

**CITY OF FREEPORT, ILLINOIS**  
**TUESDAY EVENING**  
**CITY COUNCIL MEETING**  
**FEBRUARY 18, 2003 AT 7:00PM**  
**CITY COUNCIL CHAMBERS**

**QUORUM**

At 7:00pm, a quorum being present, Mayor Gitz called the meeting to order.

**RECORD**

Present were Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Boldt, and Urban.

**PLEDGE OF ALLEGIANCE**

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

**PRESENTATION**

There was a presentation by Brett Hanson, from the Illinois Environmental Protection Agency. He clarified the IEPA standards for water quality and how the City of Freeport measures against those standards.

**APPROVAL OF MINUTES**

The Journal of the Minutes of the regular meeting held on February 3, 2003, was presented for approval. Alderwoman Bender moved, seconded by Alderwoman Moore-Howard for approval of the minutes. The motion carried.

**COMMUNICATION**

Due to illness and diagnosed laryngitis, Alderwoman Jones will be unable to attend tonight's council meeting.

Alderman Goley moved, seconded by Alderman Gaulrapp to receive this communication and place it on file. The motion carried.

**CONSENT AGENDA**

- A. Approval to Receive and Place on file:
  - 1. Zoning Board of Appeals Report
  - 2. Treasurer's Monthly Investment Report for period ending January 31, 2003
  - 3. Planning Commission Report
  - 4. Police Department Activities for 2002
  - 5. Police Department Activities January 2003
  - 6. Treasurer's Report for period ending January 31, 2003
  - 7. Fire Department Activities for January 2003
  - 8. Treasurer's Schedule of Tax Receipts for period ending January 31, 2003
- B. Approval of Water & Sewer Disbursements for February 2003 - \$48,686.03
- C. Approval of Bills Payable for January 2003 -\$765,115.49
- D. Approval of Payroll for Pay Period ending January 26, 2003- \$287,429.07

Alderman Gaulrapp moved, seconded by Alderwoman Bender for approval of the

consent agenda. On the roll call of yeas and nays, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Boldt, and Urban voted yea. The motion carried.

**2<sup>nd</sup> READING**

**ORDINANCE #2003-11**

**AN ORDINANCE AMENDING CHAPTER 1456 DANGEROUS AND UNSAFE BUILDINGS OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT**

Alderman Steele, Community Development Chair, stated that the committee held a meeting on February 10, 2003. The demolition ordinance was discussed to see if any changes needed to be made prior to this meeting. Marianne Garvens was present and presented concerns with regard to home rule, dangerous and unsafe statutes, and claimed that the ordinance was unconstitutional. Corporation Counsel, Sarah Griffin and advising attorney did not agree that this was unconstitutional and that the ordinance was appropriate as written. There were no changes recommended for the ordinance. This ordinance was laid over from the meeting of February 3, 2003, when it was moved by Alderman Steele, seconded by Alderman Bender. On the roll call of yeas and nays, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Boldt, and Urban voted yea. The motion carried.

**1<sup>st</sup> READING**

**ORDINANCE #2003-12**

**SPECIAL ORDINANCE FOR VARIATION, PERMIT, OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Variance, 1628 W Harrison St)**

Alderman Steele, Community Development Chair stated that the committee held a meeting on February 10, 2003. This variance is to allow the roof of a new garage to exceed the allowed amount by seven feet. There were no objections received and the variance is requested so that the roofline will be able to match the roofline of the existing house. The committee voted unanimously to concur with the Zoning Board of Appeals and Alderman Steele so moved, seconded by Alderman Dawson. On the roll call of yeas and nays, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Boldt, and Urban voted yea. The ordinance was approved.

**1<sup>st</sup> READING**

**ORDINANCE #2003-13**

**AN ORDINANCE TO ABATE THE 2002 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF GENERAL OBLIGATION BONDS, SERIES 2000**

Alderman Bush, Finance Chair, stated that the committee held a meeting on February 11, 2003. This ordinance is approved annually in order to abate bonds for the tax levy. The committee voted unanimously to approve this ordinance and Alderman Bush so moved, seconded by Alderman Goley. On the roll call of yeas and nays, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Boldt, and Urban voted yea. The ordinance was approved.

**1<sup>ST</sup> READING**

**ORDINANCE #2003-14**

**AN ORDINANCE AMENDING CHAPTER 608 ALCOHOLIC LIQUOR OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS**

Alderman Steele, Community Development Chair, stated that the committee held a meeting on February 10, 2003. The Freeport Lanes requested special hours in order to

sell alcohol on Sundays beginning at 9:00am for a bowling tournament. Thousands of people are expected to attend the event and it is intended to be a one-time event. The committee voted unanimously to approve this ordinance and Alderwoman Steele so moved, seconded by Alderwoman Toepfer. Alderwoman Steele moved, seconded by Alderman Dawson moved to suspend the rules in order to consider the ordinance at this meeting. On the roll call of yeas and nays to suspend the rules, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Boldt, and Urban voted yea. The motion carried. On the roll call of yeas and nays to approve this ordinance, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Moore-Howard, Goley, Toepfer, Veer, Boldt, and Urban voted yea. Alderman Bush voted nay. There were twelve yeas and one nay. The ordinance was approved.

