



## *City Council*

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

---

### **MINUTES REGULAR MEETING Monday, October 20, 2008**

---

#### **CALL TO ORDER**

The meeting was called to order by Mayor George Gaulrapp at 6:00 p.m. with a quorum being present on Monday, October 20, 2008, in City Council Chambers of City Hall.

#### **ROLL CALL**

Present on roll call were council members Endress, Helms, O'Neill, Corbin, Boldt, Bush, and DeVine (7). Alderman Klemm had an excused absence. Also present were 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 AGENDA**

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

#### **APPROVAL OF MINUTES**

A motion to approve the minutes from the regular meeting on Monday, October 6, 2008, was made by Alderman O'Neill, seconded by Alderman Endress. Motion passed by voice vote without dissent.

#### **PUBLIC COMMENTS – AGENDA ITEMS**

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

#### **CONSENT AGENDA**

- A. Approval to Receive and Place on File:
  - 1) Freeport Police Department Activities Report for September 2008
  - 2) Freeport Fire Department Activities Report for September 2008
  - 3) Community Development Department reports for September 2008 including Cash and Miscellaneous Receipts, Electrical, HVAC, Plumbing and Sign Permits by Month, and Building Permits
- B. Approval of Water and Sewer Bills Payable (#151, 152, 156) --- \$136,732.38
- C. Approval of Payroll for pay period ending October 11, 2008 --- \$406,327.41
- D. Approval of Bills Payable (#153, 154, 155, 157) ---- \$360,844.52

Alderman Corbin moved to approve the consent agenda as presented, seconded by Alderman O'Neill. The motion was approved by roll call vote.

Yeas: Endress, Helms, O'Neill, Corbin, Boldt, Bush, and DeVine (7)

**MINUTES  
REGULAR MEETING  
Monday, October 20, 2008**

Nays – None (0)

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

**COMMUNICATION TO COUNCIL**

The following items were included in the council packets for this meeting:

- Memo to Mayor Gaulrapp and City Council from Leslie Mastroianni, Community Development Specialist regarding Comprehensive Economic Development Strategy
- Memo to Mayor Gaulrapp and City Council from Leslie Mastroianni, Community Development Specialist regarding Grant Requests to the Illinois Housing Development Authority
- Memo to City Council, Mayor Gaulrapp and Finance Director Craig Joesten from Accountant Duane Price regarding Illinois Municipal League Risk Management Association (IMLRMA) for the renewal of our property/casualty compensation insurance for the calendar year 2009. Finance Director Craig Joesten stated that the renewal offers two options either standard contribution or the minimum/maximum program. It is the administration's recommendation that the City renews insurance coverage with IMLRMA, then selects the min/max option, and pay before November 21, 2008, to take advantage of the 2% discount.

**PROCLAMATION**

Mayor George Gaulrapp proclaimed November 1, 2008, as All Veteran's Memorial Park Day.

**ORDINANCES – SECOND READING**

**2<sup>ND</sup> READING OF ORDINANCE 2008-55:**

**An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2008, and Ending April 30, 2009 for the City of Freeport County of Stephenson, and State of Illinois**

The first reading of this ordinance was held on October 6, 2008. A motion to approve was given by Alderman Klemm, seconded by Alderman Endress. The second reading was held this date and it was automatically laid over to the next regularly scheduled meeting.

**2<sup>ND</sup> READING OF ORDINANCE 2008-56:**

**An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2008, and Ending April 30, 2009 for the Public Library of the City of Freeport, County of Stephenson, and State of Illinois**

As requested, Library Director Carole Dickerson included a summary of the budget highlights for the proposed 2008 Library Tax Levy Budget in the council packets. The increase in the 2008 tax levy is limited as per the 1991 Property Tax Extension Limitation Law, to 4.1% or \$47,255, for a total maximum levy of \$1,199,809. Personnel costs in the proposed budget, along with unemployment insurance, workman's compensation liability insurance and other items established by the City were provided by the City Finance Department. Personnel costs of \$924,500 make up 77% of the \$1,199,809 levy. Total contractual services of \$140,150 are a decrease of \$1,530 from the amount projected for FY 2009. There are some proposed increases to the supplies for adult and children's programming, print materials, and audio visual materials. Total costs for FY 2009-2010 are projected at \$924,500, which is an increase of 3% over the \$898,500 projected for FY 2009. Library Director Dickerson stated the tax rate for the library has gone down three years in a row, and it is possible that it will decrease again this year. In addition she stated that it is unlikely that the library will receive the full amount of the levy because the

**MINUTES  
REGULAR MEETING  
Monday, October 20, 2008**

levy ordinance restricts the library's tax rate for general operating purposes to .4% rate restriction. In FY 2008, for example, the library was restricted to approximately \$60,000 less than the amount of the levy. If this is the case, it will be necessary to either reduce expenditures or draw on reserves or employ a combination or the two approaches.

