



## City Council

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

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### MINUTES

### COUNCIL MEETING

TUESDAY, JANUARY 3, 2017 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, January 3, 2017.

#### **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, Battalion Chief Blackburn, 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 McClanathan.

#### **APPROVAL OF AGENDA**

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

#### **APPROVAL OF MINUTES**

Alderperson Busker moved for approval of the minutes from the meeting held on December 19, 2016, seconded by Alderperson Miller. 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) Police Department Report of Activities for November 2016

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- B. Approval of Water & Sewer Bills Payable (Registers #700, 701) --- \$580,409.26
- C. Approval of Payroll for pay period ending December 24, 2016 --- \$424,554.25 with fringe benefit payments in the amount of \$39,438.46 for a total of \$463,992.71
- D. Approval of Finance Bills Payable (Registers #695, 699, 703, TBA) --- \$529,692.84

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

The consent agenda items were approved.

**ORDINANCES – SECOND READING**

Director Bernadelle provided a memorandum explaining each ordinance is 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.

**2<sup>ND</sup> READING OF ORDINANCE #2017-01:**

**AN ORDINANCE TO ABATE THE 2016 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2013A**

This ordinance was renumbered from Ordinance #2016-64 to #2017-01. The text of the ordinance includes that 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 Account for the purpose of paying any principal or interest on the applicable Bonds so as to enable the abatement of the taxes so levied.

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The first reading was held on December 19, 2016. A motion for approval was given by Alderperson McClanathan, seconded by Alderperson Brashaw and the ordinance was automatically laid over to tonight's meeting. Upon the second reading and no discussion, the motion for approval prevailed by a roll call vote of:

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

Nays: None

Ordinance #2017-01 was passed.

**2<sup>ND</sup> READING OF ORDINANCE #2017-02:**

**AN ORDINANCE TO ABATE THE 2016 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2014A**

This ordinance was renumbered from Ordinance #2016-65 to #2017-02. This ordinance includes the following text that 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.

The first reading was held on December 19, 2016. A motion for approval was given by Alderperson Koester, seconded by Alderperson Klemm and the ordinance was automatically laid over to tonight's meeting. Upon the second reading and no discussion, the motion for approval prevailed by a roll call vote of:

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

Nays: None

Ordinance #2017-02 was passed.

**2<sup>ND</sup> READING OF ORDINANCE #2017-03:**

**AN ORDINANCE TO ABATE THE 2016 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2014B**

This ordinance was renumbered from Ordinance #2016-66 to #2017-03. Per Director Bernadelle's memo this bond is for sewer improvements. The ordinance stated that 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

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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.

The first reading was held on December 19, 2016. A motion for approval was given by Alderperson Klemm, seconded by Alderperson Busker and it was automatically laid over to tonight's meeting. Upon the second reading and no discussion, the motion for approval prevailed by a roll call vote of:

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

Nays: None

Ordinance #2017-03 was passed.

**2<sup>ND</sup> READING OF ORDINANCE #2017-04:**

**AN ORDINANCE TO ABATE THE 2016 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2015A**

This ordinance was renumbered from Ordinance #2016-67 to #2017-04. It was noted this was for Series 2015A Bond taken out for the Downtown TIF, Library, Sewer, and Storm Sewer. This ordinance stated that 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.

The first reading was held on December 19, 2016. A motion for approval was given by Alderperson Koester, seconded by Alderperson Klemm and the ordinance was automatically laid over to tonight's meeting.

Upon the second reading held this evening, Attorney Phillips noted a typo which he stated will be considered a scrivener's error for the spelling of the word "fourteen" in Section 1 on page 2 of 4 of the ordinance.

The motion for approval prevailed by a roll call vote of:

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

Nays: None

Ordinance #2017-04 was passed.

**2<sup>ND</sup> READING ORDINANCE #2017-05:**

**AN ORDINANCE TO ABATE THE 2016 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2016**

This ordinance was renumbered from Ordinance #2016-68 to #2017-05. This ordinance stated that 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 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.

