

**CITY OF FREEPORT, ILLINOIS**  
**MONDAY EVENING**  
**CITY COUNCIL MEETING**  
**AUGUST 4, 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 O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, Dawson, and Boldt.

**PLEDGE OF ALLEGIANCE**

At this time, the Pledge of Allegiance was led by Alderman O'Neill.

**APPROVAL OF AGENDA**

Alderswoman Bender moved, seconded by Alderman Gaulrapp for approval of the agenda as presented. The motion carried.

**PUBLIC COMMENTS**

Scott Townsend, President of Fire Fighters Local #441, encouraged the City Council to override the mayor's vetoes.

**APPROVAL OF MINUTES**

The Journal of the Minutes of the regular meeting held on July 21, 2003 was presented for approval. Alderswoman Bender moved, seconded by Alderman Gaulrapp 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, July 2003
2. Department of Community Development Building Permits, July 2003
3. Fire Department Monthly Activities for June 2003

B. Approval of Water & Sewer Disbursements for July 2003 - \$399,997.78

C. Approval of Bills Payable for July 2003 - \$1,692,814.81

D. Approval of Payroll of Period ending July 26, 2003 - \$295,281.96

Alderswoman Bender requested that item C be removed from the Consent Agenda.

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

Alderman Gaulrapp moved, seconded by Alderman Dawson for approval of item C. Alderman Wright asked for an explanation for an outside legal bill from McGreevy, Johnson & Williams. Corporation Counsel explained that it is that law firm that just finished handling a 1991 case for the Police/Fire Commissioners. This was not covered under the city's liability insurance. On the roll call of yeas and nays to approve item C, Aldermen O'Neill, Wright, Gaulrapp, Varner, Clark, Dawson, and Boldt voted yea.

Alderwoman Bender voted nay. There were seven yeas and one nay. The motion carried.

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

**ORDINANCE #2003-46**

**AN ORDINANCE AUTHORIZING SALE OF REAL ESTATE TO RISSA VENTURE, LLC (4 E LINDEN)**

Alderman Boldt moved, seconded by Alderman Dawson that this ordinance be amended to state that "...the option shall be extended to December 31, 2003, on the condition that such option shall only be executable if RISSA VENTURE, LLC, executes an agreement with the General Services Administration for the purposes of leasing space for the Social Security Administration. The option and this extension shall be invalid for any other purpose." The motion carried.

Alderwoman Bender moved, seconded by Alderman Clark that the ordinance be amended to include that \$50,000 of the proceeds from the sell be set aside for a park for this area. On the roll call of yeas and nays on this amendment, Aldermen O'Neil, Wright, Gaulrapp, Bender, Varner, Clark, Dawson, and Boldt voted yea. The motion carried.

There was leave granted to hear from Rial Chaplin. Mr. Chaplin explained the current status of the project.

On the roll call of yeas and nays to approve this ordinance as amended, Aldermen O'Neill, Gaulrapp, Bender, Varner, Clark, Dawson, and Boldt voted yea. Alderman Wright voted nay. There were seven yeas and one nay. The ordinance was approved.

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

**ORDINANCE #2003-56**

**AN ORDINANCE AMENDING CHAPTER 806 (ALCOHOLIC LIQUOR SALES) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT**

This ordinance was laid over from the meeting of July 21, 2003, when it was moved by Alderman Gaulrapp, seconded by Alderwoman Bender. On the roll call of yeas and nays to approve this ordinance, Aldermen Wright, Gaulrapp, Bender, Varner, Clark, Dawson, and Boldt voted yea. Alderwoman O'Neill voted nay. There were seven yeas and one nay. The motion carried.

**RECONSIDERATION OF ORDINANCE #2003-50**

**FY 2003-04 APPROPRIATION ORDINANCE**

Alderman Clark moved, seconded by Alderman Wright to reconsider Ordinance #2003-50. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, Dawson, and Boldt voted yea. The motion carried.

Alderman Clark moved, seconded by Alderman Wright to override the Mayor's veto of Ordinance #2003-50. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, Dawson, and Boldt voted yea. The motion carried.

**RECONSIDERATION OF ORDINANCE #2003-53**

**AN ORDINANCE CREATING CHAPTER 893 (MOTOR FUEL TAX) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS**

Alderman Clark moved, seconded by Alderman Wright to reconsider Ordinance #2003-53. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, Dawson, and Boldt voted yea. The motion carried.

Alderman Clark moved, seconded by Alderman Wright to override the Mayor's veto of Ordinance #2003-53. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, Dawson, and Boldt voted yea. The motion carried.

**RECONSIDERATION OF ORDINANCE #2003-54**  
**AN ORDINANCE AMENDING CHAPTER 896 (RETAILERS' OCCUPATION TAX) AND CHAPTER 898 (SERVICE OCCUPATION TAX) AND INCREASING SUCH TAXATION BY AN ADDITIONAL ONE-QUARTER PERCENT (1/4%)**

Alderman Clark moved, seconded by Alderman Wright to reconsider Ordinance #2003-54. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, Dawson, and Boldt voted yea. The motion carried.

Alderman Clark moved, seconded by Alderman Wright to override the Mayor's veto of Ordinance #2003-54. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, Dawson, and Boldt voted yea. The motion carried.