The first reading of this ordinance was held on October 6, 2008. A motion to approve was given by Alderman Endress, seconded by Alderman Boldt. The second reading was held this date and it was automatically laid over to the next regularly scheduled meeting.

**2<sup>ND</sup> READING OF ORDINANCE 2008-57:**

**Ordinance to Authorize an Intergovernmental Agreement Between the City of Freeport and Freeport School District #145 for a School Resource Officer Program**

The first reading of this ordinance was held on October 6, 2008. A motion to approve was given by Alderman Helms, seconded by Alderman Klemm. The second reading was held this date and it was automatically laid over the next meeting.

**ORDINANCES – FIRST READING**

**1<sup>st</sup> Reading of Ordinance 2008-58:**

**Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport** – request for amendment of Zoning Ordinance from B3 (Commercial and Wholesale Business District) to M1 (Limited Manufacturing District) by David M. Heitman DBA Perfection Cleaning & Restoration for the property located at 1745 South Ihm Boulevard, Freeport, Illinois - This ordinance was recommended to the City Council by the Planning Commission by unanimous approval on October 9, 2008. Additionally there were no objectors filed for this ordinance. This ordinance was presented by Community Development Director Shelly Griswold stating that the applicant requested a change in zoning to allow for an aboveground gasoline tank on his property. Alderman Corbin moved to concur with the findings of the Planning Commission, seconded by Alderman Endress and the ordinance was automatically laid over to the next meeting.

**1<sup>st</sup> Reading of Ordinance 2008-59:**

**Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport** – request for amendment of Zoning Ordinance from R7 (Multi-family Residence) to B1-1 (Restricted Retail Business) by Paul A. Kijowski for the property located at 404 West Galena Avenue, Freeport, Illinois This ordinance was recommended to the City Council by the Planning Commission by unanimous approval on October 9, 2008. Additionally there were no objectors filed for this ordinance. This ordinance was presented by Community Development Director Shelly Griswold stating that the petitioner is asking for the zoning change to facilitate the sale for use as office and will be looking for other tenants to fill the rest of the building. Director Griswold stated that other B1-1 (Restricted Retail Business) includes businesses such as retail stores, beauty shops, and professional offices. The other tenants will be compatible with an office environment. Alderman Helms moved to concur with the findings of the Planning Commission, seconded by Alderman Endress and the ordinance was automatically laid over to the next meeting. Director Griswold stated that the applicant asked for approval at the next council meeting. Alderman Endress motioned to suspend the rules and move the ordinance forward, there was no second.

**MINUTES**  
**REGULAR MEETING**  
**Monday, October 20, 2008**

**1<sup>st</sup> Reading of Ordinance 2008-60:**

**Ordinance for Variation, Permit or Amendment of Codified Ordinances of Freeport** – request for variance to Section 1250.02 (e) (3) of the Codified Ordinances to allow a two foot (2') rear yard at 1550 LaCresta, Freeport, Illinois by petitioner John Budenz - This ordinance was recommended to the City Council by the Zoning Board of Appeals by unanimous approval on October 9, 2008. Additionally there were no objectors filed for this ordinance. This ordinance was presented by Community Development Director Shelly Griswold. Alderman Endress moved to concur with the findings of the Planning Commission, seconded by Alderman Boldt.

Ordinance 2008-60 was approved by roll call vote.

Yeas: Endress, Helms, O'Neill, Corbin, Boldt, Bush, and DeVine (7)

Nays – None (0)

**1<sup>st</sup> Reading of Ordinance 2008-61:**

**Ordinance Amending Chapter 1030 (Special Events), Section 1030.02 (Permit Application) of the Codified Ordinances of the City of Freeport** - This ordinance was presented by Mayor Gaulrapp stating that each application for a special event application has a \$25.00 fee, but would like to add the wording “unless such event is sponsored by or held in conjunction with a governmental entity, in which case such fee shall be waived.” This would include schools and the neighborhood watch program. Alderman Endress moved to approve the ordinance as presented, seconded by Alderman Boldt.

Alderman Endress motioned to suspend the rules and move the ordinance forward due to the upcoming Lantern Festival, there was no second. The ordinance was automatically laid over to the next meeting.

**1<sup>st</sup> Reading of Ordinance 2008-62:**

**Ordinance Amending a Redevelopment Agreement by and Between BW Freeport, LLC and the City of Freeport, Stephenson County, Illinois** – as presented by Finance Director Craig Joesten.

