

CITY OF FREEPORT, ILLINOIS
TUESDAY EVENING
CITY COUNCIL MEETING
SEPTEMBER 3, 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 Rinehart, Bender, Steele, Moore-Howard, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, and Gaulrapp. Alderman Bush entered the meeting 7:05pm.

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 19, 2002, were presented for approval. Alderwoman Bender moved, seconded by Alderwoman Bender the approval of the minutes. The motion carried.

CONSENT AGENDA

- A. Approval to Receive and Place on File:
 - 1. Community Development Cash Receipts, August 2002
 - 2. Community Development Building Permits, August 2002
- B. Approval of Water & Sewer Disbursements for August 2002 - \$241,745.46
- C. Approval of Bills Payable for August 2002
- D. Approval of Payroll for Pay Period August 12, 2002 to August 24,2002 - \$294,624.49

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

PRESENTATION

Devin Moose, from Envirogen updated the council on the progress of the transfer station.

2nd READING

ORDINANCE #2002-51

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

This ordinance was automatically laid over from the meeting of August 19, 2002 when it was moved by Alderman Boldt, seconded by Alderwoman Bender for approval. On the roll call of yeas and nays to approve this ordinance, Aldermen Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Jones, Boldt, Urban, Dawson, and Jenkins voted yea. The ordinance was approved.

2nd READING

ORDINANCE #2002-52

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

This ordinance was automatically laid over from the meeting of August 19, 2002, when it was moved by Alderman Dawson, seconded by Alderwoman Bender for approval. On the roll call of yeas and nays to approve this ordinance, Aldermen Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, and Gaulrapp voted yea. The ordinance was approved.

2nd READING

ORDINANCE #2002-56

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

This ordinance was automatically laid over from the meeting of August 19, 2002, when it was moved by Alderman Boldt, seconded by Alderman Dawson for approval. On the roll call of yeas and nays to approve this ordinance, Alderman Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, and Gaulrapp voted yea. The ordinance was approved.

APPOINTMENT

Effective immediately, James L. Gitz, hereby appoints Vicki Toepfer as an Alderman for the 4th Ward for the City of Freeport. Ms. Toepfer will fill the vacancy created by the resignation of Pat Leitzen Fye. On the roll call of yeas and nays to approve this appointment, Aldermen Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Veer, Jones, Boldt, Urban, Dawson, Jenkins, and Gaulrapp voted yea. The appointment was approved.

SWEARING IN

City Clerk, Latacia Ishmon, swore in Vicki Toepfer, who then took her seat.

1st READING

ORDINANCE #2002-57

AN ORDINANCE AMENDING CHAPTER 891 (TELECOMMUNICATIONS INFRASTRUCTURE MAINTENANCE FEE) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS BY REPEALING AND REPLACING CHAPTER 891 WITH A NEW CHAPTER 891 (SIMPLIFIED MUNICIPAL TELECOMMUNICATIONS TAX)

Alderman Bush, Finance Chair, stated that the committee held a special meeting on September 3, 2002. City Accountant, Duane Price, explained the Simplified Municipal Tax to the committee. The current rate is 1% and the proposal to increase the tax to the maximum of 6%. Increasing the tax to 6% would bring in one millions dollars in revenue. This tax is for home and mobile phones and pagers. The increase has to be approved by September 30, 2002, in order to take affect on January 1, 2003. The committee members expressed concerns regarding the limited time to make a decision. Alderman Bush stated that he understands that the city needs revenues and that we would like to look at a revenue package at the next committee meeting. Alderwoman Steele stated that the public would need to be educated on the tax and how important it is to maintain service to the people. The committee voted unanimously to adopt this ordinance and

Alderman Bush so moved, seconded by Alderman Jenkins. This ordinance was automatically laid over to the next regular meeting.

RESOLUTION #R-2002-51

RESOLUTION TO AMEND A TAX INCREMENT FINANCING DISTRICT FUND EXENDITURE PLAN

WHEREAS, on September 4, 1994, the City Council of the City of Freeport approved Ordinances 94-64, 94-65, and 94-66, pursuant to 65 ILCS 5/74.4-1 creating a Tax Increment Redevelopment Area (TIF) and designating a Downtown Area TIF Redevelopment Plan and Project, and whereas in September of 2001 a Tax Increment Financing District Fund Expenditure Plan was approved by this Council; and

WHEREAS, under such plan incremental increases in taxes due to redevelopment are accumulated in a special fund for use in accordance with the goals and objectives of that plan; and

