

CITY OF FREEPORT, ILLINOIS
MONDAY EVENING
CITY COUNCIL MEETING
MARCH 1, 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 Wright, Gaulrapp, Bender, Clark, Dawson, Boldt, and O'Neill. Absent was Aldermen Varner.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

Pam Werntz, representing Stephenson County CONTACT, spoke in regards to the Hope Grant from the US Department of Justice. With this grant, Gatekeepers can be trained to provide services to the elderly. She requested assistance from the aldermen.

Pat Leitzen-Fye encouraged the council to approve the removal of the canopies on Stephenson Street.

Casey Meyers stated that he was in support of the canopy removal project, but stated that the downtown property owners would like assistance from the city for façade improvements after the canopy is removed.

APPROVAL OF MINUTES

The Journal of the Minutes of the regular meeting held on March 1, 2004 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. Community Development Report
 - 2. Fire Department Monthly Activities, January 204
- B. Approval of Water & Sewer Disbursements for February, 2004 - \$695,413.37
- C. Approval of Bills Payable for February 2004 - \$181,613.21
- D. Approval of Payroll of Period ending February 21, 2004 - \$277,678.22

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

1st READING

ORDINANCE #2004-12

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

Alderman Boldt, Public Works Chair, stated that the committee held a special meeting on March 1, 2004. The committee voted unanimously to approve this ordinance and Alderman Boldt so moved, seconded by Alderman Dawson. This ordinance was automatically laid over to the next regular meeting.

REAPPOINTMENTS

Alderman Clark moved, seconded by Alderwoman Bender to consider all reappointments in one reading. The motion carried. Effective immediately, Mayor James L. Gitz hereby reappoints Brian Borger to the Board of Fire and Police Commissioners, Phillip Copus, Karen Johnson, and Dr. Ahmed Rasheed to the Planning Commission. These reappointments shall be effective until April 30, 2005, October 31, 2004, October 31, 2004, and October 31, 2006, respectively. Alderwoman Bender moved, seconded by Alderman Clark to accept these reappointments. The motion carried.

APPOINTMENT

Effective immediately, James L. Gitz hereby appoints Daniel Packard to the Airport Commission. This appointment shall be effective until November 30, 2008.

Alderwoman Bender moved, seconded by Alderman Gaulrapp to accept this appointment. On the roll call of yeas and nays, Aldermen Wright, Gaulrapp, Bender, Clark, Dawson, Boldt, and O'Neill voted yea. The motion carried.

APPOINTMENT

Effective immediately, James L. Gitz hereby appoints Joan Snapp to the Library Board. This appointment shall be effective until May 31, 2006.

Alderwoman Bender moved, seconded by Alderman Dawson to accept this appointment. On the roll call of yeas and nays, Aldermen Wright, Gaulrapp, Bender, Clark, Dawson, Boldt, and O'Neill voted yea. The motion carried.

APPOINTMENT

Effective immediately, James L. Gitz hereby appoints Bob Clark to the City of Freeport Human Relations Commission. This appointment will expire on December 31, 2005.

Alderwoman Bender moved, seconded by Alderman Dawson to accept this appointment. On the roll call of yeas and nays, Aldermen Wright, Gaulrapp, Bender, Clark, Dawson, Boldt, and O'Neill voted yea. The motion carried.

RESOLUTION #R-2004-17

RESOLUTION TO APPROVE AGREEMENT BETWEEN CITY OF FREEPORT AND ILLINOIS DEPARTMENT OF TRANSPORTATION FOR RECONSTRUCTION OF GALENA AVENUE (US BUSINESS ROUTE 20, FROM CLARK STREET TO SOUTH STREET

WHEREAS, the City of Freeport has entered into an agreement with the State of Illinois for the improvement of US BR 20 (Galena Avenue), FAP Route 5, State Section 19Z-RS-6, City Section 02-00140-00-RS; and

WHEREAS, in compliance with the aforementioned agreement it is necessary for the City to appropriate sufficient funds to pay its share of the cost of said improvement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that there is hereby appropriated through the City's Water & Sewer Commission the sum of ONE MILLION FIFTY SIX THOUSAND SIX HUNDRED DOLLARS (\$1,056,600), or so much thereof as may be necessary, from any money now or hereafter allotted to the City's Water & Sewer Commission for the cost of this improvement and that there is hereby appropriated the sum of SIX HUNDRED FIFTY THREE THOUSAND SIX HUNDRED AND SEVENTEEN DOLLARS (\$653,617), 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, or any other funds, specifically including, but not limited to grant funds, to pay its share of the cost of this portion of the improvement as provided in the agreement attached hereto as "Exhibit A".

