

**CITY OF FREEPORT, ILLINOIS**  
**MONDAY EVENING**  
**CITY COUNCIL MEETING**  
**APRIL 7, 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 Bender, Goley, Toepfer, Veer, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart. Alderman Bush entered the meeting at 7:05pm. Absent were Alderwomen Steele and Moore-Howard.

**PLEDGE OF ALLEGIANCE**

At this time, the Pledge of Allegiance was led by Alderwoman Bender

**DO THE RIGHT THING PRESENTATION**

Michelle Countryman acknowledged all the sponsors for the Do the Right Thing Program. Fire Chief, Jim Blackburn and Police Chief, Jerry Whitmore then read the nominees for the month of March and announced the top winner.

**PUBLIC HEARING**

Economic Development Director, Bob Skurla and Bob Richilicki, of Kane, McKenna, and Associates, Inc. held a public hearing on the proposed Lamm Road Industrial Development Park Tax Increment Financing District. The following agenda was followed: A Summary of Public Notices and Conformance to TIF Act, Report of Joint Review Board, Introduction of Written Comments, TIF Overview and Summary of TIF Plan, and Public Comments. Richard Court, a public member, requested that the boundaries of the plan be explained. Mr. Skurla and Mr. Richilicki answered questions from the council. There being no further business, Alderman Goley moved, seconded by Alderman Gaulrapp that the public hearing be closed. The motion carried.

**COMMUNICATIONS**

Alderman Urban requested an excused absence for the special meeting on March 24, 2003, as he was out of the country.

Alderman Rinehart moved, seconded by Alderman Goley that this absence be excused.

Alderman Boldt requested an excused absence for the meeting on March 17, 2003, due to family medical problems.

Alderman Urban moved, seconded by Alderman Goley that this absence be excused. On the roll of yeas and nays to excuse both absences, Aldermen Bender, Bush, Goley, Toepfer, Veer, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The motion carried.

## **APPROVAL OF MINUTES**

The Journal of the Minutes of the regular meeting held on March 17, 2003, and special meeting held on March 24, 2003, were presented for approval. Alderman Gaulrapp moved, seconded by Alderwoman Bender for approval of the minutes. The motion carried.

## **CONSENT AGENDA**

A. Approval to Receive and Place on file:

1. Department of Community Development Cash Receipts for March 2003
2. Department of Community Development Building Permits for March 2003
3. Police Department Activity Report for March 2003
4. Zoning Administrator's Report for the 1<sup>st</sup> Quarter of 2003
5. Community Development Report
6. Fire Department Activity Report for March 2003
7. Treasurer's Schedule of Tax Receipts for period ending February 28, 2003

B. Approval of Water & Sewer Disbursements for March 2003 - \$133,370.67

C. Approval of Bills Payable for March 2003 - \$600,543.63

D. Approval of Payroll for Pay Period ending February 22, 2003 - \$286,549.68

Alderman Gaulrapp moved, seconded by Alderwoman Bender for approval of the consent agenda. On the roll call of yeas and nays, Aldermen Bender, Bush, Goley, Toepfer, Veer, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The motion carried.

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

### **ORDINANCE #2003-21**

#### **AN ORDINANCE TO ADOPT SCHEDULE OF AMBULANCE RATES IN ACCORDANCE WITH SECTION 242.46 OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT**

This ordinance was laid over from the meeting of March 17, 2003, when it was moved by Alderman Dawson, seconded by Alderwoman Bender. On the roll call of yeas and nays, voted yea, Aldermen Bender, Bush, Goley, Toepfer, Veer, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The ordinance was approved.

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

### **ORDINANCE #2003-22**

#### **AN ORDINANCE AMENDING CHAPTER 480 (PARKING GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT**

This ordinance was laid over from the meeting of March 17, 2003, when it was moved by Alderman Jenkins, seconded by Alderman Urban for approval. On the roll call of yeas and nays, Aldermen Bender, Bush, Goley, Toepfer, Veer, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The ordinance was approved.

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

### **ORDINANCE #2003-23**

#### **AN ORDINANCE TO AUTHORIZE INTERGOVERNMENTAL AGREEMENT WITH HOUSING AUTHORITY FOR SUMMER 2003**

This ordinance was laid over from the meeting of March 17, 2003, when it was moved by Alderman Dawson, seconded by Alderwoman Bender for approval. On the roll call of yeas and nays, Aldermen Bender, Bush, Goley, Toepfer, Veer, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The ordinance was approved. The ordinance was approved.

**2<sup>ND</sup> READING**

**ORDINANCE #2003-24**

**AN ORDINANCE AMENDING CHAPTER 290 (COMPENSATION AND BENEFITS) OF THE CITY OF FREEPORT, ILLINOIS**

This ordinance was laid over from the meeting of March 17, 2003, when it was moved by Alderman Dawson, seconded by Alderwoman Bender for approval. Alderman Dawson moved, seconded by Alderwoman Bender that this ordinance be laid over again until the next regular meeting. The motion carried.