WHEREAS, the City Council's Community Development Committee and the City Council's Finance Committee have reviewed and recommended the attached amendment to the "Tax Increment Financing District Fund Expenditure Plan" in order that such special fund be allocated for expenditure in accordance with the State law and in accordance with the City Redevelopment Plan; and

WHEREAS, this City Council finds that its approval of the amended "Tax Increment Financing District Fund Expenditure Plan" is in the best interests of all citizens in this community.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that the document attached hereto and made a part hereof as Exhibit A, captioned the "Tax Increment Financing District Fund Expenditure Plan", is hereby adopted and approved; and the Mayor, the Finance Director, and any other City employee or official as may be deemed appropriate, are hereby authorized to implement this "Tax Increment Financing District Fund Expenditure Plan" and any other documents as may be necessary or appropriate so as to effectuate the intent of this Resolution.

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.

The Tax Increment Financing District Fund Expenditure Plan is available for review in the City Clerk's Office during normal business hours.

Alderman Bush, Finance Chair, stated that committee held a special meeting on September 3, 2002. The city must earmark all TIF funds. Currently the city has \$314,580 in the fund. The committee voted to approve this resolution and Alderman Bush so moved, seconded by Alderman Urban. Alderwoman Steele, Community Development Chair, stated that the committee held a special meeting on September 3, 2002. The committee voted unanimously to adopt the resolution as amended. Alderwoman Steele moved, seconded by Alderman Dawson that the resolution be amended as follows: (1) To move \$35,000 from item #6 to item #2. This \$35,000 is intended for debt service to offset the time frame in which the city will not be receiving increments from the project. The motion carried. (2) Adding with the downtown Arts Center feasibility study not to exceed \$16,000 without prior consent of the City Counsel. Alderwoman Steele moved, seconded by Alderman Dawson to accept this amendment. On the roll call of yeas and nays to adopt this resolution as amended, Aldermen

Rinehart, Bender, Steele, Bush, Moore-Howard, Toepfer, Veer, Boldt, Urban, Dawson, Jenkins, and Gaulrapp voted yea. Aldermen Goley and Jones abstained. There were twelve yeas and two abstentions. The resolution was adopted.

RESOLUTION #R-2002-52

SUPPLEMENTAL RESOLUTION FOR THE AGREEMENT BETWEEN CITY OF FREEPORT AND ILLINOIS DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS OF US BUSINESS 20 AND PARK BOULEVARD (M.F.T SEC. 98-00127-00-TL)

WHEREAS, the City of Freeport entered into an agreement with the State of Illinois for Improvements of US Business 20 and Park Boulevard as Section 98-00127-00-TL; and

WHEREAS, this agreement had an estimated amount of \$9,200 as the city's share of the overall construction costs; and

WHEREAS, a final bill in the amount of \$10,953.57 has been submitted to the City by IDOT; and

WHEREAS, the previous resolution for this project stated that a supplemental resolution would be provided if the costs were above the \$10,000 original resolution; and

WHEREAS, an additional \$953.57 is owed to the State for the operations described above.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that there is hereby appropriated the additional sum of NINE HUNDRED FIFTY THREE AND 57/100 DOLLARS (\$953.57), 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 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 special meeting on August 26, 2002. 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 Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, and Gaulrapp voted yea. The resolution was adopted.

RESOLUTION #R-2002-53

SUPPLEMENTAL RESOLUTION FOR THE AGREEMENT BETWEEN CITY OF FREEPORT AND ILLINOIS DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS ON F.A.P. ROUTE 5 (US 20BR) GALENA AVENUE (M.F.T SEC. 99-00131-00-TL)

WHEREAS, the City of Freeport entered into an agreement with the State of Illinois for Improvements of US Business 20 and Park Boulevard as Section 99-00131-00-TL; and

WHEREAS, this agreement had an estimated amount of \$24,840.00 as the city's share of the overall construction costs; and

WHEREAS, an initial bill in the amount of \$24,574.46 has been approved and paid; and

WHEREAS, a final bill in the amount of \$4,013.94 has been submitted to the City by IDOT; and

WHEREAS, the previous resolution for this project stated that a supplemental resolution would be provided if the costs were above the \$25,000 original resolution; and
WHEREAS, an additional \$3,588.40 is owed to the State for the operations described above.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that there is hereby appropriated the additional sum of THREE THOUSAND FIVE HUNDRED EIGHTY EIGHT AND 40/100 DOLLARS (\$3,588.40), 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 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 special meeting on August 26, 2002. 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 Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, and Gaulrapp voted yea. The resolution was adopted.

