

**CITY OF FREEPORT, ILLINOIS**  
**MONDAY EVENING**  
**CITY COUNCIL MEETING**  
**DECEMBER 16, 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 Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, and Toepfer.

**PLEDGE OF ALLEGIANCE**

At this time, the Pledge of Allegiance was led by Alderwoman Veer.

**PRESENTATION**

Captain David Bump, from the Salvation Armed, thanked all the city administration that rang bells for the Salvation Army on November 28, 2002. The city raised \$481.44. He gave Alderwoman Bender lapel pens to distribute to all who volunteered.

**HONORARY RESOLUTION #R-2002-73**

**RESOLUTION TO RECOGNIZE COUNTY BOARD MEMBER BOYD BOYER FOR HIS DEDICATION AND SERVICE TO THE PEOPLE OF FREEPORT AND STEPHENSON COUNTY**

**WHEREAS**, Boyd Boyer has been a member of the Stephenson County Board since 1989 and Chairman of the County Board since 1998; and

**WHEREAS**, Chairman Boyer was a hard working member of the Finance, Public Works, and Planning & Development committees and later served as the Chairman of the Finance and the Planning and Development Committee during his tenure on the Board; and

**WHEREAS**, Chairman Boyer strongly supported the new comprehensive land use plan and was instrumental in the completion of such projects as the new jail, construction of the new highway and health department buildings, the remodeling work at Blackhawk Monument, restoration of the Civil War Monument, and the completion of the first segment of the Jane Addams Trail; and

**WHEREAS**, Chairman Boyer fostered inter-governmental cooperation and sought to improve inter-governmental relations throughout the region

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that we hereby honor Boyd Boyer for his service to the people of Freeport and Stephenson County and extend our appreciation and best wishes to Mr. Boyer and his family for their continued success and happiness. They are deserving of our thank you for their decades of service.

**HONORARY RESOLUTION #R-2002-74**

**RESOLUTION TO RECOGNIZE COUNTY BOARD MEMBER MARK B. MCLEROY FOR HIS DEDICATION AND SERVICE TO THE PEOPLE OF FREEPORT AND STEPHENSON COUNTY**

**WHEREAS**, Mark B. McLeRoy has been a member of the Stephenson County Board since 1990, and served as Mayor of Freeport from 1969 to 1989, and further served the people of Freeport as Alderman of the 7<sup>th</sup> Ward from 1961 to 1969; and

**WHEREAS**, Mark B. McLeRoy was a hard working member of the County Board Administration and Public Property committee and Finance Committee during his tenure on the Board, and served as Chairman of the Finance Committee during his most recent term; and

**WHEREAS**, Mark B. McLeRoy was renowned for careful study of policy and budgetary issues in the deliberative process, always seeking to fully understand their complexities prior to making decisions; and

**WHEREAS**, Mark B. McLeRoy's accomplishments include the creation of the City landfill, construction of the current City Police Department building, construction of a new Fire Station, construction of the new County jail, construction of a new County Highway Department building and the new Public Health building, and support for the Jane Addams Trail, to name but a few projects which have been completed during his service; and

**WHEREAS**, the people of Freeport have benefited from Mr. McLeRoy's life long service, dedication and commitment to the people of the City of Freeport and Stephenson County.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that we hereby honor Mark B. McLeRoy for his service to the people of Freeport and Stephenson County and extend our best wishes to Mr. McLeRoy and his family for their continued health and success. They are deserving of our thank you for their decades of service.

Alderman Jenkins moved approval, seconded by Alderman Dawson for both Resolutions, honoring Boyd Boyer and Mark McLeRoy. The motion carried.