Director Joesten stated that this ordinance amends a redevelopment agreement between BW Freeport, LLC and the City of Freeport for the parcel of real estate commonly known as the Stephenson Hotel, now known as the Hampton Inn. This amends section 3(E) 6 of the Redevelopment Agreement to read as follows: 6. Evidence of a lease with a nationally recognized restaurant chain acceptable to the Corporate Authorities of the City, for ground floor space in the Project and a commitment from said restaurant to operate from said location beginning not later than May 1, 2009. Ms. Betty DeMichele, manager of the Hampton Inn, spoke to the council stating that a nationally recognized restaurant chain, namely Max and Erma's, has made a commitment to the hotel but it has taken longer than expected for the management of that restaurant to be trained. Alderman Endress moved to approve the ordinance as presented, seconded by Alderman Corbin and the ordinance was automatically laid over to the next meeting.

**ACTION ITEMS**

**REAPPOINTMENTS**

A motion to accept the reappointment of William Smull to the Housing Authority of Freeport effective immediately and to expire on October 31, 2013 was made by Alderman Endress, seconded by Alderman Corbin. Motion passed by voice vote without dissent.

**MINUTES**  
**REGULAR MEETING**  
**Monday, October 20, 2008**

The following reappointments effective immediately and to expire on October 31, 2012 were approved in one motion; reappointment of Walter Mass to the City of Freeport Planning Commission, reappointment of Sally Spudich to the City of Freeport Planning Commission and Mark Winter to the City of Freeport Planning Commission. Alderman Endress moved for approval of the re-appointments as presented, seconded by Alderman O'Neill. Motion passed by voice vote without dissent.

**DEPARTMENT HEAD REPORTS**

**Library**

Director Dickerson spoke about a media drive for the 333<sup>rd</sup> Military Police now deployed requesting new or slightly used books, CD's, or DVD's to be brought to the library and placed in collection barrels.

**Public Works**

Director LeBaron presented a memo to council regarding bids for Gladewood Bridge Repair. He stated that bids were opened on Tuesday, October 14, 2008 and bids were received from Moring Construction and Civil Constructors. The bid total from Civil Constructors was \$39,212.00 and from Moring Construction was \$36,407.80. Adam Holder of Fehr-Graham & Associates reviewed the bids and determined that both bids met the specifications and has recommended that the City accept the low bid from Moring Construction. Therefore, Director LeBaron recommended to council to concur with the recommendation from Fehr-Graham and award the contract for repair of Gladewood Bridge to Moring Construction in the amount of \$36,407.80. Alderman Helms moved to accept the recommendation of Director LeBaron and Fehr-Graham and approve the bid for Moring Construction in the amount of \$36,407.80 as presented, seconded by Alderman Corbin. Alderman Helms asked about the repairs to the bridge and Director LeBaron stated the repair will take off the cross bracing underneath the bridge and replace the cross member ties with cross cable ties. They will be tightened. The brackets that the cross ties fit into will be reinforced at each end and underneath the deck. The substructure will be stabilized. The repair will not do anything with the driving surface of the deck or the truce itself. This will repair the damaged cross ties that snapped. It is anticipated that this repair will last 5-6 years and hopefully long enough to the point of giving time to consider other options for the bridge. The parts need to be ordered for the repair and it is estimated completion November or December 2008. This will repair it to 3 ton posted and only for use by passenger vehicles, pedestrian and bicycles. This bridge should not be used for school buses, snow plows, or trucks. The deck itself may have to be repaired in the future. The state now requires inspection of this bridge every year.

The motion was approved by roll call vote.

Yeas: Endress, Helms, O'Neill, Corbin, Boldt, Bush, and DeVine (7)

Nays – None (0)

Director LeBaron stated that we have been required to have a bridge manager on file and the county decided not to do this for use, so he has prepared a request for qualifications for three local firms and this information is expected back in the next thirty days for IDOT.

Director LeBaron presented a memo to council regarding Bids for Stabilization of West Wall - Rawleigh Powerhouse. One bid from Moring Construction of McConnell was received on October 10, 2008 at 10:00 am. There was only one other request for the bid specifications and that was from Banner Construction. Winter Construction and Civil Constructors did not submit bids. The specifications

**MINUTES  
REGULAR MEETING  
Monday, October 20, 2008**

indicated that the bidder must tour the project prior to bidding and Ron Moring and an employee met this specification. Director LeBaron stated that we had asked contractors to hold liability insurance in the conglomerate amount of \$5,000,000.00. The bid from Moring Construction was bid using this amount, but also submitted an alternate bid using their standard \$2,000,000.00 coverage. The base bid as specified was \$13,260.00. The alternate bid with the reduced insurance amount was \$9,194.00. After talking with Finance Director Craig Joesten and Corporation Counsel Sarah Griffin, they approved accepting a lesser amount of insurance for this project. When the original specifications were put together we assumed that the added cost for the increased coverage would not be this significant. The contractor's employees would be covered under workers compensation coverage, not his liability coverage. Therefore, the lowered coverage amount will be acceptable to the City. It was recommended by Director LeBaron to accept the alternate bid from Moring Construction and waive the \$5,000,000 insurance coverage and go with the \$2,000,000 coverage in the amount of \$9,194.00 for the wall stabilization at the Rawleigh Building. Alderman O'Neill moved to accept the alternate bid from Moring Construction in the amount of \$9,194.00 as presented, seconded by Alderman Corbin.

