



City Council

City Council Chambers ◊ 230 West Stephenson Street ◊ Freeport, IL 61032

MINUTES REGULAR MEETING Monday, June 16, 2008

QUORUM

At 7:00 p.m. on Monday, June 16, 2008, in the City Council Chambers of City Hall with a quorum being present, the meeting was called to order by Mayor George Gaulrapp.

RECORD

Present on roll call were Alderman Endress, Helms, Corbin, Klemm, Boldt, Bush, and DeVine (7). Not present with an approved absence was Alderwoman O'Neill. Also present was Corporation Counsel Sarah Griffin and city department heads.

PLEDGE OF ALLEGIANCE

At this time the Pledge of Allegiance was led by Alderman Endress.

APPROVAL OF THE AGENDA

Alderman Helms motioned for approval of the agenda as presented, seconded by Alderman Endress. Motion passed by voice vote without dissent.

PRESENTATIONS/PROCLAMATIONS

Katherine Ludewig and Patrick Shippert were sworn as Patrolmen in the Freeport Police Department by City Clerk Meg Zuravel. Certificates were given by the Board of Fire and Police Commission and Mayor George Gaulrapp.

APPROVAL OF MINUTES

A motion to approve the minutes from the regular meeting on Monday, June 2, 2008, was made by Alderman Endress, seconded by Alderman Helms. Motion passed by voice vote without dissent.

PUBLIC COMMENTS – AGENDA ITEMS

There was no one signed up for public comments on agenda items this evening.

CONSENT AGENDA

All items on the Consent Agenda are considered to be routine in nature and will be enacted in one motion. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered as the first item after approval of the Consent Agenda.

A. Approval to Receive and Place on File:

- 1) Community Development Reports May 2008 including; Cash and Miscellaneous Receipts, Building Permits, and Electrical, HVAC, Plumbing and Sign Permits**
- 2) Fire Department Activities Report for May 2008**

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3) Police Department Activities Report for May 2008

B. Approval of Water and Sewer Disbursements as of June 16, 2008 --- \$155,381.26

C. Approval of Payroll for period ending June 7, 2008 --- \$404,990.99

D. Approval of Bills Payable for May/June 2008 (#92, 93, 95, 96, and 98,) ---- \$427,180.96

Motion to approve the Consent Agenda items as presented – Helms

Second – Endress

Roll Call Vote – Ayes: Endress, Helms, Corbin, Klemm, Boldt, Bush, and DeVine (7)

Nays – None (0)

Motion passed 7-0 and the Consent Agenda items were approved.

COMMUNICATIONS/REPORTS TO COUNCIL

- Fiscal Year 2007/2008 Preliminary Results as submitted by the Finance Department as presented by Finance Director Craig Joesten. He stated the City has realized a surplus of revenues over expenses of \$203,600 for the period of May 1, 2007 to April 30, 2008. As originally planned, one-third of this excess will be transferred to the Street Capital Projects Fund to be used for road repairs, one-third for the demolition of dilapidated houses, and one-third will be put back in to the reserve fund. The city's health care costs were lower than budgeted. Alderman Boldt asked if funds of \$5,000 to \$6,000 could be put towards the sidewalk improvement fund and Mayor Gaulrapp stated that would be put to consideration.
- Denise Blakeley Ihrig, P.E. Project/Utility Manager United Water reviewed the information contained in her monthly report for April/May to the Water and Sewer Commission. Project Manager Ihrig discussed with council the results of a test on Well No. 8 in which the results from the radium investigation showed some significant changes that have not been recorded in the past. Project Manager Ihrig stated that the well has not been put back on line. Another series of samples will be taken of the well and other practices may be needed to put into place to reduce the levels of this well or another option would be to abandon the well. The council asked if the water was safe for drinking in the areas of the east-side of Freeport where flooding has occurred. Ms. Ihrig stated that the local IEPA has been consulted and as long as the system remains pressurized and is not breached, the water will remain safe for consumption. She stated that regular testing continues in these areas. Ms. Ihrig stated that the radium levels in remainder of the city the radium levels leaving the water treatment facility are less than 1pCI/L.

