



City Council

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

MINUTES

COUNCIL MEETING

MONDAY, DECEMBER 19, 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 6:02 p.m. on Monday, December 19, 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).

Staff members present: Finance Director Guary Bernadelle, Community Development Director Alex Mills, Public Works Director Tom Dole, Fire Chief Scott Miller, Chief of Police Todd Barkalow, W/S Executive Director Tom Glendenning, and City Clerk Zuravel.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderperson Klemm.

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 December 5, 2016 and December 12, 2016, seconded by Alderperson Koester. 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 to receive and place on file:

- 1) City Treasurer's Monthly Investment Report for November 30, 2016
- 2) City Treasurer's Report of Cash and Fund Balances for November 30, 2016

**MINUTES-COUNCIL MEETING
MONDAY, DECEMBER 19, 2016 AT 6:00 P.M.**

- 3) Fire Department Report of Activities for November 2016
- 4) Building, Electrical, HVAC, Plumbing and Sign Permits for November 2016
- B. Approval of Water & Sewer Bills Payable (Registers #683, 687, 690, 693) --- \$775,933.00
- C. Approval of Payroll for pay period ending December 10, 2016 --- \$417,527.69 with fringe benefit payments in the amount of \$35,459.88 for a total of \$452,987.57
- D. Approval of Finance Bills Payable (Registers #684, 688, 689, 691, 692, 694, TBA) ---\$2,348,726.00

Aldersperson Brashaw moved for approval of the consent agenda, seconded by Aldersperson Ross. 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.

ORDINANCES – FIRST READING

Director Bernadelle provided a memorandum which explained each of the ordinances are affiliated with the repayment of general obligation bonds. The City of Freeport is requesting to abate the 2016 real estate tax levy and below lists the purpose of each bond:

- Series 2013A for:
 - Fire Capital Improvements
- Series 2014A for:
 - Sewer
- Series 2014B for:
 - Sewer
- Series 2015A for:
 - Downtown TIF
 - Library
 - Sewer
 - Storm Sewer
- Series 2016 for:
 - Renovation of the City Hall

Attached to each ordinance is a letter written by Director Bernadelle attesting the fact the City's revenues are sufficient to repay the principal of the bonds due up to and including January 1, 2018.

1st READING OF ORDINANCE #2016-64:

An Ordinance To Abate The 2016 Real Estate Tax Levy For The Repayment of the General Obligation Bonds, Series 2013A

Ordinance #2016-64 included the following: Section 8 of this same bond ordinance the City Council levied an annual tax sufficient to pay the principal and interest due on said Bonds with the intent that said real estate tax only be extended if revenues from the funded project were insufficient to repay the principal and interest on the Bonds; and whereas, for the year 2016, the City levied a real estate tax in the amount of eighty-six thousand three hundred eighty-five dollars and 00/100 (\$86,385.00) to be collected during calendar year 2017 to pay that year's principal and interest on said Bonds. The Finance Director of the City of Freeport has transmitted a written report to the City that its revenues are sufficient to repay the principal and interest on the Bonds due up to and including January 1, 2018, and that such amounts are irrevocably on deposit in the Principal and Interest

**MINUTES-COUNCIL MEETING
MONDAY, DECEMBER 19, 2016 AT 6:00 P.M.**

Account for the purpose of paying any principal of or interest on the applicable Bonds so as to enable the abatement of the taxes so levied.

It was noted this bond is for Fire Capital Improvements (central fire station).

Aldersperson McClanathan moved for approval of Ordinance 2016-64, seconded by Aldersperson Brashaw. The ordinance was automatically laid over to the next meeting.

1st READING OF ORDINANCE #2016-65:

An Ordinance To Abate The 2016 Real Estate Tax Levy For The Repayment of the General Obligation Bonds, Series 2014A

Ordinance #2016-65 included the following: On August 18, 2014 this City Council passed and Mayor James L. Gitz approved Ordinance No. 2014-36 (the "Bond Ordinance") in which the City of Freeport, Illinois (the "City") authorized the issuance of General Obligation Bonds, Series 2014A (the "Bonds") which may be legally utilized for the 2014 refunding of all or a portion of the City's Corporate Purpose Bonds, Series 2004 and further said Bond Ordinance levied a real estate tax in the amount of seven hundred seventy-five thousand twenty-five dollars and 00/100 (\$775,025.00) to be collected during Calendar Year 2017 to pay that year's principal and interest on said Bonds. In Section 8 of this same bond ordinance the City Council levied an annual tax sufficient to pay the principal and interest due on said Bonds with the intent that said real estate tax only be extended if revenues from the funded project were insufficient to repay the principal and interest on the Bonds. The Finance Director of the City of Freeport has transmitted a written report to the City that its revenues are sufficient to repay the principal and interest on the Bonds due up to and including December 1, 2017 (a copy of this report is marked as "Exhibit A", attached hereto and made a part hereof). This City Council finds that the extension or collection of the 2016 Tax Levy to repay the Bonds is not necessary and further this City Council finds that it is in the best interest of the entire community that the 2016 Tax Levy for the repayment of said Bonds should be abated.