BE IT FURTHER RESOLVED that upon award of the contract of this improvement, the City through its Water & Sewer Commission will pay to the Department of Transportation of the State of Illinois, the amount of \$44,180.58 each month for a period of approximately 24 months or until 95% of the estimated obligation under the provisions of the Agreement has been paid, and will pay to the said Department the remainder of its obligation (including any non-participating costs for FA projects) in a lump sum, upon completion of the project based upon final costs.

BE IT FURTHER RESOLVED that the City, partially through its Water & Sewer Commission, agrees to pass a supplemental resolution to provide additional funds if the amount appropriated herein proves to be insufficient to cover said cost.

BE IT FURTHER RESOLVED that upon award of the contract for this improvement the City will pay to the Department of Transportation of the State of Illinois, the amount of \$27,078.42 each month for a period of approximately 24 months or until 95% of the estimated obligation under the provisions of the Agreement has been paid, and will pay to the said Department the remainder of its obligation (including any non-participating costs for FA projects) in a lump sum, upon completion of the project based upon final costs.

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 2, Engineer of Program Development, 819 Depot Avenue, Dixon, Illinois 61021-3500.

Alderman Boldt, Public Works Chair, stated that the committee held a special meeting on March 1, 2004. The committee voted unanimously to adopt this resolution and Alderman Boldt so moved, seconded by Alderwoman O'Neill.

There was leave granted to hear from Director LeBaron. He explained that estimated cost for the Water & Sewer Department is \$1,056,600 and the city's portion is \$653,617. Most of the cost would come from the Corridor Grant and from Motor Fuel Taxes. The total project is estimated at \$5.24 million.

On the roll call of yeas and nays to adopt this resolution, Aldermen Wright, Gaulrapp, Bender, Clark, Dawson, Boldt, and O'Neill 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.

This resolution was laid over from the meeting of February 17, 2004. Mayor Gitz stated that he distributed a memo to the council members addressing the concerns. There was also leave granted to hear from Steve Chesney, President of Seaga. He answered all questions from the council.

Alderman Clark moved, seconded by Alderman Wright to adopt this resolution. On the roll call of yeas and nays, Aldermen Wright, Gaulrapp, Bender, Clark, Dawson, Boldt, and O'Neill voted yea. The resolution was adopted.

RESOLUTION #R-2004-19

RESOLUTION TO APPROVE PLANS AND SPECIFICATIONS AS PROPOSED BY THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION, FOR A JOINT CITY-STATE IMPROVEMENT OF GALENA AVENUE, MARKED US BUSINESS ROUTE 20, FROM CLARK STREET TO SOUTH STREET, IN THE CITY OF FREEPORT, STEPHENSON COUNTY, ILLINOIS

WHEREAS, be it hereby resolved by the City Council of the City of Freeport that the plans and specifications as proposed by the State of Illinois, Department of Transportation for the improvement of FA Route 5 (US BR 20), State Section 19Z-RS-6, City Section 02-00140-00-RS, are hereby considered satisfactory and acceptable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS 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 2, Engineer of Program Development, 819 Depot Avenue, Dixon, Illinois 61021-3500.

Alderman Boldt, Public Works Chair, stated that the committee held a special meeting on March 1, 2004. 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 Wright, Gaulrapp, Bender, Clark, Dawson, Boldt, and O'Neill vote yea. The resolution was adopted.

RESOLUTION #R-2004-20

RESOLUTION TO AUTHORIZE AN AGREEMENT WITH KANE, MCKENNA & ASSOCIATES, INC. FOR SERVICES RELATED TO CREATION OF A TIF DISTRICT TO BE KNOWN AS EASTGATE HOUSING PROJECT

WHEREAS, on February 2, 2004 the City Council of the City of Freeport, passed an Inducement Resolution for the creation of a TIF District to be known as the Eastgate Housing Development Project, under the Tax Increment Financing Laws of the State of Illinois; and

WHEREAS, in order to create such a TIF District, certain studies need to be conducted regarding qualification factors under Illinois law; and

WHEREAS, the cost of these studies is reimbursable through a Redevelopment Agreement if the Tax Increment Financing District is created; and

WHEREAS, as a result of a Request for Proposals, a recommendation to hire Kane, McKenna and Associates, Inc. has been made by the Chairman of the Finance Committee, the Mayor, and the Executive Director of the Freeport Area Economic Development Foundation; and

WHEREAS, the Corporate Authorities believe it is in the best interests of the citizens to cause an agreement to be entered into formalizing this selection.

