

**CITY OF FREEPORT, ILLINOIS**  
**MONDAY EVENING**  
**CITY COUNCIL MEETING**  
**APRIL 1, 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 Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, and Bender.

**PLEDGE OF ALLEGIANCE**

At this time, the Pledge of Allegiance was led by Alderwoman Steele.

**DO THE RIGHT THING PRESENTATION**

Police Chief, Dave Kentner, announced the winners of the Do The Right Thing Program for the month of March 2002.

**PUBLIC HEARING**

A public hearing was held for the vacation of Grant Street. Public Works Director, Craig LeBaron, gave the legal description of the street and explained the reasoning for vacating this street. There being no objectors present, Alderwoman Bender moved, seconded by Alderman Rinehart to close the public hearing. On the roll call of yeas and nays, Aldermen Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, and Bender voted yea. The motion carried.

**HONORARY RESOLUTION #R-2002-16**

**AN HONORARY RESOLUTION IN HONOR OF THE IMMANUEL LUTHERAN LANCERS**

**WHEREAS**, the Immanuel Lutheran Lancers placed 3<sup>rd</sup> in the 56th Annual Lutheran Basketball Association National Tournament at Valparaiso; and

**WHEREAS**, this marked the Lancers' third consecutive appearance in the Annual Lutheran Basketball Association National Tournament, the Lancers having placed 7<sup>th</sup> in 2000 and 2<sup>nd</sup> in 2001; and

**WHEREAS**, the 2001-2002 Immanuel Lutheran Lancers also achieved distinction as consolation runner-up in the St. Rita's Thanksgiving Tournament, third place in the Cedar Rapids Mid-Winter Tournament, second place in the Tri-State Tournament in Freeport, and consolation runner-up winners in the Lutheran Sports Association of Illinois Tournament of Champions; and

**WHEREAS**, the leaders of this team, Coaches Kurt Schlosser, Christian Eilders and Amy Schneiderman, have instilled teamwork, hard work and commitment in their players to achieve excellence, and as a result, they have excelled as a team; and

**WHEREAS**, one of the Lancer players, Josh Kostenbader, was selected as a part of the Lutheran Sports Association All Tournament Team and Lutheran Basketball Association National All Tournament Team; and

**WHEREAS**, the Mayor and City Council are proud of the opportunity local schools provide for our youth to develop sportsmanship, leadership qualities and athletic skills;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AND THE MAYOR OF THE CITY OF FREEPORT, ILLINOIS**, that we congratulate the Immanuel Lutheran Lancers for their successful basketball season, applaud them for their accomplishments as model students and athletes, and extend our best wishes for their continued success.

### **APPROVAL OF MINUTES**

The Journal of the Minutes of the regular meeting held on March 18, 2002 was presented for approval. Alderwoman Bender moved, seconded by Alderman Bush the approval of the minutes. The motion carried.

### **CONSENT AGENDA**

- A. Approval to Receive and Place on File:
  - 1. Department of Community Development Building Permits, February 2002
  - 2. Department of Community Development Cash Receipts, March 2002
  - 3. Department of Community Development Report
  - 4. Treasurer's Investment Report for period ending February 28, 2002
  - 5. Treasurer's Tax Receipts for period ending March 29, 2002
- B. Approval of Water & Sewer Disbursements for April 2002 - \$181,613.91
- C. Approval of Bills Payable for March 2002
- D. Approval of Payroll for Pay Period March 10, 2002 – March 23, 2002

Alderman Dawson requested that item C be removed from the consent agenda. Alderwoman Bender moved, seconded by Alderman Gaulrapp to approve the consent agenda, with the exception of item C. On the roll call of yeas and nays, Aldermen Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, and Bender voted yea. The motion carried.

Alderman Goley moved, seconded by Alderwoman Leitzen Fye for approval of Bills Payable. Alderman Dawson questioned page three of the bills payable, a check written to Attorney Frank Cook for \$5,755.00, legal expenses. He stated that Attorney Cook was the attorney for John Whiton for the library referendum. He said that he was surprised that public money was used to pay attorney fees. Alderwoman Bender also questioned the line item. Alderman Jenkins asked if the fee was paid by private funds, why did the city write a check. Mayor Gitz explained that all private bequests that are given to the library for various purposes are placed in special accounts and have to be processed through the accounting system for auditing purposes. On the roll call of yeas any nays, Aldermen Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Urban, Jenkins, and Rinehart voted yea. Alderman Dawson, Gaulrapp, and Bender voted nay. There were eleven yeas and three nays. The motion carried.