**APPROVAL OF MINUTES**

The Journal of the Minutes of the regular meeting held on December 2, 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. City Planning Commission Report
  - 2. Police Department Activities for November 2002
  - 3. Fire Department Activities for November 2002
  - 4. Zoning Board of Appeals Report
- B. Approval of Water & Sewer Disbursements for November 2002 - \$192,881.59
- C. Approval of Bills Payable for November 2002 – \$734,231.35
- D. Approval of Payroll for Pay Period November 17-30, 2002 - \$294,254.93
- E. Ordinance #2002-80: Variance, 1387 Lynn Street, Freeport, IL

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

**2<sup>nd</sup> READING**

**ORDINANCE #2002-72**

**AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2002, AND ENDING APRIL 30, 2003, FOR THE CITY OF FREEPORT, COUNTY OF STEPHENSON, AND STATE OF ILLINOIS**

This ordinance was laid over from the meeting of December 2, 2002, when it was moved by Alderman Bush, seconded by Alderman Goley for approval. On the roll call of yeas and nays, Aldermen Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, and Toepfer voted yea. The ordinance was approved.

**1<sup>ST</sup> READING**

**ORDINANCE #2002-73**

**AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2002, AND ENDING APRIL 30, 2003, FOR THE PUBLIC LIBRARY OF THE CITY OF FREEPORT, COUNTY OF STEPHENSON, AND STATE OF ILLINOIS**

Alderman Bush, Finance Chair, stated that the committee held a meeting on December 10, 2002. Frank Novak presented the Library Tax Levy to the committee with a 2% increase from last year. The committee expressed their frustration at having received the levy at the last minute since the levy has to be approved before the last Tuesday in December. First reading of this ordinance will have to be waived and come directly to vote without second reading, unless a special council meeting is called before the end of the year. After discussion by the members of the committee and an agreement from Frank Novak that the library would present next year's tax levy to the Finance Committee in their first meeting in November 2002, the committee voted unanimously to approve the levy and Alderman Bush so moved, seconded by Alderwoman Steele. Alderman Bush moved, seconded by Alderman Jenkins 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 Veer, Jones, Boldt, Urban, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Hoard, and Toepfer voted yea. Aldermen Dawson and Goley voted nay. There were twelve yeas and two nays. The motion carried. There was leave requested and granted to hear from Library Director, Frank Novak and City Accountant, Duane Price. Frank Novak explained the reasons for the lateness of the levy and Duane Price explained the health care figures for the library. On the roll call of yeas and nays to approve this ordinance, Aldermen Veer, Jones, Boldt, Urban, Dawson, Jenkins, Rinehart, Steele, Bush, Moore-Howard, Goley, and Toepfer voted yea. Aldermen Gaulrapp and Bender voted nay. The ordinance was approved.

**1<sup>ST</sup> READING**

**ORDINANCE #2002-74**

**AN ORDINANCE AMENDING CHAPTER 288 (OFFICERS AND EMPLOYEES GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS**

Alderman Bush, Finance Chair, stated that the committee held a meeting on December 10, 2002. Human Resource Director, Roberta Rogers proposed an ordinance change to Section 288.19 to equalize the premium rates for the new healthcare plan for both fire fighter union members and non-bargaining employees. The committee voted unanimously to approve this ordinance and Alderman Bush so moved, seconded by Alderwoman Steele. This ordinance was automatically laid over to the next regular meeting.

**1<sup>ST</sup> READING**

**ORDINANCE #2002-75**

**AN ORDINANCE REPEALING AND REPLACING SECTION 220.11 (COUNCIL AND COMMITTEES) OF CHAPTER 220 (COUNCIL) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT**

Alderman Bush, Executive Committee Chair, stated that this ordinance was previously discussed in a meeting held on November 21, 2002. The committee voted unanimously to approve this ordinance and Alderman Bush so moved, seconded by Alderwoman Steele. This ordinance was automatically laid over to the next regular meeting.

