

CITY OF FREEPORT, ILLINOIS
TUESDAY EVENING
CITY COUNCIL MEETING
JANUARY 22, 2002, 7:00 P.M.
CITY COUNCIL CHAMBERS

QUORUM

At 7:00 p.m., a quorum being present, Mayor James L. Gitz called the meeting to order.

RECORD

Present were Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, and Boldt. Absent was Alderwoman Steele.

Alderwoman Jones entered the meeting at 7:06 p.m.

PLEDGE OF ALLEGIANCE

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

PUBLIC HEARING

There was a public hearing held for vacation of an alley. Public Works Director, Craig LeBaron, gave a description of the alley to be vacated. There were no objectors present. Alderman Jenkins moved, seconded by Alderman Goley to adjourn the public hearing. The motion carried.

HONORARY RESOLUTION #R-2002-03

RESOLUTION TO HONOR BRIANNA ERDMIER AS PART OF THE 2002 WINTER OLYMPIC GAME TORCH RELAY TEAM

WHEREAS, the 2002 Winter Olympic Games will be held in Salt Lake City, Utah in the United States of America; and

WHEREAS, during ancient Olympic Games, a sacred flame was lit from the sun's rays at Olympia, and stayed lit until the Games were completed, representing the "endeavor for protection and struggle for victory"; and

WHEREAS, the Olympic Flame was introduced into our Modern Olympics at the 1928 Amsterdam Games, since then coming to symbolize "the light of spirit, knowledge, and life"; and

WHEREAS, the Torch Relay which was begun in the Ancient Olympics and revived at the 1936 Berlin Games, being lit at Olympia in Greece and carried by relay to the host-city, with the last runner carrying the torch into the Olympic Stadium to light the flame during the Opening Ceremony, remaining lit until the Closing Ceremony; and

WHEREAS, this year, Brianna Erdmier, one of Freeport's own, took part in the Torch Relay as support to three torchbearers; and

WHEREAS, the Olympic Creed states, "The most important thing in the Olympic Games is not to win but to take part, just as the most important thing in life is not the triumph, but the struggle. The essential thing is not to have conquered, but to have fought well."; and

WHEREAS, we are proud of Brianna for "taking part" and representing our community in this ever important event.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AND THE MAYOR OF THE CITY OF FREEPORT, ILLINOIS, that on behalf of the citizens of Freeport, we hereby extend our recognition to Brianna Erdmier for taking part in the Torch Relay for the 2002 Winter Olympic Games and our appreciation for her representation of this City and this Country in this historic moment.

Alderman Gaulrapp moved, seconded by Alderwoman Bender to adopt this Resolution. The motion carried.

HONORARY RESOLUTION #R-2002-04
RESOLUTION HONORING NATASHA PHILLIPS AS NATIONAL GRAND SPOKES-MODEL QUEEN

WHEREAS, Natasha Phillips has been named the 2001/2002 National Grand Spokes-model Queen; and

WHEREAS, Ms. Phillips competed in eighteen (18) states and Canada in pursuit of her title; and

WHEREAS, Ms. Phillips is not only a good student, but a role model for other children in the best spirit of "Doing the Right Thing;" and

WHEREAS, Ms. Phillips gives liberally of her time to community activities in Freeport and throughout the region in her role as National Grand Spokes-model Queen,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AND THE MAYOR OF THE CITY OF FREEPORT, ILLINOIS, that we commend Natasha Phillips on her achievement as 2001/2002 National Grand Spokes-model Queen and extend our best wishes for her continued success as a role model for all young Americans.

Alderman Gaulrapp moved, seconded by Alderwoman Bender to adopt this Resolution. The Resolution was adopted.

APPROVAL OF MINUTES

The Journal of the Minutes of the regular meeting held on January 7, 2002 was presented for approval. Alderwoman Bender moved, seconded by Alderman Leitzen Fye for the approval of the minutes. The motion carried.