**2<sup>nd</sup> READING ORDINANCE #2002-12**

**AN ORDINANCE TO AUTHORIZE AN AGREEMENT FOR DEED WITH DEREK SYMANEK FOR PROPERTY CONTIGUOUS TO THE WASTEWATER TREATMENT PLANT AND COMMONLY KNOWN AS 417 SOUTH HANCOCK, FREEPORT, ILLINOIS**

This ordinance was laid over from the meeting of March 18, 2002, when it was moved by Alderman Jenkins, seconded by Alderwoman Moore-Howard for approval. On the roll call of yeas and nays to approve this ordinance, Aldermen Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, and Bender voted yea. The ordinance was approved.

**2<sup>nd</sup> READING ORDINANCE #2002-13**

**AN ORDINANCE AMENDING CHAPTER 1044 (WATER RATES AND REVENUE), CHAPTER 1046 (SEWERS GENERALLY), AND CHAPTER 1048 (SEWER RATES AND REVENUES) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS**

This ordinance was laid over from the meeting of March 18, 2002, when it was moved by Alderman Bush, seconded by Alderwoman Leitzen Fye for approval. On the roll call of yeas and nays to approve this ordinance, Aldermen Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, and Bender voted yea. The ordinance was approved.

**2<sup>nd</sup> READING ORDINANCE #2002-14**

**AN ORDINANCE AMENDING CHAPTER 290 (COMPENSATION AND BENEFITS) OF THE CODIFIED ORDINANCES OF THE FREEPORT, ILLINOIS**

This ordinance was laid over from the meeting of March 18, 2002, when it was moved by Alderman Dawson, seconded by Alderwoman Bender for approval. On the roll call of yeas and nays to approve this ordinance, Aldermen Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, and Bender voted yea. The ordinance was approved.

**2<sup>nd</sup> READING ORDINANCE #2002-15**

**AN ORDINANCE AMENDING CHAPTER 608 (ALCOHOLIC LIQUOR) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS**

This ordinance was laid over from the meeting of March 18, 2002, when it was moved by Alderwoman Steele, seconded by Alderwoman Veer. Alderwoman Steele moved, seconded by Alderwoman Bender to refer this ordinance back to the Community Development Committee. On the roll call of yeas and nays, Aldermen Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, and Bender voted yea. The motion carried.

**2<sup>nd</sup> READING ORDINANCE #2002-16**

**AN ORDINANCE AMENDING CHAPTER 480 (PARKING GENERALLY), SECTION 480.25 (CONTRACTOR PARKING PERMITS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS**

This ordinance was laid over from the meeting of March 18, 2002, when it was moved by Alderman Jenkins, seconded by Alderwoman Veer for approval. On the roll call of yeas and nays to approve this ordinance, Aldermen Bush, Moore-Howard, Goley, Veer,

Jones, Urban, Dawson, Jenkins, and Rinehart voted yea. Aldermen Steele, Leitzen Fye, Boldt, Gaulrapp, and Bender voted nay. There were nine yeas and five nays. The ordinance was approved.

**1<sup>st</sup> READING ORDINANCE #2002-17**

**AN ORDINANCE DECLARING A MORATORIUM ON ISSUANCE OF LIQUOR LICENSES TO BUSINESSES ENGAGED IN THE SELLING OF GASOLINE, PENDING SPECIFIC STUDIES REGARDING THE EFFECT OF THE SAME ON PUBLIC HEALTH, SAFETY, AND WELFARE**

This ordinance was laid over from the meeting of March 18, 2002, when it was moved by Alderwoman Steele, seconded by Alderwoman Moore-Howard. On the roll call of yeas and nays to approve this ordinance, Aldermen Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Rinehart, and Bender voted yea. Alderman Gaulrapp voted nay. There were thirteen yeas and one nay. The ordinance was approved.

**APPOINTMENTS**

Alderman Boldt requested leave to consider all appointments in one roll call. There being no objections, leave was granted.