**1<sup>ST</sup> READING ORDINANCE #2003-63**  
**AN ORDINANCE AMENDING CHAPTER 290 (COMPENSATION AND BENEFITS OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS**

Alderman Clark, Finance Chair, stated that the committee held a special meeting on August 4, 2003. This is an ordinance that approves a 1½% cost of living raise for non-union employees. The committee voted to approve this ordinance and Alderman Clark so moved, seconded by Alderman Boldt. This ordinance was automatically laid over to the next regular meeting.

**RESOLUTION #R-2003-49**  
**RESOLUTION TO CO-SPONSOR JAZZ ON CHICAGO WITH FREEPORT DOWNTOWN DEVELOPMENT**

**WHEREAS**, the Freeport Downtown Development Foundation has applied for a special event permit for "Jazz on Chicago"; and

**WHEREAS**, the Freeport Downtown Development Foundation has requested that the City of Freeport co-sponsor this event; and

**WHEREAS**, Jazz on Chicago is scheduled for Friday August 15th, 2003, and will be located on Chicago Ave. between Stephenson St. and Main St.; and

**WHEREAS**, Jazz on Chicago is expected to be a successful event, which will assist the Freeport Downtown Development Foundation in its efforts to benefit the community; and

**WHEREAS**, the City Council finds that co-sponsoring Jazz on Chicago will be of significant benefit to the Freeport community.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that the City of Freeport hereby agrees to co-sponsor this event, Jazz on Chicago.

Alderman Wright moved, seconded by Alderman Clark to adopt this resolution. On the roll call of yeas and nays, Alderman O'Neill, Wright, Gaulrapp, Bender, Varner Clark, Dawson, and Boldt voted yea. The resolution was adopted.

**RESOLUTION #R-2003-50****RESOLUTION TO EXTEND CONSULTING AGREEMENT FOR HUMAN RESOURCE SERVICES**

**WHEREAS**, the resignation of Human Resources Director Roberta Rogers, has resulted in a need for an consultant to provide the City and its employees with human resource services; and

**WHEREAS**, the City of Freeport is in need of an consultant to provide advice and assistance in handling the day to day human resource issues, healthcare plan management and employee enrichment; and

**WHEREAS**, Tim Mickel is a fully qualified expert in the field of human resources and entered into a Consulting Agreement with the City to provide Human Resource services, which is set to expire on August 8, 2003.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that it extend the Consulting Agreement with Tim Mickel for Human Resource services for a period of thirty (30) days at the same hourly rates, which Agreement is attached as Exhibit A and made a part hereof.

**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 Clark, Finance Chair, stated that the committee held a special meeting on August 4, 2003. Alderman Clark stated that the original contract was for 60 days, due to expire on August 8, 2003. The administration requested a 30-day extension. The desired outcome during this time is for Mr. Mickel to present a final recommendation on how to proceed with the Human Resource Department. The committee voted unanimously to approve the 30-day extension and Alderman Clark so moved, seconded by Alderman Bender. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, Dawson, and Boldt voted yea. The resolution was adopted.

**APPOINTMENTS**

Effective immediately, Mayor James Gitz hereby appoints Dean Zimmerman to the Board of Fire and Police Commissioners. This appointment shall be effective until April 30, 2005.

Alderwoman Bender moved, seconded by Alderman Gaulrapp to accept this appointment. On the roll call of yeas and nays, Alderman O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, Dawson, and Boldt voted yea. The motion carried.

**COMMITTEE REPORTS****FINANCE**

Alderman Clark read a memo from Interim Finance Director, Duane Price to inform the Finance Committee and the City Council that a new account was opened at Midwest Bank on June 12, 2003. This account is title Freeport Public Library Van Raden Trust. The purpose of the account is to segregate funds donated to the library. Also, the Library Building Fund account at Fifth Third Bank was closed on June 18, 2003.

**PUBLIC SAFETY**

Alderwoman Bender, Chair, stated that the next meeting would be September 2, 2003 at 5:00pm, in City Council Chambers.

**COMMUNITY DEVELOPMENT**

Alderman Gaulrapp, Chair, stated that the next meeting would be August 11, 2003 at 5:30pm, in City Council Chambers.

**PUBLIC WORKS**

Alderman Boldt, Chair, stated that the next meeting would be August 18, 2003 at 5:30pm, in City Council Chambers.

**MAYOR'S COMMENTS**

Mayor Gitz discussed the following:

- IEPA requirements- "Poplar Tree Cap"
- Upcoming Envirogen presentation to update the Community Development Committee and City Council on the transfer station
- Arus report sent to IEPA and review has been requested by Fehr-Graham & Associates—should be finalized this week  
Director Jeff Todd has also sent report to State Department of Public Health
- 5-year Capital Budget

**NEW BUSINESS**

Alderman Varner moved, seconded by Alderwoman Bender to refer further steps for water & soil testing (in regards the Arus report) to the Community Development Committee. The motion carried.

**PUBLIC COMMENTS**

Don Powers thanked the City Council for overriding the mayor's vetoes.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 8:10pm.

**LATACIA M. ISHMON, CITY CLERK**