for hiring of a City Manager.
- Gary Quinn, resident of Freeport, Illinois spoke in support of the ordinance setting up a transition committee for hiring of a City Manager.

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- Dave Fonda, resident of Freeport, Illinois, spoke in support of the ordinance setting up a transition committee for hiring of a City Manager.
- Andrew Crutchfield, resident of Freeport, Illinois asked for support of the Amity toy drive. He has asked for drop off locations at the three Fire Stations, the Police Station, and City Hall.

PRESENTATION OF 2015-2016 AUDIT BY AUDITORS LAUTERBACH AND AMEN, LLP

- [City of Freeport Management Letter for the Fiscal Year ended April 30, 2016](#)
- [City of Freeport Financial Audit Report for the Fiscal Year ended April 30, 2016](#)

Provided in the packet were copies of the audit report for fiscal year ending April 30, 2016 by Lauterbach and Amen LLP. Also provided was the management letter. Mr. Matt Beran of Lauterbach and Amen, LLP presented both documents and reviewed the contents.

Mr. Beran reviewed for the council the audited financial report from the year end April 30, 2016 and noted it was free of material misstatement so that means the numbers are what they say they are. This opinion page included the following "In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Freeport, Illinois, as of April 30, 2016, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America."

Mr. Beran referred the council to the section marked as "Management Discussion and Analysis" and noted this is the page that is a summary of what happened during the year. This section included the following excerpt: "The City of Freeport's net position decreased as a result of this year's operations and the implementation of GASB Statement No. 68. Net position of the governmental activities decreased by \$3,273,743 or 17.8 percent. Net position of business-type activities decreased by \$2,259,346, or 5.6 percent. During the year, government-wide revenues for the primary government totaled \$35,081,998 while expenses totaled \$38,355,741, resulting in a decrease to net position of \$3,273,743. The City's net position totaled \$15,157,591 on April 30, 2016, which includes \$42,686,079 net investment in capital assets, \$5,975,358 subject to external restrictions, and (\$35,503,846) unrestricted net position that may be used to meet the ongoing obligations to citizens and creditors. The General Fund reported a surplus this year of \$388,167 resulting in ending fund balance of \$6,398,977 an increase of 6.5 percent."

Mr. Beran reviewed the information in the section marked as Government – Wide Financial Analysis contained on pages marked as MD&A 4 and 5. He explained the net pension liability has been funded at 90% for the Police Pension Fund and funded at 75% for the Fire Pension Fund. He explained the statements on pages 8, 9 and 10 noting a net change in fund balances. He noted the City's refunding of the 2006 Bonds will result in a savings of \$675,000 throughout the remaining life of the bonds.

Included in the management letter was successful completion of items noted in last year's audit. There were fourteen recommendations last year and seven items have been implemented and seven are in progress. Items noted implementation or in process will not be repeated in the next audit including; Account Reconciliation, Collateralization of Deposits, Accounting Software, Fund Balance Policy, GASB Statement No. 67 Financial Reporting For Pension Plans and GASB Statement No. 68 Accounting and Financial Reporting For Pensions, Grant Administration, Credit Card Purchases, Bank Reconciliations, Funds Over Budget, and the item on Funds With Deficit Net Position.

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Recommendations for Fiscal Year Ending April 30, 2016 included Capital Asset Record Keeping and Appraisal, Policy and Procedure Manual, Segregation of Duties, and Fund Structure-Collapsing Funds.

Council members were provided the opportunity to ask questions and review the information within the audit report and management letter.

Aldersperson Klemm moved to place the Financial Audit Report and the Management Letter for Fiscal Year ended April 30, 2016 on file, seconded by Aldersperson Brashaw. Motion prevailed by voice vote without dissent.

COMMUNICATIONS TO COUNCIL FROM CITY TREASURER LINDA BUSS INCLUDING:

- [Memorandum regarding Fire and Police Pension Tax Levy Requests November 14, 2016](#)
- [Firefighters' Pension Fund Actuarial Valuation Report for FY May 1, 2016 to April 30, 2017](#)
- [Required Reporting by the Firefighters' Pension Fund as of April 30, 2016 Fiscal Year End](#)
- [Police Pension Fund Actuarial Valuation Report for FY May 1, 2016 to April 30, 2017](#)
- [Required Reporting by the Police Pension Fund as of April 30, 2016 Fiscal Year End](#)

City Treasurer Linda Buss presented the above stated reports from each pension fund that are necessary to request the tax levy dollars for the pension funds. She explained the first report is the Actuarial Valuation completed by our Actuary, Art Tepfer of T.C.F. Public Consulting, Ltd. By State Statute our tax levy must be developed by an enrolled actuary.

