

CITY OF FREEPORT, ILLINOIS
MONDAY EVENING
CITY COUNCIL MEETING
SEPTEMBER 15, 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, Varner, Clark, O'Neill, and Wright. Absent were Alderman Dawson and Boldt. Alderman Gaulrapp entered the meeting at 7:15pm.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Alderwoman Bender moved, seconded by Alderwoman O'Neill for approval of the agenda. The motion carried.

APPROVAL OF MINUTES

The Journal of the Minutes of the regular meeting held on September 2, 2003 was presented for approval. Alderman Clark moved, seconded by Alderwoman Bender for approval of the minutes. The motion carried.

CONSENT AGENDA

A. Approval to Receive and Place on File:

1. Zoning Board of Appeals Report, 1809 W Canyon
2. Zoning Board of Appeals Report, 905 E Garden
3. Police Department Activities for August 2003
4. Communication – request for excused absence
5. Treasurer's Investment Report for period ending August 31, 2003
6. Treasurer's Report of Cash Balances for period ending August 31, 2003
7. Treasurer's Tax Receipts for period ending August 31, 2003

B. Approval of Water & Sewer Disbursements for September 2003 - \$77,763.34

C. Approval of Bills Payable for August & September 2003 - \$143,491.63

D. Approval of Payroll of Period ending September 6, 2003 - \$296,341.25

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

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

Alderman Clark moved, seconded by Alderman Varner for approval of item C. On the roll call of yeas and nays, Aldermen Varner, Clark, O'Neill, and Wright voted yea. Aldermen Bender and Boldt voted nay. There were five yeas and two nays. The motion carried.

1st READING

ORDINANCE #2003-68

AN ORDINANCE AMENDING SECTION 236.03 (CLAIMS AGAINST THE CITY) OF CHAPTER 236 (ACCOUNTING AND FINANCE) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderman Clark, Finance Chair, stated that the committee held a meeting on September 8, 2003. The committee agreed to require prior council approval to release checks. Finance Director, Duane Price will have authority to release a check prior to council approval if situation warrants it, however it must be reported at the next council meeting that said check has already been released. The committee voted unanimously to approve this ordinance and Alderman Clark so moved, seconded by Alderwoman Bender. Alderman Clark moved, seconded by Alderwoman Bender to suspend the rules in order to consider this ordinance on first reading. On the roll call of yeas and nays to suspend the rules, Aldermen Bender, Varner, Clark, Dawson, Boldt, O'Neill, Wright, and Gaulrapp voted yea. The motion carried. On the roll call of yeas and nays to approve the ordinance, Aldermen Bender, Varner, Clark, Dawson, Bolt, O'Neill, Wright, and Gaulrapp voted yea. The ordinance was approved.

1st READING

ORDINANCE #2003-69

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (VARIANCE, 1809 W CANYON DRIVE)

Alderman Gaulrapp, Community Development Chair, stated that the committee held a meeting on September 9, 2003. The committee voted unanimously to concur with the Zoning Board of Appeals and Alderman Gaulrapp so moved, seconded by Alderwoman Bender. On the roll call of yeas and nays to approve the ordinance, Aldermen Bender, Varner, Clark, Dawson, Bolt, O'Neill, Wright, and Gaulrapp voted yea. The ordinance was approved.

1ST READING

ORDINANCE #2003-70

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (VARIANCE, 905 E GARDEN ST)

Alderman Gaulrapp, Community Development Chair, stated that the committee held a meeting on September 9, 2003. The committee voted unanimously to concur with the Zoning Board of Appeals and Alderman Gaulrapp so moved, seconded by Alderwoman Bender. On the roll call of yeas and nays to approve the ordinance, Aldermen Bender, Varner, Clark, Dawson, Bolt, O'Neill, Wright, and Gaulrapp voted yea. The ordinance was approved.

RESOLUTION #R-2003-51

RESOLUTION TO CREATE A COMMUNITY TASK FORCE REGARDING HEALTH AND ENVIRONMENTAL ISSUES IN THE TAYLOR PARK AREA AS AMENDED

This resolution was laid over from the meeting of September 2, 2003. Alderman Varner moved, seconded by Alderman Clark to amend to resolution to state, "The Task Force shall be co chaired by Alderman Robert Varner and Alderman Dean Wright." The motion carried. Alderman Varner moved, seconded by Alderman Clark to adopt the resolution. On the roll call of yeas and nays, Aldermen Bender, Varner, Clark, Dawson, Bolt, O'Neill, Wright, and Gaulrapp voted yea. The resolution was adopted.

