

CITY OF FREEPORT, ILLINOIS
MONDAY EVENING
CITY COUNCIL MEETING
OCTOBER 6, 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 Varner, Clark, Dawson, Boldt, O'Neill, Wright, and Bender. Alderman Gaulrapp entered the meeting at 7:15pm.

PLEDGE OF ALLEGIANCE

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

DO THE RIGHT THING PRESENTATION

Sergeant Quincy Carter acknowledged all the sponsors for the Do the Right Thing Program. Police Chief, Jerry Whitmore then read the nominees for the month of August and announced the top winner.

PRESENTATION

Director, Jeff Todd presented the Stephenson County Health Department Annual Report to the council and answered all questions.

APPROVAL OF AGENDA

Aldерwoman Bender moved, seconded by Gaulrapp for approval of the agenda. The motion carried.

APPROVAL OF MINUTES

The Journal of the Minutes of the regular meeting held on September 15, 2003 was presented for approval. Aldерwoman 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. Fire Department Activities for August 2003
 - 2. Zoning Administrator Report for 3rd Quarter of 2003
 - 3. Community Development Cash Receipts for September 2003
 - 4. Community Development Building Permits for September 2003
 - 5. Community Development Report
- B. Approval of Water & Sewer Disbursements for September 2003 - \$357,161.25
- C. Approval of Bills Payable for September 2003 - \$1,104,612.03
- D. Approval of Payroll of Period ending September 20, 2003 - \$290,237.87

Alderman Clark requested that item C be removed from the Consent Agenda. Alderman Gaulrapp moved, seconded by Aldерwoman Bender for approval of the consent agenda, with the exception of item C. On the roll call of yeas, Aldermen Varner, Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, and Bender voted yea.

Alderman Clark moved, seconded by Alderman Wright for approval of item C. Alderman

Clark explained that a vast majority of checks were released prior to council approval because the administration did not anticipate the waiving of first reading. He explained that the administration is going through a transition period from the old bills payable system to the new one. In the future, there should not be as many checks released prior to council approval. On the roll call of yeas and nays to approve item c, Aldermen Varner, Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, and Bender voted yea. The motion carried.

RESOLUTION #R-2003-60

RESOLUTION TO REQUEST TEMPORARY CLOSURE OF STREETS FOR AQUIN CATHOLIC HIGH SCHOOL JOINT HOMECOMING PARADE

WHEREAS, on October 8, 2003, Aquin Catholic High School and Freeport High School are sponsoring a joint Homecoming 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: East Empire Street, from Armstrong to West Avenue and Blackhawk from Winnefred to Empire; 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 Aquin Catholic High School and Freeport High School 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 West Avenue (Route 26) at West Empire 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 4:30 p.m. to 6:30 p.m. Wednesday, October 8, 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. Aquin Catholic High School and Freeport High School 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 Aquin Catholic High School and Freeport High School 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 Gaulrapp moved, seconded by Alderwoman Bender that this resolution be adopted. On the roll call of yeas and nays, Aldermen Varner, Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, and Bender voted yea. The motion carried.

RESOLUTION #R-2003-61

RESOLUTION TO ADOPT CITY OF FREEPORT SPENDING PLAN

WHEREAS, on July 7, 2003 the City of Freeport adopted the FY 2003/2004 Appropriation Ordinance; and

WHEREAS, that Appropriation Ordinance was based upon an underlying budget document, which is shown in Attachment A; and

WHEREAS, although the City of Freeport has not formally adopted the Budget System pursuant to 65 ILCS 5/8-2-9.1 and 5/8-2-9.2 through 8-2-9.10, this City Council heavily relied and continues to rely upon the attached budget document as its spending plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that the document attached hereto and made a part hereof as Attachment A, is hereby adopted as the spending plan for the City of Freeport and shall be accorded such recognition in the spending of the City funds.

BE IT FURTHER RESOLVED that the spending of contingency funds is intended to have prior City Council approval, with the exception that the Finance Director or his or her designee shall have the authority to expend contingency funds in accordance with Attachment B, as long as the Finance Committee of the City Council is given a monthly report of such expenditures.

BE IT FURTHER RESOLVED that all resolutions or parts of resolutions in conflict with this Resolution are repealed insofar as they conflict.

BE IT FURTHER RESOLVED that this Resolution is passed under the Home Rule Authority of the City of Freeport as provided in Section 6 of Article VII of the Illinois Constitution of 1970.

Alderman Clark moved, seconded by Alderwoman Bender that this resolution be sent back to the Finance Committee in order to further discuss items expendable with the Finance Director's approval. The motion carried.