City Treasurer Buss explained on page seven of the Fire Report, it shows the Recommended Minimum Contribution request of \$1,343,021. This number is what is being requested by the pension board and is based on Entry Age Normal Cost valuation and incorporates the 100% target funding as suggested by GASB (Governmental Accounting Standards Board). On that same page is the Statutory Minimum Contribution which incorporates the 90% target funding as stated in State Statute of \$932,393.

City Treasurer Buss explained on page 7 of the Police Report, it shows the Recommended Minimum Contribution request of \$2,249,433 as requested by the pension board as well as the Statutory Minimum Contribution of \$1,392,228.

Also included for both is the "Required Reporting to Municipality by Pension Board" which is required by State Statute. That report pulls together a variety of key information about each fund. It also includes a copy of each fund's investment policy. These reports must be presented to the City Council prior to the final vote on the tax levy.

Aldersperson McClanathan moved to place the above stated reports for the Police and Fire Pensions, seconded by Aldersperson Busker. Motion prevailed by voice vote without dissent.

CONSENT AGENDA

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

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A. Approval to receive and place on file:

- 1) City Treasurer's Monthly Investment Report for period ended October 31 2016
- 2) Police Activity Report for October 2016
- 3) Fire Activity Reports for October 2016

B. Approval of Motor Fuel Tax Register #0093 --- \$4,420.50

C. Approval of Water & Sewer Bills Payable (Registers #669, 673, 674) --- \$1,160,144.36

D. Approval of Payroll for pay period ending November 12, 2016 --- \$403,560.75 with fringe benefit payments in the amount of \$34,548.88 for a total of \$438,109.63

E. Approval of Finance Bills Payable(Registers #670, 671, 672, 675, TBA) ---\$1,268,981.13

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

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

Nays: None

The consent agenda items were approved.

APPOINTMENT TO HOUSING AUTHORITY BOARD

Aldersperson Chesney moved for acceptance of an appointment of Roger Schulz to the Housing Authority Board effective immediately through October 31, 2017, seconded by Aldersperson Klemm. Mr. Schulz introduced himself to the council and stated he is looking forward to serving on the Housing Authority Board. Aldersperson Brashaw thanked Mr. Schulz for serving and hopes he enjoys his position. 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 #2016-57:

An Ordinance Amending Chapter 1252 – Business Districts, Section 1252.01 (B1-1 Restricted Use Retail District) of the Codified Ordinances of the City of Freeport

The first reading was held on November 7, 2016. A motion to adopt was given by Aldersperson Koester, seconded by Aldersperson Chesney and the ordinance was automatically laid over to tonight's meeting.

Director Mills stated a question was brought up last meeting by Aldersperson McClanathan. He and Special Counsel Phillips discussed the issue and an additional line should be inserted to clarify that the animal shows, etc. use can happen outside a building or structure, such as in an empty parking lot. The suggested wording is as follows shown by double underline:

“(63) Temporary animal shows or animal exhibitions (petting zoos or similar) may be operated as a permitted use in accordance with the provisions of Chapter 870 for a period not to exceed five (5) consecutive days to include set up and tear down. Such use is not required to occur within a structure or other building.”

Aldersperson Brashaw moved to adopt the amendment as presented by Director Mills, seconded by Aldersperson McClanathan. Motion prevailed by voice vote without dissent.

Upon no further discussion on second reading, the ordinance was passed by a roll call vote of:

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

Nays: None

Ordinance #2016-57 was passed.

Mayor Gitz requested leave of council to move to item number 13 for the City Risk Management consideration.

CITY RISK MANAGEMENT CONSIDERATION

CONSIDERATION OF INSURANCE PREMIUM QUOTES FOR RISK MANAGEMENT AND POSSIBLE APPROVAL OF IMLRMA EARLY DISCOUNT INVOICE (SEE RESOLUTION R-2016-53)

[View City of Freeport Insurance Options for 2017 dated November 17, 2016](#)

ADOPTION OF RESOLUTION R-2016-53:

Resolution Authorizing The Execution Of The IMLRMA Guaranteed Cost Agreement For The Year Beginning On January 1, 2017

Mayor Gitz introduced Eric Little, Membership Specialist for the IML Risk Management Association. Mr. Little stated the IMLRMA was designed so municipalities could obtain insurance. They created the public entity pool for local municipalities over thirty years ago. They understand unique exposures like law enforcement, fire departments, and water treatment plants. They provide loss control program to help a municipality prevent losses and to minimize the cost of losses that occur. Due to unique exposures like police officers, fire fighters, and water treatment plants, municipalities face many distinct loss control challenges. All municipalities, regardless of size, can strengthen safety and loss control programs to protect lives, control costs, and safeguard assets and a representative from IMLRMA performs visit throughout the year of different sites to assist with loss control measures.

