

**CITY OF FREEPORT, ILLINOIS**  
**MONDAY EVENING**  
**CITY COUNCIL MEETING**  
**MAY 19, 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 Gaulrapp, Bender, Varner, Clark, Dawson, Boldt, O'Neill, and Wright.

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF MINUTES**

The Journal of the Minutes of the regular meeting held on May 5, 2003, was presented for approval. Alderwoman Bender moved, seconded by Alderman Dawson for approval of the minutes. The motion carried.

**CONSENT AGENDA**

Approval to Receive and Place on File:

1. Zoning Board of Appeals Report, 626 S Adams
2. Zoning Board of Appeals Report, 1245 W Violet St
3. Zoning Board of Appeals Report, 1572 W Lincoln Blvd
4. Zoning Board of Appeals Report, 1244 S Walnut
5. Planning Commission Reports, Final Plat of the Re-plat of Lots 2,3,4 & 5 of Freeport Lincoln Park
6. Planning Commission Report, 1244 S Walnut Ave
7. Fire Department Monthly Activities, April 2003
- B. Approval of Ordinance #2003-37: Special Ordinance for Variation, Permit or Amendment of the Codified Ordinances of the City of Freeport, Illinois (Variance, 626 S Adams)
- C. Approval of Ordinance #2003-38: Special Ordinance for Variation, Permit or Amendment of the Codified Ordinances of the City of Freeport, Illinois (Variance, 1245 W Violet St)
- D. Approval of Ordinance #2003-39: Special Ordinance for Variation, Permit or Amendment of the Codified Ordinances of the City of Freeport, Illinois (Variance, 1572 W Lincoln Blvd)
- E. Approval of Ordinance #2003-40: Special Ordinance for Variation, Permit or Amendment of the Codified Ordinances of the City of Freeport, Illinois (Special Use Permit, 1244 S Walnut Ave)
- F. Approval of Water & Sewer Disbursements for May 2003 - \$233,448.21
- G. Approval of Bills Payable for May, 2003 - \$330,256.45
- H. Approval of Payroll of Period ending May 3, 2003 - \$293,178.34

Alderwoman Bender moved, seconded by Alderman Dawson for approval of the consent agenda. On the roll call of yeas and nays, Aldermen Gaulrapp, Bender, Varner, Clark, Dawson, Boldt, O'Neill, and Wright voted yea. The motion carried.

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

**ORDINANCE #2003-32**

**AN ORDINANCE OF THE CITY OF FREEPORT, STEPHENSON COUNTY, ILLINOIS, PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2003, PROVIDING THE DETAILS OF SUCH BONDS AND FOR A LEVY OF TAXES TO PAY THE PRINCIPAL OF AND INTEREST ON SUCH BONDS AND FOR CERTAIN REVENUE SOURCES TO PAY AND SECURE PRINCIPAL OF AND INTEREST ON SUCH BONDS, AND RELATED**

This ordinance was laid over from the meeting of April 21, 2003, when it was moved by Alderman Bush, seconded by Alderman Goley for approval. Alderman Clark moved, seconded by Alderwoman Bender that this ordinance be laid over until the next regularly scheduled meeting. The motion carried.

**RESOLUTION #R-2003-23**

**A RESOLUTION TO AUTHORIZE NOTICE TO INSIGHT COMMUNICATION MIDWEST, LLC TO INCREASE THE CABLE FRANCHISE FEE**

This resolution was laid over from the meeting of April 7, 2003, when it was moved by Alderman Gaulrapp, seconded by Alderman Rinehart for approval. Alderman Clark moved, seconded by Alderwoman Bender that this resolution be laid over. The motion carried.

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

**ORDINANCE #2003-41**

**SPECIAL ORDINANCE FOR VARIATION, PERMIT, OR AMENDMENT OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS (Variance, 1244 S Walnut)**

Alderman Gaulrapp, Community Development Chair, stated that the committee held a special meeting on May 19, 2003. The committee voted to approve this ordinance and Alderman Gaulrapp so moved, Dawson. This ordinance was automatically laid over to the next regular meeting.

