

CITY OF FREEPORT, ILLINOIS
MONDAY EVENING
CITY COUNCIL MEETING
AUGUST 19, 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 Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Goley, Veer, Jones, Boldt, Urban, Dawson, and Jenkins. Alderwoman Steele entered the meeting 7:10pm.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

The Journal of the Minutes of the regular meeting held on August 5, 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. Treasurer's Monthly Investment Report for period ending July 31, 2002
 - 2. Fire Department Activities for July 2002
 - 3. Treasurer's Report for period ending July 2002
 - 4. Treasurer's Tax Receipts for period ending July 2002
- B. Approval of Water & Sewer Disbursements for August 2002 - \$823,463.72
- C. Approval of Bills Payable for August 2002
- D. Approval of Payroll for Pay Period July 29, 2002 to August 11, 2002 - \$303,438.49

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

BID OPENING

City Clerk, Latacia Ishmon, opened a bid for the sale of property located at 4 East Linden. The bid was received from Tom Anderson for the amount of \$16,300.00.

1st READING

ORDINANCE #2002-46

AN ORDINANCE AMENDING CHAPTER 460 (OPERATION GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT (YIELD SIGN ON HARVEY AT HARRISON)

Alderman Jenkins, Public Works Chair, stated that the committee held a meeting on August 12, 2002. The committee received a request a stop sign on Harrison at Harvey in July. This request was denied in lieu of a yield sign on Harvey. The reason it was denied is Harvey is only a two-block street and it didn't make sense to stop there. Both the Police Department and Public Works Director suggested the yield sign and it was

presented to the committee. Although this did not fit in the uniform traffic codes, the committee felt strongly for the safety of families and children in this area. The committee voted unanimously to approve the yield sign. Alderman Jenkins moved, seconded by Alderman Urban to refer this ordinance back to committee. The motion carried.

1ST READING

ORDINANCE #2002-47

AN ORDINANCE AMENDING CHAPTER 446 (PEDESTRIANS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderman Jenkins, Public Works Chair, stated that the committee held a meeting on August 12, 2002. A request was submitted to the committee months ago for a crosswalk from St. Joseph's school across Pleasant Street. The ordinance concerning all mid-block crosswalks did not contain all of the mid-blocks currently in use, therefore it has been re-organized and alphabetized and now includes the above-mentioned crossing. The committee voted unanimously to approve this ordinance and Alderman Jenkins so moved, seconded by Alderman Dawson. Alderman Jenkins moved, seconded by Alderman Rinehart to suspend the rules in order to vote on this ordinance at this meeting. On the roll call of yeas and nays to suspend the rules, Aldermen Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Jones, Boldt, Urban, Dawson, and Jenkins voted yea. The motion carried. On the roll call of yeas and nays to approve this ordinance, Aldermen Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Jones, Boldt, Urban, Dawson, and Jenkins voted yea. The ordinance was approved.

1ST READING

ORDINANCE #2002-48

AN ORDINANCE AMENDING CHAPTER 806 (ALCOHOLIC LIQUOR SALES) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderman Boldt, Community Development Vice-Chair, stated that the committee held a special meeting on August 19, 2002. The committee voted unanimously to approve this ordinance and Alderman Boldt so moved, seconded by Alderwoman Bender. This ordinance was automatically laid over to the next regular meeting.

1ST READING

ORDINANCE #2002-49

AN ORDINANCE GRANTING A VARIANCE TO CHAPTER 692, SECTION 692.01 (DISCHARGING FIREARMS AND OTHER WEAPONS) OF THE CITY OF FREEPORT, ILLINOIS

Alderman Dawson, Public Safety Chair, stated that the committee held a meeting on August 14, 2002. It was suggested by Alderman Gaulrapp to require a hunter to first harvest an antlerless deer before he/she can harvest an antlered deer. The committee voted unanimously to approve this ordinance and Alderman Dawson so moved, seconded by Alderwoman Bender. This ordinance was automatically laid over to the next regular meeting.

REPORT

The regular meeting of the Zoning Board of Appeals was held on Thursday, August 8, 2002, in the City Hall Building. At 6:30pm, a public hearing was held on a petition by James Bergagna, owner, and Gary Goodman, contract vendee. Petitioners are requesting a 3-foot side yard variance and a 25-foot rear yard variance, in order to allow construction of a garage for the property located at 703 West Avon Street, Freeport. Mr.