Mr. Little stated the IMLRMA will extend the discount to the first meeting in December per Brad Cole. The council was provided multiple reports showing a proposal of insurance coverage from Illinois Risk Management Trust (ICRMT) and the comparisons of coverage between them and IMLRMA.

Aldersperson Klemm moved to postpone action on this item until the December 5, 2016 City Council meeting. This motion was seconded by Aldersperson Koester. Motion prevailed by voice vote without dissent.

Mayor Gitz requested council members to forward questions and key considerations to his attention. He also asked if the council members would want to review this information in an informal setting to let him know.

Aldersperson McClanathan requested review of the minimum/maximum options. Mr. Little noted those municipalities who chose the min/max option also set aside dollars in a separate fund for higher deductible payments. He noted there is a potential for higher costs based on claims. Aldersperson Koester requested to receive the min/max information before the December 5th council meeting.

ORDINANCES – FIRST READING

1st READING OF ORDINANCE #2016-58:

An Ordinance for the Levy and Assessment of Taxes For The Fiscal Year Beginning May 1, 2016 and Ending April 30, 2017 for the City of Freeport, County of Stephenson and State of Illinois (0% Tax Levy Option)

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Mayor Gitz stated the council had significant discussion of the levies at the Committee of the Whole meeting and although there were no recommendations to the City Council, it is on first reading as 0% tax levy over last year.

Director Bernadelle stated he used 90% State Statute funding level to fund the pensions similar to last year. The bottom line levy numbers will remain the same as last year so the overall levy is a 0% change.

Presented in the council packet was the following chart which summarizes the numbers contained within the Ordinance #2016-58. The amount to be levied is \$2,448,041 for the City of Freeport including pension funds and IMRF (Freeport Public Library has a separate levy).

Tax Levy Calculation
2016
Statutory Minimum Contribution

I went back to 2010, the Max. Replacement Tax \$ received has been 473,790.
 Est. 2017 Replacement Tax is \$ 389,792 (433,102 x 90%). 10% goes to the Library
 Using current year est. number.

	Annual Contribution	MAX Contribution From Rep. Tax	Corporate Fund Additional Contribution	Current Tax Levy	Previous Year Tax Levy	% Change
Firefighter's pension contribution	932,393	206,603	170,535	555,255	555,255	0.0%
Police pension contribution	1,392,228	183,397	-	1,208,831	1,208,831	0.0%
IMRF	278,000	-	63,705	214,295	214,295	0.0%
Corporate				469,660	469,660	0.0%
	2,602,621	390,000	234,240	2,448,041	2,448,041	0.0%

- Library will levy for IMRF separately
- Max Rep. Tax \$ 390,000.00. Corporate has to pay an additional \$ 130,524. A total of \$ 234,237

Tax Cap Limitation
 3.0%

	Est. 0% increase
Estimated assessed value	210,219,201
Estimated tax rate	0.0116452
Previous year's tax rate	0.0116454

Effect on \$100,000 home If the EAV of the home does not change		
Amount of Tax	Dollar Increase	% Increase
388	0	0.0%
388		

Aldersperson Koester moved for approval of Ordinance #2016-58 as presented, seconded by Aldersperson Busker.

Aldersperson Klemm stated the City has remained at a zero levy for a period of time. We have reached out to the other taxing bodies and asked them to hold the line as small as they can on their levies as well.

The ordinance was automatically laid over to the next meeting.

1st READING OF ORDINANCE #2016-59:

An Ordinance for the Levy and Assessment of Taxes For The Fiscal Year Beginning May 1, 2016 and Ending April 30, 2017 for the Public Library of City of Freeport, County of Stephenson and State of Illinois

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Contract Attorney Michael Phillips noted he would like to amend the ordinance to reference State Statute 40 ILCS 5/7-171 for the "whereas" clause for the IMRF on page 3. Council agreed for him to amend the ordinance on its face.

