

CITY OF FREEPORT, ILLINOIS
MONDAY EVENING
CITY COUNCIL MEETING
AUGUST 16, 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 Clark, Dawson, Boldt, O'Neill, Wright, and Bender. Alderman Varner entered the meeting at 7:05pm and Alderman Gaulrapp entered the meeting at 7:10pm.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

The Journal of the Minutes of the regular meeting held on August 2, 2004 was presented for approval. Alderman Bender moved, seconded by Alderman Varner for approval of the minutes. The motion carried.

CONSENT AGENDA

A. Approval to Receive and Place on File:

1. Police Department Monthly Activities for July 2004
2. Fire Department Monthly Activities for July 2004
3. Community Development Cash Receipts for July 2004
4. Community Development Building Permits for July 2004
5. Zoning Board of Appeals Report, Variance, 1523 W Stover
6. Treasurer's Monthly Investment Report for period ending July 31, 2004
7. Treasurer's Report for period ending July 31, 2004
8. Treasurer's Tax Receipts for period ending July 31, 2004

B. Approval of Water & Sewer Disbursements for August 2004 - \$215,931.72

C. Approval of Bills Payable for July & August - \$355,324.95

D. Approval of Payroll of Period ending August 7, 2004 - \$300,605.34

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

1st READING

ORDINANCE #2004-48

AN ORDINANCE AMENDING CHAPTER 240 (POLICE DEPARTMENT) AND CHAPTER 242 (FIRE DEPARTMENT) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderswoman Bender, Chair, held a special meeting on August 16, 2004. The committee voted unanimously to approve this ordinance and Alderswoman Bender so moved, seconded by Alderswoman O'Neill. This ordinance was automatically laid over to the next regular meeting.

1st READING

ORDINANCE #2004-49

AN ORDINANCE AMENDING CHAPTER 595 (BOARD OF FIRE AND POLICE COMMISSIONERS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

Alderswoman Bender, Chair, held a special meeting on August 2, 2004. The committee voted unanimously to approve this ordinance and Alderswoman Bender so moved, seconded by Alderswoman O'Neill. This ordinance was automatically laid over to the next regular meeting.

1st READING

ORDINANCE #2004-50

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Variance, 1523 W Stover St)

Alderman Gaulrapp, Chair, held a special meeting on August 9, 2004. The committee voted unanimously to approve the ordinance and Alderman Gaulrapp so moved, seconded by Alderswoman Bender. There was leave granted to hear from Reggie Taylor, who explained the reasoning for the variance. There was also leave to hear from Daniel Hazzard who further explained his situation. On the roll call of yeas and nays to approve this ordinance, Aldermen Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, Bender, and Varner voted yea. The ordinance was approved.

1st READING

ORDINANCE #2004-51

AN ORDINANCE AMENDING CHAPTER 612 (ANIMALS) OF THE CODIFIED ORDINANCES OF FREEPORT, ILLINOIS

Alderman Dawson, Public Safety Vice Chair, stated that the committee held a meeting on August 2, 2004. The committee voted unanimously to approve this ordinance and Alderman Dawson so moved, seconded by Alderswoman Bender. This ordinance was automatically laid over to the next regular meeting.

1ST READING

ORDINANCE #2004-52

AN ORDINANCE AMENDING CHAPTER 886 (HOTEL TAX) AND CHAPTER 286 (STEPHENSON COUNTY CONVENTIONS BUREAU) OF THE CODIFIED ORDINANCES OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderman Clark, Finance Chair, stated that the committee held meeting in July and a special meeting on August 16, 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.

RESOLUTION #R-2004-58

RESOLUTION TO ENTER INTO AGREEMENT REGARDING STEPHENSON COUNTY VISITORS BUREAU

Alderman Clark, Finance Chair, stated that the committee held a special meeting on August 16, 2004. The committee voted unanimously to adopt this resolution and Alderman Clark so moved, seconded by Alderman Wright. Alderman Clark moved, seconded by Alderman Wright that this resolution be laid over to the next regular meeting. The motion carried.

RESOLUTION #R-2004-59

RESOLUTION TO REQUEST TEMPORARY CLOSURE OF STREETS FOR AQUIN CATHOLIC HIGH SCHOOL HOMECOMING PARADE

WHEREAS, on September 22, 2004 Aquin Catholic High School and is sponsoring a Homecoming Parade, which event constitutes an authorized special event; and

WHEREAS, the proposed route of this parade will require the temporary closure of the following streets: South on Walnut to Empire Street, East on Empire across Galena Ave to Bauscher St; 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 Aquin Catholic High School 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 South West Avenue (Route 26) at West Empire Street. This closure shall be for the public purpose of holding a parade under the following conditions:

1. The approximate time period of all street closures shall be between 4:30 p.m. to 6:30 p.m. Wednesday, September 22, 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. Aquin Catholic High School shall provide proof of a 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 City of Freeport and 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 and proof of liability insurance provided by the Aquin Catholic High 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 Gaulrapp moved, seconded by Alderwoman Bender for approval of this resolution. On the roll call of yeas and nays, Aldermen Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, Bender, and Varner voted yea. The resolution was adopted.