Pursuant to Section 220.11(c) & (d) of the Codified Ordinances of the City of Freeport, James L. Gitz, hereby appoints:

- Scott Jenkins as Chairman of the Public Works Committee of the Freeport City Council;
- Sandy Veer as Vice-Chairman of the Public Works Committee of the Freeport City Council;
- Shawn Boldt as Vice-Chairman of the Telecommunications & Technology Committee of the Freeport City Council;
- Kenneth Urban to the Public Works & Utilities Committee of the City Council to fill a City Council Committee vacancy created by the resignation of Jeff Williams as 6<sup>th</sup> Ward Alderman; and
- John Thingvold to the Special Fire Department Study Committee. Mr. Thingvold will fill the vacancy created by the resignation of David Renz. This appointment shall be effective in accordance with Resolution #R-2001-77.

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

**1<sup>st</sup> READING ORDINANCE #2002-19**

**AN ORDINANCE VACATING A CERTAIN PORTION OF GRANT STREET IN THE CITY OF FREEPORT**

Alderman Jenkins stated that the Public Works committee voted unanimously to approve this ordinance and Alderman Jenkins so moved, seconded by Alderwoman Moore-Howard. Alderman Jenkins moved, seconded by Alderman Dawson to suspend the rules to vote on this ordinance at this meeting. On the roll call of yeas and nays to suspend the rules, Aldermen Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones,

Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, and Bender voted yea. The motion carried. On the roll call of yeas and nays to approve this ordinance, Aldermen Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, and Bender voted yea. The ordinance was approved.

**RESOLUTION #R-2002-17**

**RESOLUTION TO ESTABLISH LOADING ZONE FOR PERSONS WITH DISABILITIES (1013 WEST LORAS DRIVE)**

**WHEREAS**, on November 4, 1996, this City Council enacted Ordinance No. 96-76 to establish loading zones for persons with disabilities on any public street located within the City of Freeport, Illinois; and

**WHEREAS**, an applicant has submitted an application pursuant to the provisions of Ordinance No. 96-76, to establish a disabilities loading zone at 1013 West Loras Drive which application has been reviewed by the Public Works Director, in consultation with the Police Chief and the Corporation Counsel, and has been determined to meet the criteria set forth in said Ordinance.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that a loading zone for persons with disabilities shall be established pursuant to the provisions of Ordinance No. 96-76 at the following location within the City of Freeport, Illinois, as follows:

North side of Loras Drive, beginning 90-feet East of the West curb line of Kiwanis Drive. Said Loading Zone shall be 30-feet in length.

**BE IT FURTHER RESOLVED** that said loading zone shall be reviewed annually to determine whether the applicant continues to meet the qualifications set forth in Ordinance No. 96-76 for establishing said loading zone.

**BE IT FURTHER RESOLVED** that the Public Works Department shall properly designate such loading zone by appropriate signs or curb markings.

**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; and all Resolutions or motions in conflict with this Resolution are repealed insofar as they conflict.

Alderman Jenkins moved, seconded by Alderwoman Bender to adopt this resolution. On the roll call of yeas of nays, Aldermen Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, and Bender voted yea. The resolution was adopted.

**RESOLUTION #R-2002-18**

**RESOLUTION TO ESTABLISH LOADING ZONE FOR PERSONS WITH DISABILITIES (209 WEST JACKSON STREET)**

**WHEREAS**, on November 4, 1996, this City Council enacted Ordinance No. 96-76 to establish loading zones for persons with disabilities on any public street located within the City of Freeport, Illinois; and

**WHEREAS**, an applicant has submitted an application pursuant to the provisions of Ordinance No. 96-76, to establish a disabilities loading zone at 209 West Jackson Street which application has been reviewed by the Public Works Director, in

consultation with the Police Chief and the Corporation Counsel, and has been determined to meet the criteria set forth in said Ordinance.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that a loading zone for persons with disabilities shall be established pursuant to the provisions of Ordinance No. 96-76 at the following location within the City of Freeport, Illinois, as follows:

South side of Jackson Street beginning 86 feet East of the West line of West Galena Avenue, Said Loading Zone shall be 21 feet in length.

**BE IT FURTHER RESOLVED** that said loading zone shall be reviewed annually to determine whether the applicant continues to meet the qualifications set forth in Ordinance No. 96-76 for establishing said loading zone.

**BE IT FURTHER RESOLVED** that the Public Works Department shall properly designate such loading zone by appropriate signs or curb markings.

**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; and all Resolutions or motions in conflict with this Resolution are repealed insofar as they conflict specifically, but not limited to Resolution 2001-21.

Alderman Jenkins moved, seconded by Alderman Rinehart to adopt this resolution. On the roll call of yeas of nays, Aldermen Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, and Bender voted yea. The resolution was adopted.