The Freeport Public Library Board members and Director Carole Dickerson presented the ordinance which requests for the 2016 Library Tax Levy an amount of \$1,043,413 and this amount is a \$52,000 amount over last year requested levy. It was explained this amount is needed to pay for the IMRF in the amount of \$57,000 for the Library employees previously funded by the City (with \$5,000 less being asked for Unemployment Insurance to equal an overall \$52,000 increase). Director Dickerson stated this amount was funded by the library in 2010 when the City was in financial difficulties and has since been paid through the corporate fund. The Library Board recommended the ordinance to council and asked for the additional funding for the IMRF now having to be funded by the Library.

Mayor Gitz explained the City funded \$1 million in a bond for the Library Building and additional funding was received from a Newell donation and a grant from the State of Illinois for \$1 million each. Other donations made up the difference to fund the \$6 million building. The bond was refunded recently to obtain lower interest rates. The bond payment was at \$150,000 and is now at \$137,000.

Aldersperson Chesney noted the City pays a payment of \$150,000-\$130,000 each year to pay down the bond for the library building since 2003. In addition, the City has been paying for the IMRF of the Library. So the 2010 acknowledgement of payment was to pay for your own building and the City of Freeport has been more generous to the library when you look at bond restructuring and carrying the IMRF which it has been doing for a long time. What he would like to see is not to increase the property tax levy and instead phase you into paying for your own IMRF perhaps half year one and a quarter of the difference in year two and year three you pay for your IMRF.

Aldersperson Klemm spoke about every department has had to make sacrifices. He noted the main point is to hold to a zero percent levy.

Council members spoke about their interest in supporting a 0% tax levy for both the City and the Freeport Public Library.

Aldersperson Koester provided his support of funding for the IMRF through the tax levy for the Public Library.

Mayor Gitz explained the City Council cannot set the levy for the Library. The State Statutes require the City either accept or reject the Library tax levy. He suggested adjusting the levy for the general library purposes down to offset the amount to levy for the IMRF. He noted they do not collect all this money. They collect around \$900,000.

Mayor Gitz explained the council can put this on first reading and consider this ordinance but if you vote it down, they go back to their board and adjust it. The council can refuse to put it on first reading at all and that sends the message we are not comfortable to do this. The third thing to do is we can put it on first reading but we advise we do not intend to pass it in its present form. He has suggested having further discussion with the Library Board.

The levy in the Ordinance prepared for November 21, 2016 included:

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2016 Library Tax Levy

Total Equalized Assessed Value 210,219,201

	2016 Levy FY17-18	2015 Levy (FY16-17)		2014 Levy (FY15-16)	
		Requested	Received	Requested	Received
General Library Purposes	900,413	900,413	840,877	900,413	872,549
Liability Insurance	42,000	42,000	42,002	37,000	37,018
Unemployment Insurance	3,000	8,000	8,009	5,000	5,017
IMRF	57,000	-	-	-	-
FICA/Medicare	41,000	41,000	41,013	49,000	49,015
Total Levy	1,043,413	991,413	931,901	991,413	963,599

Attorney Phillips advised that if the council places the Ordinance on the floor you would make a motion to approve or reject the ordinance. Then you would need to make a motion to refer the ordinance to the Library Board for further study and report back. Technically you always need a motion to approve or reject in order to get it on the floor. Mayor Gitz stated so we need to put it on first reading and then refer it. Attorney Phillips stated that is correct.

Aldersperson McClanathan made a motion “to reject the Ordinance 2016-59 in its written form.” This motion was seconded by Aldersperson Chesney. Mayor Gitz stated the motion was to place it on the floor and reject it.

Aldersperson McClanathan moved to refer the ordinance to the Library Board for further consideration. This motion was seconded by Aldersperson Busker. Motion prevailed by voice vote with one dissenting vote by Aldersperson Koester.

1st READING OF ORDINANCE #2016-60:

An Ordinance Amending Chapter 220 Entitled “Council”, Section 220.11 Regarding “Council Committees” To Add A New Subparagraph “D” To Be Entitled “Managerial Form of Government Transition Committee” of the Codified Ordinances of the City of Freeport, Illinois

Aldersperson Brashaw presented the ordinance explaining based on the vote of the referendum to change the City’s form of government to the Managerial Form of Government. She explained a transition committee will be formed through this ordinance with members being the council, mayor, and three members of the public.

