

CITY OF FREEPORT, ILLINOIS
TUESDAY EVENING
CITY COUNCIL MEETING
SEPTEMBER 5, 2006 AT 7:00PM
CITY COUNCIL CHAMBERS

QUORUM

At 7:00 pm, a quorum being present, Mayor Gaulrapp called the meeting to order.

RECORD

Present were Aldermen Helms, Boldt, Klemm, Bender, Threadgill, and Endress.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF THE AGENDA

Alderswoman Bender moved, seconded by Alderman Helms to approve the agenda. The motion carried.

APPROVAL OF MINUTES

The Journal of the Minutes of the regular meeting of August 21, 2006, was presented for approval. Alderswoman Bender moved, seconded by Alderman Endress to approve. The motion carried.

CONSENT AGENDA

Approval to Receive and Place on File:

- A. Approval to Receive and Place on File:
 - 1. Community Development Building Permits for August 2006
- B. Approval of Water & Sewer Disbursements for August 2006 - \$581,922.36
- C. Approval of Bills Payable (#925-#928) for August 2006 - \$245,186.66
- D. Approval of Payroll for period ending August 19, 2006 - \$380,207.44

Alderswoman Bender moved, seconded by Alderman Helms for approval of the consent agenda. The motion carried.

2nd READING ORDINANCE #2006-49

AN ORDINANCE AMENDING CHAPTER 806, SECTION 806.03 (CLASSIFICATION OF LICENSES OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

This ordinance was laid over from the meeting of August 21, 2006, when it was moved by Alderman Boldt, seconded by Alderswoman Bender for approval. On the roll call of yeas and nays, Aldermen Helms, Boldt, Klemm, Bender, Threadgill, and Endress voted yea. The ordinance was approved.

2nd READING ORDINANCE #2006-50

AN ORDINANCE AUTHORIZING ACQUISITION OF ADDITIONAL CMC HEARTLAND PROPERTY FOR THE PURPOSES OF REDEVELOPMENT.

This ordinance was laid over from the meeting of August 21, 2006, when it was moved by Alderswoman O'Neill, seconded by Alderswoman Bender. On the roll call of yeas and nays, Aldermen Helms, Boldt, Klemm, Bender, Threadgill, and Endress voted yea. The ordinance was approved.

1st READING ORDINANCE #2006-51

AN ORDINANCE TO PROVIDE FOR PUBLIC TRANSPORTATION IN THE CITY OF FREEPORT

The committee held a meeting on August 21, 2006. This ordinance is required by the Illinois Department of Transportation for the 5311 Grant. The committee voted unanimously to approve this ordinance and Alderman Klemm so moved, seconded by Alderwoman Bender. The ordinance was automatically laid over to the next regular meeting.

1ST READING ORDINANCE #2006-52

SPECIAL ORDINANCE FOR VARIATION, PERMIT, OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (VARIANCE, 712 N WARREN AVE)

The committee held a meeting on August 21, 2006. This ordinance is a petition by Cathy A. Bartels, 712 N. Warren Ave., Freeport, IL., requesting a variance to Section 1250.05 (f)(1) of the City of Freeport Codified Ordinances, to allow a front yard setback of ten (10) feet at 712 N. Warren Ave., Freeport, IL. The Zoning Board of Appeals unanimously recommended approval of this application at the August 10, 2006, meeting. The committee voted unanimously to approve this ordinance and Alderman Helms so moved, seconded by Alderwoman Bender. On the roll call of yeas and nays, Aldermen Helms, Boldt, Klemm, Bender, Threadgill, and Endress voted yea. The ordinance was approved.

1ST READING ORDINANCE #2006-53

SPECIAL ORDINANCE FOR VARIATION, PERMIT, OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (VARIANCE, 711 N WADDELL)-DENIAL RECOMMENDATION

The committee held a meeting on August 21, 2006. This ordinance is a petition by David Miller, 711 N. Waddell Ave., Freeport, IL., requesting a variance to Section 1270.03 (d)(1) of the City of Freeport Codified Ordinances, to allow a six (6') foot high fence in the front yard setback area and Section 1270.03 (h)(4) to allow a chain link fence in a front yard at 711 N. Waddell Ave., Freeport, IL. The Zoning Board of Appeals unanimously recommended denial of this application at the August 10, 2006, meeting. The committee voted unanimously to concur with the denial recommendation of the Zoning Board of Appeals. Alderman Klemm moved, seconded by Alderman Endress to refer this ordinance back to the Zoning Board of Appeals. The motion carried.

1ST READING ORDINANCE #2006-54

SPECIAL ORDINANCE FOR VARIATION, PERMIT, OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (AMENDMENT OF ZONING, 515 E STEPHENSON)-DENIAL RECOMMENDATION

A petition by Sultana Ahmad and Saima Naseem, 5 Barton Creek Ct., Lake in the Hills, IL, requesting a change in zoning from M3, Heavy Industrial District to B2-1, Limited Service Business District for the property located at 515 E. Stephenson St., Freeport, IL. The Planning Commission unanimously recommended denial of this application at the August 10, 2006, meeting. The petitioners did not show up for the meeting, therefore the Planning Commission recommended denial. Shelly Griswold has contacted the individuals to offer them a chance to withdraw their petition before it goes to second reading. The committee voted unanimously to concur with the denial recommendation and Alderman Klemm so moved, seconded by Alderman Endress. This ordinance was automatically laid over to the next regular meeting.

