

CITY OF FREEPORT, ILLINOIS
TUESDAY EVENING
CITY COUNCIL MEETING
FEBRUARY 17, 2004 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 O'Neill, Wright, Gaulrapp, Bender, Clark, and Dawson. Absent were Aldermen Varner and Boldt due an illnesses.

PLEDGE OF ALLEGIANCE

At this time, the Pledge of Allegiance was led by Alderwoman O'Neill.

STATE OF THE CITY ADDRESS

The State of the City was presented by Mayor Jim Gitz.

APPROVAL OF AGENDA

Alderwoman Bender moved, seconded by Alderman Dawson for approval of the agenda. The motion carried.

PUBLIC COMMENTS

John Cook expressed his frustration with the difficulty in reading ordinances and receiving attachments. He also stated his concern with Ordinance #2004-09.

APPROVAL OF MINUTES

The Journal of the Minutes of the regular meeting held on February 2, 2004 was presented for approval. Alderman Gaulrapp moved, seconded by Alderwoman Bender for approval of the minutes. The motion carried.

CONSENT AGENDA

- A. Approval to Receive and Place on File:
 - 1. City Planning Commission Reports
 - a. Final Plat of Cliffside Estates Plat 2
 - b. Special Use Permit, Gill's Freeport Raceway, Inc
 - 2. Police Department Monthly Activities, January 2004
 - 3. Treasurer's Monthly Investment Report for period ending January 31, 2004
 - 4. Treasurer's Report for period ending January 31, 2004
- B. Approval of Water & Sewer Disbursements for February, 2004 - \$273,469.31
- C. Approval of Bills Payable for January & February 2004 - \$573,284.73
- D. Approval of Payroll of Period ending February 10, 2004 - \$593,713.65

Alderman Gaulrapp moved, seconded by Alderwoman Bender for approval of the consent agenda. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Gaulrapp, Bender, Clark, and Dawson voted yea. The motion carried.

2nd READING

ORDINANCE #2004-07

AN ORDINANCE AMENDING CHAPTER 1062 (CITY CEMETERY) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

This ordinance was laid over from the meeting of February 2, 2004, when it was moved by Alderman Boldt, seconded by Alderwoman Bender for approval. Several aldermen stated that they received calls from funeral directors concerning the increase in fees. After some discussion, Alderman Dawson moved, seconded by Alderman Clark to refer this ordinance back to the Public Works Committee. On the roll call of yeas and nays, Aldermen Gaulrapp, Bender, Clark, and Dawson voted yea. Aldermen O'Neill and Wright voted nay. There were four yeas and two nays. The motion carried.

2nd READING

ORDINANCE #2004-08

AN ORDINANCE TO ABATE THE 2003 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2000

This ordinance was laid over from the meeting of February 2, 2004, when it was moved by Alderman Clark, seconded by Aldermen Wright for approval. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Gaulrapp, Bender, Clark, and Dawson voted yea. The ordinance was approved.

2nd READING

ORDINANCE #2004-09

AN ORDINANCE TO ABATE THE 2003 REAL ESTATE TAX LEVY OF THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2003

This ordinance was laid over from the meeting of February 2, 2004, when it was moved by Alderman Clark, seconded by Alderman Wright for approval. Alderman Clark moved, Alderman Gaulrapp to amend the ordinance to remove question marks from within the text. The motion carried. On the roll call of yeas and nays to approve the ordinance, Aldermen O'Neill, Wright, Gaulrapp, Bender, Clark, and Dawson voted yea. The ordinance was approved.

1ST READING

ORDINANCE #2004-10

AN ORDINANCE TO ISSUE SPECIAL USE PERMIT UNDER THE ZONING ORDINANCE OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

Alderman Gaulrapp, Community Development Chair, stated that the committee held a meeting on February 9, 2004. After hearing from Mr. Gill's attorney, Alderman Gaulrapp suggested that progress be made on reducing the amount of noise that is given off by the events at the racetrack before requesting another permit next year. The committee voted unanimously to concur with the Planning Commission and Alderman Gaulrapp so moved, seconded by Alderwoman Bender. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Gaulrapp, Bender, Clark, and Dawson voted yea. The ordinance was approved.

1ST READING

ORDINANCE #2004-11

AN ORDINANCE AMENDING CHAPTER 612 (ANIMALS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderwoman Bender, Public Safety Chair, stated that the committee held a special meeting on February 9, 2004. Corporation Counsel reviewed the changes made in the ordinance. There was a public question and answer period. After much discussion, the

committee voted to approve the ordinance. Alderwoman Bender moved, seconded by Alderman Gaulrapp to refer this ordinance back to committee. The motion carried.