ORDINANCES –THIRD READING

3RD READING OF ORDINANCE #2008-35:

An Ordinance Amending Chapter 288.19 (Medical and Life Insurance) of the Codified Ordinances of the City of Freeport – in regard to specification of premiums. The first reading of the ordinance was held on May 19, 2008. A motion to approve was given by Alderman Helms, seconded by Alderman Endress. The second reading of the ordinance was held on June 2, 2008, and it was automatically laid over to tonight's meeting.

Roll call vote – Ayes: Endress, Helms, Corbin, Klemm, Boldt, Bush, and DeVine (7)

Nays – None (0)

Ordinance 2008-35 was adopted 7-0.

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3RD READING OF ORDINANCE #2008-36:

An Ordinance Amending Chapter 290 (Compensation and Benefits) of the Codified Ordinances of the City of Freeport – 3% wage increase for non-bargaining employees effective May 1, 2008. The first reading of the ordinance was held on May 19, 2008. A motion to approve was given by Alderman Endress, seconded by Alderman Helms. The second reading of the ordinance was held on June 2, 2008, and it was automatically laid over to tonight’s meeting.

Roll call vote – Ayes: Endress, Helms, Corbin, Klemm, Boldt, Bush, and DeVine (7)

Nays – None (0)

Ordinance 2008-36 was adopted 7-0.

3RD READING OF ORDINANCE #2008-37:

An Ordinance Amending Chapter 440 (Obstructions and Special Uses of Public Ways) of the Codified Ordinances of the City of Freeport – parade routes exceptions. The first reading of the ordinance was held on May 19, 2008. A motion to approve was given by Alderman Helms, seconded by Alderwoman O’Neill. The second reading of the ordinance was held on June 2, 2008, and it was automatically laid over to tonight’s meeting.

Roll call vote – Ayes: Endress, Helms, Corbin, Klemm, Boldt, Bush, and DeVine (7)

Nays – None (0)

Ordinance 2008-37 was adopted 7-0.

3RD READING OF ORDINANCE #2008-38:

An Ordinance Authorizing the Issuance of Not To Exceed \$8,000,000 Health Care Facilities Revenue Bonds (Freeport Regional Health Care Foundation Project) Series 2008 and Authorizing the Execution of Documents in Connection Therewith - The first reading of the ordinance was held on May 19, 2008. A motion to approve was given by Alderman Klemm, seconded by Alderman Endress. The second reading of the ordinance was held on June 2, 2008, and it was automatically laid over to tonight’s meeting.

Roll call vote – Ayes: Endress, Helms, Corbin, Klemm, Boldt, Bush, and DeVine (7)

Nays – None (0)

Ordinance 2008-38 was adopted 7-0.

3RD READING OF ORDINANCE #2008-39:

An Ordinance to Authorize Landfill Gas to Energy Site Lease and Easement Agreement by and between the City of Freeport and Ecoport Biomethane, LLC - The first reading of the ordinance was held on May 19, 2008. A motion to approve was given by Alderman Endress, seconded by Alderman Helms. The second reading of the ordinance was held on June 2, 2008, and it was automatically laid over to tonight’s meeting.

Roll call vote – Ayes: Endress, Helms, Corbin, Klemm, Boldt, Bush, and DeVine (7)

Nays – None (0)

Ordinance 2008-39 was adopted 7-0.

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ORDINANCES –SECOND READING

2ND READING AND WAIVER OF 3RD READING OF ORDINANCE #2008-40:

An Ordinance to Ascertain the Prevailing Rate of Wages for Laborers, Workmen, and Mechanics Employed in Public Works of the City of Freeport, Illinois – The first reading of this ordinance was held on June 2, 2008. A motion to approve was given by Alderman Endress, seconded by Alderman Klemm and the ordinance was automatically laid over to tonight's meeting. The second reading of the ordinance included amended Exhibit A to reflect the June Prevailing Wages which have now been determined by the Illinois Department of Labor. A motion was made by Alderman Boldt to amend Attachment A, seconded by Alderman Klemm. On a roll call vote of ayes and nays; Alderman Endress, Helms, Corbin, Klemm, Boldt, Bush and DeVine voted aye (7). There were no nay votes. The amendment was adopted 7-0.