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

Section 1. The foregoing recitals shall be and are hereby incorporated in this Section 1 as if said recitals were fully set forth.

Section 2. The Corporate Authorities hereby authorize the Mayor to enter into a contract with Kane, McKenna and Associates, Inc., in an amount not to exceed those shown in their proposal as received, to conduct certain services in relation to the creation of a TIF District, as approved in Resolution 2004-11.

Section 3. The Corporate Authorities hereby further authorize the Mayor to negotiate and enter into such other contract(s) as necessary in order to complete such studies.

Section 4. It is intended that should a Tax Increment Financing District be created that the costs attendant to the creation thereof be reimbursed to the City through either a Redevelopment Agreement or tax incremental financing.

Section 5. 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 6. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

Alderman Clark, Finance Chair, stated that this resolution was laid over from a previous meeting. There were two candidates interviewed. Kane, McKenna & Associates was chosen because of their experience. Alderman Clark moved, seconded by Alderman Wright to adopt this resolution. On the roll call of yeas and nays, Aldermen Wright, Gaulrapp, Bender, Clark, Dawson, Boldt, and O'Neill voted yea.

CONSIDERATION OF CANOPY BIDS

Alderman Boldt, Public Works Chair, stated that the committee held a special meeting on March 1, 2004. There was a bid opening on February 13, 2004. There were three bids received from Winter-\$33,342, Harn's-\$56,000, and Civil-\$13,880. The committee voted unanimously to accept the low bid from Civil and Alderman Boldt moved, seconded by Alderwoman O'Neill. After much discussion, Alderman Clark moved, seconded by Alderman Wright that this issue be laid over to the next regular meeting.

COMMITTEE REPORTS

PUBLIC WORKS

Alderman Boldt, Chair, stated that the next meeting would be on March 10, 2004. The funeral directors were invited to discuss cemetery fees.

COMMUNITY DEVELOPMENT

Alderman Gaulrapp, Chair, stated that the next meeting would be on March 8, 2004, at 5:30pm.

FINANCE

Alderman Clark, Chair, stated that the committee held a meeting on February 3, 2004. Mayor Gitz and Public Works Director, Craig LeBaron updated the committee on their plans to use \$64,000 of the recently passed GO Bond money to pay for street and railroad crossing work on VanBuren Street. The money is left over from the bond issue that was not needed for the library. The original planned source of money for this project when the prior council approved it was to be either a state grant or a T21 Grant. The state grant money was used on the Van Buren Street. Bridge project and the T21 Grant have yet to be approved. The Mayor and corporation counsel advised the committee that the bond document provides appropriate latitude to redirect money in this manner. A copy of the bond document language was passed around for committee review.

Duane Price provided a summary overview of contingency spending through February 23, 2004. So far only, \$10,468 of contingency spending has occurred however the health care cost line item is expected to go over budget and thus more contingency spending will occur before this fiscal year ends.

The committee reviewed and discussed the proposed budgets for the legal department, treasurer's office, police & fire pension plans, city clerk's office, library, mayor's office, city council, commissions, finance department, human resources, MIS, interdepartmental expenses, airport, insurance reserves, motor vehicle fund, cemetery care, TIF, squad car purchases, airport hangar, all revenue line items.

NEW BUSINESS

Alderman Clark asked if the Human Rights Commission active. Mayor Gitz stated that the affirmative action issue was referred to this commission.

Alderman Boldt requested information on leaf pick-up. Director LeBaron stated that leaf pick up season is in the fall.

PUBLIC COMMENTS

Pat Leitzen Fye responded to comments made by Casey Meyers.

Robert Hendrickson, Ann Cullen, and William Brad requested that the city get involved in the Anchor Harvey Strike.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 8:45pm.

LATACIA M. ISHMON, CITY CLERK