

CITY OF FREEPORT, ILLINOIS
MONDAY EVENING
CITY COUNCIL MEETING
JULY 15, 2002 at 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 Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Boldt, and Urban. Absent was Alderwoman Jones.

PLEDGE OF ALLEGIANCE

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

HONORARY RESOLUTION #R-2002-45

HONORARY RESOLUTION TO RECOGNIZE JIM LEITZINGER FOR HIS SERVICE TO THE PEOPLE OF FREEPORT

WHEREAS, the Mayor and the City Council of the City of Freeport are pleased to recognize the contributions of Jim Leitzinger as Finance Director for the City of Freeport, initially appointed on August 14, 2002; and

WHEREAS, Mr. Leitzinger has ably assisted and counseled the Mayor, the Finance Committee, and the City Council on financial matters; and

WHEREAS, Mr. Leitzinger has been a devoted City official, putting in many extra hours preparing budget documents, financial analysis, and overseeing the City's financial affairs; and

WHEREAS, Mr. Leitzinger has provided valuable expertise for such projects as the \$16 million water and sewer bond issue, funding for the new library, changes in the City's Health Plan, capital planning in the budgetary process, the initiation of multi-year budgeting, and upgrades to the City's computer network, thereby demonstrating his commitment to making Freeport a better community; and

WHEREAS, the citizens of Freeport have benefited from his service, dedication and commitment to our community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AND MAYOR OF THE CITY OF FREEPORT, ILLINOIS that we hereby honor Jim Leitzinger for his service to the people of Freeport and extend our best wishes to Jim Leitzinger and his family for their continued success and prosperity.

Alderman Bush moved, seconded by Alderman Gaulrapp to adopt this resolution. The motion carried. Mr. Leitzinger was then presented with this honorary resolution on a plaque.

APPROVAL OF MINUTES

The Journal of the Minutes of the regular meeting held on July 1, 2002, were presented for approval. Alderman Gaulrapp moved, seconded by Alderwoman Bender the approval of the minutes. The motion carried.

CONSENT AGENDA

- A. Approval to Receive and Place on File:
 - 1. Police Department Activities for June 2002
 - 2. Treasurer's Schedule of tax Receipts for May & June 2002
 - 3. Fire Department Activities for June 2002
- B. Approval of Water & Sewer Disbursements for July 2002 - \$108,320.69
- C. Approval of Bills Payable for July 2002
- D. Approval of Payroll for Pay Period June 16, 2002 to June 29, 2002 – \$297,150.77

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

LIBRARY PROJECT PLAN

Alderman Bush, Finance Chair, stated that the committee held a meeting on July 9, 2002. Frank Novak, Director of the Freeport Public Library, presented the plan for the new library building. The new library building is a 2-story building. The first floor will consist of Youth Services, Circulation Services, and meeting rooms. The second floor will consist of Adult Services, Administrative Offices, Computer lab, Boardroom, and study rooms. Also, the new building will be ADA compliant. The cost of the building is \$7,414,384 of which \$5,867,175 is for construction, \$636,250 for fixtures, furniture, and equipment, and \$617,600 for additional items. This also includes a 5% contingency fee of \$293,359. The funding of the new library building is from the State of Illinois, Lobdell Fund, City of Freeport, fundraising campaign, Halper Fund, Board of Trustees Building fund, and the library reserve fund. The construct of the new building will take about sixteen months. If the project gets underway in August of this year, it is likely to be completed around January or February of 2004. The low bidder submitted a letter stating that he would hire local people for the construction of the building. The committee unanimously approved the Library Project Plan and Alderman Bush so moved, seconded by Alderman Urban. Leave was granted in order for the Library Director, Frank Novak, to present the plan to the council. On the roll call of yeas and nays to approve this plan, Alderman Jenkins, Gaulrapp, Rinehart, Bush, Moore-Howard, Veer, Boldt, and Urban voted yea. Aldermen Dawson, Bender, and Steele voted nay. Alderman Goley abstained. There were eight yeas, three nays, and one abstention. The motion carried.