RESOLUTION #R-2003-62

SUPPLEMENTAL RESOLUTION FOR CITY OF FREEPORT STREET PROGRAM (M.F.T. SEC 03-00000-00-GM)

WHEREAS, the Resolution adopted by the City Council on November 18, 2002 appropriating \$600,000.00 of Motor Fuel Tax Funds for maintenance during the period from January 1, 2003 to December 31, 2003 was approved by IDOT as Section 03-00000-00-GM; and

WHEREAS, the city has taken bids on materials for said Section in the amount of \$72,022.00 which also has been approved by IDOT; and

WHEREAS, the city has a cost estimate for the resurfacing program under this same Section in an amount over \$550,000.00.

NOW, THEREFORE, be it resolved by the City Council of the City of Freeport, Illinois that there is hereby appropriated the additional sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00), or so much thereof as may be necessary, from any money now or hereafter allotted to the City under the provisions of the Motor Fuel Tax Law, to pay its share of the cost of this portion of the improvement as provided in the agreement.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit a certified copy of this Resolution to the State of Illinois Department of Transportation, Division of Highways, District Engineer.

Alderman Boldt, Public Works Chair, stated that the committee held a meeting on September 16, 2003. Public Works Director, Craig LeBaron stated that the purpose of the annual supplemental resolution is to allocate the proper amount of money to the Street Program out of the Motor Fuel Tax Fund. The amount is \$700,000. The committee voted unanimously to adopt this resolution and Alderman Boldt so moved, seconded by Alderwoman O'Neill. On the roll call of yeas and nays, Aldermen Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, and Bender voted yea. Alderman Varner abstained. There were seven yes and one abstention. The resolution was adopted.

RESOLUTION #R-2003-63

RESOLUTION TO AUTHORIZE EXECUTION OF DISCLAIMER BY BENEFICIARY UNDER THE WILL OF ROBERT J. BAUSCHER

WHEREAS, Robert J. Bauscher was a well respected member of this community, contributing through his membership in the Masonic Lodge, his service in the military during World War II, and having been a long term downtown business owner, first with his father, and later his wife, in the C.C. Bauscher Floral Shop; and

WHEREAS, Mr. Bauscher passed away in September of 2002, bequeathing certain property to the City of Freeport located at the intersection of Adams Street and Arcade Avenue; and

WHEREAS, such property was bequeathed to the City with the provision that the property be maintained as the "Bauscher Memorial Park" which shall be an open space free to all who wish to enjoy it, and that the property would revert to his descendants if the City failed to maintain the property as such; and

WHEREAS, the City Council of the City of Freeport has determined that it would not be in the best interest of the citizens of the City of Freeport to enter into ownership of such property at this time as we are not in a position to maintain said property in the manner described.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that the Mayor of the City of Freeport is hereby authorized to execute a "Disclaimer by Beneficiary under the Will" for the property as bequeathed to the City in the will of Robert J. Bauscher.

BE IT FURTHER RESOLVED that the appreciation of the intent of this gift and of Mr. Bauscher's contributions to this community throughout his lifetime be expressed to the heirs of Robert J. Bauscher.

Alderman Boldt, Public Works Chair, stated that the committee held a meeting on September 16, 2003. After viewing the property, the committee was concerned with the cost of maintaining the roughly one acre parcel. The property would have to be maintained in perpetuity as a park. The committee expressed their appreciation and thanks to the Bauscher family and Robert Bauscher for their thoughtfulness, but moved to decline the offer. The committee voted unanimously to adopt this resolution and Alderman Boldt so moved, seconded by Alderwoman O'Neill. On the roll call of yeas and nays, Aldermen Varner, Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, and Bender voted yea. The resolution was adopted.

RESOLUTION #R-2003-64

RESOLUTION TO ACCEPT AWARD OF GRANT FUNDING UNDER THE LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM OF THE US DEPARTMENT OF JUSTICE

WHEREAS, the U.S. Department of Justice, Bureau of Justice Assistance (BJA) has announced the 2003 Fiscal Year Local Law Enforcement Block Grant Program; and

WHEREAS, the BJA requires that local jurisdictions agree to share in the total local award amount; and

WHEREAS, the City of Freeport and Stephenson County have agreed to a 60% City - 40% County split of this year's allocation, with the City receiving the amount of \$13,220.00, which includes a match amount of \$1,469.00; and

WHEREAS, the intended qualifying use for this award is to purchase crime mapping software which would allow the department to physically map where crime and calls for service occur within our community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that the Mayor of the City of Freeport is hereby authorized to accept the 2003 Fiscal Year Local Law Enforcement Block Grant funding as allocated and to execute all documents necessary to accept same.

