

CITY OF FREEPORT, ILLINOIS
MONDAY EVENING
CITY COUNCIL MEETING
JUNE 3, 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 Jones, Boldt, Urban, Dawson, Gaulrapp, Rinehart, Bender, Steele, Moore-Howard, Leitzen Fye, Goley, and Veer.

Aldermen Jenkins and Bush entered the meeting at 7:05 pm.

PLEDGE OF ALLEGIANCE

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

DO THE RIGHT THING PRESENTATION

Alderwoman Bender thanked all the volunteers and sponsors that make the Do the Right Thing program successful. Deputy Police Chief, Bob Smith announced the winner for the month of May. A drawing was also held for the top winner for the 2001-2002 Program.

ADDRESS BY ALDERWOMAN LEITZEN FYE

Alderwoman Leitzen Fye announced that she would be resigning from the council due to conflict of interest regarding the Tax Increment Financing Act, as stated in the Illinois State Statutes.

COMMUNICATION

Pursuant to 65 ILCS 5/11-74.4-4(n), Chris Goley hereby discloses in writing that he has an interest in certain property located within Freeport's redevelopment area under the Tax Increment Financing Act.

His interest is in a building located at 6 East Main Street, Freeport, Illinois.

As such, he understands that he needs to refrain from any official involvement in regard to the redevelopment plan, project or area; from voting on any matter pertaining to the redevelopment plan, project, or area; and from communicating with other members of the Council or employees concerning the redevelopment plan, project or area. He further understands that should he dispose of such interest, the conditions of the disposition must be disclosed also.

He understands that this disclosure must be acknowledge by the corporate authorities and entered upon the minute books.

Alderman Goley moved, seconded by Alderwoman Bender to receive this communication and place it on file. The motion carried.

COMMUNICATION

Pursuant to 65 ILCS 5/11-74.4-4(n), Carla Jones hereby discloses in writing that she has

an interest in certain property located within Freeport's redevelopment area under the Tax Increment Financing Act.

Her interest is by lease for properties located at 9 and 15 North VanBuren, Freeport, Illinois. She understands that under the Act, a lease is considered an interest in property unless it is month to month.

As such, she understands that she needs to refrain from any official involvement in regard to the redevelopment plan, project or area; from voting on any matter pertaining to the redevelopment plan, project, or area; and from communicating with other members of the Council or employees concerning the redevelopment plan, project or area. She further understands that should I dispose of such interest, the conditions of the disposition must be disclosed also.

She understands that this disclosure must be acknowledge by the corporate authorities and entered upon the minute books.

Alderswoman Jones moved, seconded by Alderswoman Bender to receive this communication and place it on file. The motion carried.

APPROVAL OF MINUTES

The Journal of the Minutes of the regular meeting held on May 20, 2002, were presented for approval. Alderman Gaulrapp moved, seconded by Alderswoman Bender the approval of the minutes. The motion carried.

CONSENT AGENDA

- A. Approval to Receive and Place on File:
 - 1. Department of Community Development Cash Receipts, May 2002
 - 2. Department of Community Development Building Permits, May 2002
 - 3. Treasurer's Monthly Investment Report for period ending April 30, 2002
 - 4. Report form Department of Community Development
 - 5. Treasurer's Report for period ending April 30, 2002
- B. Approval of Water & Sewer Disbursements for May 2002 - \$231,313.55
- C. Approval of Bills Payable for May 2002
- D. Approval of Payroll for Pay Period May 5, 2002 – May 18, 2002 - \$290,540.15

Alderman Gaulrapp moved, seconded by Alderswoman Bender for approval of the consent agenda. On the roll call of yeas and nays, Aldermen Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, and Veer voted yea. The motion carried.

EXECUTIVE SESSION

Mayor Gitz requested leave to go into executive session (out of agenda order) to discuss Ordinances #2002-34, 38, and 39. Alderswoman Steele moved, seconded by Alderswoman Bender to go into executive session according to 5 ILCS 120/2(c)(5) to discuss the purchase or sale of real estate. On the roll call of yeas and nays, Aldermen Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, and Veer voted yea. The motion carried. The council then convened the executive session in the mayor's office.

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

2nd READING

ORDINANCE #2002-25

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

This ordinance was laid over from the meeting of May 20, 2002, when it was moved by Alderman Jenkins, seconded by Alderman Dawson for approval. Alderwoman Bender stated that she would be voting “no” on second readings because she does not have all the information due to being ill. On the roll call of yeas and nays, Aldermen Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Steele, Bush, Moore-Howard, Goley, and Veer voted yea. Alderwoman Bender voted nay. There were twelve yeas and one nay. The ordinance was approved.

2nd READING

ORDINANCE #2002-28

AN ORDINANCE TO ABATE THE 2001 REAL ESTATE TAX LEVY FOR THE REPAYMENT OF THE GENERAL OBLIGATION BONDS, SERIES 2000

This ordinance was laid over from the meeting of May 20, 2002, when it was moved by Alderman Bush, seconded by Alderwoman Leitzen Fye for approval. On the roll call of yeas and nays, Aldermen Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Steele, Bush, Moore-Howard, Goley, and Veer voted yea. Alderwoman Bender voted nay. There were twelve yeas and one nay. The ordinance was approved.