Per Director Bernadelle's memo this bond is for sewer improvements.

Aldersperson Koester moved for approval of Ordinance 2016-65, seconded by Aldersperson Klemm. The ordinance was automatically laid over to the next meeting.

1st READING OF ORDINANCE #2016-66:

An Ordinance To Abate The 2016 Real Estate Tax Levy For The Repayment of the General Obligation Bonds, Series 2014B

Per Director Bernadelle's memo this bond is for sewer improvements.

Ordinance #2016-66 included the following: On August 18, 2014 this City Council passed and Mayor James L. Gitz approved Ordinance No. 2014-37 (the "Bond Ordinance") in which the City of Freeport, Illinois (the "City") authorized the issuance of General Obligation Bonds, Series 2014B (the "Bonds") which may be legally utilized for the 2014 refunding of all or a portion of the City's Corporate Purpose Bonds, Series 2005 and further said Bond Ordinance levied a real estate tax in the amount of two hundred thirty-three thousand five hundred thirty-three dollars and 00/100 (\$233,533.00) to be collected during Calendar Year 2016 to pay that year's principal and interest on said Bonds. In Section 8 of this same bond ordinance the City Council levied an annual tax sufficient to pay the principal and interest due on said Bonds with the intent that said real estate tax only be extended if revenues from the funded project were insufficient to repay the principal and interest on the Bonds. The Finance

**MINUTES-COUNCIL MEETING
MONDAY, DECEMBER 19, 2016 AT 6:00 P.M.**

Director of the City of Freeport has transmitted a written report to the City that its revenues are sufficient to repay the principal and interest on the Bonds due up to and including January 1, 2017, and that such amounts are irrevocably on deposit in the Principal and Interest Account for the purpose of paying any principal of or interest on the applicable Bonds so as to enable the abatement of the taxes so levied (a copy of this report is marked as "Exhibit A", attached hereto and made a part hereof). This City Council finds that the extension or collection of the 2016 Tax Levy to repay the Bonds is not necessary and further this City Council finds that it is in the best interest of the entire community that the 2016 Tax Levy for the repayment of said Bonds should be abated.

Aldersperson Klemm moved for approval of Ordinance 2016-66, seconded by Aldersperson Busker. The ordinance was automatically laid over to the next meeting.

1st READING OF ORDINANCE #2016-67:

An Ordinance To Abate The 2016 Real Estate Tax Levy For The Repayment of the General Obligation Bonds, Series 2015A

It was noted this was for Series 2015A Bond taken out for the Downtown TIF, Library, Sewer, and Storm Sewer.

Ordinance #2016-67 included the following: On September 8, 2015 this City Council passed and Mayor James L. Gitz approved (the "Bond Ordinance") in which the City of Freeport, Illinois (the "City") authorized the issuance of General Obligation Bonds, Series 2015-A (the "Bonds") which may be legally utilized for refunding of all or a portion of the City's Corporate Purpose Bonds, Series 2006 and further said Bond Ordinance levied a real estate tax in the amount of eight hundred fourteen thousand eight hundred twenty-five dollars and 00/100 (\$814,825.00) to be collected during Calendar Year 2017 to pay that year's principal and interest on said Bonds. WHEREAS, in Section 8 of this same bond ordinance the City Council levied an annual tax sufficient to pay the principal and interest due on said Bonds with the intent that said real estate tax only be extended if revenues from the funded project were insufficient to repay the principal and interest on the Bonds. The Finance Director of the City of Freeport has transmitted a written report to the City that its revenues are sufficient to repay the principal and interest on the Bonds due up to and including January 1, 2017, and that such amounts are irrevocably on deposit in the Principal and Interest Account for the purpose of paying any principal of or interest on the applicable Bonds so as to enable the abatement of the taxes so levied (a copy of this report is marked as "Exhibit A", attached hereto and made a part hereof). This City Council finds that the extension or collection of the 2016 Tax Levy to repay the Bonds is not necessary and further this City Council finds that it is in the best interest of the entire community that the 2016 Tax Levy for the repayment of said Bonds should be abated.

Aldersperson Koester moved for approval of Ordinance 2016-66, seconded by Aldersperson Klemm. The ordinance was automatically laid over to the next meeting.