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

**ORDINANCE #2003-25**

**AN ORDINANCE TO AMEND AND ADJUST THE 2002-2003 APPROPRIATION ORDINANCE**

Alderman Goley stated that the Finance Committee held a special meeting on April 7, 2003. Alderman Goley explained that this ordinance is done annually in order to shift appropriated funds into line items where the city spent more than what was originally appropriated. The committee voted unanimously to approve this ordinance and Alderman Goley so moved, seconded by Alderman Jenkins. This ordinance was automatically laid over to the next regular meeting.

**1<sup>ST</sup> READING ORDINANCE #2003-26**

**AN ORDINANCE AMENDING CHAPTER 480 (PARKING GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT**

Alderman Jenkins, Public Works Chair, stated that the committee held a special meeting on April 7, 2003. This ordinance is to increase a no parking space on the east side of Locust, from Empire 100 feet north. There have been quite a few accidents at this location. Increasing the no parking space footage will improve visibility. The committee voted unanimously to approve this ordinance and Alderman Jenkins so moved, seconded by Alderman Urban. This ordinance will be automatically laid over to the next regular meeting.

**RESOLUTION #R-2003-23**

**RESOLUTION INCREASING CABLE FRANCHISE FEE TO 5%**

**WHEREAS**, on February 7, 1983, the City adopted Ordinance No. 83-8 which granted a cable franchise, effective for fifteen (15) years from the date of adoption, to Continental Cablevision; and

**WHEREAS**, Insight Communications Midwest, LLC, through an acquisition and via a management agreement is the successor in interest and is now the holder of the Franchise for the provision of cable television services to residents of the City; and

**WHEREAS**, the City has, by extensions of the 1983 ordinance, granted Insight Communications Midwest, LLC the continuing right to provide such services; and

**WHEREAS**, the City and Insight Communications Midwest, LLC are engaged in negotiations for a Franchise Agreement to succeed and replace the original franchise as so extended; and

**WHEREAS**, pursuant to the 1983 ordinance, the City is obliged to request Insight Communications Midwest, LLC to increase the franchise fee which Insight Communications Midwest, LLC pays to City for, but not limited to, the use of the City's rights of way and the attendant administration and maintenance of same; and

**WHEREAS**, the City has determined it is in its best interests to request Insight Communications Midwest, LLC that said franchise fee will change from the existing 3%

of gross revenues to 5% of gross revenues, of which 5% is consistent with franchise fees received from cable television franchisees by most other communities in Illinois.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that the Mayor is authorized to provide Insight Communications Midwest, LLC proper notice of said intent to increase such fees, and to coordinate with Insight Communications Midwest, LLC in the franchisee's communication with its subscribers.

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk, on behalf of the City of Freeport, shall execute all such documents and provide such additional information necessary for the carrying out of said notice and increase.

**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.

Alderman Gaulrapp, Technology Chair, stated that the committee held a special meeting on April 7, 2003. Increasing the franchise fee from 3% to 5% will increase the city's revenue from \$113,000 to \$189,000. The committee voted unanimously to adopt this resolution and Alderman Gaulrapp so moved, seconded by Alderman Rinehart. Alderman Gaulrapp moved that this resolution be laid over until the next regular meeting in order to give the public time for input.

Alderman Goley stated that the Finance Committee held a special meeting on April 7, 2003. The committee voted to pass this resolution on to the full council, provided that it is laid over until the next regular meeting.

**RESOLUTION #R-2003-24**

**RESOLUTION TO REQUEST TEMPORARY CLOSURE OF STREETS FOR ANNUAL MEMORIAL DAY PARADE**

**WHEREAS**, on May 26, 2003, the Allied Veterans Council is sponsoring its Annual Memorial Day Parade, which event constitutes an authorized special event; and

**WHEREAS**, the proposed route of this parade will require the temporary closure of the following streets: Walnut from Jackson to Stephenson; Stephenson from Walnut to State; State from Stephenson to Main; and Main from State to Walnut; and

**WHEREAS**, Section 5/4-408 of the Illinois Highway Code (605 ILCS 5/4-408) authorizes the Department of Transportation to issue permits to local authorities to temporarily close portions of State Highways for such public purposes; and

**WHEREAS**, pursuant to Chapter 1030 of the Codified Ordinances of the City of Freeport, the special events permit application submitted by the Allied Veterans Council has been reviewed and approved, subject to the required permit being issued by the Department of Transportation.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS**, that permission be requested of the Department of Transportation to close off South Galena (Route 20) from East Main to West Stephenson Street. This closure shall be for the public purpose of holding a parade under the following conditions:

1. The approximate time period of all street closures shall be between 9:00 a.m. to 12:00 Noon on Monday, May 26, 2003;
2. The traffic from the closed portion of highway shall be detoured over routes with an all-weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State Highway;

