

CITY OF FREEPORT, ILLINOIS
MONDAY EVENING
CITY COUNCIL MEETING
JUNE 7, 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 Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, and Dawson.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

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

PRESENTATION

Officer Michelle Countryman acknowledged all the sponsors for the Do the Right Thing Program. Police Chief Whitmore then read the nominees for the month of May and announced the top winner.

APPROVAL OF MINUTES

The Journal of the Minutes of the regular meeting held on May 17, 2004 was presented for approval. Alderman Gaulrapp moved, seconded by Alderman Dawson for approval of the minutes. The motion carried.

CONSENT AGENDA

A. Approval to Receive and Place on File:

1. Community Development Report
2. Police Department Monthly Activities for May 2004
3. Community Development Cash Receipts for May 2004
4. Community Development Building Permits for May 2004
5. Treasurer's Monthly Investment Report for period ending April 30, 2004
6. Treasurer's Tax Receipts for period ending April 30, 2004
7. Treasurer's Report for period ending April 30, 2004

B. Approval of Water & Sewer Disbursements for May 2004 - \$479,575.13

C. Approval of Bills Payable for May & June 2004 - \$311,355.23

D. Approval of Payroll of Period ending May 29, 2004 - \$296,348.10

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

2nd READING

ORDINANCE #2004-31

AN ORDINANCE AMENDING CHAPTER 202 (CODIFIED ORDINANCES) TO INCREASE THE MAXIMUM ALLOWABLE FINE AND TO CREATE A SCHEDULE OF FINES FOR CERTAIN VIOLATIONS OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

This ordinance was laid over from the meeting of May 17, 2004, when it was moved by Alderman Gaulrapp, seconded by Alderwoman Bender for approval. On the roll call of yeas and nays to approve this ordinance, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, and Dawson voted yea. The ordinance was approved.

2nd READING

ORDINANCE #2004-32

AN ORDINANCE AMENDING CHAPTERS 14820, 1422,1424,1442, 1446, AND 1620 AND 1420 OF THE CITY CODE TO UPDATE NATIONAL BUILDING, PLUMBING, ELECTRICAL AND MECHANICAL CODES, FEES AND PROPERTY MAINTENANCE CODES IN ASSOCIATION THEREWITH

This ordinance was laid over from the meeting of May 17, 2004, when it was moved by Alderman Gaulrapp, seconded by Alderwoman Bender for approval. Alderman Gaulrapp moved, seconded by Alderwoman Bender to amend Section 1442.18, the fee for Commercial Contractor Licenses to \$110. The motion carried. On the roll call of yeas and nays to approve this ordinance as amended, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, and Dawson voted yea. The ordinance was approved.

2nd READING

ORDINANCE #2004-34

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

This ordinance was laid over from the meeting of May 17, 2004, when it was moved by Alderman Gaulrapp, seconded by Alderwoman Bender for approval. On the roll call of yeas and nays to approve this ordinance, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, and Dawson voted yea. The ordinance was approved.

1ST READING

ORDINANCE #2004-36

AN ORDINANCE APPROVING A CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE CITY OF FREEPORT AND INSIGHT COMMUNICATIONS MIDWEST, LLC

Alderman Clark, Chair, stated that the committee held a meeting on June 3, 2004. The committee voted unanimously to approve this ordinance and Alderman Clark so moved, seconded by Alderman Wright. This ordinance was automatically laid over to the next regular meeting.

REAPPOINTMENT

Mayor James L. Gitz, hereby reappoints Tim Mellentine to the Stephenson County Visitors Bureau. This appointment shall be effective until December 31, 2005.

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

REAPPOINTMENT

Effective immediately, Mayor James L. Gitz hereby reappoints David Swift to the Stephenson County Convention and Visitors Bureau. This appointment shall be effective until December 31, 2006.

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

APPOINTMENT

Effective immediately, Mayor James Gitz, hereby appoints Beth Bell to the Housing Authority Board. This resident appointment shall be effective for a maximum of five years.

RESOLUTION #R-2004-46

RESOLUTION TO AMEND THE CITY OF FREEPORT HEALTH CARE PLAN TO COMPLY WITH HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996

WHEREAS, pursuant to Resolution No. R-2002-25 passed by this City Council on April 29, 2002, the City of Freeport entered into an agreement with the Freeport Regional Health Plan, whose successor is the Northern Illinois Health Plan, to act as Third Party Administrator for the City of Freeport Health Care Plan; and

WHEREAS, in order to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), it is necessary to amend such agreement in order to ensure certain privacy rights of employees under the Plan; and

WHEREAS, the agreement as shown in Attachment A amends each component of the Health Care Plan that is considered a group health plan subject to the final regulations entitled Standards for Privacy of Individually Identifiable Health Information issued by the Department of Health and Human Services pursuant to the Administrative Simplification provisions of HIPAA; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that the Mayor is hereby authorized to execute Amendment No. 1 to the City of Freeport Health Care Plan as shown in Attachment A, and incorporated herein as if fully set forth, and the Business Associate Agreement Amendment as shown in Attachment B, and incorporated herein as if fully set forth, ensuring that the City of Freeport and all business associates will follow the regulations for the medical and dental plans and health care flexible spending accounts to comply with the applicable requirements of the Privacy Regulations.