1st READING OF ORDINANCE #2016-68:

An Ordinance To Abate The 2016 Real Estate Tax Levy For The Repayment of the General Obligation Bonds, Series 2016

Ordinance #2016-68 included the following: On April 4, 2016 this City Council passed and Mayor James L. Gitz approved (the "Bond Ordinance") in which the City of Freeport, Illinois (the "City") authorized the issuance of General Obligation Bonds, Series 2016 (the "Bonds") which may be legally utilized for refunding of all or a portion of the City's Corporate Purpose Bonds, Series 2006 and further said Bond Ordinance levied a real estate tax in the amount of one hundred seventy-eight thousand seven hundred twenty-four dollars and 00/00 three cents (\$178,724.03) to be collected during Calendar Year 2017 to pay that year's principal and interest on said Bonds. In

**MINUTES-COUNCIL MEETING
MONDAY, DECEMBER 19, 2016 AT 6:00 P.M.**

Section 8 of this same bond ordinance the City Council levied an annual tax sufficient to pay the principal and interest due on said Bonds with the intent that said real estate tax only be extended if revenues from the funded project were insufficient to repay the principal and interest on the Bonds. The Finance Director of the City of Freeport has transmitted a written report to the City that its revenues are sufficient to repay the principal and interest on the Bonds due up to and including January 1, 2017, and that such amounts are irrevocably on deposit in the Principal and Interest Account for the purpose of paying any principal of or interest on the applicable Bonds so as to enable the abatement of the taxes so levied (a copy of this report is marked as "Exhibit A", attached hereto and made a part hereof). This City Council finds that the extension or collection of the 2016 Tax Levy to repay the Bonds is not necessary and further this City Council finds that it is in the best interest of the entire community that the 2016 Tax Levy for the repayment of said Bonds should be abated.

It was noted this bond ordinance was for renovations of the City Hall.

Upon the first reading Alderperson Brashaw asked if there was anything the council should know about this. Director Bernadelle stated this was not on the floor last year because it is a new bond approved for the renovation of City Hall so it comes to the floor for the first time for its abatement.

Alderperson Brashaw moved for approval of Ordinance 2016-66, seconded by Alderperson Koester. The ordinance was automatically laid over to the next meeting.

RESOLUTIONS

ADOPTION OF RESOLUTION R-2016-60:

Resolution To Approve The Preliminary Plat For Resubdivision of Lot 4 in the Revised Final Plat of Burchard Hills

Director Mills presented the resolution for the Preliminary and Final Plat Approval for resubdivision of lot 4 in the revised final plat of Burchard Hills. He explained the Freeport Planning Commission held a public hearing on December 8, 2016, and subsequently voted unanimously (4-0, with one abstention) to recommend approval of a preliminary plat for resubdivision of lot 4 in the revised final plat of Burchard Hills. A separate vote was also held subsequent to the hearing and the Planning Commission voted unanimously (4-0, with one abstention) to recommend approval of a final plat for the same resubdivision to City Council as well. Both preliminary and final plats deal specifically with the resubdivision of the parcel located at 1009 W. Fairway Drive and known as lot 4. This location is directly southeast of the Burchard Hills care facility and the parcel being subdivided is at the corner of Fairway Drive and South Burchard Avenue. This parcel is owned by Freeport Regional Health Foundation (FHN). This subdivision of the parcel into two lots is desired for development of an expedited care facility. The staff recommendation to the Planning Commission was in favor of recommending approval of both the preliminary and final plat.

Alderperson Chesney moved for approval of Resolution R-2016-60 as presented, seconded by Alderperson Koester. Motion prevailed by a roll call vote of:

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

Nones: None

ADOPTION OF RESOLUTION R-2016-61:

Resolution To Approve The Final Plat For Resubdivision of Lot 4 in the Revised Final Plat of Burchard Hills

Alderperson Koester moved for approval of Resolution R-2016-61 as presented, seconded by Alderperson Chesney. Motion prevailed by a roll call vote of:

**MINUTES-COUNCIL MEETING
MONDAY, DECEMBER 19, 2016 AT 6:00 P.M.**

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

REPORTS OF DEPARTMENT HEADS

Community Development

Director Mills had no further report.

Finance

Director Bernadelle had no further report.

Public Works

Director Dole stated he placed on the council desks two weeks of activity reports. He provided an update on the snow events and cautioned homeowners against blowing snow from their driveways back into the street. Director Dole stated since it snowed there will no longer be leaf pick up. The reports he provided at the last meeting are the final statistics for 2016 leaf season.

Fire

Fire Chief Miller provided seasonal fire safety tips including watering trees daily and keeping holiday decorations away from heat sources. He also cautioned homeowners using space heaters to follow the manufacturer's safety guidelines and to keep away from combustibles and draperies. Another fire safety tip provided was homeowners should only use a blow dryer to thaw pipes instead of a heat torch.

At 6:25 p.m., Contract Attorney Phillips entered council chambers.