3. The parking of vehicles shall be prohibited on the detour routes to allow an uninterrupted flow of two-way traffic;
4. The City assumes full responsibility for the direction, protection, and regulations of the traffic during the time the detour is in effect;
5. Police officers or authorized flaggers shall be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic through the detour;
6. Emergency vehicles shall be permitted in emergency situations to pass through the closed area as is safe for all concerned;
7. The closure and detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices;
8. All debris shall be removed by the City of Freeport prior to reopening the State Highway;
9. Such signs, flags, barricades, etc., shall be provided by the City of Freeport as may be approved by the Illinois Department of Transportation;
10. An occasional break shall be made in the procession so that traffic may pass through. In any event, adequate provisions will be made for traffic on intersecting highways pursuant to conditions noted above;
11. The Allied Veterans Council shall provide proof of a comprehensive general liability insurance policy or an additional insured endorsement in the amount of \$100,000 per person and \$500,000 aggregate, under which the City of Freeport and the Illinois Department of Transportation and its officials, employees and agents shall be insured and protected from all claims arising from the requested highway closing.

**BE IT FURTHER RESOLVED** that a copy of this Resolution and proof of liability insurance provided by the Allied Veterans Council shall be forwarded by the City Clerk to the Illinois Department of Transportation, District 2 Operations Office, 819 Depot Avenue, Dixon, Illinois 61021-3500, to serve as a formal request for the permission sought in this Resolution and to operate as part of the conditions of said permission.

Alderman Bender moved, seconded by Alderman Goley for approval of this resolution. On the roll call of yeas and nays, Aldermen Bender, Bush, Goley, Toepfer, Veer, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The resolution was adopted.

**RESOLUTION #R-2003-25**

**RESOLUTION IN HONOR OF WEEK OF THE YOUNG CHILD**

**WHEREAS**, the All of Our Kids Network, Freeport Early Childhood Consortium, and many other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating “Week of the Young Child”, April 7 through April 11, 2003,

**WHEREAS**, the theme of this year’s celebration is “Early Childhood: Where our Future Begins”; and

**WHEREAS**, this year’s celebration seeks to highlight ways to enhance the safety and well-being of our children and to promote family involvement in community activities; and

**WHEREAS**, the future of our community and state depends on the quality of the early childhood experiences provided to young children today; and

**WHEREAS**, the Mayor has issued a proclamation proclaiming April 7, 2003 through April 11, 2003 as “Week of the Young Child” in the City of Freeport.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that we endorse the “Week of the Young Child” as a worthy community initiative.

**BE IT FURTHER RESOLVED** that we concur with the importance of parental involvement in the development of healthy children; and

**BE IT FURTHER RESOLVED** that we urge all Freeport citizens and organizations to support the Family Fair which will be held at the Freeport Masonic Temple on Tuesday April 8, 2003 from 6:00 p.m. to 8:30 p.m.

Alderswoman Bender moved, seconded by Alderman Dawson for adoption of this resolution. On the roll call of yeas and nays, Aldermen Bender, Bush, Goley, Toepfer, Veer, Boldt, Urban, Dawson, Jenkins, Gaulrapp, and Rinehart voted yea. The resolution was adopted.

#### **TECHNOLOGY COMMITTEE**

Alderman Gaulrapp, Chair, stated that committee did not have their regularly scheduled meeting due to lack of a quorum.

#### **COMMUNITY DEVELOPMENT COMMITTEE**

Alderman Boldt stated that the next meeting would be Monday, April 14, 2003 at 5:30pm, in City Council Chambers.

#### **PUBLIC WORKS**

Alderswoman Veer, Vice Chair, stated that the next meeting would be Monday, April 14, 2003 at 7:00pm, in City Council Chambers.

#### **PUBLIC SAFETY**

Alderman Dawson, Chair, stated that the next meeting would be Wednesday, April 16, 2003 at 6:00pm, in City Council Chambers.

#### **FINANCE COMMITTEE**

Alderman Bush, Chair, stated that the next meeting would be Tuesday, April 15, 2003 at 5:00pm. He invited all council members to attend.

#### **DEPARTMENT HEAD REPORTS**

Community Development Director, Jeff Mikkelsen, gave a Power Point presentation on the closure of the landfill.

Police Chief, Jerry Whitmore, reported that as a result of a joint effort between SLANT and the COP Unit, there were several drug arrests made last week. He also stated that the City of Freeport has ordinances for noise and nuisances and that it will be enforced.

Fire Chief, Jim Blackbourn, stated that the department's new fire truck is currently being manufactured in Indiana. He stated that the truck should arrive around Memorial Day weekend and that the manufacturer would train all shifts.

Duane Price, City Accountant, encouraged all members to attend the Finance Committee meeting on April 15, 2003, as bonding issues for the library, Rawleigh building, and Water & Sewer will be discussed. He stated that these issues are time sensitive.

**NEW BUSINESS**

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

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 8:23pm.

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**LATACIA M. ISHMON, CITY CLERK**