REAPPOINTMENT

There was leave granted to consider all reappointments in one reading. Effective immediately, Mayor James L. Gitz hereby reappoints Ken Brierre, Connie Witte, and Chris Fye to the Historic Preservation Commission. These appointments shall be effective for three years. Alderman Clark moved, seconded by Alderman Wright to accept these appointments. The motion carried.

RESOLUTION #R-2004-15

RESOLUTION TO APPROVE FINAL PLAT FOR CLIFFSIDE ESTATES SUBDIVISION PLAT 2

WHEREAS, Section 5/11-15-1 of the Illinois Municipal Code (65 ILCS 5/11-15-1), authorizes a city to enact an ordinance mandating that the city council approve all plats of subdivisions to be located inside city's corporate boundaries or within a one-and-a-half mile area extending from said corporate boundaries provided that the city has also enacted a Subdivision ordinance; and

WHEREAS, the City of Freeport has enacted such a Subdivision Ordinance, known as Chapter 1224 of the Codified Ordinances of the City of Freeport; and

WHEREAS, Section 1224.05(d)(6) of Chapter 1224 of the Freeport Codified Ordinances provides that all Subdivision plats "shall be submitted to the City Council for approval and for acceptance of all streets, alleys, ways, easements, parks or other areas preserved for, or dedicated to, the public, by resolution"; and

WHEREAS, on January 20, 2004, this City Council approved the preliminary plat for Cliffside Estates Subdivision Plat 2, located in Freeport Township; and

WHEREAS, the final plat for said Cliffside Estates Subdivision Plat 2, a copy of which is attached hereto as "Exhibit A", and made a part hereof, substantially conforms to the preliminary plat as approved, including a waiver of curbs, gutters, sidewalks, street lights, storm sewers, and sewer and water requirements; and

WHEREAS, at a regular meeting held February 5, 2004, and subsequent to a public hearing, the Freeport Planning Commission unanimously recommended that the City Council approve the final plat for Cliffside Estates Subdivision Plat 2.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that the Final Plat of Cliffside Estates Subdivision Plat 2 as set forth in Exhibit A, is hereby approved.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to attach a copy of this Resolution to a copy of the plat, for the purpose of recording the plat by the subdivider with the County Recorder; and upon said recording of the plat, the subdivider shall file a certified, reproducible copy of the plat with the Community Development Office.

BE IT FURTHER RESOLVED that this Resolution is expressly adopted pursuant to the Home Rule Powers of the City of Freeport under Section 6 of Article VII of the Illinois Constitution of 1970; and all Resolutions or parts of motions in conflict with this Resolution are repealed insofar as they conflict.

Alderman Gaulrapp, Community Development Chair, stated that the committee held a meeting on February 9, 2004. The committee voted unanimously to concur with the Planning Commission and Alderman Gaulrapp moved, seconded by Alderwoman Bender. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Gaulrapp, Bender, Clark, and Dawson voted yea. The resolution was adopted.

RESOLUTION #R-2004-16

A RESOLUTION IN SUPPORT OF HIGHLAND COMMUNITY COLLEGE REFERENDUM TO INCREASE EDUCATION LEVY

WHEREAS, on March 16, 2004, the citizens of our community will be asked to vote on the question:

“Shall the maximum annual tax rate for educational purposes for Community College District No. 519 (Highland Community College), Counties of Stephenson, Ogle, Jo Daviess and Carrol and the State of Illinois, be increased and established at .280 percent upon all taxable property of said Community College District at the value, as equalized or assessed by the Department of Revenue, instead of .175 percent, the maximum rate otherwise applicable to the next taxes to be extended for said Purpose?”; and

WHEREAS, the continued success of Highland Community College is vitally important to the citizens of this community, and the region as a whole; and

WHEREAS, the timing of this referendum takes advantage of monies previously used to pay off bonds, redirecting new funds to the Education Fund of the College, so that the actual tax rate for the college will decrease slightly; and

WHEREAS, the Highland Community College has acted responsibly in controlling costs, and has not increased its Education Fund since its original approval in 1966; and

WHEREAS, the City Council of the City of Freeport supports this referendum.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS, that the City of Freeport hereby formally endorses the Highland Community College “Tax Shift”, by increasing and establishing a .280 tax rate for the Education Fund, recognizing that the overall tax rate for Highland Community College will not increase.