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 Clark, Finance Chair, stated that the committee held a meeting on May 24, 2004. Duane Price advised the committee members that new language needed to be added to the city's health care contract to bring in into compliance with new Federal Privacy Regulations. The committee vote unanimously to adopt this resolution, with Alderman Clark abstaining. Alderman Wright moved, seconded by Alderman Gaulrapp to adopt this resolution. On the roll call of yeas and nays, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, and Dawson voted yea. Alderman Clark abstained. There were seven yeas and one abstention. The resolution was adopted.

RESOLUTION #R-2004-47

A RESOLUTION REQUESTING ADDITION VOLUME BOND CAP AUTHORITY

WHEREAS, the City of Freeport is a Home Rule Unit of Local Government, as defined by Article VII, Section 6 of the Illinois Constitution; and

WHEREAS, pursuant to the Tax Reform Act of 1986, the City of Freeport as a Home Rule Unit of Government, can bond amounts in addition to its allocated authority if ceded to it by the State of Illinois; and

WHEREAS, the City of Freeport finances projects that serve the public purposes of relieving unemployment and encouraging the increase of commerce within the State of Illinois and the City of Freeport, preserving and increasing the tax base of the City and providing for the increased welfare of the residents of the City, by issuing bonds; and

WHEREAS, the City of Freeport currently has projects in the planning stages, which projects may require the issuance of the Bonds; and

WHEREAS, one of those projects involves the Lincoln Towers Senior Citizens Housing Facility.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Freeport, as follows:

1. The City of Freeport, in addition to the \$2,074,320.00 already reserved unto itself, hereby requests from the State of Illinois an additional \$6.1 million of Volume Cap Allocation for the issuance of private activity bonds to be used for the purchase and rehabilitation of the property located at 158 N. Harlem St., Freeport, Illinois, and commonly known as Lincoln Towers to be used for Senior Citizen Housing.
2. The Mayor is hereby authorized to make this request to the Office of the Governor of the State of Illinois.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

Alderman Clark, Finance Chair, stated that the committee held a special meeting on June 7, 2004. The committee voted unanimously to adopt this resolution and Alderman Clark so moved, seconded by Alderman Boldt. On the roll call of yeas and nays, Aldermen Boldt, O'Neill, Wright, Gaulrapp, Bender, Varner, Clark, and Dawson voted yea. The resolution was adopted.

COMMITTEE REPORTS

FINANCE

Alderman Clark, Chair, stated that committee held a meeting on June 3, 2004. Duane Price presented the staff recommendation from the recent RFPS for Financial Advisory Services. Presently the city is using Bill Morris from Kirpatrick Pettis. Linda Buss, Sarah Griffin, and Duane Price each reviewed the RFPs and based their decision on experience, depth of personnel, and cost. The firm of Speer Financial was unanimously selected. The committee voted unanimously to accept this recommendation and Alderman Clark so moved, seconded by Alderman Boldt.

COMMUNITY DEVELOPMENT

Alderman Gaulrapp, Chair, stated that the next meeting would be June 14, 2004 at 5:30pm, in City Council Chambers.

PUBLIC WORKS

Alderman Boldt, Chair, gave the council an update on the leaf removal. He reported that as of June 4, 2004, 493 tons of leaves have been removed. There are about 300+ tons remaining. The total cost upon completion will be approximately \$30,000.

MAYOR'S REPORT

The mayor discussed the following items:

- Glide slope for airport
- Filing for bond cap
- Update on Homer Street Phase II
- Façade improvement and sidewalk replacement plan
- Upcoming report from the Taylor Park Environmental Task Force

NEW BUSINESS

Alderman Boldt stated that there would be a public hearing on June 22, 2004 at 7:00pm, in order to discuss possible reuses of the Carnegie library.

Alderman Clark referred the sound system issues to the Public Works Committee. He also requested leave to hear from Public Works Director, Craig LeBaron. He asked the Director several questions relating to the dumping of leaves. He expressed his dismay that this simple error could have been handled quickly.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 8:10pm.

LATACIA M. ISHMON, CITY CLERK