The following is contained in the ordinance as presented noting a change in subsection 6 corrected on its face as recommended by Attorney Phillips to reflect the City’s form of government is known as “Aldermanic-City” and not “Strong Mayor” as originally drafted. Council agreed to amend the ordinance on its face with that change.

“(d) Managerial Form of Government Transition Committee.

- (1) Establishment. There is hereby established a Managerial Form of Government Transition Committee of the City, which shall consist of the Mayor, all Alderspersons and three members of the public. The members of the public shall not be entitled to vote on committee matters and shall have advisory roles only.
- (2) Meetings. The Managerial Form of Government Transition Committee shall meet upon the call of the Mayor, any two Alderspersons or when matters are referred to it by the Mayor and/or City Council for

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review and/or recommendation. The Managerial Form of Government Transition Committee shall meet in the City Council chambers. Meetings of the Managerial Form of Government Transition Committee shall conform with all applicable provisions of the Illinois Open Meeting Act.

- (3) Chairperson and Vice Chairperson. The Chairperson of the Managerial Form of Government Transition Committee shall be selected from amongst the Alderpersons by a majority vote of the Alderpersons. The Vice-Chairperson of the Managerial Form of Government Transition Committee shall be selected from amongst the Alderpersons by a majority vote of the Alderperson. All agenda items for consideration shall be submitted by committee members to the Chairperson and the Chairperson shall be responsible for drafting the agenda.
- (4) Public Members. The three members of the public shall be selected by a majority vote of the Alderpersons. Such public members shall be residents of the City. The Council, recognizing the broad group of individuals that comprise the Committee to Change City Government and its work, in anticipation of passage of the referendum that led to the adoption of the managerial form of government, shall strongly consider the recommendation from the Committee to Change City Government of two of the three members of the public on the Managerial Form of Government Transition Committee.
- (5) Agenda items. Agenda items for the Managerial Form of Government Transition Committee shall be as requested by the Mayor or any two Alderpersons, or as referred to it by the City Council.
- (6) Duties and Responsibilities. The Managerial Form of Government Transition Committee shall be responsible for guiding the City through its transition from an Aldermanic-City form of government to the Managerial form of government. The Managerial Form of Government Transition Committee shall advise and make recommendations to the City Council on the processes and procedures to transition to a Managerial form of government, including, but not limited to, the retention of consultants to advise on legal requirements and the selection of a City Manager.
- (7) Termination of Committee. The Managerial Form of Government Transition Committee shall terminate upon completion of the transition to a Managerial form of government and the hiring of a City Manager.
- (8) Quorum. No meeting shall occur in the absence of a quorum, which shall be comprised of seven (7) members of the committee. No action on any agenda item shall be taken unless a minimum of four (4) voting members are present.

Aldersperson Brashaw moved for approval of first reading of Ordinance #2016-60, seconded by Aldersperson Busker.

Aldersperson Koester moved for suspension of the rules for immediate consideration. This motion was seconded by Aldersperson McClanathan. Motion prevailed by voice vote without dissent.

Upon no further discussion a roll call vote was taken to pass the ordinance (including an amendment on its face that the Managerial form of government changes our current form of government which is "Aldermanic-City" form of government as describe in subsection 6).

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

Nays: None

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Ordinance #2016-60 was passed.

1st READING OF ORDINANCE NO. 2016-61:

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

Type of Relief: Amendment of Zoning Ordinance from B-3 (Commercial and Wholesale Business District) to R-3 (One Family Residence District); Owner or Applicant: Ihm Family Partnership, Althea Cartwright, 17 W. Larkspur Ln., Bristol, IL 60512; Address/Description: 1750 Ihm Blvd., Freeport, Illinois (PIN 18-19-05-300-049), PT LT 3 SW SEC 5 T26N R8E of 4th Principal Meridian. City Clerk Zuravel stated this ordinance was unanimously recommended by the Planning Commission in their meeting held on November 10, 2016 and, therefore, the City Council may take final action this evening.

Director Mills presented the ordinance and stated this parcel is owned by the Ihm Family Partnership, which intends to sell the parcel. The property contains a ranch – style home. The current B-3 Commercial and Wholesale Business District zoning of the parcel is prohibitive of banks making a home loan to a prospective buyer and is not conducive to any sale of the land taking place. The current zoning does not technically permit a residential use, whereas the proposed R-3 One Family Residence District does permit such a use.

Aldersperson Brashaw moved for approval of Ordinance #2016-61, 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

Ordinance #2016-61 was passed.