Alderman Gaulrapp, Community Development Chair, stated that the committee held a meeting on February 9, 2004. The committee voted unanimously to adopt this resolution and Alderman Gaulrapp moved, seconded by Alderwoman Bender. On the roll call of yeas and nays, Aldermen O’Neill, Wright, Gaulrapp, Bender, Clark, and Dawson voted yea. The resolution was adopted.

RESOLUTION #R-2004-18

RESOLUTION TO APPROVE REDEVELOPMENT AGREEMENT IN RELATION TO A TIF DISTRICT TO KNOWN AS THE LAMM ROAD INDUSTRIAL CORRIDOR

WHEREAS, on September 16, 2002 the City Council of the City of Freeport, passed Resolution 2002-60, approving the concept of a Redevelopment Agreement for Seaga Manufacturing as part of the Lamm Road Industrial Corridor Tax Increment Financing District; and

WHEREAS, such resolution included specific terms to be included in such agreement; and

WHEREAS, those terms have been negotiated by the parties, agreed to by the Developer, and reduced into the attached Redevelopment Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS as follows:

Section 1. The Redevelopment Agreement as shown in Attachment A, is hereby approved by the City Council of the City of Freeport.

Section 2. The Mayor is hereby authorized to enter into such agreement.

Section 3. If any section, paragraph, clause or provisions of the Resolution shall be held invalid, said invalidity shall not affect any other provision of this Resolution.

Section 4. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

Alderman Gaulrapp, Community Development Chair, stated that the committee held a meeting on February 9, 2004. Mayor Gitz spoke on the state laws on TIFs. The committee requested the number of jobs that Seaga would create through this TIF. The committee voted unanimously to approve this ordinance.

Alderman Gaulrapp asked the mayor how many new jobs this TIF would create at Seaga. The Mayor stated that he did not know, but could find out. Alderman Gaulrapp moved, seconded by Alderman Clark to lay this resolution over until an answer was provided. The motion carried.

EXECUTIVE SESSION

Alderman Gaulrapp moved, seconded by Alderman Clark 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 O'Neill, Wright, Gaulrapp, Bender, Clark, and Dawson voted yea. The motion carried.

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

COMMITTEE REPORTS

PUBLIC SAFETY

Alderwoman Bender, Chair, stated that the committee held a special meeting on February 17, 2003. Ambulance bids were received from Midwest Emergency Vehicle Sales in the amount of \$98,413.00 and Foster Coach Sales in the amount of \$106,542.00. Because Midwest did not meet the bid specs, the committee voted unanimously to approve the bid from Foster Coach Sales and Alderwoman Bender so moved, seconded by Alderman Clark. The committee also authorized Fire Chief Blackbourn to renegotiate the bid without requesting new bids. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Gaulrapp, Clark, and Dawson voted yea. The motion carried.

On the roll call of yeas and nays, Aldermen O'Neill, Wright, Gaulrapp, Bender, Clark, and Dawson voted yea. The motion carried.

FINANCE

Alderman Clark, Chair, stated that the committee held a special meeting on February 10, 2004. The committee discussed the RFP for a Financial Consultant. It was requested that there be a disclosure on any current or past dealings with any elected official.

Alderman Clark stated that the timeline for the budget would be as follows: there will be a Finance Committee meeting on February 23, 2004, a joint meeting with Public Safety on March 1, 2004, a joint meeting with Community Development on March 8, 2004, a joint meeting with Public Works on March 15, 2004, and a wrap up Finance committee

meeting on March 22, 2004. The committee plans to have first reading of the budget on April 5, 2004 and final reading on April 19, 2004.

PUBLIC WORKS

Aldерwoman O'Neill stated that the regular meeting was cancelled due to lack of quorum.

EXECUTIVE

Aldерwoman Bender, Chair, stated that the committee held a meeting on February 10, 2004. Alderman Wright presented the committee an ordinance draft, which pertained the Commission Board vacancies and appointments. There was a lengthy discussion on this issue. It was then referred to Corporation Counsel requesting that she return the ordinance to the committee with the requested modifications.

NEW BUSINESS

Alderman Gaulrapp requested that the Boards and Commissions be listed on the city's website.

PUBLIC COMMENTS

Brenden Walz made comments.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 9:20pm.

LATACIA M. ISHMON, CITY CLERK