2nd READING

ORDINANCE #2002-30

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Amendment of Zoning Ordinance from P-1, Professional Use, to R-6, Multiple Family Residence District)

This ordinance was laid over from the meeting of May 20, 2002, when it was moved by Alderwoman Steele, seconded by Alderman Dawson for approval. On the roll call of yeas and nays, Aldermen Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Steele, Bush, Moore-Howard, Goley, and Veer voted yea. Aldermen Gaulrapp and Bender voted nay. There were eleven yeas and two nays. The ordinance was approved.

2nd READING

ORDINANCE #2002-31

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Special Use Permit, 3111 Kunkle Blvd, Lot 12)

This ordinance was laid over from the meeting of May 20, 2002, when it was moved by Alderwoman Steele, seconded by Alderman Dawson for approval. . On the roll call of yeas and nays, Aldermen Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Steele, Bush, Moore-Howard, Goley, and Veer voted yea. Aldermen Gaulrapp and Bender voted nay. There were eleven yeas and two nays. The ordinance was approved.

2nd READING

ORDINANCE #2002-32

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Special Use Permit, 321 N Whistler Avenue)

This ordinance was laid over from the meeting of May 20, 2002, when it moved by Alderwoman Steele, seconded by Alderwoman Leitzen Fye for approval. Aldermen Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Steele, Bush, Moore-Howard, Goley, and Veer voted yea. Alderwoman Bender voted nay. There were twelve yeas and one nay. The ordinance was approved.

2nd READING

ORDINANCE #2002-34

AN ORDINANCE TO AUTHORIZE A REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF FREEPORT AND ORACLE DEVELOPMENT, LLC

This ordinance was laid over from the meeting of May 20, 2002, when it was moved by Alderwoman Steele, seconded by Alderman Jenkins for approval. On the roll call of yeas and nays, Aldermen Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, and Veer voted yea. Aldermen Jones and Goley abstained. There were eleven yeas and two abstentions. The ordinance was approved.

2nd READING

ORDINANCE #2002-35

AN ORDINANCE AMENDING CHAPTER 484 (LOADING ZONES; BUS AND TAXICAB STANDS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

This ordinance was laid over from the meeting of May 20, 2002, when it was moved by Alderman Jenkins, seconded by Alderwoman Veer for approval. On the roll call of yeas and nays, Aldermen Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, and Veer voted yea. Aldermen Jones and Goley abstained. There were eleven yeas and two abstentions. The ordinance was approved.

2nd READING

ORDINANCE #2002-36

AN ORDINANCE AMENDING CHAPTER 232 (DEPARTMENT OF PUBLIC WORKS), CHAPTER 236 (ACCOUNTING AND FINANCE), CHAPTER 258 (BOARD OF WATER AND SEWER COMMISSIONERS), CHAPTER 290 (COMPENSATION AND BENEFITS), CHAPTER 482 (OFF STREET PARKING LOTS), CHAPTER 484 (LOADING ZONES, BUS AND TAXICAB STANDS), CHAPTER 486 (SNOW EMERGENCIES), CHAPTER 612 (ANIMALS), CHAPTER 1020 (STREETS GENERALLY), CHAPTER 1030 (SPECIAL EVENTS), CHAPTER 1046 (SEWERS GENERALLY), CHAPTER 1050 (STORM SEWERS), CHAPTER 1224 (SUBDIVISION REGULATIONS), AND CHAPTER 1472 (STORM WATER DETENTION), OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

This ordinance was laid over from the meeting of May 20, 2002, when it was moved by Alderman Jenkins, seconded by Alderman Urban for approval. On the roll call of yeas and nays, Aldermen Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bush, Moore-Howard, Goley, and Veer voted yea. Alderwomen Bender and Steele voted nay. There were eleven yeas and two nays. The ordinance was approved.

2nd READING

ORDINANCE #2002-37

AN ORDINANCE VACATING A CERTAIN PORTION OF NORTH STATE STREET IN THE CITY OF FREEPORT

This ordinance was laid over from the meeting of May 20, 2002, when it was moved by Alderman Jenkins, seconded by Alderman Rinehart for approval. On the roll call of yeas and nays, Aldermen Jones, Boldt, Urban, Jenkins, Gaulrapp, Steele, Bush, Moore-Howard, Goley, and Veer voted yea. Aldermen Dawson and Bender voted nay. There were eleven yeas and two nays. The ordinance was approved.

1st READING

ORDINANCE #2002-38

AN ORDINANCE AUTHORIZING ACQUISITION OF CERTAIN PROPERTY FOR THE PURPOSES OF REDEVELOPMENT

Alderman Bush, Finance Chair, stated that the committee held a special meeting on June 3, 2002. The committee voted unanimously to approve this ordinance and Alderman Bush so moved, seconded by Alderwoman Steele. Alderman Bush moved, seconded by Alderwoman Moore 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 Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, and Veer voted yea. Aldermen Jones and Goley abstained. There were eleven yeas and two abstentions. The motion carried. On the roll call of yeas and nays to approve this ordinance, Aldermen Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, and Veer voted yea. Aldermen Jones and Goley abstained. There were eleven yeas and two abstentions. The ordinance was approved.