RESOLUTION #R-2002-54

RESOLUTION REGARDING MOSQUITO ABATEMENT DISTRICT

WHEREAS, the Stephenson County Department of Public Health has obtained a grant in order to assist with the abatement of mosquitoes; and

WHEREAS, the abatement of mosquitoes is our first line of defense against West Nile Virus; and

WHEREAS, the City recognizes that even with the assistance of grant funding, the County Health Department may run short on funding for mosquito abatement;

WHEREAS, the City is desirous of ensuring the highest and best level of public health within our community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that the City of Freeport hereby commits that should the grant funding obtained by the Stephenson County Health Department prove insufficient in the abatement of this season's mosquito population, and the Stephenson County Health Department is in need of additional funding for this purpose, the City will match any other local funding source, up to an amount of \$10,000.00 and encourages other local governmental entities to do the same.

Alderman Bender moved, seconded by Alderman Dawson that this resolution be adopted. On the roll call of yeas and nays, Aldermen Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, and Gaulrapp voted yea. The resolution was adopted.

COMMITTEE REPORTS

PUBLIC SAFETY

Alderman Dawson, Chair, stated that the next meeting would be September 11, 2002, at 6:00pm, in City Council Chambers.

FINANCE

Alderman Bush, Chair, stated that the next meeting would be September 10, 2002, at 5:00pm, in City Council Chambers.

COMMUNITY DEVELOPMENT

Alderman Steele, Chair, stated that the committee held a special meeting on September 3, 2002. The committee heard a presentation from Envirogen. The committee voted unanimously to send out RFPs for the Transfer Station and Alderman Steele so moved, seconded by Alderman Dawson. On the roll call of yeas and nays, Aldermen Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, Toepfer, Veer, Jones, Boldt, Urban, Dawson, Jenkins, and Gaulrapp voted yea. The motion carried. She stated that the next meeting would be September 12, 2002, at 5:00pm, in City Council Chambers.

TECHNOLOGY

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

DEPARTMENT HEAD REPORTS

Water & Sewer Director, Alice Orhtmann, discussed Sanitary and Storm Water Issues and announced the department's 10-point plan. The council then addressed any issues they had.

NEW BUSINESS

Alderman Rinehart stated that he hopes the council moves quickly on the storm sewer issue and wished everyone an enjoyable Labor Day.

Alderman Bender announced the details of the benefit for Cameron Davis on September 7, 2002. She also requested that the council members be notified of any press conferences that are held in the city.

Alderman Steele also stated that she would like if the council members could receive phone calls for any press conferences. She thanked Duane Price for the explanations on the bills payable. She stated that it is very helpful. She also stated that there is a 3-D model of the All Veteran's Park and thanked the artist. She announced that the next meeting for the All Veteran's Park would be September 23, 2002.

Alderman Bush stated that the 3rd ward is very upset because this ward has had water problems for a long period of time and nothing was ever done about it. Now that the water has come into other wards, work is being done. He stated he is very frustrated.

Alderman Goley welcomed Alderman Toefer to the council. He stated that he looks forward to working with her.

Alderman Veer welcomed Alderman Toepfer to the council.

Alderman Jones welcomed Alderman Toepfer to the council.

Alderman Boldt asked when would the parking spaces at Yellow Creek Court be painted.

Alderman Urban welcomed Alderwoman Toepfer to the council.

Alderman Dawson stated that people cannot sell their homes because of water problems. Alderman Dawson suggested that the city find out what the problems are with the sewer system and fix it. He stated that he does not believe that a \$2 increase will fix the problem.

Alderman Jenkins welcomed Alderwoman Toefer to the council. He thanked everyone that supported the petition he passed around. He stated that he expected to be attacked and apologized to the council for the attacks being made on their characters.

Alderman Gaulrapp stated that the city should look into the Indian Springs area. He stated that he found out there have been 26-27 accidents this year. He also welcomed Alderwoman Toepfer to the council. He stated that the tax package has been around since June and that the council needs to be informed and respected in order to act upon issues.

Mayor Gitz stated that he appreciates all the work that the Water & Sewer Department has been doing. He also thanked the Water & Sewer Commissioner, Larry Timms for showing concern by attending the meeting. He announced that the agreement with IEPA for Brownfield is near completion and the city is on target to get the project off to construction.

PUBLIC COMMENTS

Frank Truman and Jeff Kanas expressed their concerns regarding sewage in their basements.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 9:05 p.m.

LATACIA M. ISHMON, CITY CLERK