EXECUTIVE SESSION

Alderman Boldt moved, seconded by Alderman Gaulrapp to go into executive session pursuant to 5 ILCS 120/2 (c)(5) in order to discuss purchase or lease of real estate. On the roll call of yeas and nays, Aldermen Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, Bender, and Varner voted yea. The motion carried.

The council then convened in the mayor's office. After reconvening in Council Chambers, Alderman Gaulrapp moved, seconded by Alderwoman Bender to come out of executive session. On the roll call of yeas and nays, Aldermen Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, Bender, and Varner voted yea. The motion carried.

RESOLUTION #R-2004-60

RESOLUTION TO APPROVE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF STEPHENSON AND THE CITY OF FREEPORT FOR THE TRANSFER OF CERTAIN PROPERTY ADJACENT TO CMC HEARTLAND (Pin 07-14-30-430-011)

Alderman Clark, Finance Chair, stated that the committee held a special meeting on August 16, 2004. The committee voted unanimously to adopt this resolution and Alderman Clark so moved, seconded by Alderman Wright. On the roll call of yeas and nays, Aldermen Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, Bender, and Varner voted yea. The resolution was adopted.

REVIEW OF EXECUTIVE SESSION MINUTES

The minutes of Executive Sessions were presented for review as required under the Open Meeting Act. Alderman Clark moved, seconded by Alderman Gaulrapp that these Minutes be released for public inspection, with the exception of the minutes of December 1, 2003, March 15, 2004, May 3, 2004, and July 19, 2004. The motion carried.

CONSIDERATION OF BIDS FOR 2004 STREET PROGRAM

Alderman Boldt, Public Works Chair, stated that the committee held a meeting on August 16, 2004. One bid was received from Civil Constructors in the amount of \$676,485.30. This bid was \$2,643.90 below the Engineer's estimate. The committee voted unanimously to concur with IDOT and accept this bid and Alderman Boldt so moved, seconded by Alderwoman O'Neill. On the roll call of yeas and nays, Aldermen Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, and Bender voted yea. Alderman Varner abstained. There were eight yeas and one abstention. The motion carried.

CONSIDERATION OF BIDS FOR DEMOLITION

Alderman Boldt, Public Works Chair, stated that the committee held a meeting on August 16, 2004. The committee received bids for demolition for the Homer Street project. The committee voted unanimously to award the lowest bids for individual homes to each contractor. Rock View was awarded 25 homes in the amount of \$109,979.25; Alber & Sons, 4 homes, \$22,675.00; and Fisher Excavating Inc, 1 home, \$6,562.09. Alderman Boldt

moved, seconded by Alderwoman O'Neill to accept these bids. On the roll call of yeas and nays, Aldermen Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, and Bender voted yea. Alderman Varner abstained. There were eight yeas and one abstention. The motion carried.

COMMITTEE REPORTS

PUBLIC WORKS

Alderman Boldt, Chair, stated that the committee held a meeting on August 16, 2004. The committee requested that a professional consultant be brought in to address the problems with the sound system in council chambers within the next 30 days.

FINANCE

Alderman Clark, Chair, stated that the committee held a special meeting on August 16, 2004. Requests to release contingency funds for and automobile for the Building Inspector not to exceed \$6,500 and also a new server, estimated to cost about \$10,000(subject to insurance proceeds). The Building Inspector's automobile would be more costly to repair than to purchase a used one. The old server was struck by lightening. The committee voted unanimously to release these contingency funds and Alderman Clark so moved, seconded by Alderwoman Bender.

On the roll call of yeas and nays to release contingency funds for the automobile, Aldermen Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, Bender, and Varner voted yea. The motion carried.

On the roll call of yeas and nays to release contingency funds for a new server, Aldermen Clark, Dawson, Boldt, O'Neill, Wright, Gaulrapp, Bender, and Varner voted yea. The motion carried.

MAYOR'S REPORT

The mayor discussed the following items:

- Community breakfast on August 18, 2004 to discuss Rawleigh Reuse Plan
- Meetings with local ministers in Taylor Park area re: Eastgate project
- TIF Funds-plan emergency repairs on Rawleigh and sidewalk repair
- Title to CMC Heartland property & adjacent property

NEW BUSINESS

Alderman Wright referred the Ethics ordinance to the Executive Committee for further review.

PUBLIC COMMENTS

Marianne Garvens requested that the city not schedule multiple meetings in one day.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 8:25pm.

LATACIA M. ISHMON, CMC