CONSENT AGENDA

A. Approval to Receive and Place on File:

1. Treasurer's Report for period ending December 31, 2001
2. Treasurer's Investment Report for period ending December 31, 2001
3. Fire Department Monthly Activities for December 2001
4. Police Department Monthly Activities for December 2001
5. Report from the City Planning Commission

B. Approval of Water & Sewer Disbursements for January 2002 - \$163,120.28

C. Approval of Bills Payable for January 2002

D. Approval of Payroll for Pay Period December 30, 2001–January 12, 2002 - \$272,964.03

Alderwoman Bender moved, seconded by Alderman Gaulrapp to approve the consent agenda. On the roll call of yeas and nays, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, and Boldt voted yea. The motion carried.

1ST READING ORDINANCE #2002-01

AN ORDINANCE VACATING AN ALLEY IN THE CITY OF FREEPORT, ILLINOIS

Alderman Jenkins, Public Works Vice-Chair, stated that this Ordinance was presented to the Committee. The committee voted unanimously to approve this Ordinance and Alderman Jenkins so moved, seconded by Alderman Rinehart. This Ordinance was automatically laid over to the next regular meeting

1ST READING ORDINANCE #2002-02

AN ORDINANCE AMENDING CHAPTER 480 (PARKING GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderman Jenkins, Public Works Vice-Chair, stated that the committee held a meeting on January 14, 2002. Public Works Director, Craig LeBaron presented an ordinance to remove parking from State Street from Clark to Douglas because this was changed from a one-way to a two-way street. The need was prompted by limited space between curbs for two-way traffic. The committee voted unanimously to approve this ordinance and Alderman Jenkins so moved, seconded by Alderman Rinehart. This Ordinance was automatically laid over to the next regular meeting.

1ST READING ORDINANCE #2002-03

AN ORDINANCE AMENDING CHAPTER 482 (OFF-STREET PARKING LOTS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Scott Jenkins, Public Works Vice-Chair, stated that the committee held a meeting on January 14, 2002. The committee discussed off-street parking in the city lots, large trucks have been parking overnight and there is concern about the damage to the lots. Public Works Director, Craig LeBaron, introduced an ordinance to restrict parking in the lots to ¾ ton and smaller vehicles. The committee voted unanimously to approve this Ordinance and Alderman Jenkins so moved, seconded by Alderman Rinehart. This Ordinance was automatically laid over to the next regular meeting.

REPORT

The regular meeting of the Freeport Planning Commission was held on Thursday, January 10, 2002, in the City Hall Building, at 7:30 p.m. a public hearing was held on a petition by David Roderick, 818 S. Chippewa Avenue, owner, and Kevin Kedlec, 8350 Highway H, Eagle River, WI, contract vendee. Petitioners are requesting a Special Use Permit under Section 1250.03(b) of the City of Freeport Codified Ordinances, to allow location of a residence for the dually disabled; for the property located at the southwest corner of DeBoer Lane and 18th Avenue, Freeport. This petition was laid over from the meeting of December 6, 2001. The request meets all requirements of the Codified Ordinances. Mr. James Bergagna was present and spoke in favor of the request.

The Planning Commission unanimously recommends the petition by approved.

Alderman Boldt moved, seconded by Alderman Dawson that this report be received and placed on file. The motion carried.

1ST READING ORDINANCE #2002-04

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS

Alderman Boldt, Community Development member, stated that the committee held a meeting on January 18, 2002. Alderwoman Leitzen Fye and Alderman Boldt had community meetings regarding the placement of these homes in their prospective wards. There were no outstanding concerns or questions, and the community welcomed these homes to their area. The committee voted unanimously to concur with the Planning Commission and Alderman Boldt so moved, seconded by Alderwoman Leitzen Fye. Alderman Bush moved, seconded by Alderman Dawson that this Ordinance be laid over to the next regular meeting. On the roll call of yeas and nays to lay this Ordinance over, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, and Boldt voted yea. The motion carried.