**RESOLUTION #R-2003-34**

**RESOLUTION TO APPROVE THE PRELIMINARY RE-PLAT FOR FREEPORT LINCOLN PARK LOTS 2,3,4, AND 5**

**WHEREAS**, Section 1224.03 of Chapter 1224 (Subdivision Regulations) of the Codified Ordinances of the City of Freeport and Section 205/2 of the Illinois Plat Act (765 ILCS 205/2) and Section 5/11-15-1 of the Illinois Municipal Code (65 ILCS 5/11-15/1) all authorize a city council to approve preliminary and final plats for all subdivisions located inside of the corporate boundaries of the city or within one-and-a-half miles outside of the corporate boundaries of the city; and

**WHEREAS**, at a meeting held on May 8, 2003, and subsequent to a public hearing, the Freeport Planning Commission by a majority vote recommended that this City Council approve the Preliminary Re-Plat for Freeport Lincoln Park Lots, 2, 3, 4, and 5 which are located within the corporate limits of the City of Freeport, Illinois, and approval is under the jurisdiction of the Freeport Planning Commission.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** as follows:

**Section 1:** That the Preliminary Re-Plat for the Freeport Lincoln Park Lots 2,3,4 and 5, a copy of which is attached hereto and made part hereof and marked as "Exhibit A", is hereby accepted.

**Section 2:** That this approval is tentative only, involving merely the general acceptability of the layout as submitted, and shall be valid for a maximum period of one (1) year, unless the developer applies for, and this City Council, grants an extension thereof.

**Section 3:** This Resolution shall be effective immediately upon its passage by the City Council and its approval by the Mayor.

**Section 4:** 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

**Section 5:** That all Resolutions or motions or parts of resolutions or motions in conflict with this Resolution are repealed insofar as they conflict..

**Section 6:** If any section, clause or provision of this Resolution be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Resolution as a whole or any part thereof, other than the part so declared to be invalid, and this City Council expressly declares that it would have enacted this Resolution even with the invalid portion deleted.

Alderman Gaulrapp, Community Development Chair, stated that the committee held a meeting on May 12, 2003. The committee voted unanimously to adopt this resolution and Alderman Gaulrapp so moved, seconded by Alderman Dawson. On the roll call of yeas and nays, Aldermen Gaulrapp, Bender, Varner, Clark, Dawson, Boldt, O'Neill, and Wright voted yea. The resolution was adopted.

**RESOLUTION #R-2003-35**

**RESOLUTION TO APPROVE THE FINAL RE-PLAT FOR FREEPORT LINCOLN PARK LOTS 2,3,4, AND 5**

**WHEREAS**, Section 5/11-15-1 of the Illinois Municipal Code (65 ILCS 5/11-15-1), authorizes a city to enact an ordinance mandating that the city council approve all plats of subdivisions to be located inside city's corporate boundaries or within a one-and-a-half mile area extending from said corporate boundaries provided that the city has also enacted a Subdivision ordinance; and

**WHEREAS**, the City of Freeport has enacted such a Subdivision Ordinance, known as Chapter 1224 of the Codified Ordinances of the City of Freeport; and

**WHEREAS**, Section 1224.05(d)(6) of Chapter 1224 of the Freeport Codified Ordinances provides that all Subdivision plats "shall be submitted to the City Council for approval and for acceptance of all streets, alleys, ways, easements, parks or other areas preserved for, or dedicated to, the public, by resolution"; and

**WHEREAS**, on May 19, 2003, this City Council approved the preliminary re-plat for Freeport Lincoln Park Lots 2, 3, 4, and 5 located in Freeport Township; and

**WHEREAS**, the final re-plat for said Freeport Lincoln Park Lots 2, 3, 4, and 5 a copy of which is attached hereto as "Exhibit A", and made a part hereof, substantially conforms to the preliminary re-plat as approved; and

**WHEREAS**, at a regular meeting held May 15, 2003, and subsequent to a public hearing, the Freeport Planning Commission unanimously recommended that the City Council approve the final re-plat for Freeport Lincoln Park Lots 2, 3, 4, and 5.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that the Final Re-Plat of Freeport Lincoln Park Lots 2, 3, 4 and 5 as set forth in Exhibit A, is hereby approved; and the City of Freeport hereby accepts all

streets, alleys, ways, easements, parks or other areas preserved for, or dedicated to, the public, as shown on Exhibit A, said dedication conditional upon full performance in compliance with plat requirements and applicable provisions of City Ordinances.