RESOLUTION #2003-56

RESOLUTION TO ENTER INTO CONSULTING AGREEMENT FOR HUMAN RESOURCE

Alderman Clark, Finance Chair, stated that the committee held a special meeting on September 8, 2003. The administration proposes one-year extension of Mr. Mickel's contract under the same terms and conditions. The contract includes a mutual 30-day exit clause. The committee voted unanimously to adopt this resolution and Alderman Clark so moved, seconded by Alderman Boldt. On the roll call of yeas and nays, Aldermen Bender, Varner, Clark, Dawson, Boldt, O'Neill, Wright, and Gaulrapp voted yea. The resolution was adopted.

RESOLUTION #R-2003-57

RESOLUTION APPOINTING MAYOR JAMES L. GITZ AGENT OF THE CITY OF FREEPORT, ILLINOIS TO ACT ON BEHALF OF SAID CITY IN ALL OR ANY MATTERS AFFECTING ADMINISTRATION OF THE ILLINOIS MUNICIPAL FUND

Alderman Clark, Finance Chair, stated that the committee held a special meeting on September 8, 2003. The committee voted unanimously to adopt this resolution and Alderman Clark so moved, seconded by Alderwoman Bender. On the roll call of yeas and nays, Aldermen Bender, Varner, Clark, Dawson, Boldt, O'Neill, Wright, and Gaulrapp voted yea. The resolution was adopted.

RESOLUTION #R-2003-58

RESOLUTION APPROVING CONSTRUCTION FOR HIGH & PERSHING STORMWATER PROJECT

Alderman Boldt, Public Works Chair, stated that the committee held a special meeting on September 2, 2003. Three bids were received at the bid opening on August 29, 2003. Fischer Excavating was \$26,000 under the engineer's estimated cost, bidding \$161,020.91. The committee voted unanimously to approve the low bid from Fischer and Alderman Boldt so moved, seconded by Alderwoman O'Neill. On the roll call of yeas and nays, Aldermen Bender, Clark, Dawson, Boldt, O'Neill, Wright, and Gaulrapp voted yea. Alderman Varner abstained. There were seven yeas and one abstention. The resolution was adopted.

RESOLUTION #R-2003-59

RESOLUTION APPROVING CONSTRUCTION FOR CRESTWOOD STORMWATER PROJECT

Alderman Boldt, Public Works Chair, stated that the committee held a special meeting on September 2, 2003. Two bids were received at the bid opening on August 29, 2003. Civil Constructors was the low bid at \$291,831.00. The committee voted unanimously to approve the low bid from Civil Constructors and Alderman Boldt so moved, seconded by Alderwoman O'Neill. On the roll call of yeas and nays, Aldermen Bender, Clark, Dawson, Boldt, O'Neill, Wright, and Gaulrapp voted yea. Alderman Varner abstained. There were seven yeas and one abstention. The resolution was adopted.

APPOINTMENT

Effective immediately, James L. Gitz hereby appoints Peter Tanis to the City of Freeport Human Relations Commission. This term will expire on December 31, 2004.

Alderwoman Bender moved, seconded by Alderman Varner to accept the appointment. The motion carried.

COMMITTEE REPORTS

FINANCE

Alderman Clark, Chair, stated that the committee held a special meeting on September 8, 2003. Interim Community Development Director, Reggie Taylor advised the committee that the Hearing Administration Program is already going and going well. Recently, an illegal contractor was fined under the new ordinance, which netted three thousand dollars to the city. The program has been retooled and Taylor's role is now more of an administrative and less day-to-day administration. The mayor asked the committee to consider unanimous staff recommendation on this issue. A very efficient Administrative Assistant (Shirley Johnsey) will make this proposal work. Alderman Boldt expressed frustration regarding lack of follow-up on prior information requests. There was concern raised about the ability to run the Community Development Department effectively with Hearing Administration duties. The mayor noted that many community development issues are driven by issues that the Hearing Administration will help to address. The chair asked the administration to review the current productivity of our prosecutor to ensure satisfaction. Corporation Counsel, Sarah Griffin indicated that she was comfortable, but would look at it. The committee members voted in the affirmative expressed the desire to move the issue out of committee, but reserved the right to vote no on the council floor. The committee voted to recommend release of \$24,000 for remainder of current fiscal year and Alderman Clark so moved, seconded by Alderman Dawson.