REPORT

The regular meeting of the Freeport Planning Commission was held on Thursday, January 10, 2002 in the City Hall Building at 7:30 p.m., a public hearing was held on a petition by William and Connie Wagner, 773 Cortez Court, owners, and Kevin Kedlec, 8350 Highway H, Eagle River, WI, contract vendee. Petitioners are requesting a Special Use Permit under Section 1250.05(b)(1) of the City of Freeport Codified Ordinances, to allow location of a residence for the dually disabled; for the property located at Lots 5 and 6, N. Brewster Avenue, Freeport. This petition had been laid over from the meeting of December 6, 2001. The request meets all requirements of the Codified Ordinances. Mr. James Bergagna was present and spoke in approval of the request.

The Planning Commission unanimously recommends the petition by approved

Alderman Boldt moved, seconded by Alderman Boldt that this report be received and placed on file. The motion carried.

1ST READING ORDINANCE #2002-05

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Special Use Permit, Lots 5 & 6, N. Brewster Avenue, Freeport, IL)

Alderman Boldt, Community Development member, stated that the committee held a meeting on January 18, 2002. The committee voted unanimously to concur with the Planning Commission and Alderman Boldt so moved, seconded by Alderman Dawson. Alderman Dawson moved, seconded by Alderwoman Bender that this Ordinance be laid over to the next regular meeting. On the roll call of yeas and nays to lay this Ordinance over, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, and Boldt voted yea. The motion carried.

1ST READING ORDINANCE #2002-06

AN ORDINANCE TO ADOPT SCHEDULE OF AMBULANCE RATES IN ACCORDANCE WITH SECTION 242.46 OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

Alderman Bush, Finance Chair, stated that the committee held a meeting on January 15, 2002. The committee voted unanimously to approve this Ordinance and Alderman Bush

so moved, seconded by Alderwoman Bender. This Ordinance was automatically laid over to the next regular meeting.

RESOLUTION #R-2002-05

RESOLUTION TO AUTHORIZE THE ADOPTION OF THE GREENWAYS AND TRAILS PLAN FOR STEPHENSON COUNTY AND THE CITY OF FREEPORT

WHEREAS, the City of Freeport has authority pursuant to Illinois law to have a Greenways and Trails Plan made for the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of said City, and which plan will in the judgment of the City Council, be in accordance with the present and future needs of the City, County and the State; and

WHEREAS, the Illinois Department of Natural Resources, recognizing a need and growing interest in Metropolitan greenway and regional trail planning on a Nation-wide basis, created the Illinois State Trail Plan in May 1995; and

WHEREAS, the Grand Illinois Trail Plan, adopted December 1997, is a network of existing and proposed trails in northern Illinois linking Lake Michigan to the Mississippi as well as trails into Wisconsin and Southern Illinois; and

WHEREAS, the Partners In Planning Board on October 25, 2001 unanimously approved the Stephenson County and City of Freeport Greenways and Trails Plan and refers to the City of Freeport and the County of Stephenson for approval; and

WHEREAS, the Community Development Committee met on January 17, 2002 and concur with the Partners in Planning Board's approval of the Greenways and Trails Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that the City of Freeport adopt and approve the Greenways and Trails Plan for the City of Freeport as presented this 22nd day of January, 2002.

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.

BE IT FURTHER RESOLVED that if any section, clause or provision of this Resolution be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Resolution as a whole or any part thereof, other than the part so declared to be invalid, and this City Council expressly declares that it would have enacted this Resolution even with the invalid portion deleted.

Alderman Boldt, Community Development member, stated that the committee held a meeting on January 18, 2002. Public Works Director, Craig LeBaron made a presentation of the revised "Greenways & Trails" for the Stephenson County and the City of Freeport". This report was revised by the Partners in Planning to recognize the revised version of November 2001 which updates the priority list to add "Oakdale Nature Preserve" to the first priority list. The committee voted unanimously to adopt this Resolution and Alderman Boldt so moved, seconded by Alderwoman Leitzen Fye. On the roll call of yeas and nays to adopt this resolution, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, and Boldt voted yea. The Resolution was adopted.

