

CITY OF FREEPORT, ILLINOIS
MONDAY EVENING
CITY COUNCIL MEETING
JUNE 21, 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, Bender, Varner, Clark, Dawson, and Boldt. Absent was Alderman Gaulrapp.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Alderwoman Bender moved, seconded by Alderwoman O'Neill for approval of the agenda. The motion carried.

PUBLIC COMMENTS

Jim Lohman made comments regarding the downtown façade improvements.

PRESENTATION

There was a presentation from Operation Homefront by Michael Brinkmeier.

Eric Helm, from Civil Constructors, gave a brief overview of the Galena Avenue project and answered all questions of the council.

APPROVAL OF MINUTES

The Journal of the Minutes of the regular meeting held on June 7, 2004 was presented for approval. Alderwoman Bender moved, seconded by Alderman Dawson for approval of the minutes. The motion carried.

CONSENT AGENDA

- A. Approval to Receive and Place on File:
 - 1. Planning Commission Reports
 - a. Change of Zoning, 301-303 S Adams
 - b. Preliminary Plat, Rose Meadows of Freeport
 - 2. Treasurer's Report for period ending May 31, 2004
 - 3. Treasurer's Investment Report for period ending May 31, 2004
 - 4. Fire Department's Monthly Activities, May 2004
 - 5. Treasurer's Tax Receipts for period ending May 31, 2004
- B. Approval of Water & Sewer Disbursements for June 2004 - \$1,1001,116.55
- C. Approval of Bills Payable for June 2004 - \$458,607.70
- D. Approval of Payroll of Period ending June 12, 2004 - \$302,455.54

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

2nd READING

ORDINANCE #2004-35

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

This ordinance was laid over from the meeting of June 7, 2004, when it was moved by Alderman Clark, seconded by Alderman Wright for approval. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Varner, Clark, Dawson, and Boldt voted yea. Alderwoman Bender voted nay. There were six yeas and one nay. The ordinance was approved.

1st READING

ORDINANCE #2004-36

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Amendment of Zoning, 301-303 S Adams)

Alderman Varner, Community Development Vice Chair, stated that the committee held a meeting on June 4, 2004. The committee voted unanimously to concur with the Planning Commission and Alderman Varner so moved, seconded by Alderwoman Bender.

REAPPOINTMENT

Effective immediately, Mayor James L. Gitz, hereby reappoints Stan Zuravel to the Building Commission. This term will expire on April 30, 2007.

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

APPOINTMENT

Effective immediately, Mayor James Gitz, hereby appoints Joan Flynn to the Historic Preservation Commission. Ms. Flynn will replace Marty Vanags who resigned from the Commission.

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

RESOLUTION #R-2004-48

RESOLUTION TO REQUEST TEMPORARY CLOSURE OF STREETS FOR CRUISE NIGHT "2004"

WHEREAS, on July 31, 2004, the Tutty Baker Days Cruise Night Committee are sponsoring Cruise Night "2004", which event constitutes an authorized special event; and

WHEREAS, the proposed route for Cruise Night will require the temporary closure of the following streets: Douglas Street from Van Buren to State Avenue, State Avenue from Douglas to Main Street, Main Street from State Street to Van Buren Avenue, and Van Buren Avenue from Main to Douglas Street; and

WHEREAS, Section 5/4-408 of the Illinois Highway Code (605 ILCS 5/4-408) authorizes the Department of Transportation to issue permits to local authorities to temporarily close portions of State Highways for such public purposes; and

WHEREAS, pursuant to Chapter 1030 of the Codified Ordinances of the City of Freeport, the special events permit application submitted by the Tutty Baker Days Cruise

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Night Committee has been reviewed and approved, subject to the required permit being issued by the Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS, that permission be requested of the Department of Transportation to close off Route 75 from Galena Avenue to State Avenue. This closure shall be for the public purpose of holding a Cruise Night under the following conditions:

1. The approximate time period of this street closure shall be between 4:00 p.m. to 10:00 p.m. on Saturday, July 31, 2004;
2. The traffic from the closed portion of highway shall be detoured over routes with an all-weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State Highway;
3. The parking of vehicles shall be prohibited on the detour routes to allow an uninterrupted flow of two-way traffic;
4. The City assumes full responsibility for the direction, protection, and regulations of the traffic during the time the detour is in effect;
5. Police officers or authorized flaggers shall be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic through the detour;
6. Emergency vehicles shall be permitted in emergency situations to pass through the closed area as is safe for all concerned;
7. The closure and detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices;
8. All debris shall be removed by the City of Freeport prior to reopening the State Highway;
9. Such signs, flags, barricades, etc., shall be provided by the City of Freeport as may be approved by the Illinois Department of Transportation;
10. An occasional break shall be made in the procession so that traffic may pass through. In any event, adequate provisions will be made for traffic on intersecting highways pursuant to conditions noted above;
11. The Tutty Baker Days Cruise Night Committee shall provide proof of comprehensive general liability insurance policy or an additional insured endorsement in the amount of \$100,000 per person and \$500,000 aggregate, under which the Illinois Department of Transportation and its officials, employees and agents shall be insured and protected from all claims arising from the requested highway closing.

BE IT FURTHER RESOLVED that a copy of this Resolution, proof of liability insurance and special event permit provided by Freeport Illinois Street Machines shall be forwarded by the City Clerk to the Illinois Department of Transportation, District 2 Operations Office, 819 Depot Avenue, Dixon, Illinois 61021-3500, to serve as a formal request for the permission sought in this Resolution and to operate as part of the conditions of said permission.

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

RESOLUTION #R-2004-49

RESOLUTION TO APPROVE THE PRELIMINARY PLAT FOR ROSE MEADOWS

WHEREAS, Section 1224.03 of Chapter 1224 (Subdivision Regulations) of the Codified Ordinances of the City of Freeport and Section 205/2 of the Illinois Plat Act (765 ILCS 205/2) and Section 5/11-15-1 of the Illinois Municipal Code (65 ILCS 5/11-15/1) all authorize a city council to approve preliminary and final plats for all subdivisions located

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inside of the corporate boundaries of the city or within one-and-a-half miles outside of the corporate boundaries of the city; and

WHEREAS, at a meeting held on June 10, 2004, and subsequent to a public hearing, the Freeport Planning Commission by a majority vote recommended that this City Council approve the Preliminary Plat for Rose Meadows, which is located within the city limits of the City of Freeport, Illinois.

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

Section 1: That the Preliminary Plat for Rose Meadows, a copy of which is attached hereto and made part hereof and marked as "Exhibit A", is hereby accepted.

Section 2: That this approval is tentative only, involving merely the general acceptability of the layout as submitted, and shall be valid for a maximum period of one (1) year, unless the developer applies for, and this City Council grants, an extension thereof.

Section 3: This Resolution shall be effective immediately upon its passage by the City Council and its approval by the Mayor.

Section 4: 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

Section 5: That all Resolutions or motions or parts of resolutions or motions in conflict with this Resolution are repealed insofar as they conflict.

Section 6: If any section, clause or provision of this Resolution be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Resolution as a whole or any part thereof, other than the part so declared to be invalid, and this City Council expressly declares that it would have enacted this Resolution even with the invalid portion deleted.

Alderman Varner, Community Development Vice Chair, stated that the committee held a meeting at June 14, 2004. The committee voted unanimously to concur with the Planning Commission and Alderman Varner so moved, seconded by Alderwoman Bender. Alderman Clark requested that in the future, maps be attached to all plat requests. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Bender, Varner, Clark, Dawson, and Boldt voted yea. The resolution was adopted.

COMMITTEE REPORTS

PUBLIC WORKS

Alderman Boldt, Chair, stated that the dump trucks and sweeper bids to the Finance Committee to discuss payment options. There will be a sub-committee created to discuss a possible Public Works and Water & Sewer merger, which will meet on July 19, 2004 at 6:30pm.

FINANCE

Alderman Clark, Chair, stated that the next meeting would be tentatively scheduled for June 29, 2004 at 5:30pm, in City Council Chambers.

DEPARTMENT HEAD REPORTS

Fire Chief Blackburn gave an update of the 4th of July celebration.

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MAYOR'S REPORT

The mayor discussed the following items:

- FAEDF loan
- USEPA grant
- Library reuse strategy
- Glide slope meetings

NEW BUSINESS

Alderman Wright stated that he intends to have a report from the Taylor Park Environmental Task Force ready to present to the City Council on July 6, 2004. He stated that the Task Force would continue to meet on a quarterly basis.

Alderwoman Bender stated that there would be a meeting of the Executive Committee on July 8, 2004, at 5:00pm, in City Council Chambers.

PUBLIC COMMENTS

Pastor David Whitehead expressed his concerns with having access to city files for the Environmental Task Force.

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