The administration requested waiving of the third reading of this ordinance so that it may be certified to the State during June. A motion was made by Alderman Corbin to suspend the rules and waive the 3rd reading, seconded by Alderman Boldt. On a roll call vote of ayes and nays; Alderman Endress, Helms, Corbin, Klemm, Boldt, Bush and DeVine voted aye (7). There were no nay votes. The motion passed 7-0.

Roll call vote of Ordinance 2008-40 as amended – Ayes: Endress, Helms, Corbin, Klemm, Boldt, Bush, and DeVine (7)

Nays – None (0)

Ordinance 2008-40 was adopted 7-0.

ORDINANCES FIRST READING

1ST READING OF ORDINANCE #2008-41:

An Ordinance Amending Chapter 290 (Compensation) of the Codified Ordinances of the City of Freeport - amendment of duties for Human Resource Manager – as presented to council by Finance Director Craig Joesten stating that letters were included in the packet from himself and the city clerk. The Human Resource Manager would be helping to fill in a gap when the City Clerk is away from the office. The additional salary for the HR Manager was already budgeted in the Appropriation Ordinance. A motion to approve the ordinance as presented was given by Alderman Endress, seconded by Alderman Klemm and it was automatically laid over to the next meeting.

1ST READING OF ORDINANCE #2008-42:

An Ordinance Amending Chapter 220 of the Codified Ordinances of the City of Freeport (Time and Place of Meetings) - This ordinance would change the regularly scheduled council meeting time from 7:00 p.m. to 6:00 p.m. A motion to approve the ordinance was given by Alderman Corbin, seconded by Alderwoman DeVine and it was automatically laid over to the next meeting.

1ST READING OF ORDINANCE #2008-43:

An Ordinance Amending Chapter 480, Section 480.11 (Prohibited Parking Streets) of the Codified Ordinances of the City of Freeport – as presented by Public Works Director Craig LeBaron stating that this ordinance amends the parking around the Read Park ball diamonds on the streets on Demeter both sides from Empire south, on Deming both sides from Empire south, on Empire the north side where a

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1ST READING OF ORDINANCE #2008-43 (CONT.):

crosswalk will be added at Deming and restricted parking on McKinley to improve the visibility of Little Cubs Field.. With the crosswalk planned at Deming and Empire, the no parking in this area will be within standards for the crosswalk. There is ample parking for the ball diamonds at the Read Park. A request was made by the council to have this change drawn in map form for the next meeting.

A motion to approve the ordinance as presented was given by Alderman Boldt, seconded by Alderman Klemm and it was automatically laid over to the next meeting.

1ST READING OF ORDINANCE #2008-44:

An Ordinance Repealing and Replacing Sections 226.03 (a) of Chapter 226 (Mayor); 228.03 (a) of Chapter 228 (City Clerk); 230.03 (a) of Chapter 230 (City Treasurer) of the Codified Ordinance of the City of Freeport Regarding Compensation – this ordinance was presented by Alderman Klemm stating that the current ordinance provides for salaries for the Mayor, City Clerk and City Treasurer through April 30, 2009. He also stated that a review of salaries of the elected officials is necessary along with how they are structure, making sure they are in line with other cities. Since May 1, 2004, the salary increase for these positions has been 1% each year and this amount does not keep up with the cost of living. With this amendment the salaries for each of these positions is 3%. A motion to approve the ordinance as presented was given by Alderman Endress, seconded by Alderman Klemm and it was automatically laid over to the next meeting.

ACTION ITEMS

APPOINTMENT:

A motion to approve Elliott Franklin Cooper to the Board of Fire and Police Commissioners through April 30, 2010 was made by Alderman Klemm, seconded by Alderman Endress. Motion passed by voice vote without dissent.