RESOLUTIONS

ADOPTION OF RESOLUTION R-2016-54:

Resolution To Authorize Execution of Illinois Department Of Transportation, Aeronautics Grant Documents For Rehabilitation Of Runway 6/24 At Albertus Airport

The resolution provided the following that the City of Freeport, the owner of Albertus Airport located in Stephenson County, Illinois, desires to enter into a written agreement with the Illinois Department of Transportation, Aeronautics Grant (IL Project FEP-4296) for the rehabilitation of Runway 6/24 at Albertus Airport (hereinafter, the "Project") and a true, correct and complete copy of said Agreement is marked as "Exhibit A," attached hereto and incorporated by reference as if fully set forth herein; and

WHEREAS, the City Council of the City of Freeport has previously authorized architectural, engineering, planning and consulting services for said Project; and

WHEREAS, the Grant for the rehabilitation of Runway 6/24 will total \$1,943,998 with 90% of the funds coming from the Federal government in the amount of \$1,750,890, 5% of the funds coming from the State of Illinois in the amount of \$96,554 and 5% of the funds coming from the City of Freeport in the amount of \$96,554 under the terms of said Agreement; and

WHEREAS, the rehabilitation of Runway 6/24 is deemed a priority by the Illinois Department of Transportation, Aeronautics Division, because of the present deterioration of that Runway and future grant awards for other airport capital projects depend upon the rehabilitation of said Runway 6/24; and

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Mayor Gitz explained the City's share for this project is in the amount of \$96,554 under the terms of said Agreement.

Aldersperson Klemm moved for approval of Resolution R-2016-54 as presented, seconded by Aldersperson McClanathan. 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)

Nays: None

Resolution R-2016-54 was adopted.

ADOPTION OF RESOLUTION R-2016-55:

Resolution To Approve the Preliminary Plat for Youngs Subdivision

Director Mills stated the City of Freeport Planning Commission held a public hearing on November 10th and voted unanimously (6-0) to recommend approval of a preliminary plat for Youngs Subdivision to City Council. A separate vote was also held subsequent to the hearing and the Planning Commission voted unanimously (6-0) to recommend approval of a final plat for Youngs Subdivision to City Council as well. Both preliminary and final Youngs Subdivision plats deal specifically with a replatting of the parcels located at 1601-1665 S. West Ave, on which Family Dollar and associated storefronts, Jo-Ann Fabrics, and a third vacant lot at the south end of the property are located. The staff recommendation to the Planning Commission was in favor of approval of both the preliminary and final plat. City Council has previously approved an expansion of the City of Freeport/Stephenson County Enterprise Zone to accommodate a small parcel into the zone, so that it could then be consolidated with the other adjacent parcels. As that action has been completed, approval of a preliminary and final plat is necessary to formalize the replat of the parcels so that boundaries match consistently with the storefronts present on the site. This realignment is desired by the property owner as it will be more conducive to future development, as Family Dollar and the associated storefronts will be one property, the Jo-Ann Fabrics will be one property, and the third vacant lot will be one property.

Aldersperson Brashaw moved for approval of Resolution R-2016-55 as presented, seconded by Aldersperson Miller. 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)

Nays: None

Resolution R-2016-55 was adopted.

ADOPTION OF RESOLUTION R-2016-56:

Resolution To Approve the Final Plat for Youngs Subdivision

Aldersperson Brashaw moved for approval of Resolution R-2016-56 as presented, seconded by Aldersperson Koester. 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)

Nays: None

Resolution R-2016-56 was adopted.

ADOPTION OF RESOLUTION R-2016-57:

Resolution To Create A Council/Administration Subcommittee to Review Department Responsibilities, Funding, and Efficiency

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Mayor Gitz noted a correction he would like to make in the title so that it is a special committee rather than a subcommittee. Attorney Phillips explained he will change the title to: "Resolution to Create a City Council Special Committee to Review Department Responsibilities, Funding, and Efficiency".

Aldersperson Koester presented the resolution noted he asked for a committee to study each department in order to cut costs or to contract out services to save money. He recommended the committee would see how they can streamline how things are done.

Aldersperson McClanathan stated he reviewed the wording and noted there will be additional discussions during the budget process. He asked whether the intent was for there to be three members on this committee. Aldersperson Koester spoke about having three members for the committee and noted they will also be working on reviewing ordinances pertaining to the department because there are items that need to be updated. He stated he is not stuck on three and if the council wants to have more members, then it is up to them. He stated we will not be able to review every department before the budget but if they can do two or three and find some savings.