**1<sup>ST</sup> READING**

**ORDINANCE #2003-15**

**AN ORDINANCE AUTHORIZING AN ILLINOIS LAW ENFORCEMENT ALARM SYSTEM MUTUAL AID INTERGOVERNMENTAL AGREEMENT**

Alderman Dawson, Public Safety Chair, stated that the committee held a meeting on February 12, 2003. The committee voted to approve this ordinance and Alderman Dawson so moved, seconded by Alderwoman Bender. This ordinance was automatically laid over to the next regular meeting.

**1<sup>ST</sup> READING**

**ORDINANCE #2003-16**

**AN ORDINANCE TO APPROVE AN INTERGOVERNMENTAL AGREEMENT FOR A MULTI-JURISDICTIONAL TASK FORCE INTERAGENCY AGREEMENT**

Alderman Dawson, Public Safety Chair, stated that the committee held a meeting on February 12, 2003. The committee voted to approve this ordinance and Alderman Dawson so moved, seconded by Alderwoman Bender. This ordinance was automatically laid over to the next regular meeting.

**1<sup>ST</sup> READING**

**ORDINANCE #2003-17**

**AN ORDINANCE TO ISSUE A SPECIAL USE PERMIT UNDER THE ZONING ORDINANCE OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT (SPECIAL USE PERMIT, FREEPORT RACEWAY PARK)**

Alderwoman Steele, Community Development Chair, stated that the committee held a meeting on February 10, 2003. The committee discussed briefly the intent of the Special Use Permit having to be renewed on an annual basis versus a two or three year renewal. Due to the fact that there are some who have concerns with the noise level, the committee concurred with the Planning Commission to retain the renewal on a yearly basis. The committee voted unanimously to approve this ordinance and Alderwoman Steele so moved, seconded Alderwoman Moore-Howard. This ordinance was automatically laid over to the next regular meeting.

**RESOLUTION #R-2003-05 AS AMENDED**

**RESOLUTION TO APPROVE THE TIF APPLICATION POLICY**

**WHEREAS**, the City of Freeport wishes to encourage the creation of new businesses in the City of Freeport; and

**WHEREAS**, the City is authorized to take certain actions pertaining to development and redevelopment activities; and

**WHEREAS**, Illinois Law provides for creation of a Tax Increment Finance (TIF) District to provide such assistance, intervention and redevelopment planning; and

**WHEREAS**, in order to ensure that the City has the necessary information available to it in order to determine feasibility and viability of any project seeking funding or reimbursement through a formal redevelopment agreement, the City has developed a TIF Application Checklist which is attached herein as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that it approve the attached Tax Increment Financing Program Application Checklist to be used when seeking TIF funding through a redevelopment agreement.

**BE IT FURTHER RESOLVED** that this Resolution is expressly adopted pursuant to the Home Rule authority of the City of Freeport under Section 6(a) of Article VII of the Illinois Constitution of 1970; and

This resolution was laid over from the meeting of January 21, 2003, when it was moved by Alderwoman Steele, seconded by Alderman Dawson for approval. On the roll call of yeas and nays to adopt this resolution, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Moore-Howard, Goley, Toepfer, Veer, Boldt, and Urban voted yea. The resolution was approved.

**RESOLUTION #R-2003-19**

**RESOLUTION TO AUTHORIZE PARTICIPATION IN THE NATIONAL PHARMACEUTICAL STOCKPILE DISTRIBUTION PLAN FOR NORTHWEST ILLINOIS**

**WHEREAS**, the nation, state and local region are all preparing for the potential of an act of bioterrorism; and

**WHEREAS**, as part of this preparedness, local public health officials have determined the "National Pharmaceutical Stockpile Distribution Plan for Northwest Illinois"; and

**WHEREAS**, the Freeport Police Department is an active participant in this plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that the Chief of Police of the Freeport Police Department is hereby designated as the authorized representative of the City of Freeport and is authorized to consent to the terms of such plan.

**BE IT FURTHER RESOLVED** that this Resolution is expressly adopted pursuant to the Home Rule authority of the City of Freeport under Section 6(a) of Article VII of the Illinois Constitution of 1970; and

Alderman Dawson, Public Safety Chair, stated that the committee held a meeting on February 12, 2003. The committee voted unanimously to adopt this resolution and Alderman Dawson so moved, seconded by Alderwoman Bender. On the roll call of yeas and nays to adopt this resolution, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Moore-Howard, Goley, Toepfer, Veer, Boldt, and Urban voted yea. The resolution was approved.