RESOLUTION #R-2002-06

RESOLUTION TO AMEND A TAX INCREMENT FINANCING DISTRICT FUND EXPENDITURE PLAN

WHEREAS, on September 4, 1994, the City Council of the City of Freeport approved Ordinances 94-64, 94-65, and 94-66, pursuant to 65 ILCS 5/74.4-1 creating a Tax Increment Redevelopment Area (TIF) and designating a Downtown Area TIF Redevelopment Plan and Project, and whereas on September 17, 2001 a Tax Increment Financing District Fund Expenditure Plan was approved by this Council; and

WHEREAS, under such plan incremental increases in taxes due to redevelopment are accumulated in a special fund for use in accordance with the goals and objectives of that plan; and

WHEREAS, current projections for Fiscal Year 2001/2002 for TIF income have now been increased by approximately \$31,000; and

WHEREAS, these additional funds were unanticipated and not included in the 2001 TIF Expenditure Plan, and have caused the necessity of amending that Plan; and

WHEREAS, the City Council's Community Development Committee and the City Council's Finance Committee have reviewed and recommended the attached amendment to the "Tax Increment Financing District Fund Expenditure Plan" in order that such special fund be allocated for expenditure in accordance with the State law and in accordance with the City Redevelopment Plan; and

WHEREAS, this City Council finds that its approval of the amended "Tax Increment Financing District Fund Expenditure Plan" is in the best interests of all citizens in this community.

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 Exhibit A, captioned the "Tax Increment Financing District Fund Expenditure Plan", is hereby adopted and approved; and the Mayor, the Finance Director, and any other City employee or official as may be deemed appropriate, are hereby authorized to implement this "Tax Increment Financing District Fund Expenditure Plan" and any other documents as may be necessary or appropriate so as to effectuate the intent of this Resolution.

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 Boldt, Community Development member, stated that the committee held a meeting on January 18, 2002. Community Development Director, Jeff Mikkelsen, presented a proposal to increase the TIF expenditure plan. This was due to the unrealized income of \$31,000 that was not included in the original plan. Part of the increase is to cover the increase cost of the retaining wall on Main Street, originally estimated at \$10,000 with an actual cost of \$28,000. The remaining \$13,000 is to be added to the design/consulting fees for the historic preservation district originally set at \$53,000, now increased to \$66,000. The committee voted unanimously to amend the TIF Plan and Alderman Boldt so moved, seconded by Alderwoman Leitzen Fye. Alderman Bush, Finance Chair, stated that the Finance Committee concurred with the Community Development Committee. On the roll call of yeas and nays to adopt this resolution, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, and Boldt voted yea. The motion carried.

APPOINTMENT

Pursuant to Section 220.11 of the City Code, Mayor James L. Gitz hereby appoints

Audrey Moore-Howard to the Public Works & Utilities Committee of the City Council to fill a City Council Committee vacancy created by the resignation of Larry Trask as 3rd Ward Alderman.

Alderman Jenkins moved, seconded by Alderman Dawson to accept this appointment. On the roll call of yeas and nays, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, and Boldt voted yea. The motion carried.

APPOINTMENT

Pursuant to Section 220.11 of the City Code, Mayor James L. Gitz hereby appoints Chris Goley to the Telecommunications & Technology Committee of the City Council to fill a City Council Committee vacancy created by the resignation of Mike Clark as 4th Ward Alderman.

Alderman Gaulrapp moved, seconded by Alderwoman Bender to accept this appointment. On the roll call of yeas and nays, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, and Boldt voted yea. The motion carried.