**EXECUTIVE SESSION**

Alderman Bush moved, seconded by Alderwoman Bender to go into executive session. On the roll call of yeas of nays, Aldermen Steele, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, and Bender voted yea. Executive session was convened in the mayor's office.

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

**COMMITTEE REPORTS**

**FINANCE**

Alderman Bush, Chair, stated that the committee held a special meeting on April 1, 2002. Human Resources Director, Roberta Rogers, presented the proposals that the city received for the 2002-2003 healthcare plan. Eight proposals were received with more than 20 options being offered.

Keeping the current plan in tact would cost the city, a maximum of:

SISCO	1,665,463
BCBS	1,694,710
SISCO	1,721,159

FRHP	1,786,617
FRHP	1,846,970
BCBS	1,899,024
SISCO	1,918,388
MBA	1,948,087
Calends Group	1,982,169
LGHP	2,009,364
Insurtec	2,062,840
MidAmerica	2,113,454

Changing the current plan design to an 80/20 plan would cost the city a maximum of:

BCBS	1,464,010	FRHP	Did not quote
SISCO	1,597,744	Calends Group	Did not quote
SISCO	1,627,403	MBA	Did not quote
LGHP	1,602,072	Insurtec	Did not quote
FRHP	1,758,400		
BCBS	1,747,242		
SISCO	1,835,920		
MidAmerica	2,045,746		

The city will narrow the proposals down to the top 2-3 bidders. Presentations will be made by the top bidders to the City Healthcare Study Committee and the members of the Finance Committee on Thursday, April 4, 2002 at 10:00 am.

It is expected that a formal recommendation will be made to the Finance Committee at its next regular meeting on Tuesday, April 9, 2002.

**COMMUNITY DEVELOPMENT**

Alderswoman Steele, Chair, announced that the next meeting would be April 11, 2002 at 5:30 pm, in City Council Chambers.

**PUBLIC SAFETY**

Alderman Dawson, Chair, announced that the next meeting would be April 10, 2002 at 6:00 pm, in City Council Chambers

**PUBLIC WORKS**

Alderman Jenkins, Chair, announced that the next meeting would be April 8, 2002 at 7:00 pm, in City Council Chambers.

**TECHNOLOGY**

Alderman Gaulrapp, Chair, announced that the meeting scheduled for April 2, 2002 is cancelled due to lack of agenda.

**DEPARTMENT HEAD REPORTS**

Police Chief, Dave Kentner, stated that there are petitions against the liquor ordinance state that the police chief should utilize the laws that are already in existence. Chief Kentner stated that currently, there are not any laws. He stated that the whole issue to simply to resolve a problem.

**NEW BUSINESS**

Devin Moose, Director of Envirogen, stated that he has been helping the City of Freeport develop a Request for Proposal and Transfer Station Plan.

Alderswoman Steele stated that she was very displeased with the editorial cartoon in the Journal Standard on Good Friday.

Alderswoman Leitzen Fye stated that regarding the downtown parking situation, the committee is looking to reduce some spaces around the city hall building that are not available for public parking. She stated that she would like to receive some input from the aldermen. She also thanked the council for sending the liquor ordinance back to committee. She stated that in regards to two meetings held last week, there is no reason why meetings should not be posted appropriately.

Alderman Goley thanked the council for sending the liquor ordinance back to committee. He also stated that he was repulsed to see the editorial cartoon in the Journal Standard on Good Friday.

Alderman Gaulrapp apologized for missed meetings; he stated that he had been interviewing for jobs. He stated that the cartoon editorial in the Journal Standard was very offensive.

Alderman Rinehart congratulated the Immanuel Lutheran Lancers for a fine season.

Alderswoman Bender stated that she agreed with Alderswoman Leitzen Fye regarding the last two meetings. She said she felt very uncomfortable sitting at those meetings and that she hopes it does not happen again. She stated that she has requested a description of the general ledger numbers from Jim Leitzinger, Finance Director.

Mayor Gitz stated that in regards of the proposed liquor ordinance, the ordinance states that no licensee or a person who works for the licenses may consume alcohol while they are on duty. He stated that is a problem when the licensees have impairment and they are supposed to be making judgments on their patrons. He also stated that he was not pleased that the last meeting was not posted, but it would have been a greater injury to not hear public input.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 9:00 p.m.

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**LATACIA M. ISHMON  
CITY CLERK**