1ST READING

ORDINANCE #2002-39

AN ORDINANCE AUTHORIZING ACQUISITION OF CERTAIN PROPERTY FOR THE PURPOSES OF THE DEVELOPMENT OF TUTTY'S CROSSING TRAILHEAD

Alderman Bush, Finance Chair, stated that the committee held a meeting on June 3, 2002. The committee voted unanimously to approve this ordinance and Alderman Bush so moved, seconded by Alderman Rinehart. Alderman Bush moved, seconded by Alderman Rinehart to suspend the rules. On the roll call of yeas and nays to suspend the rules, Aldermen Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, and Veer voted yea. Aldermen Jones and Goley abstained. There were eleven yeas and two abstentions. The motion carried. On the roll call of yeas and nays to approve this ordinance, Aldermen Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, and Veer voted yea. Aldermen Jones and Goley abstained. There were eleven yeas and two abstentions. The ordinance was approved.

APPOINTMENT

Pursuant to Section 220.11 of the City Code, Mayor James L. Gitz hereby appoints Kenneth Urban to the Finance and Intergovernmental Relations Committee of the City Council to fill a City Council Committee vacancy.

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

COMMITTEE REPORTS

TECHNOLOGY

Alderman Gaulrapp, Chair, stated that the meeting scheduled for June 4, 2002 would be postponed to June 9, 2002, at 6:30pm, in City Council Chambers.

COMMUNITY DEVELOPMENT

Alderdwoman Steele, Chair, stated that the next meeting would be June 13, 2002, at 5:30pm, in City Council Chambers.

FINANCE

Alderman Bush, Chair, stated that the committee held a special meeting on June 3, 2002. The committee received bids for janitorial services. The committee voted unanimously to accept the bid of \$16, 356.00 from UNIFi and Alderman Bush so moved, seconded by Alderman Goley. On the roll call of yeas and nays, Aldermen Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, and Veer voted yea. The motion carried.

Alderman Bush announced that there would be a special meeting on June 11, 2002 at 5:30 pm, in City Council Chambers in order to review the budget with the department heads.

PUBLIC SAFETY

Alderman Dawson, Chair, stated that the next meeting would be June 12, 2002 at 6:00pm, in City Council Chambers.

PUBLIC WORKS

Alderman Jenkins, Chair, stated that the next meeting would be June 10, 2002, at 7:00pm, in City Council Chambers.

NEW BUSINESS

Alderman Boldt stated that he is truly ashamed of the law written that involved Pat Leitzen Fye. He suggested that the council and mayor continue to keep her involved with the city.

Alderman Urban stated that he is looking forward to serving on the Finance Committee and he appreciates that vote of confidence.

Alderman Dawson stated that he received a letter from the Chamber of Commerce notifying him that he would receive a report card for his actions of the council. He stated that he finds this process annoying and childish.

Alderman Jenkins stated that he feels that their constituents, not the Chamber of Commerce, should grade the council.

Alderman Gaulrapp stated that he is sad to see Pat Leitzen Fye leave. He said that she is a very dedicated citizen. He also stated that he looks forward to receiving his report card from the Chamber of Commerce.

Alderman Rinehart commended Pat Leitzen Fye for a fine job over the years.

Alderman Bender stated that she is sorry to see Pat Leitzen Fye leave. She said that she always did her job as an alderwoman. She also stated that she is not worried about receiving a report card from the Chamber because her constituents are the individuals that elected her.

Alderman Steele stated that receiving a report from the Chamber of Commerce does not intimidate her. She said that her main intention is the people. She also wished Alderman Leitzen Fye well.

Alderman Bush stated that on June 13, 2002, Vision 20/20 would be hosting a Leadership Summit at Krape Park (Kids Castle). He requested that the council meet prior to this meeting. He stated that he is going to really miss Pat Leitzen Fye and wished her well.

Alderman Moore-Howard stated that her heart is saddened that Pat Leitzen Fye had to leave the council. She said that she appreciates the fire that Pat has for the city.

Alderman Goley welcomed Alderman Urban to the Finance Committee. He stated that he looks forward to working with him. He also stated that Pat Leitzen Fye would be sorely missed by the council and 4th Ward. He stated that he is deeply troubled by the Illinois State Statute regarding TIF Districts (Conflict of Interests).

Alderman Veer stated her sentiments to Pat Leitzen Fye.

Mayor Gitz stated that Pat Leitzen Fye was very hard working and that she added a lot to the council. He stated that he is not pleased with how things developed.

He thanked the council and staff for their hard work on some very important issues: The Rawleigh Development and transfer of Storm Sewers to the Water Department.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 9:50 p.m.

LATACIA M. ISHMON, CITY CLERK