

**CITY OF FREEPORT, ILLINOIS**  
**MONDAY EVENING**  
**CITY COUNCIL MEETING**  
**NOVEMBER 17, 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 Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, and Dawson. Absent was Alderman Clark due to being hospitalized.

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF AGENDA**

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

**PUBLIC HEARING**

There was a public hearing regarding the Law Enforcement Block Grant. Police Chief Whitmore explained that the grant was for \$13, 220. The funds will be used to purchase crime mapping software and two in-squad video cameras. Chief Whitmore answered all questions.

There being no further discussion, Alderman Gaulrapp moved, seconded by Alderman Dawson that the public hearing be closed. The motion carried.

**APPROVAL OF MINUTES**

The Journal of the Minutes of the regular meeting held on November 3, 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. Planning Commission Reports
    - a. 1026 Kunkle Blvd
    - b. 605-607 N West Ave
  - 2. Zoning Board of Appeals Report, 615 S Harlem Ave
  - 3. Community Development Cash Receipts, October 2003
  - 4. Community Development Building Permits, October 2003
  - 5. Fire Department Activities, October 2003
  - 6. Police Department Activities, October 2003
- B. Approval of Water & Sewer Disbursements for November 2003 - \$110,892.49
- C. Approval of Bills Payable for November 2003 - \$503,653.59
- D. Approval of Payroll of Period ending November 1, 2003 - \$288,816.35

Alderman Bender requested that item C be removed from the Consent Agenda. Alderman Gaulrapp moved, seconded by Alderswoman Bender for approval of the

consent agenda, with the exception of item C. On the roll call of yeas, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, and Dawson voted yea. The motion carried.

Alderman Dawson moved, seconded by Alderman Gaulrapp for the approval of Consent Agenda item C. Alderwoman Bender stated her concerns regarding the purchase of furniture from local stores for the new library. There leave granted to hear from Library Board member, Alice Ohrtmann who explained that the furniture was put out for bids and Wagner was the low bid on some of the furniture.

On the roll call of yeas and nays to approve item C, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, and Dawson voted yea. The motion carried.

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

**ORDINANCE #2003-79**

**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 November 3, 2003, when it was moved by Alderman Boldt, seconded by Alderwoman O'Neill for approval. On the roll call of yeas and nays to approve this ordinance, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Varner, and Dawson voted yea. The ordinance was approved.

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

**ORDINANCE #2003-80**

**AN ORDINANCE AMENDING ORDINANCES 2003-54 AND 2003-55 REGARDING CHAPTER 896 (RETAILERS' OCCUPATION TAX), CHAPTER 898 (SERVICE OCCUPATION TAX) AND CHAPTER 891 (TELECOMMUNICATIONS INFRASTRUCTURE MAINTENANCE)**

Alderman Wright, Finance Vice-Chair, stated that the committee held a special meeting on November 17, 2003. The committee voted unanimously to approve this ordinance and Alderman Wright so moved, seconded by Alderman Gaulrapp. Corporation Counsel explained that this ordinance is to make technical adjustments to the original ordinance at the request of the Illinois Department of Revenue.

Alderman Wright moved, seconded by Alderman Gaulrapp to suspend the rules in order to consider this ordinance at this meeting. On the roll call of yeas and nays to suspend the rules, Alderman Boldt, O'Neill, Wright, Gaulrapp, Varner, and Dawson voted yea. The motion carried

On the roll call of yeas and nays to approve the ordinance, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Varner, and Dawson voted yea. The ordinance was approved.

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

**ORDINANCE #2003-81**

**SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF THE CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (CHANGE OF ZONING, 605-607 N WEST AVE**

Alderman Gaulrapp, Community Development Chair, stated that the committee held a meeting on November 10, 2003. The committee voted unanimously to concur with the Zoning Board and Alderman Gaulrapp so moved, seconded by Alderman Dawson. On the roll call of yeas and nays, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, and Dawson voted yea. The ordinance was approved.

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

**ORDINANCE #2003-82**

**SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF THE CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (AMENDMENT OF ZONING, 1026 S KUNKLE BLVD)**

Alderman Gaulrapp, Community Development Chair, stated that the committee held a meeting on November 10, 2003. The committee voted unanimously to concur with the Zoning Board and Alderman Gaulrapp so moved, seconded by Alderwoman Bender. On the roll call of yeas and nays, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, and Dawson voted yea. The ordinance was approved.

**APPOINTMENT**

Pursuant to Section 232.04 (b) of the Codified Ordinances of the City of Freeport, Mayor James Gitz hereby appoints Thomas Dole as Street Department Superintendent for the City of Freeport.