1ST READING ORDINANCE #2006-55

SPECIAL ORDINANCE FOR VARIATION, PERMIT, OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (AMENDMENT OF ZONING, 415 W DOUGLAS)

The committee held a meeting on August 21, 2006. This ordinance is a petition by FHN, 1045 West Stephenson St., Freeport, IL. requesting a change in zoning from R7, Multi Family Residence District to B2-1, Limited Service Business District for the property located at 414 West Stephenson St. (415 West Douglas St.) Freeport, IL. The Planning Commission unanimously recommended approval of this application at the August 10, 2006, meeting. The committee voted unanimously to approve this ordinance and Alderman Klemm so moved, seconded by Alderwoman Bender. This ordinance was automatically laid over to the next regular meeting.

1ST READING ORDINANCE #2006-56

AN ORDINANCE AMENDING CHAPTER 806 OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT REGARDING TEMPORARY LICENSES

The committee held a meeting on August 21, 2006. This ordinance is to allow an amateur playhouse to have a temporary liquor license, which may exceed three calendar days, but shall not exceed six total days over the course of 14 consecutive days. The committee voted unanimously to approve this ordinance and Alderman Endress so moved, seconded by Alderman Boldt. Alderman Klemm moved, seconded by Alderman Endress to suspend the rules for immediate consideration. On the roll call of yeas and nays to suspend the rules, Aldermen Helms, Boldt, Klemm, Bender, Threadgill, and Endress voted yea. The motion carried. On the roll call of yeas and nays to approve the ordinance, Aldermen Helms, Boldt, Klemm, Bender, Threadgill, and Endress voted yea.

RESOLUTION #R-2006-68

RESOLUTION TO RENEW AGREEMENT WITH FREEPORT/STEPHENSON COUNTY CONVENTION AND VISITORS BUREAU

The committee held a meeting on August 21, 2006. Finance Director, Craig Joesten recommended that the Freeport/Stephenson County Convention and Visitors Bureau contract be extended for two more years. The committee voted unanimously to adopt the resolution and Alderman Klemm so moved, seconded by Alderman Helms. On the roll call of yeas and nays, Aldermen Helms, Boldt, Klemm, Bender, Threadgill, and Endress voted yea. The motion carried.

RESOLUTION #R-2006-71

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

The committee held a meeting on August 21, 2006. The committee voted unanimously to adopt the resolution and Alderman Boldt so moved, seconded by Alderwoman Bender. On the roll call of yeas and nays, Aldermen Helms, Boldt, Klemm, Bender, Threadgill, and Endress voted yea. The motion carried.

MAYOR'S REPORT

The mayor reported the different issues in which he has been involved.

PUBLIC COMMENT

John Cook requested that his comments be placed in the record (see below):
Good evening ladies and gentlemen of the Freeport City Council, Mayor Gaulrapp and fellow citizens.

Last May, May 10th to be specific, the Stephenson County Board without prior discussion or public notice voted to issue \$6 million in public debt. Shortly thereafter, I began formally

requesting information from Stephenson County officials as well as their attorneys as to how it was possible for Stephenson County to issue this debt without following the Bond Issue Notification Act, or the Notice by Publication Act. These laws require public notice prior to a unit of government issuing debt. Mayor Gaulrapp has been provided with copies of my requests. Thus far, I have not been provided with any information or answers.

How Stephenson County came to gain the legal authority to issue public debt without so much as public notice—let alone a referendum—is a question of grave financial concern for the City of Freeport and its citizens as well as all the other Stephenson County taxing bodies.

Other units of local government follow the above referenced notification/publication laws. Highland College recently held a public hearing and ran legal notice regarding the college issuing \$2.85 million in debt. After reading the published notice I requested a copy of the college's "Official Statement" and received a copy of the financial documents within three business days. Yet, Mayor Gaulrapp you've told me you can't get the County to give you a copy of the "Official Statement" for their bond issue and you're the mayor of the largest municipality in the county? This is literally pathetic.

The fact that no City Council member has raised the issue of the County issuing non-referendum debt is equally pathetic. To not even question another taxing body adding to our astronomical overlapping bond debt without, at the least, formal notification is irresponsible on the part of this City Council. Although the City of Freeport represents only about 18% of HCC's assessed valuation, the citizens of Freeport are responsible for more than half of all the local public debt attributable to the taxing bodies within the junior college district.

Last year, when the City Council approved the intergovernmental agreement with Stephenson County, citizens were promised that the City was not giving the County any new power—yet this year the County is issuing debt without so much as public notice?

If Corporation Counsel cannot give you Mayor Gaulrapp and the City Council an adequate explanation as to how the County can issue debt without notice, then you need to formally request an explanation from the Stephenson County States Attorney.

If in fact the intergovernmental agreement approved last year which helped to establish Mill Race Crossing, gave the County authority to issue debt without a referendum, that intergovernmental agreement should be rescinded immediately.

All of the financial task forces in the world will not solve the City of Freeport's money problems as long as the Mayor and City Council allow other units of government to tap our credit line without so much as telling us of their intentions. Again the lack of answers and official interest regarding this issue is pathetic. The citizens of Freeport deserve much more in the way of leadership.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 7:32 p.m.

LATACIA M. ISHMON, CMC