1ST READING**ORDINANCE #2002-45****AN ORDINANCE AMENDING CHAPTER 480 (PARKING GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT**

Alderman Jenkins, Public Works Chair, stated that the committee held a meeting on July 8, 2002. A No Parking request was submitted fro Cottonwood at West to allow easier access off of West. It was approved by the Police Department, Public Works Director, Craig LeBaron, and Corporation Counsel to restrict parking for 60' east and west of West Street on both sides. Also, No Parking request was submitted from the Condominium Association on Yellow Creek Court. They have asked for No Parking on their side of the street. Since there is plenty of parking available on the other side, this request was also approved. The committee voted unanimously to approve these requests and Alderman Jenkins so moved, seconded by Alderman Rinehart. This ordinance was automatically laid over to the next regular meeting.

REPORT

The regular meeting of the Zoning Board of Appeals was held on Wednesday, July 3, 2002, in the City Hall Building. At 6:30 pm, a public hearing was held on a petition by Annette Sheriff and Lawrence Stenstrom, 3927 Westlake Village Drive, Winnebago, IL, requesting a 5-foot side yard variance to allow construction of a deck for the property located at 37 N Bailey Avenue, Freeport. Ms. Sheriff and Mr. Stenstrom were present for the hearing and the request meets all requirements of the City of Freeport Codified Ordinances. Mr. and Mrs. Daniel Frisbie, adjacent property owners, were present and were against granting the variance. A letter in opposition from Peter and Joan Flynn was presented to the Board. The deck has already been constructed and Mr. Stenstrom cited financial pain in removing the out-of-compliance section of the deck. Mr. and Mrs. Frisbie cited invasion of their privacy. After a lengthy discussion, the Zoning Board of Appeals recommended that the request be denied.

Alderman Steele moved, seconded by Alderman Bender that this report be received and placed on file. The motion carried.

1ST READING

ORDINANCE #2002-46

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Variance, 37 N. Bailey Avenue)

Alderman Steele, Community Development Chair, stated that the committee held a meeting on July 11, 2002. This is a variance to permit a deck that is already constructed. The deck extends beyond allowed boundaries and was applied for after the completion of the deck. Mr. Frisbee (Neighbor) was present and objected to the deck stating that it encroached on his property line. The Zoning Board denied the permit due to the fact that the deck went all the way to the lot line. The committee voted unanimously to concur with the Zoning Board of Appeals and deny this ordinance and Alderman Steele so moved, seconded by Alderman Dawson. On the roll call of yeas and nays to deny this ordinance, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Boldt, and Urban voted yea. The ordinance was denied.

REPORT

The regular meeting of the Zoning Board of Appeals was held on Wednesday, July 3, 2002, in the City Hall building. At 6:30 pm, a public hearing was held on a petition by Steve Maize, 1439 S Burchard Avenue, Freeport, requesting a variance to Section 1268.02(e)(1) of the City of Freeport Codified Ordinances, to allow a fence in the front yard. Mrs. Maize was present for the hearing, and the request meets all requirements of the Codified Ordinances. There were no objectors present. There was some discussion of the appearance of a fence on the street. Mrs. Maize asked that there be a fence because of children. The Zoning Board explained that there are no front yard fences on Burchard, and there was ample yard that could be fenced without a variance. The Zoning Board unanimously recommends the request be denied.

Alderman Steele moved, seconded by Alderman Rinehart that this report be received and placed on file. The motion carried.

1ST READING**ORDINANCE #2002-47****SPECIAL ORDINANCE OF VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Variance, 1439 S Burchard Ave)**

Alderswoman Steele, Community Development Chair, stated that the committee held a meeting on July 11, 2002. The Zoning Board visited the location at 1439 South Burchard and determined that a front yard fence would be out of the ordinary. The board denied the petition for the permit for aesthetic reasons. Alderswoman Steele moved, seconded by Alderswoman Bender to concur with the Zoning Board of Appeals and deny this ordinance. On the roll call of yeas and nays to deny this ordinance, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Boldt, and Urban voted yea. The ordinance was denied.