Goodman was present for the hearing, and the request meets all requirements of the City of Freeport Codified Ordinances. There were no objectors present. The Zoning Board reviewed a sketch and consulted a map for this request. In response to questions from Chairman Smith, Mr. Goodman stated the garage would be no higher than 10 feet. The Zoning Board unanimously recommends the request be granted.

Alderwoman Steele moved, seconded by Alderwoman Moore-Howard that this report be received and placed on file. The motion carried.

1ST READING

ORDINANCE #2002-50

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (VARIANCE, 703 W AVON ST)

Alderman Bolt, Community Development Vice-Chair, stated that the committee held a special meeting on August 19, 2002. The committee voted unanimously to concur with the Zoning Board of Appeals and Alderman Boldt so moved, seconded by Alderman Dawson. On the roll call of yeas and nays to approve this ordinance, Aldermen Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Jones, Boldt, Urban, Dawson, and Jenkins voted yea. The ordinance was approved.

REPORT

The regular meeting of the Zoning Board of Appeals was held on Thursday, August 8, 2002, in the City Hall Building. At 6:30pm, a public hearing was held on a petition by Daniel and Diane Nye, 1010 West Empire Street, Freeport, requesting a variance to Section 1268.07(d) of the City of Freeport Codified Ordinances, to allow construction of a garage 20-feet high, which is 5-feet higher than allowed. Mr. and Mrs. Nye were present for the hearing; and the request meets all requirements of the City of Freeport Codified Ordinances. There were no objectors present.

The Zoning Board unanimously recommends the request be approved.

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

1ST READING

ORDINANCE #2002-51

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (VARIANCE, 1010 W EMPIRE ST)

Alderman Bolt, Community Development Vice-Chair, stated that the committee held a special meeting on August 19, 2002. The committee voted unanimously to concur with the Zoning Board of Appeals and Alderman Boldt so moved, seconded by Alderman Dawson. On the roll call of yeas and nays to approve this ordinance, Aldermen Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Jones, Boldt, Urban, Dawson, and Jenkins voted yea. The ordinance was approved.

REPORT

The regular meeting of the Zoning Board of Appeals was held on Thursday, August 8, 2002, in the City Hall Building. At 6:30pm, a public hearing was held on a petition by Scott Arnold, 625 S Park Boulevard, 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 on the Harrison Street side of the property. Mr. Arnold was present for the hearing,

and the request meets all requirements of the Codified Ordinances. There were no objectors present.

The Zoning Board recommends that the request be denied.

Alderman Boldt moved, seconded by Alderwoman Steele that this report be received and placed on file.

REPORT

The regular meeting of the Freeport Planning Commission was held on Thursday, August 8, 2002 in the City Hall Building. At 7:30pm, a public hearing was held on a petition by Robert Hiester, 1073 S Arcade Avenue, Freeport, requesting a change of zoning from R-5, Two Family Residence District, to P-1, Professional Use District, for the property located at 1003 South Locust Avenue, Freeport. Mr. Hiester was present for the hearing, and the request meets all requirements of the City of Freeport Codified Ordinances. There were no objectors present. Commission members viewed photographs of the building, and a zoning map. They determined there is sufficient off-street parking.

The Planning Commission unanimously recommends the request be approved.

Alderwoman Steele moved, seconded by Alderwoman Moore-Howard that this report be received and placed on file.

1ST READING

ORDINANCE #2002-53

SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (AMENDMENT OF ZONING, 1003 S LOCUST AVE)

Alderman Boldt, Community Development Vice-Chair, stated that the committee held a special meeting on August 19, 2002. The committee voted unanimously to concur with the Planning Commission and Alderman Boldt so moved, seconded by Alderman Dawson. This ordinance was automatically laid over to the next regular meeting.