**BE IT FURTHER RESOLVED** that the City Clerk is hereby directed to attach a copy of this Resolution to a copy of the re-plat, for the purpose of recording the re-plat by the subdivider with the County Recorder; and upon said recording of the re-plat, the subdivider shall file a certified, reproducible copy of the plat with the Community Development Office.

**BE IT FURTHER RESOLVED** that this Resolution is expressly adopted pursuant to the Home Rule Powers of the City of Freeport under Section 6 of Article VII of the Illinois Constitution of 1970; and all Resolutions or parts of motions in conflict with this Resolution are repealed insofar as they conflict.

Alderman Gaulrapp, Community Development Chair, stated that the committee held a meeting on May 12, 2003. This resolution was then laid over for a special meeting on May 19, 2003. The committee voted unanimously to adopt this resolution and Alderman Gaulrapp so moved, seconded by Alderman Dawson. On the roll call of yeas and nays, Aldermen Gaulrapp, Bender, Varner, Clark, Dawson, Boldt, O'Neill, and Wright voted yea. The resolution was adopted.

## **COMMITTEE REPORTS**

### **FINANCE**

Alderman Clark, Chair, stated that the committee held a meeting on May 13, 2003. The committee discussed the budget. The committee scheduled meetings on May 22, 27, and 29 at 5:00pm. A schedule was created to show the date in which department heads would present their budgets. He encouraged all to attend these meetings.

City Accountant, Duane Price distributed information regarding the Natural Gas "Sales" Tax changing to a "Use" Tax. There was no action taken.

Mayor Gitz distributed information regarding the Finance Director position.

### **COMMUNITY DEVELOPMENT**

Alderman Gaulrapp, Chair, stated that the committee held a meeting on May 12, 2003 at 5:00pm, in City Council Chambers. The focus of the budget discussion was a suggested freeze on all training and travel expenses. Also discussed were department positions in the Nuisance Department. There was no action taken.

Alderwoman Bender recommended that the city adjust the hours for Yard waste at the city yards. Community Development Jeff Mikkelsen, stated that he would look into adjusting the hours in order to make sure that it would be feasible.

The committee will be meeting on the second Monday of each at 5:30 p.m.

**PUBLIC WORKS**

Aldерwoman O'Neill, Vice Chair, stated on May 8, 2003, the committee held a joint meeting with the Water & Sewer department to discuss the timeline for taking care of storm water issues in certain areas of the city. The committee discussed additional bonding requirements for projects on Linden and Crestwood.

Alderman Boldt, Chair, stated that on May 19, 2003, the committee continued the discussion regarding the storm water issues. The committee voted unanimously to create a special appropriation for the purpose to develop the engineering necessary for meters to be used by the Water & Sewer to measure flows exiting private sewer systems.

The committee voted unanimously to accept the Water & Sewer's \$2.6 million dollar proposal for Linden and Crestwood projects, as well as \$1 million dollar contingencies. This will be added to the \$6 million revenue bond that is currently being considered. The committee also moved to refer the funding of these projects be referred to the Finance committee.

**DEPARTMENT HEAD REPORTS**

Fire Chief, Jim Blackburn and Tom Korte, Public Relations Chairman for Local #441 announced that the Fire Department would be hosting their annual open house on Monday, May 26, 2003, from 1:00 pm to 4:00pm at 1819 S West Ave.

**PUBLIC COMMENTS**

Members from the 5<sup>th</sup> Civilian Police Academy expressed their concerns of elimination of this program.

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 7:45pm.

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**LATACIA M. ISHMON, CITY CLERK**