Fire Chief Miller provided information on a fire started by a faulty furnace on Bellaire noting it was fortunately not a total loss. Alderperson Klemm suggested homeowners should have their furnaces checked by licensed professionals to avoid malfunctions. Alderperson Koester stated if using candles during the holiday season they should be placed properly to lessen the chance of them causing household fires.

Police

Police Chief Barkalow cautioned homeowners against using too many wires in electrical outlets. He provided information on the "Shop with A Cop" and thanked Wal-Mart and donors for making this year's event a success.

Water and Sewer

Water and Sewer Executive Director Glendenning provided information on frost in the ground and the effect it has on frozen pipes. He noted if you are a low water user you should leave water on a trickle to keep the line from freezing. A report was provided on the Phase B project which was finishing over the last couple of weeks. There are ten to thirteen valves that will be replaced in the spring in order to enhance the low pressure zone. They will also finish the contractor punch list in the spring to complete the curb work and landscape. He noted City Engineer kept the project a fair amount under budget to allow for contingency issues. They may need IEPA approval for further main replacement if we have too many breaks when the pressure zone is brought on-line.

MINUTES-COUNCIL MEETING
MONDAY, DECEMBER 19, 2016 AT 6:00 P.M.

Library

Mayor Gitz noted the lecture series information is provided in flyers published by the Freeport Public Library and posted on their website.

MAYOR'S REPORT

Mayor Gitz thanked the Public Works Department for their efforts to clear the streets of snow and ice. He thanked the departments for sharing their time by being bell ringers for the Salvation Army and providing donations for the toy drive for the Amity Center. Mayor Gitz thanked the City Council for their service to the City in 2016. He noted there has been positive action on the Managerial Transition Committee.

Aldersperson Miller requested information from Mayor Gitz regarding bids on the renovation of the building for the City Hall Building. Mayor Gitz noted the council approved Winter Construction for the design build contract and that bid included work where they advertised for contractors for the various parts of the renovation process. He explained the contractor could have responded to the published bid notice. The low bidder for the carpet was Carpetland.

Aldersperson McClanathan asked for information on the court ruling for the building downtown. Mayor Gitz noted there may need to be a special meeting in terms of an emergency way to do what is necessary to reinforce the common wall. Mayor Gitz noted he will keep the council informed of the court hearing.

COUNCIL ANNOUNCEMENTS/NEW BUSINESS

Council members provided their wishes for staff and citizens to have a Merry Christmas and Happy New Year.

Aldersperson Klemm cautioned homeowners away from their homes for long periods should have a way to check their houses for freezing pipes. He thanked the Water and Sewer, Police, Street, Fire and all those working out in the cold weather for their service and asked workers to stay safe.

Aldersperson Ross stated that he and his family had suffered a terrible loss of his son Adam Ross. He was very thankful and overwhelmed from the support of the community during the time of sorrow for his family. He asked everyone to think twice before they do things because there are no second chances. He stated he never would have made it without the support of the community.

Aldersperson Miller stated the 4th Ward Neighborhood Watch meeting for December is canceled.

Aldersperson Busker stated the 5th Ward Neighborhood Watch meeting for December is canceled.

Aldersperson Brashaw congratulated Aldersperson Busker and his family on the birth of their new baby.

Aldersperson Koester stated the 7th Ward Neighborhood Watch meeting will be canceled for December. He provided his opinion on what was said at the Committee of the Whole in regard to the Infrastructure presentation and the way City Engineer Gallagher and Director Glendenning were treated. He noted his experience of being on the council is they are the most proactive department heads that we have. He also noted that City Engineer Gallagher has saved the City a lot of money and he did not deserve to get a dressing down and reprimand. He also did not agree that the administration and this council are a lame duck. He stated we will not sit on our hands because we have a job to do and this is not a lame duck council.

MINUTES-COUNCIL MEETING
MONDAY, DECEMBER 19, 2016 AT 6:00 P.M.

Aldersperson Chesney stated at the meeting of the Managerial Form of Government Transition Committee will determine at the next meeting a search firm. Their next meeting is scheduled for January 3, 2017.

PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS

There were no public comments this evening.

EXECUTIVE SESSION (CLOSED SESSION)

The following was read into the record:

- Pursuant to 5 ILCS 120/2 (c) (11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.
- Pursuant to 5 ILCS 120/2 (c) (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 6:50 p.m., Aldersperson McClanathan moved to enter executive session, seconded by Aldersperson Ross. The motion prevailed by a roll call vote of:

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

Nays: none

At 8:08 p.m., Aldersperson Koester made a motion to return from executive session, 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

Upon a motion duly made and seconded, the meeting was adjourned at 8:09 PM.

s/ Meg Zuravel

Meg Zuravel
City Clerk