The first reading was held on December 19, 2016. A motion for approval was given by Alderperson Brashaw, seconded by Alderperson Koester and the ordinance was automatically laid over to tonight's meeting. Upon the second reading and no discussion, the motion for approval prevailed by a roll call vote of:

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

Nays: None

Ordinance #2017-05 was passed.

Mayor Gitz reviewed for the public these ordinances abate the payment of the general obligation bonds on the Stephenson County property tax bills. In other words, they will not be placed on the property taxes. When general obligation bonds are written it is required to include wording as security for the bond payments that payments will be placed on the property taxes of the City if the obligation is not met otherwise.

**RESOLUTIONS**

**ADOPTION OF RESOLUTION R-2017-01:**

**RESOLUTION APPROVING AND ADOPTING THE STEPHENSON COUNTY MULTI-HAZARD MITIGATION PLAN**

- [View Stephenson County Multi-Hazard Mitigation Plan](#)
- [View Appendix A of Stephenson County Multi-Hazard Mitigation Plan](#)

As a cover memo to the resolution, the Community Development Grants Coordinator, Nancy McDonald provided that the City of Freeport received grant approval for the update of the Stephenson County Hazard Mitigation Plan.

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The memo stated an update that is required every five (5) years to be eligible for funding that is made available as a result of a disaster declaration. The City partnered with the Blackhawk Hills Regional Council to complete the plan. While the completed plan did receive Council approval, FEMA recently requested a few clarifications to the plan. We have completed these edits and received FEMA approval to proceed to the unit of local government adoption phase. When this project is fully executed and adopted, the City of Freeport will be eligible not only for disaster declaration funding, but for additional hazard mitigation grants, specifically flood mitigation funding that would allow us to implement plans to abate some of our eastside flooding issues.

Community Development Director Mills presented the resolution explaining that the Stephenson County board will be presented the same document for their approval. It was noted that reference to Nick Jupin will need to be corrected to Nancy McDonald. Director Mills reviewed the changes in the plan from the previous version. He stated a section has been added with the title "Summary of Hazards Excluded." Pages 42, 44, 48, 50, 65, 67, 69, 70, 71 have been modified with updated text from "X probability of occurring (x%) yearly" to "s% - moderate probability of at least one x event per year" within each table where frequency/probability was addressed. They also added a formula as years with at least one hazard event / total years \* 100. Pages 68 and 69 were edited to include vulnerability of the area to tornadoes and what the disruption and/or destruction could be based on the City's housing density. Also on page 99 section F1.9 was added which states continue land and property identification and acquisition in nearby floodway/floodplain (voluntary basis).

Aldersperson Chesney Moved For Approval Of Resolution #R-2017-01 to approve and adopt the Stephenson County Multi-Hazard Mitigation Plan. This motion was seconded by Aldersperson McClanathan. Motion prevailed by a roll call vote of:

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

Nays: None

**REPORTS OF DEPARTMENT HEADS**

**Public Works**

Director Dole stated he placed on the council desks two weeks of activity reports. He provided an update on the UTV snow plow which has been purchased. Public Works Director Dole stated Christmas tree drop off locations are seven to eight places throughout the City and this information has been posted on the website. He noted trees should be placed with no wire and they also cannot accept wreaths. The Public Works crew will be patching potholes. He asked people to call his office for notification of pot holes.

**Community Development**

Aldersperson Chesney asked for comment on the building on Stephenson Street. Director Mills stated they have had meetings with the contractors, adjacent building owners, utility companies, city staff and the Fire Department to make sure everyone is on the same page of what needs to happen if the demolition proceeds. They are proceeding accordingly with a time line that will have that building demolished mid to late January. He stated some stabilization of the adjacent building needs to occur and some other similar work prior to demolition. They are also working to make sure the utilities are well marked, located, and, if necessary, moved.

**Finance**

Director Bernadelle had no further report and noted he has had two demonstrations of accounting software.