RESOLUTION #R-2002-49

RESOLUTION FOR THE AGREEMENT BETWEEN CITY OF FREEPORT AND ILLINOIS DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING FOR THE JANE ADDAMS TRAIL SECTION "B (TRAIL HEAD)

WHEREAS, the City of Freeport is entering into an agreement with the State of Illinois for construction and construction engineering for the Jane Addams Trail Section "B (Trail Head)." Also known as the Burgess site as Section 00-00133-01-BT; and

WHEREAS, this agreement has a cost sharing formula of 80% Federal and 20% Local Funds; and

WHEREAS, the City is the lead agency responsible for full payment of all bills due on this agreement; and

WHEREAS, IDOT will reimburse the City at the 80% level; and

WHEREAS, the City will utilize all funds available for this project and only use MFT funds when necessary.

NOW, THEREFORE, be it resolved by the City Council of the City of Freeport, Illinois that there is hereby appropriated the sum of ONE HUNDRED SEVENTY

THOUSAND DOLLARS (\$170,000), or so much thereof as may be necessary, from any money now or hereafter allotted to the City under the provisions of the Motor Fuel Tax Law, to pay its share of the cost of this portion of the improvement as provided in the agreement.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit a certified copy of this Resolution to the State of Illinois Department of Transportation, Division of Highways, District Engineer.

Alderman Jenkins, Public Works Chair, stated that the committee held a meeting on August 12, 2002. Public Works Director, Craig LeBaron presented a resolution for an agreement between IDOT and the City for construction at the Burgess site for Tutty Crossing. The total amount is \$570,000 and our local match is 20% or \$114,000 plus \$56,000 for "up front" engineering costs. This \$170,000 is to be covered by future monies coming from grants, and Gould. For the purpose of the agreement, IDOT requires a more specific source so the request was to approve the designation of MFT. (The wording on the agreement is "the Local Agency is indicating sufficient funds have been set aside"). The intent is not to use MFT and, if needed because of timing, to replenish MFT with the monies coming. The committee voted unanimously to adopt this resolution and Alderman Jenkins so moved, seconded by Alderman Urban. On the roll call of yeas and nays, Aldermen Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Jones, Boldt, Urban, Dawson, and Jenkins voted yea. The resolution was adopted.

RESOLUTION #R-2002-50

RESOLUTION TO APPROVE THE FREEPORT ALBERTUS AIRPORT FIXED BASE OPERATOR LEASE AND MANAGEMENT CONTRACT

WHEREAS, the City of Freeport owns a public airport commonly known as Freeport Albertus Municipal Airport which is located outside of the City's corporate boundaries; and

WHEREAS, the City's Airport Commission has recommended renewal of its contract with Darrell Janssen, as Manager of Freeport Albertus Municipal Airport's Fixed Base Operator Lease (FBO) and Management Contract, which Contract is attached hereto and marked as "Exhibit A"; and

WHEREAS, the Community Development Committee has reviewed and approved "Exhibit A", and feels it is in the best interests of the residents of this community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that it does hereby approve "Exhibit A" to this Resolution, and further that it does hereby authorize the Mayor and the City Clerk to execute these documents and any other documents that may be necessary, to implement "Exhibit A" and this Resolution.

BE IT FURTHER RESOLVED that the City Clerk shall transmit a certified copy of this Resolution with "Exhibit A" attached thereto, to Darrell Janssen, 209 South Chestnut, Shannon, IL 61078.

Alderman Boldt, Community Development Vice-Chair, stated that the committee held a special meeting on August 19, 2002. Community Development Director, Jeff Mikkelsen, discussed changes in the bonus structure of the new contract. The airport presentation from the last meeting of the City Council sorely justifies the changes and encourages growth in the future. The committee voted unanimously to adopt this resolution and Alderman Boldt so moved, seconded by Alderman Dawson. On the roll call of yeas and

nays, Aldermen Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Jones, Boldt, Urban, Dawson, and Jenkins voted yea. The resolution was adopted.

COMMITTEE REPORTS

PUBLIC WORKS

Alderman Jenkins, Chair, stated that the committee held a meeting on August 12, 2002. Pat Leitzen Fye joined the committee with a scaled down map showing all the proposed changes to downtown parking. After comparison to the original, larger map, the committee understood most of the color codes. Previous work on downtown parking has been done and some of the materials were made available to the committee. Public Works Director, Craig LeBaron, commented on the 1996 proposals presented by the Public works committee, which was not passed by council, after a public hearing. The committee will have a special meeting on Monday, August 26, 2002 at 6:30pm, in Council Chambers and then proceed to walk the downtown area and inspect the various changes. Much attention will be given to talking with as many downtown residents and business owners to insure these are the wishes of the majority. The committee appreciates all the hard work on the part of the Freeport Downtown Development Foundation, Downtown Parking Sub-committee, and will attempt to carry out as many of their desires and improvements as possible.