1ST READING**ORDINANCE #2002-48****AN ORDINANCE AMENDING CHAPTER 290 (COMPENSATION AND BENEFITS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS**

Alderman Bush, Finance Chair, stated that the committee held a meeting on July 9, 2002. Deputy Chief, Robert Smith, requested an early retirement incentive for Lt. Stephen Holbert, who is planning on retiring on September 17, 2002. Lt. Holbert has accrued benefit time to use until his last working day, July 5, 2002. If approved, he will retire on July 26, 2002. This will save the city \$1,922. The salary schedule with the approved 1.5% increase for non-bargaining employees was also presented. The committee voted unanimously to approve this ordinance and Alderman Bush so moved, seconded by Alderman Jenkins. Alderman Bush moved, seconded by Alderman Jenkins to suspend the rules and vote on this ordinance at this meeting. On the roll call of yeas and nays to suspend the rules, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Boldt, and Urban voted yea. On the roll call of yeas and nays to approve this ordinance, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Boldt, and Urban voted yea. The ordinance was approved.

RESOLUTION #R-2002-46**RESOLUTION TO REQUEST TEMPORARY CLOSURE OF STREETS FOR CRUISE NIGHT "2002"**

WHEREAS, on August 3, 2002, the Tutty Baker Days Cruise Night Committee are sponsoring Cruise Night "2002", 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 Freeport Illinois Street Machines 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 all street closures shall be between 4:00 p.m. to 10:00 p.m. on Saturday, August 3, 2002;
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 Rinehart moved, seconded by Alderwoman Moore-Howard that this resolution be adopted. On the roll call of yeas and nays, Aldermen Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Boldt, and Urban voted yea. The resolution was adopted.

COMMITTEE REPORTS

FINANCE

Alderman Bush, Chair, stated that the committee held a meeting on July 9, 2002. It was recommended by the auditor that all new accounts opened should be recorded in the minutes of the Finance Committee. Duane Price, City Accountant, presented a memo

that stated Frank Novak, Director of the Freeport Public Library, opened a new interest bearing account at Fifth Third Bank in June 2002 for the building fund.

The committee also received a memo from Jim Leitzinger, Finance Director, informing that he would be resigning, effective July 19, 2002.

PUBLIC SAFETY

Alderman Dawson, Chair, stated that the committee held a meeting on July 15, 2002. There was discussion about purchasing a new or used vehicle for the Deputy Fire Chief. Chief Blackburn will get more details to present to the committee.

There was also discussion about retiring one of the Police Department's K-9 dogs because of health problems. The Police Department requested permission to let the handler adopt the dog. Corporation Counsel stated that the City would not have any liabilities after the dog is given to the handler. The committee voted unanimously to approve this request.

Oscar Peterson from the Freeport Country Club would like to hold an archery hunt within the city limits of Freeport again this year, with a couple of changes. First, he would like the hunt to start when the regular season starts on October 1, in areas not used by golfers until the golfing season ends. Second, he would like the antlerless only restriction removed. The committee voted unanimously to concur with Mr. Peterson's request. The request was given to Corporation Counsel in order to draft an ordinance for the next meeting.

Alderman Dawson stated that the next meeting would be August 14, 2002 at 6:00 pm, in City Council Chambers.

PUBLIC WORKS

Alderman Jenkins, Chair, stated that the committee held a meeting on July 8, 2002. A Special Events permit for a church outreach on city property near the fire station on Adams was presented to the committee. No application is on file, but the committee will meet at 6:45 pm, before the council meeting on Monday, July 15, 2002. There was no objection from the committee members.

There was a stop sign request for American at McKinley. There has been considerable study on American traffic. The Police Department, Public Works Director, and Corporation Counsel denied the request. Tree trimming for visibility is an option. The committee voted unanimously to deny the request.

There was also a stop sign request for Harrison at Harvey. Harvey is a two-block street and traffic is not very heavy on either street. The committee suggested a yield sign on Harvey. The Police Department, Public Works Director, and Corporation Counsel denied the request. The requestor will be contacted about the yield sign on Harvey.

Ken Weigand on Burchard Avenue between American and Empire request no parking on either side of Burchard from Empire to Lincoln for emergency vehicle access. The committee visited this idea six or seven months ago and received many objectors from the residential section of Burchard. The resulting action was to restrict parking on Burchard, both sides north of American to improve traffic flow during Read Park baseball

games. In studying this section, it was found that there are so many driveways on each side that there are rarely cars parked directly across from each other. This allows room for two vehicles to pass each other easily.