RESOLUTIONS

RESOLUTION #R-2008-49:

Resolution to Authorize Expenditure to Assist With Demolition of 11 E. Douglas Street

This resolution was presented in the packet council stating that the Lincoln-Douglas Debate in Freeport will be on August 27, 2008 and the city will celebrate the 150th anniversary during the weekend of Labor Day beginning on August 29, 2008. Many of the events are planned in and around the Lincoln Douglas Debate corridor and the Freeport Arts Center, in an attempt to improve the area in the immediate vicinity of the Debate corridor has offered to demolish the structure located at 11 E. Douglas Street. With this resolution the council is asked to approve the expenditure of \$15,000 from the Economic Development Fund line Item 36-0-544.0 to assist with the demolition of the building located at 11 E. Douglas Street subject to appropriate environmental assessments as verified through the Community Development Director. Mayor George Gaulrapp stated that Prevailing Wages will be paid for the demolition. The City will be assisting in the funding and will not take on the bidding process but the Art Center needs to assure that the state guidelines are followed. The Freeport Arts Center received bids on the demolition. Jennifer Kirker, Director of the Freeport Arts Center was available to answer questions from the aldermen and stated that the contractor has agreed the work will be completed with gravel topping before the Lincoln Douglas Celebration. She also answered concerns from the aldermen about dirt and gravel over the new

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RESOLUTION #R-2008-49:

Resolution to Authorize Expenditure to Assist With Demolition of 11 E. Douglas Street

paving on Douglas Street. The additional funds for the demolition will be paid by the Freeport Arts Center. Alderman Helms stated his concerns as a priority for the City to spend money for this project.

Motion to approve resolution – Klemm

Second – Endress

Roll call vote – Ayes: Endress, Corbin, Klemm, Boldt, Bush, and DeVine (6)

Nays – Helms (1)

Resolution 2008-49 was adopted 6-1.

DEPARTMENT HEAD REPORTS

Community Development

Consideration of Mowing Bids - Community Development Director Shelly Griswold presented to council two mowing bids received in the clerk's office by the deadline of June 11, 2008. The first bid was from Bruce Wuebben and Kelly Myers in the amount of \$20 per hour for your needs of cutting weeds, grass, and hauling. The second bid was from Travis Rushing to mow tall grass and weeds on an as needed basis and as requested by the Community Development Director. Other services included with the bid would be brush cutting, removal of clippings and other waste as requested by the City Nuisance Inspector. The cost for these services from Travis Rushing was \$46.00 per hour (\$23.00 per man for two workers). Community Development Director Shelly Griswold recommended approval of both bids based on the number of parcels needing mowing due to the rains. Community Development Director Shelly Griswold answered that she had received insurance certificates for both bidders. A motion to approve both of the bids as presented was made by Alderman Bush, seconded by Alderman Klemm. On a roll call vote of ayes and nays; Endress, Helms, Corbin, Klemm, Boldt, Bush, and DeVine voted aye. There were no nay votes and the motion passed 7-0.

Community Development Director Shelly Griswold stated the Planning Commission has been having a problem getting a quorum together for a meeting and the next one is scheduled for next Thursday with one of the items to review bids for the Comprehensive Plan.

Public Works

Public Works Director Craig LeBaron stated his department requested bids for:

Consideration of bids on used pickup truck for Street Superintendent - Public Works Director Craig LeBaron presented the council information about bids for a used pickup for a truck for Street Superintendent Tom Dole to replace his 1989 Dodge Ram Truck. Four proposals were listed on the comparison presented to the council by Tom Dole at the meeting. The four proposals included information about 4 cylinders, seating for four (so that it may be used by street department traveling to training), four wheel drive, under 30,000 miles, and whether it was 2005 or newer. The four proposals were:

1. 2005 GMC Canyon on the lot at Bocker Auto Group - \$18,192 includes a three year bumper to bumper warranty, title and license.
2. 2007 Ford Sport Trac XLT on the lot at Fairway Ford - \$21,427 includes a remainder of factory warranty of years or 36,000 miles.

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3. 2005 Dodge Dakota on the lot at JH Barkau & Sons - \$15,492 includes a three year bumper to bumper warranty, title and license
4. 2008 Dodge Dakota on the lot at Sawicki Motors - \$22,898 includes a factory warranty.