Park requests were submitted by: (1) Coles Confectionary. Steve and Candice Cole applied for two loading zones on Spring Street in front of their business. The address is 12 West Spring Street, across from Honeywell in the former Roy's Fountain location. The address is 12 W Spring, across from Honeywell in the former Roy's Fountain location. Because of the moratorium on these spaces, the request will be investigated at our special meeting on August 26, 2002. The problem reported is that Honeywell employees use up the spaces on the street, while the Honeywell lot is not full. The committee will consider a general loading zone in this location. (2) Country Insurance. This is a request for a commercial loading zone. The address is 106 West Douglas, (the Nall Building). Public Works Director, Craig LeBaron is going to check on ownership of the private parking lot at the Nall Building and the committee will also consider this parking request at the special meeting on August 26, 2002. (3) Randy Schulz, 1204 South Burchard. This is a request to add parking to one side of Burchard between Empire and the "creek" in Read Park. Public Works Director, Craig LeBaron, informed the committee that this section of Burchard is not wide enough for parking on either side and that is why there is none. This request was unanimously denied.

A request for a Yield Sign on Valleyview at Westwood was submitted by Susan Chung, 1730 Valleyview. There was some discussion, but the committee deferred action until the Police Department and Corporation Counsel look at the intersection.

Alderman Boldt introduced a draft ordinance. The existing ordinance (1068.11) deals with trees or shrubs overhanging public property, and remedies including notification to the owner and could result in the City Forester removing the nuisance as he sees necessary. The request is to add the word private to allow the City jurisdiction over private trees or shrubs, which are a nuisance to other private properties. After much discussion on the liabilities of the City entering private property and removing private trees or shrubs, there was not a consensus that this would help protect the health,

welfare, and safety of the citizens of Freeport. The committee decided to take no action to change the existing ordinance.

COMMUNITY DEVELOPMENT

Alderman Boldt, Vice-Chair, stated that the committee held a special meeting on August 19, 2002. Façade Grant Awards proposal was submitted to the committee for approval. The committee voted unanimously to approve the awards.

The redistricting map was discussed. The committee voted unanimously to approve the map.

FINANCE

Alderman Bush, Chair, stated that the committee held a meeting on August 13, 2002. City Clerk, Latacia Ishmon, expressed concerns on enforcing the ordinance regarding aldermen being docked for missing meetings. The ordinance is not clear on how it is to be enforced. It states that an alderperson can miss two meetings of a committee or council as a whole without an excuse. After some discussion, it was referred back to the clerk and Corporation Counsel to bring a rewritten ordinance to the next regular meeting of the Finance Committee.

Corporation Counsel, Sarah Griffin, presented the redistricting map with the new boundary lines. The boundary lines were drawn up according to the 2000 Census. It was divided into 21 precincts and equally divided between wards. Alderman Dawson will become an alderman at large until the next general election. The committee voted unanimously to approve the map.

Mayor Jim Gitz gave the committee a memo with updated information regarding the Finance Director search. He stated that resumes have already been received. He is also working with Corporation Counsel, the Human Resource Director to advertise in the newspaper, and IML. On the memo, he stated that he would process the final selection with approval from the council.

Alderman Bush, Chair, distributed a copy of a memo to Alderwoman Bender from Corporation Counsel, concerning bills payable. After some discussion, it was decided that presenting bills to the committee would take too long and also be overly cumbersome. The present code does not show that practice. The committee unanimously voted to change the city code to match with the procedures currently used to process payments. The committee members felt the need to allow the administration to do their jobs and not be micro-managed.