Alderman Wright moved, seconded by Alderman Varner to refer this appointment to the Public Works Committee. Alderman Wright stated his concern with receiving appointments on the night of the council meetings.

Mayor Gitz stepped down as chair to the podium to urge the council not to refer this appointment to committee. He explained the process of the appointment and stated that he would continue to recommend Tom Dole as Street Superintendent.

On the roll call of yeas and nays to refer this appointment to the Public Works Committee, Aldermen O'Neill, Wright, Bender, and Varner voted yea. Aldermen Boldt, Gaulrapp, and Dawson voted nay. There were four yeas and three nays. The motion carried.

Mayor Gitz then appointed Tom Dole as Interim Street Superintendent.

**APPOINTMENT**

Effective immediately, James L. Gitz appoints Dwain Miller to the Airport Commission. Mr. Miller shall replace Don Morse. This appointment shall be effective until November 30, 2004.

Alderman Gaulrapp moved, seconded by Alderman Dawson to accept this appointment. On the roll call of yeas and nays, Aldermen Boldt and Gaulrapp voted yea. Aldermen O'Neill, Wright, Bender, Varner, and Dawson voted nay. There were two yeas and five nays. The motion failed.

**EXECUTIVE SESSION**

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

The council then convened in the mayor's office. After reconvening in Council Chambers, Alderwoman Bender moved, seconded by Alderman Gaulrapp to come out of executive session. On the roll call of yeas and nays, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, and Dawson voted yea. The motion carried.

## COMMITTEE REPORTS

### PUBLIC WORKS

Alderman Boldt, Chair, stated that the committee held a special meeting on November 17, 2003. Water & Sewer Director, Alice Ohrtmann requested an additional \$10,000 for the Crestwood Storm Sewer Project. This money will come from the bonds that were dedicated to W&S projects. The committee voted unanimously to approve this request and Alderman Boldt so moved, seconded by Alderwoman O'Neill. On the roll call of yeas and nays, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, and Dawson voted yea. The motion carried.

The committee also discussed going out for RFQs for a property negotiator for Spring Street. The Committee voted unanimously to approve this request and Alderman Boldt so moved, seconded by Alderwoman O'Neill. On the roll call of yeas and nays, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, and Dawson voted yea. The motion carried.

Alderman Boldt also referred the issue of signage (quantity, size, etc.) on private property to the Community Development Committee for discussion.

Alderman Boldt stated that there would be a special meeting on November 25, 2003 to discuss the appointment of the Street Superintendent.

### COMMUNITY DEVELOPMENT

Alderman Gaulrapp, Chair, stated that the committee held a meeting on November 10, 2003. There was a presentation from Stephenson County Health Department Director, Jeff Todd, on the issues of second hand smoke. Jeff Johnson presented a packet of information on the lack of proof that second hand smoke causes cancer. The committee discussed mandating ventilation systems instead of passing a smoke free ordinance. The committee denied the ordinance.

The Land Use Plan was referred to the Planning Commission. Also, Revered Charles Collins gave the committee an update on the fund balance YTD of the 5311 Grant monies.

### PUBLIC SAFETY

Alderwoman Bender, Chair, stated that the committee held a meeting on November 3, 2003. Fire Chief, Jim Blackburn explained the Fire Prevention Grant. The committee voted to allow the Chief to apply for the grant. Blackburn also informed the committee of the Jaws of Life purchase. This item was already budgeted.

There was a lengthy discussion a new dog ordinance. It was suggested that all dogs from 4 months and up be micro chipped for \$15.00. A new fine structure was also discussed. This was referred to Corporation Counsel to present an ordinance.

The committee discussed changing the appointment process for the Fire and Police Chiefs back to the 1998 ordinance. In that ordinance, the Police & Fire Commission tested the applicants. The committee would like to implement this change in 2003. The issue was referred to the Police and Fire Commission.

Fire Chief Blackburn requested that the old ladder truck be listed with a broker, as he has been unsuccessful in selling. The truck is valued at \$10,000-\$15,000. The committee approved his request.

**MAYOR'S REPORT**

The mayor discussed the following items:

- Storm Sewer Projects
- Dedication of Tutty's Crossing site
- US 20
- Rawleigh meeting with USEPA & IEPA
- FDDF- survey for TIF funds

**PUBLIC COMMENTS**

Ronda Scott stated her concern with the process for applying for the Façade Improvement Grant.

Marg Blum explained the procedure for applying for the Façade Improvement Grant.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 8:22pm.

**LATACIA M. ISHMON, CITY CLERK**