CONFIRMATION OF APPOINTMENTS

Effective immediately, James L. Gitz, hereby appoints the following people to the Special Fire Department Study Committee. These appointments shall be effective in accordance with Resolution #R-2001-77:

Aldermen:

James Dawson, Public Safety Chair
George Rinehart, Public Safety V-Chair
Nickee Bender, Senior Alderman

Public Members:

David Renz, Safety Coordinator for Honeywell
Ken Thompson, Fehr Graham & Associates
Roland Munda, Businessman & Retired Fireman
Dennis Jordan, 3rd Ward Resident

Fire Administration: Jim Blackburn, Fire Chief

The Special Fire Department Study Committee, b the terms of the Resolution, shall also include: Finance Director, James Leitzinger, and two (2) members of I.A.F.F. #441.

Alderman Gaulrapp moved, seconded by Alderwoman Bender to accept these appointments. On the roll call of yeas and nays, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, and Boldt voted yea. The motion carried.

NEW BUSINESS

Alderman Dawson presented a Resolution for the Freeport City Council to Authorize an Advisory Referendum and Place the Following Public Question on the March 19, 2002 Ballot: "Shall the Freeport City Council revoke Resolution #2001-56, a Resolution to Authorize Commitment of \$2.5 Million Dollars for Construction of the Freeport Public Library?"

Corporation Counsel reviewed State Statutes and stated that a Resolution of a Political Subdivision to initiate a submission for a public question has to be adopted not less than 65 days before the election date, which in this case it would have had to be adopted by January 13, 2002.

Alderwoman Bender stated her opinion of the electoral board decision.

Alderwoman Steele sent a letter, read by Alderwoman Bender, stating her opinion of the electoral board decision. She also invited everyone to a reception for Representative Manzullo on February 25, 2002 at 1:00 p.m., at the Farm Bureau.

Alderman Boldt thanked Representative Manzullo for his part in getting the Gulf War bill passed. He stated that if anyone had any questions regarding the residence homes, he would be glad to answer them. Alderman Boldt stated that this project is a great opportunity for this community. He said that the program would bring 80-100 new jobs into the community.

Alderman Dawson stated his opinion of the electoral board decision.

COMMITTEE REPORTS

PUBLIC SAFETY

Alderman Dawson, Chair, stated that the next meeting would be January 30, 2002 at 5:30 p.m.

PUBLIC WORKS

Alderman Jenkins, Vice-Chair, stated that the committee held a meeting on January 14, 2002. The committee discussed possibly changing the remaining portion of State to two-way traffic. This would be from Winslow to Galena. There was some discussion, but no action pending research of the width of the street and needs for parking. This will be discussed at the next regular meeting.

There is a request to extend "no parking" on the East Side of Locust, South of Empire for the purpose of handicapped student loading. Public Works Director, Craig LeBaron will be contacting the homeowner seeking a limit on the year or years needed for this extension.

A request for a loading zone for "Hot Diggity Dog", 7 N. Chicago, was denied pending discussion about shore term parking on this block of Chicago. All new loading zones will be denied until Downtown Development and Public Works have arrived to an agreeable plan for downtown traffic and parking.

Mayor Gitz informed the committee members about Brownsfields sites, a new calling center business, John Lanpher's progress on technology, and concerns about a landlord not providing gas for heat at Debbie's Bake Shop.

COMMUNITY DEVELOPMENT

Alderman Bolt announced that the next meeting would be February 14, 2002 at 5:00 p.m., in Council Chambers.

FINANCE

Alderman Bush, Chair, announced that the next meeting would be February 12, 2002 at 5:00 p.m., in Council Chambers.

TECHNOLOGY

Alderman Gaulrapp, Chair, announced that the next meeting would be February 5, 2002 at 6:30 p.m., in Council Chambers.

POLICE CHIEF REPORT

Police Chief, Dave Kentner, announced that he would be retiring at the conclusion of the City Council meeting on August 19, 2002. He stated that he is retiring because he was diagnosed as having emphysema.

PUBLIC COMMENTS

Mr. Gaulrapp asked why was it not left up to the voters to decide about the library.

PRESENTATION

Deb Elzinga, Executive Director of Neighborhood Housing Services in Freeport, presented a video that gives a history of Neighborhood Housing Services.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 8:50 p.m.

**LATACIA M. ISHMON
CITY CLERK**