Public Works Director Craig LeBaron and Street Superintendent Tom Dole recommended the purchase of the 2005 GMC Canyon from Bocker Auto Group for \$18,192 because this is the only bid that meets all of the specifications submitted.

A motion to approve the bid from Sawicki Motors for the 2008 Dodge Dakota with an unlimited mileage package was made by Alderman Klemm, seconded by Alderman Endress. On a roll call vote of ayes and nays; Endress, Klemm, and Boldt voted aye (3). Voting nay were Helms, Corbin, Bush and DeVine (4). The motion was defeated 3-4.

A motion to accept the bid for the 2005 GMC Canyon as presented in the amount of \$18,192 was made by Alderman Helms, seconded by Bush. On a roll call vote of ayes and nays; Helms, Corbin, Boldt, Bush and DeVine voted aye (5). Voting nay were Endress and Klemm (2). The motion passed 5-2.

Director LeBaron stated the street program bids are requested by June 25, 2008 at 10:00 a.m. The bid date for the two plow trucks is on July 14, 2008. The bids on the surplus equipment are due on June 24, 2008. The Public Works department has received a petition for a right turn lane on Hance and Sumac from the citizens and it has been referred to the engineers who did the traffic study in the area with the new FHN building site.

Water and Sewer

Project Manager Denise Ihrig stated to council items covered in her Water and Sewer report stressing the well in question for the radium testing is not on line and with hopes that the well will test normal the next time and if not the Water & Sewer Commission will need to look at other options.

Police

Police Chief of Police Jerry Whitmore stated that the flooding on the east side of Freeport continues to be an issue. The emergency management agency of Stephenson County and city departments have been in contact throughout the flooding. The river crested on Sunday at 15.75 and it was reported before tonight's meeting at 15.67, so it is going down. Over the weekend emergency evacuation of residents was made available on the east side of town in which the police department only received one phone call requesting assistance in the Park Side Housing. One thing that has come up since then is the health issue of children playing in the flooded areas. Police Chief of Police Jerry Whitmore requested parents to not allow their children to water and to use good hygiene if they have been in the water. Those that are in the flooded area are requested to have their wells tested since the high water tables can contaminate the wells. Water testing kits are available through the Stephenson County Environmental Health Group located at the county highway department at 295 West Lamm Road.

Fire

Fire Chief Kevin Countryman recognized two firefighters, Matt Kile and Eric Korte who had graduated from Swedish American Paramedic Program.

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MAYOR'S REPORT

The agreement has been finalized for the Youth Program and the City's share of the costs should close to the budgeted amount of \$21,489.00. Mayor George Gaulrapp recently attended the International Council on Economic Development where he had the opportunity to discuss with other city leaders and retailers and economic development directors from around the country. NIDA is still looking for a director, as the top candidates took positions in other areas. Freeport is committed to the public – private partnership. 80 children are signed up for the Youth Program with 10 counselors having received two days of training and one day of training in CPR. Mayor Gaulrapp thanked Alderman Bush for his support of the Youth Program. Mayor Gaulrapp has been to the flood areas along with Alderman Bush and it is more than nuisance flooding with over four feet of water in the basements. The City will continue to work with FEMA and the Department of Natural Resources in addition to the East Side Task Force to come up with solutions to this issue. The City will do what ever it can to assist with the clean up.

PUBLIC COMMENTS - AGENDA OR NON- AGENDA ITEMS

There was no one signed up for public comments at this time.

NEW BUSINESS

Each council member was given an opportunity to publicly address significant items of interest. Alderman Boldt asked about the up and running of the Germania (City Lights area) Park by Labor Day Weekend. He also asked about the cleaning up of the Library and Mayor Gaulrapp stated he had been over to look at the property today and it did not look that bad. He stated they could look at the property together after the meeting. Alderman Bush reminded council about the Juneteenth Celebration and the heart to heart on race relations. He stated that the flooding issue should have been taken care of years ago before this administration and asked for consideration to address some of the issues faced on that side of town.

An adjournment of the meeting was motioned at 8:20 p.m.

Respectfully submitted,
Meg Zuravel, City Clerk