**APPOINTMENTS**

There was leave requested and granted to accept one motion for the following appointments to the Building Commission:

Pursuant to the provisions of Section 1440.02(a) of the City Code, Mayor Gitz hereby appoints Terry Heilman as an at-large member, term to expire on April 30, 2007; Phil Copus, a building contractor, term to expire on April 30, 2005; Wayne Schofield, a licensed plumber, term to expire on April 30, 2005; Jon Green, licensed electrician, term to expire on April 30, 2006; and Jim Lemanski, a licensed HVAC contractor, term to expire on April 30, 2006.

Alderman Rinehart moved, seconded by Alderwoman Bender to accept these appointments. On the roll call of yeas and nays, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Moore-Howard, Goley, Toepfer, Veer, Boldt, and Urban voted yea. The motion carried.

**PUBLIC SAFETY COMMITTEE**

Alderman Dawson, Chair, stated that the committee held a meeting on February 12, 2003. The committee approved the sale of the fire department's old ladder truck.

**PUBLIC WORKS COMMITTEE**

Alderman Jenkins, Chair, stated that the committee held a meeting on February 10, 2003. Public Works Director, Craig Lebaron, showed drawings and informed the committee on the progress of the Galena Ave project. This is the section of Galena from Clark to South Street. The committee was pleased to see the improvements planned for the intersection of Empire, Fruit, and Galena. The streets will be aligned better and visibility will be greatly improved.

Roxanne Rice, from Rockford, Illinois, is requesting new curb for the rental property, 1436 West American, which at the corner of American and Stewart. The committee has been discussing whether curb and gutter should be added to the sidewalk program or if it should be separate. One attractive option discussed is to split the cost with the property owner, cost could range from \$20-\$30 per foot. This subject will be on next month's regular meeting agenda.

Denise Blakely, Assistant Director of the Water & Sewer Department, discussed the request from the W & S Commission to spend \$91,0000 on a rate study plan for storm sewer improvements. The committee wants assurance that Black & Veatch is uniquely qualified and that the cost is reasonable, and what the impact could be for homeowners and businesses in Freeport.

The next meeting will be March 10, 2003, at 7:00pm, in City Council Chambers.

**TECHNOLOGY COMMITTEE**

Alderman Gaulrapp, Chair, announced that the next meeting would be March 4, 2003, in City Council Chambers.

**COMMUNITY DEVELOPMENT COMMITTEE**

Alderwoman Steele, Chair, stated that the committee held a meeting on February 10, 2003. An ordinance with regard to banning smoking in public locations was presented

as a draft for review. This ordinance bans smoking in all public places with exceptions to bars, motel/hotel rooms, private homes, tobacco shops, or private clubs. This will be discussed further at the next regularly scheduled meeting on March 3, 2003.

Mayor Gitz addressed the committee seeking opinions on a possible ordinance with restrictions for political signage. The size of the signs, removal after election, and signage in public right of ways were items discussed with reference to this topic. The committee was told to expect a draft ordinance at the next meeting.

The committee also held a special meeting on February 18, 2003. Bids were presented for five properties. They will be presented at the next council meeting.

**FINANCE COMMITTEE**

Alderman Bush, Chair, stated that the committee held a meeting on February 11, 2003. The members of the Financial Task Force presented their recommendations to the committee. They recommended cutting \$1.3 million dollars in expenses increase revenues to \$605,000, which included increasing the Telecommunications Tax to 3% and other taxing options. Several people in attendance voiced their concern on possible cuts to the police and fire departments. The committee will discuss increasing the telecommunications tax at a special meeting on February 19, 2003, at 6:00pm.

Bill Morris discussed a bond for the library project, storm sewers, and the Rawleigh redevelopment project. He explained that a \$6 million dollar bond would pay for all three projects. He stated that the first payment would be minimal, but it would increase over time.

The committee was informed that the police department would be requesting bids for a cleaning service. Alderman Bush announced that there would be a special meeting on February 19, 2003, at 6:00pm, in City Council Chambers.

**NEW BUSINESS**

The aldermen made comments. There was no new business presented that required action from the council.

**PUBLIC COMMENTS**

Debbie Doelker made comments regarding Vision 20/20 and a FOIA request that was submitted to the Water and Sewer Department.

DeEsta Munz requested that citizens write if they are interested in saving the Germania Club.

Mayor Gitz made comments regarding various city issues.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 8:12pm.

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LATACIA M. ISHMON, CITY CLERK