Alderwoman Bender, Public Safety Chair, stated that the committee held a special meeting on October 16, 2003. The committee voted unanimously to adopt this resolution and Alderwoman Bender so moved, seconded by Alderman Clark. On the roll call of yeas and nays, Aldermen Varner, Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, and Bender voted yea. The resolution was adopted.

APPOINTMENTS

There was leave granted to hear all appointments. Effective immediately, Mayor James Gitz hereby appoints Corrine Bruce, Rev. Peter Williams, Quentin Davis, Jeff Todd, Dr. Michael Perry, Dr. Patrick Tyrance Jr., Dr. Robert Geller, Dr. Clarence Parks, Forrest Harris, Cora Threadgill, and Albert Shaw to the Taylor Park Health and Environmental Task Force.

Alderwoman Bender moved, seconded by Alderman Clark that these appointments be accepted. On the roll call of yeas and nays, Aldermen Varner, Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, and Bender voted yea. The motion carried.

EXECUTIVE SESSION

Alderman Clark moved, seconded by Alderwoman Bender to go into executive session according to according to 5 ILCS 120/2 (c)(2) in order to discuss collective bargaining. On the roll call of yeas and nays, Aldermen Varner, Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, and Bender voted yea. The motion carried.

Alderman Wright moved, seconded by Alderman Clark to come out of executive session. On the roll call of yeas and nays, Aldermen Varner, Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, and Bender voted yea. The motion carried.

POLICE SQUAD CAR BIDS

Alderman Bender, Public Safety Chair, stated that the committee held a special meeting on October 6, 2003. Alderman Bender, Public Safety Chair, stated that the committee held a special meeting on October 6, 2003. There was a bid opening for three police squad cars on September 20, 2003. Bids were received from Sawicki-\$47,965.00 for three Dodge Intrepids, Fairway Ford-\$55,485.000 for three Crown Victorias, and Bocker-\$48,265.12 for three Impalas. The committee voted unanimously to accept the low bid from The Bocker Group and Alderman Bender so moved, seconded by Alderman Clark. On the roll call of yeas and nays, Aldermen Varner, Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, and Bender voted yea. The motion carried.

LAPP PROGRAM BIDS

Alderman Boldt, Public Works Chair, stated that the committee held a special meeting on October 6, 2003. The program bids for the resurfacing of Adams Avenue from Jackson Street to Float Street were opened in Springfield on September 19, 2003. The engineer's estimate for this job was \$128,547.30. The state has accepted Civil Constructor's bid, which was \$129,559.05. The committee voted unanimously to concur with the state and Alderman Boldt so moved, seconded by Alderman O'Neill. On the roll call of yeas and nays, Aldermen Varner, Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, and Bender voted yea. The motion carried.

FINANCE

Alderman Clark, Chair, stated that the next meeting would be October 27, 2003, at 5:00pm, in City Council Chambers.

COMMUNITY DEVELOPMENT

Alderman Gaulrapp, Chair, stated that the next meeting would be Tuesday, October 14, 2003 at 5:30pm, in City Council Chambers.

PUBLIC WORKS

Alderman Boldt, Chair, stated that the next meeting would be October 20, 2003 at 5:30pm, in City Council Chambers.

FIRE STUDY

Alderman Dawson, stated that there would be a meeting on October 22, 2003 at 5:00pm, in City Council Chambers.

MAYOR'S REPORT

The mayor discussed the following items:

- IEPA site assessment team will be conducting soil testing free of charge
- Storm Sewer work to begin on Crestwood and Spring Street
- Transfer Station consultant bids for formalization of procedures
- Testing on railroad property
- TIF fund – proposals for downtown owners and FDD
- Downtown canopies and awnings-possible grant funding
- Possible airport grant funding
- Cable franchise

NEW BUSINESS

Alderman Clark requested the status of the Stephenson County Bureau appointment. Mayor Gitz stated that he would have an appointment at the next council meeting.

Alderman Wright referred the issue of Police & Fire Chief testing to the Public Safety Committee. Also he referred, the adoption of the land use plan (Mayor Gitz commented that this starts with the Planning Commission) and honorary naming of streets to the Public Works Committee.

PUBLIC COMMENTS

Casey Meyers spoke as a representative for the downtown property owners. He stated that he has collected eighty signatures from downtown property owners against the SSA. He also stated that the downtown owners do not feel like they are represented. Mr. Meyers then answered all questions from the council.

Ronda Scott also spoke against the SSA. She also addressed her concern on how the TIF monies are being spent.

Robert Hallin spoke regarding nuisance issues.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 9:05pm.

LATACIA M. ISHMON, CITY CLERK