TECHNOLOGY

Alderman Gaulrapp, Chair, stated that the committee did not meet due to lack of quorum. He stated that the next meeting would be August 6, 2002 at 6:00 pm, in City Council Chambers.

COMMUNITY DEVELOPMENT

Alderwoman Steele, Chair, stated that the committee held a meeting on July 11, 2002. An amendment for a Liquor License transfer fee was presented, "to include" the fee when transfer under acceptable conditions. The committee voted unanimously to table this ordinance change.

NEW BUSINESS

Alderman Jenkins stated that he was enthusiastic to see \$50,000 approved by the Water and Sewer Commission for Water and Sewer backup.

Alderman Gaulrapp thanked Jim Leitzinger for all his hard work. He stated that a replacement would be hard to find. He stated that he would like to see a resolution so that Aldermen Jones and Goley can fully participate on the council. He stated that he would like to see the library project move forward.

Alderman Rinehart wished him good luck on his new venture.

Alderwoman Bender read part of a memo from Corporation Counsel, Sarah Griffin that stated in accordance with the City of Freeport Codified Ordinances, bills should be approved by committee prior to payment. Alderwoman Bender stated that she hopes no more bills are paid, until they are approved by the city council. She said she received several calls about why work was being done in the alley on Harrison. She requested that Public Works Director, Craig LeBaron explain to the public why the work was being done. Mr. LeBaron explained that the alley is public and it runs from Park Blvd to Stewart Ave and the reasons for the repair.

Alderwoman Steele stated that Jim Leitzinger would be sorely missed. She stated that he has done a lot of work with the Veterans Park. She wished him good luck in his new venture. She also stated that she was glad to see Alderwoman Veer back and recovering from her surgery. Alderwoman Steele also requested the status of a crosswalk for St. Joseph's School. (Mayor Gitz responded that she would receive an answer)

Alderman Bush stated that there would be public meetings regarding the grant received for the Taylor Park area on July 16, 2002 from 1:30 pm to 3:30 pm at Taylor Park School and on July 18, 2002 from 5:00 pm to 7:00 pm. He stated that the bills payable process would be discussed at the next regular meeting of the committee. He wished Jim Leitzinger best of luck.

Alderman Moore-Howard stated that the meeting for the grant on July 18, 2002, would be at the Monroe Center. She thanked Jim Leitzinger for all his help and wished him well.

Alderman Goley stated that Jim Leitzinger would be missed. He also thanked Alderman Goley for his support regarding the TIF conflict of interest issue.

Alderwoman Veer stated that she echoes the sentiments to Jim Leitzinger.

Alderman Boldt stated that the council made a large step in approving the library project plan. He stated that it is shameful to see the construction bid go out of state, but the library board is working to see that as much money as possible will be kept in Freeport. He encouraged contributors to follow through on their pledges for this top-notch project and not penalize it for an issue that is out of the library's control.

Alderman Urban expressed his appreciation to Jim Leitzinger for all the great work that he has done. He stated that he is pleased with the library project plan.

Mayor Gitz introduced Andrea Otto, the volunteer student intern to the council. He stated that more individuals need to be appointed to the Zoning Board of Appeals and Planning Commission. He request that the council forward names to be considered for these bodies. He distributed a memo listing recent projects in Organ Factory area. He stated that work by the street department is done all over Freeport, not just in his area. He invited everyone to participate in Cruise Night on August 3, 2002.

PUBLIC COMMENTS

Clarence Wilson, President of the library board, expressed his sincere appreciation behalf of the library board of trustees to the staff and he thanked all the members of the city council that voted in support of the library project plan.

Harriet Gustafson expressed her concern with American Street from Park Boulevard to West Avenue. She stated that crossing American Street at Burchard Street is a hazardous situation. One of the reasons is because of the rise at American at Harlem and the cars cannot be seen over it. She said that this strip serves four schools, the users of the park, and it encourages traffic from Route 20. She recommends a stop sign at some of the cross streets. She stated that she is representing only herself.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 8:20 p.m.

LATACIA M. ISHMON, CITY CLERK