Alderman Boldt asked about the demolition bids and included in the packets was a letter summarizing an estimated cost to demolition the buildings written by Director LeBaron. The demolition estimates were:

- \$1.6 million for Building B (108,100 square feet),
- \$500,000 for the Power House Building C
- \$2.7 million for Building D, \$2.4 million for Building E
- \$50,000 for the bridge connecting Building B and D

These numbers are furnished as information only, if and when we would look at the actual demolition, better more specific numbers would be obtained. Mayor Gaulrapp spoke about the contamination of the Rawleigh building and why the city had to take it over due to safety reasons and the mercury contained in the building. The next meeting of the Rawleigh buildings will be Tuesday, October 28, 2008. Discussion continued about the costs of repairs to the building. Director LeBaron reiterated that the motion on the floor is for repairs to the upper west wall of the Powerhouse Building.

Yeas: O'Neill, Corbin, Bush, and DeVine (4)

Nays – Endress, Helms, Boldt (3)

Mayor George Gaulrapp voted yea.

Motion passed 5-3 by roll call vote.

**Fire**

Fire Chief Kevin Countryman presented a memo to council regarding bids for Kitchen Remodel at Fire Station #1 located at 920 S. Park Blvd. The kitchen area is basically in the same configuration as when Station #1 was constructed in the 1970's with the appliances being replaced as needed. Fire Station #1 has been under a remodel project for the previous three years with new flooring, fresh paint, updated locker room, and some other minor updates. The kitchen remodel should complete the update of Station #1 (barring any unforeseen circumstances) and make it functional efficient station for the next several years. The project will funded by Fire Department Capital Improvement Fund and was included in the annual appropriation ordinance. Two bids were received for the project one from Karst Construction of Cherry Valley, Illinois in the amount of \$18,145.69. This bidder was determined to be not licensed as a contractor with the City, some plumbing fixtures were not included with the bid, and a minor technicality of the bid not be properly labeled for identification. The second bid was received from Harn Construction in the amount of \$22,053.00 meeting all bid specifications. The bids were reviewed by Station #1

**MINUTES**  
**REGULAR MEETING**  
**Monday, October 20, 2008**

committee and it was recommended to accept the bid from Harn Construction for the amount of \$22,053.00 with the recommendation from the bidder to move the location of the stove to meet applicable building codes. Alderman O'Neill moved to accept the bid as presented for Harn Construction in the amount of \$22,053.00 for remodeling of kitchen at Fire Station #1, seconded by Alderman Boldt.

The motion was approved by roll call vote.

Yeas: Endress, Helms, O'Neill, Corbin, Boldt, Bush, and DeVine (7)

Nays – None (0)

**Community Development**

Community Development Director Shelly Griswold gave a report to council regarding demolition progress. Community Development Specialist Leslie Mastroianni gave reports to council regarding Comprehensive Economic Development Strategy (CEDS) and grant requests for the Illinois Housing Development Authority. Community Development Director Shelly Griswold stated the bulky waste pickup program will begin the week of November 17, 2008. Citizens should call their haulers to sign up by November 14 and the fee of about \$40.00 with the rules being the same as previous years.

**MAYOR'S REPORT**

Mayor Gaulrapp welcomed the guests from the Boy Scout troop #8 working on their merit badges by learning about civic government. He stated that the city met with the disposal providers and suggested a city wide yard waste program, totes on wheels, and a possible three days per week pickup service instead of five. He asked for suggestion on what other cities are doing that works. Leaf pickup started today, October 20, 2008 and asked people to clean out street drains. He understands the vote on Rawleigh was a difficult decision but the city must be responsible and take care of its citizens. The city is working on removing old homes that have been taken out of use that are a hazard.

**NEW BUSINESS**

Each council member was given an opportunity to publicly address significant items of interest. Alderman Endress stated a third neighborhood watch has been started in the fifth ward. Alderman O'Neill spoke about early voting at the Stephenson County Courthouse until October 30; and Alderman Bush thanked the city for the demolition of the big red house in his ward.

An adjournment of the meeting was motioned at 7:15 p.m.

Respectfully submitted,

Meg Zuravel, City Clerk