PUBLIC SAFETY

Alderman Dawson, Chair, stated that the committee held a meeting on August 14, 2002. There was discussion about purchasing a new or used vehicle for the Deputy Fire Chief. The current vehicle is a 1990 Chevy Wagon and has 86, 500 miles. It is showing its age and in the last year has been out of service often for repairs. Fire Chief, Jim Blackburn, is still checking for the best deals, new or used. Alderman Rinehart suggested giving this to the acting Finance Director, Duane Price, to send out for bids for the purchase of a new mini van. The committee voted unanimously in agreement to go out for these bids. Alderman Dawson announced that the next committee meeting would be September 11, 2002 at 6:00 pm, in City Council Chambers.

TECHNOLOGY

Alderman Gaulrapp, Chair, stated that the committee held a meeting on August 6, 2002. The committee reviewed the recent surveys completed by the city employees. The results were: (1) There needs to be an audit of the current hardware and software used by the city; (2) Additional training has been requested by a number of employees; (3) There needs to be a city owned laptop and projector purchased and shared by those that need to conduct presentations.

It was suggested that Mayor Gitz authorize that audit to completed by an intern.

Other items discussed were the lack of communication from outside attorney, John Lanpher on the Cable Franchise agreement, and the ongoing efforts of the Consortium.

These items would be presented to Mayor Gitz prior to the next Council meeting on August 19, 2002.

Alderman Gaulrapp announced that the next meeting would be September 10, 2002 at 6:30pm, in City Council Chambers.

DEPARTMENT HEAD REPORTS

Water & Sewer Director, Alice Orhtmann, announced that the Sump Pump and Backflow Seminars have been going well and that the next seminar would be August 29, 2002 at the Senior Center.

NEW BUSINESS

Alderman Gaulrapp stated that the city needs better software for accounting procedures. Alderman Gaulrapp also stated that he met with Economic Development Director, Bob Skurla, who will be sending bi-weekly reports to the council and also trying to attend council meetings in order to keep the council informed. He stated that committee minutes should not be received on the night of a council meeting. He recommended that the chairs distribute minutes 24 hours after their meetings. He also stated that he would like the council to have an opportunity to digest the mayor's report and make comments.

Alderman Rinehart stated that the groundbreaking ceremony for the new library was a success and he thanked everyone involved for making it a reality.

Alderwoman Bender stated that the annual Do the Right Party was held and 158 people attended. She thanked Don and Marsha Martin, the \$1,000 sponsors and businesses, and all the volunteers that assisted in the Do the Right Thing Program. She also announced that the Cameron Davis Benefit would be September 7, 2002. She thanked everyone, on behalf of the Davis Family, that has already donated.

Alderwoman Steele thanked the Public Works Committee for the crosswalk by St. Joseph's School.

Alderman Bush thanked Carla Jones for being the MC and everyone else that volunteered at the Back to School Celebration. He encouraged the public to support Cameron Davis on September 7, 2002.

Alderman Moore-Howard thanked all the sponsors of the Back to School Celebration. She stated that she hopes that in the next years, more sponsors would get on board.

Alderman Goley stated that he has received complaints regarding the four loading zones on the corner of Chicago.

Alderman Jones stated that she is glad to be back, she has been traveling and taking care of her business. She welcomed Police Chief, Jerry Whitmore. She also stated that the Back to School Celebration is a citywide function and encouraged everyone to get involved in the future. She also encouraged the public to attend the benefit for Cameron Davis on September 7, 2002.

Alderman Boldt thanked Alderman Jenkins for handling the concerns with a stop sign at American and Burchard. He asked if the city needed input from the Park District. He stated that something should be done regarding that intersection. He also stated that the library groundbreaking ceremony was a wonderful event and the vocalist was fantastic.

Alderman Urban thanked everyone that attending the library groundbreaking ceremony. He also agreed with Alderman Boldt, regarding safety issues at the intersection of American and Burchard. He welcomed the new downtown director.

Alderman Dawson stated that he has a title, alderman at-large, and he is going to be a new grandpa.

Alderman Jenkins thanked all that helped circulate petitions. He stated that 725 signatures were received. He stated he hopes that everyone fully understands what they are voting for before the next election.

Mayor Gitz stated that the groundbreaking ceremony for the new library was pleasant. He stated that the VanBuren Street Bridge repairs are underway. A plan is being enacted to make the bridge much safer. He stated he would like further public hearings on the storm water fees.

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

LATACIA M. ISHMON, CITY CLERK