Mayor Gitz suggested a December meeting and at that meeting, we follow the format for council to look at budget priorities and setting the stage for what the council would like to see in the budget. That in turn will guide the public process. He thinks this could be complimentary instead of competitive to the process.

Aldersperson McClanathan asked if we could have the December meeting and take this broad perspective and make it a narrower perspective.

Aldersperson Klemm noted with three aldermen the meetings will need to be publicized and posted.

Aldersperson Chesney noted this is well overdue. He noted this will be something that a newly hired City Manager will surely come in and do and he feels there may be a duplication of effort. He stated his concerns for the time from each department head to spend with the committee and to review policies and procedures. He asked if the timing is correct to begin this process for the sake of the department head's time.

Aldersperson Koester stated this will help alleviate budget constraints and does not feel there is a reason to delay.

Aldersperson McClanathan asked when Mayor Gitz intends to have the first meeting for budget discussion. Mayor Gitz stated he would like to have it mid to early December because in the latter half of December is complicated for all of us.

Aldersperson McClanathan moved to postpone consideration of Resolution 2016-57 and refer it to the second meeting in December, seconded by Aldersperson Busker. Aldersperson Koester stated the review of ordinances can be done prior to meeting with them and time with them will be kept to a minimum. Aldersperson Klemm asked if this should be discussed at the Committee of the Whole. Mayor Gitz asked Aldersperson McClanathan if he had a preference. Aldersperson McClanathan stated we can begin discussing at the Committee of the Whole and modified his motion to the Committee of the Whole. Aldersperson Busker agreed. Mayor Gitz stated the motion will be to discuss the resolution for the committee at the Committee of the Whole. The motion prevailed by voice vote without dissent.

ADOPTION OF RESOLUTION R-2016-58:

Resolution Authorizing Execution Of A Month To Month Lease Of The Vacant Fire Station Building Located At 1819 S. West Avenue In The City Of Freeport

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Mayor Gitz presented the resolution which stated the the Fire Station located at 1819 S. West Avenue is vacant and awaiting a decision at the state level on the flood plain level of the Premises. A local business known as All American Cleaning & Restoration would like to rent the Fire Station on either a temporary or on-going basis for the storage of the Company's equipment as well as conducting possible Company business operations. The Company has large amount of equipment that is in need of immediate storage facilities and this City Council hereby finds that the Fire Station would provide a suitable place of storage for the Company's equipment. It would be to the mutual advantage of the Company and the City of Freeport to enter into a month-to-month lease of the Fire Station only, pending the advertisement and sale of the Premises after all flood plain issues are resolved. Through this resolution the City Council would find that the short-term lease of the Fire Station only to the Company to be in the best interests of the health, safety, morals and general welfare of the citizens of the City of Freeport.

Mayor Gitz stated he has had multiple conversations with Mr. Lasco and this resolution is a formality which will empower us to enter into a lease for the use of the fire station that is vacant. It is limited to the fire station itself and has no effect to the property.

Aldersperson Klemm moved for approval of Resolution R-2016-58 as presented, seconded by Aldersperson Koester.

Aldersperson McClanathan asked about one of the "whereas clauses" which states we are awaiting on the flood plain issues to be resolved and whether there was any estimated time as to its resolution. Mayor Gitz stated Director Mills has been tasked with trying to find Mr. Gastel to see where we are at. Director Mills stated Mr. Gastel is in the process of preparing a letter and map amendment which will give some adjustments to that property to keep this property out of the flood plain in terms of future development.

Aldersperson Chesney asked once we solve the issue with the flood plain are we advertising the property for sale or what is the next step. Mayor Gitz stated the next step could take a number of different ways but the intent is in order to make the transfer of the property legal we are still obligated to go back and advertise it. That doesn't mean we have to take whatever bid is submitted and it doesn't mean if we are all comfortable with the transaction that we can't take into account that the property is already leased. Aldersperson Chesney asked about the time line and he has never seen an appraisal take six to eight months. Mayor Gitz stated the whole problem we have is not the appraisal but the flood plain issue because that incremental difference makes all the difference in the world because that makes the appraised value and the difference is tens of thousands of dollars. It also affects anyone who will purchase the property because that affects the insurability so that is a crucial thing. We have a preliminary appraisal that has been shared with the council but that can only be finalized when we resolve the flood plain issue.