There was leave granted to hear directly from Interim Community Development Director, Reggie Taylor. Taylor explained how the program works and answered all questions from the council.

Alderwoman Bender moved, seconded by Alderman Clark to refer this issue back to the Finance Committee in order to obtain further information. The motion carried.

Marty Vanags, FDD Director handed out copies of a recent proposal from Ansel & Glink fro services to begin the SSA process and restated his request to use downtown TIF money to cover the cost, which is not to exceed \$10,000. The mayor expressed objections to the process to date. Specifically he took exception to not being in the information loop from FDD as to the hiring of the law firm of Ansel & Glink. The committee and the mayor discussed the mayor's role on the FDD Board how he could be outside the communication loop. He indicated that this issue was not discussed at any meetings when he was in attendance.

This issue was laid over the next Finance Committee meeting.

Also discussed at this meeting were contingency items in appropriations, purchasing policy issues, resolution to establish TIF expenditure plan, and tax levy timeline.

Alderman Clark stated that the next meeting would be September 22, 2003 at 5:00pm, in City Council Chambers.

COMMUNITY DEVELOPMENT

Alderman Gaulrapp, Chair, stated that the committee held a meeting on September 9, 2003. The committee reviewed the sprinkler ordinance. Chief Blackbourn and Chief Anderson handed out three separate documents city square footage minimums for sprinklers and the cities that follow the BOCA or International Codes, BOCA Building

Codes and four buildings that have been required to have sprinklers, but would have been exempt under BOCA.

Economic Development Director, Bob Skurla gave note that the current code is not conducive to drawing new businesses to Freeport. He cited the long delays in Anderson Welding building in the Lincoln Business Park. He also promised to do more research to find out what other businesses pass on Freeport due to the Sprinkler codes.

Alderman Wright stated that the current ordinance needs to reflect the BOCA requirements. The committee was given the new ordinance prior to the meeting. Mayor Gitz cited that he was in favor of revisiting the current ordinance. The committee voted to lay this ordinance over for further discussion.

Bob Skural and Michelle Miller McKinstra presented a checklist that Highland SBD has been working on. This is a starting point for a collaborative guide for the city, county, and region.

PUBLIC SAFETY

Alderwoman Bender, Chair, stated that the committee held a meeting on September 2, 2003. The committee discussed the Spiller Pay Ordinance. This requires the guilty party to pay the costs of a hazardous material response, including personnel time, damaged equipment, and any hazardous material monitoring equipment. In order for the regional and state hazardous material team to respond, this ordinance must be in place.

This item was laid over to the next meeting in order to review the draft ordinance.

Fire Chief Blackburn requested to go out for bids for an ambulance. The estimated cost is \$27,000 per year, based on a purchase price of \$115,000 @ 5% interest on a 5-year amortization. This purchase will require a supplemental appropriation ordinance.

PUBLIC WORKS

Alderman Boldt, Chair, stated that the next meeting would be September 16, 2003 at 5:30pm, in City Council Chambers.

EXECUTIVE

Alderwoman Bender, Chair, stated that the committee held a meeting on September 10, 2003. The committee discussed the option of making converting to a district library. The library board can adopt a resolution calling for the conversion, pending approval by the Corporate Authorities of the Municipality, County, or Township maintaining the existing library.

If the Corporate Authorities approve the conversion within 60 days after the resolution is adopted by the board of trustees, the board of trustees shall convert to a public library district.

If the library board chooses not to adopt a resolution, then they conversion would have to occur by petition and referendum. The petitions requirement is not less than 10% of the voters residing in the territory.

After much discussion, the committee requested that Library Director, Frank Novak take the information to the library board and return with a response in two months.

MAYOR'S REPORT

Mayor Gitz discussed the following issues:

- Rawleigh open house and visioning process
- US 20 Project
- Administration Hearings Officer
- Regulation of loss of manufacturing jobs through Illinois Manufacturing Association
- Telecommunications- wireless presentation

PUBLIC COMMENTS

Frank McGee, requested that the city conduct a public hearing with the residents in the Taylor Park area. He stated that the residents need to be properly informed.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 8:20pm.

LATACIA M. ISHMON, CITY CLERK