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**Water and Sewer**

Water and Sewer Executive Director Glendenning had no report.

**Police**

Police Chief Barkalow stated a swearing in ceremony will be held tomorrow for a new police officer heading to the academy. He has been working on his year-end statistics and noted one of significance. He gave credit to civilian officer Ted Austin who has been working to remove inoperable vehicles. This year Mr. Austin has worked to remove over 200 vehicles and this number is greater than last year. Alderperson Koester stated he worked with Mr. Austin and he was most helpful working with people by giving them the opportunity to move the vehicle before ticketing them.

**Fire**

Battalion Chief Blackbourn had no report.

**Library**

Carole Dickerson, Director of the Freeport Public Library provided details on the lectures in American History to be hosted by the library on Tuesdays and Thursdays in January and February. She explained the lectures are tied to the "One Book One Freeport" book that was selected. She announced the book is "*Gloryland*", written by Shelton Johnson. Free books will be distributed on February 4 and 11 at the Freeport Public Library, courtesy of the Freeport Public Library Foundation. The One Book, One Freeport committee has arranged to host *Gloryland's* author, Shelton Johnson, in Freeport for a full day of speaking engagements on March 9, 2017. Mr. Johnson will give educational programs March 9.

Director Dickerson stated funding for One Book, One Freeport 2017 is provided by grants from the Freeport Community Foundation, the Community Foundation of Northern Illinois, and the Illinois Humanities Council. Additional funding and in-kind gifts were provided by the Freeport Public Library Foundation, FHN, the Freeport Journal-Standard, and the Lincoln-Douglas Kiwanis.

Director Dickerson stated a variety of events will be scheduled around the community, including living history presentations of Teddy Roosevelt; Stephen Mather, founder of the National Park Service; a Wild West Lawman; and a buffalo soldier, presented by Freeport's own Steve Cole. This year's series of lectures on American History will touch on the same themes in *Gloryland*.

**MAYOR'S REPORT**

Mayor Gitz noted because of the snow events occurring on holidays and weekends there will be significant expenses in overtime. Each of the events required 56 hours of overtime. Mayor Gitz will be working to obtain public comment on the Public Safety Plan in order to formulate changes to the plan. He will send his schedule to the council and will include candidates for the upcoming election. Mayor Gitz and the department heads are working on the year-end reporting. With the holidays, he fell behind on the public input process for the budget and he will be working on that over the next month. He stated he appreciates the work the transition committee has put forth thus far.

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**COUNCIL ANNOUNCEMENTS/NEW BUSINESS**

Aldersperson Chesney reported that the City Manager Form of Government Transition Committee met this evening and recommended the City go out for Request for Proposal Executive Recruitment Consulting Services and he requested a motion for approval.

Aldersperson Klemm moved for approval for authorization to begin the request for proposal process for an executive recruitment consulting services, seconded by Aldersperson Ross. The motion prevailed by a roll call vote of:

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

Nays: None

Aldersperson Klemm gave credit for writing the RFP document to Todd Weegens, Gary Quinn and Chris Schneiderman.

Discussion was held on the battle of the badges that will be held on January 28, 2017 with a little good spirited ribbing back and forth by the chiefs of both the Police and Fire Departments.

**PUBLIC COMMENTS – AGENDA OR NON-AGENDA ITEMS**

Steve Carroll, 811 S. Oak, Freeport, Illinois, provided photos to council members and department heads of a mattress left curbside at 1523 Oak. He stated it had been left there for two weeks. He spoke about his disappointment with the Nuisance Inspector, Director Mills and Alderman Busker of the 5<sup>th</sup> Ward.

Tom Teich, Freeport, Illinois, stated there will be a snow shoe tournament on Saturday for the Special Olympics. He stated Aldersperson Miller does a good job.

**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 6:46 p.m., Aldersperson Brashaw 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 7:31 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



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Upon a motion duly made and seconded, the meeting was adjourned at 7:32 PM.

*s/ Meg Zuravel*

Meg Zuravel  
City Clerk