Discussion was held on the insurability of the property and risk management on the property. Aldersperson Busker asked what would be the City's liability to the property of the lease should it flood between now and then. Mayor Gitz state one of the provisions of the lease will be that the tenant will be required to carry his own insurance. Mayor Gitz requested Mr. Little to the podium. Mayor Gitz explained the property has been part of our coverage. Mr. Little asked how long the property has been vacant. Mayor Gitz stated technically it is not vacant because we use it for storage and for training purposes. He asked Mr. Little if he see any special problems of a month to month lease with a private party during the dependency while we see the flood plain. Mr. Little stated not at all. Mayor Gitz stated so you do not see any special coverage issue. Mr. Little stated not on the building itself but like you said whoever lease the property should cover their own equipment or whatever they are storing inside of it for their own liability.

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Aldersperson Koester asked if the Fire Department will still be able to use for training facility and testing. Mayor Gitz stated yes and they will also have storage facility.

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)

Nays: None

Resolution R-2016-58 was adopted.

OTHER

REPORTS OF DEPARTMENT HEADS

Community Development

Recommendation of Grant Award for 2016 Downtown Accessibility Improvement Program for 307 W. Main Street (Carolyn Sluiter)

Community Development Director Alex Mills explained the Historic Preservation Commission reviewed the application and issued a Certificate of Appropriateness. The application has been reviewed and found to be worthy of recommendation based on ADA compliance by City Engineer Gallagher, Community Development Director Mills, two representatives of RAMP and a representative of the Stephenson County Advocates for Disability. The recommended award for 307 W. Main Street is for \$7,500 to cover the estimated costs of installation of the automatic door, including necessary electrical work.

Aldersperson Brashaw moved for approval of the recommended grant award, seconded by Aldersperson Koester. 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)

Nays: None

Public Works

Public Works Director Dole stated he will bid out an all-wheel-drive utility vehicle to be used for downtown sidewalks and multi-use recreational path and they will be returned and compiled for the next council packet. Mayor Gitz explained that working with other taxing bodies did not pan out.

Director Dole stated he placed three activity reports on the council desks that included a compilation of statistics for the leaf pickup. Aldersperson Koester noted the trucks haven't been by to pick up leaves in his neighborhood. Director Dole stated they have been by Avon, Beaver and Elk three times over the last three weeks of leaf pick up. He noted that the website states that leaves should be raked to the curb by November 16th and that is so the trucks can do one final pickup before the winter sets in.

Finance

Finance Director Bernadelle thanked his Deputy Accountant, Michelle Richter for the work she did to assist with the audit. He also thanked Finance Consultant Bernie Mrugala for his work for the City to reconcile accounts.

Fire Department

Fire Chief Scott Miller had no report this evening.

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Police

Deputy Chief of Police Matt Summers had no report.

Water and Sewer

Director Glendenning provided an update on the Water and Sewer projects and noted they had received permitting for Pearl City Road from the IEPA today. As weather permits they will continue the service work along Sullivan to hopefully get most of the project done. He stated City Engineer Gallagher and the contractors have been working to complete projects before the winter weather set in but we are still looking at springtime for the full charge of the pressure switch over. Project three is coming in \$450,000 under budget so that will give us some leeway for when we fire this up for any unexpected things that could happen.

Library

Library Director Carole Dickerson had no further report.

MAYOR'S REPORT

Mayor Gitz he will be working on the public input process to begin the budget discussions.

COUNCIL ANNOUNCEMENTS/NEW BUSINESS

Alderspersion Brashaw stated there will be a Neighborhood Water meeting for the 1st and 6th Ward to be held on November 22, 2016. There will be an update on the renovation for the new City Hall building.

Alderspersion Koester state the 7th Ward Neighborhood Watch meeting will be canceled for November.

Alderspersion Chesney spoke of successful Mistletoe Walk held in the Downtown on Sunday hosted by FDDF. He stated it was well attended.

Alderspersion Miller stated there will be a Neighborhood Watch meeting held next Monday for the 4th Ward. She spoke about the Mistletoe Walk and the lighting of the Hero tree as brought together by FDDF and Ann Peters.

Alderspersion Busker spoke about a home invasion and let everyone know the resident is healing.

All of the council members wished staff and citizens a Happy Thanksgiving.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

There were no public comments this evening on non-agenda items.

EXECUTIVE SESSION (CLOSED SESSION)

The Executive Session (Closed Session) was removed from the agenda upon request of the City Council.

Upon a motion duly made and seconded, the meeting was adjourned at 8:53 PM.

s/ Meg Zuravel

Meg Zuravel

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City Clerk