**1<sup>ST</sup> READING**

**ORDINANCE #2002-76**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$550,000 GENERAL OBLIGATION (LIMITED TAX) NTOES, SERIES 2002, TO FINANCE REDEVELOPMENT PROJECT COSTS FOR THE CITY OF FREEPORT, STEPHENSON COUNTY, ILLINOIS, AND PROVIDING THE DETAILS OF SUCH NOTES, AND RELATED MATTERS**

Alderman Bush, Finance Chair, stated that the committee held a meeting on December 10, 2002. Corporation Counsel, Sarah Griffin distributed an agreement recommended by the bond lawyer on the loan for the Rawleigh building. A special Finance Committee meeting will be held on Monday, December 16, 2002 at 6:15 pm for further action.

Alderman Bush stated that the committee held a special meeting on December 16, 2002. City Accountant, Duane Price and Corporation Counsel, Sarah Griffin explained to the committee that agreement for the loan from Fifth-Third Bank, which is for \$550,000 for 184 days at 1.9%. This loan will be tax-exempt. The committee voted unanimously to approve this ordinance and Alderman Bush so moved, seconded by Alderman Jenkins. This ordinance was automatically laid over to the next regular meeting.

**REPORT**

The regular meeting of the Freeport Planning Commission was held on Thursday, December 5, 2002, in the City Hall Building. A public hearing was held on a petition by Owner of Record, Freeport, owner, and Kevin Kadlec, 8350 Highway H, Eagle River, WI, contract vendee. Petitioners are requesting a Special Use Permit under Section 1250.07(b) of the City of Freeport Codified Ordinances; to allow a large residential home for the property located at 227 East Washington Street, Freeport. This request had been laid over from the meeting of November 7, 2002. Mr. Kadlec was present for the hearing, and the request meets all requirements of the Codified Ordinances. There were no objectors present. Mr. Kadlec briefly explained the use is the same as previous petitions for Willow Glen Academy. The Planning Commission unanimously recommends the request be granted.

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

**1<sup>ST</sup> READING**

**ORDINANCE #2002-77**

**SPECIAL ORDINANCE FOR VARIATION, PERMIT, OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (SPECIAL USE PERMIT, 227 E WASHINGTON ST)**

Alderwoman Steele, Community Development Chair, stated that the committee held a meeting on December 12, 2002. This is a special use permit to allow a large residential care home. This is a Willow Glen house to be built at a location where an old house will be demolished. The residence will house six residents. No objectors were present and the Planning Commission approved unanimously. Alderwoman Steele moved, seconded by Alderwoman Veer to concur with the Planning Commission. On the roll call of yeas and nays, Aldermen Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, and Toepfer voted yea. The ordinance was approved.

**1<sup>ST</sup> READING**

**ORDINANCE #2002-78**

**HISTORIC PRESERVATION ORDINANCE OF THE CITY OF FREEPORT, ILLINOIS**

Alderwoman Steele, Community Development Chair, stated that the committee held a meeting on December 12, 2002. Laurel Bergren and partner made a presentation of the Historical District and Preservation Commission. An ordinance was presented with guidelines for historical district occupants. Fifty-one percent (51%) of the property owners need to petition for historical district status before it can be approved by the state. The City Council approved an Adhoc Committee to review the ordinance. The Adhoc committee unanimously approved this ordinance. The Community Development Committee wanted time to review the ordinance before approval. The committee voted unanimously that this ordinance be laid over until a special meeting on December 16, 2002.

Alderwoman Steele stated that the committee held a special meeting on December 16, 2002. The committee voted unanimously to approve this ordinance and Alderwoman Steele so moved, seconded by Alderwoman Moore-Howard. This ordinance was automatically laid over to the next regular meeting.

**1<sup>ST</sup> READING**

**ORDINANCE #2002-79**

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 480 (PARKING GENERALLY) AND CERTAIN SECTIONS OF CHAPTER 484 (LOADING ZONES; BUS AND TAXICAB STANDS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT**

Alderman Jenkins, Public Works Chair, stated that the committee held a meeting on December 9, 2002. Public Works Director, Craig LeBaron and Corporation Counsel completed the ordinance and resolution for the downtown parking changes. The committee reviewed both for correctness and for typos. The committee found them both to be as previously discussed. The committee voted unanimously to approve this ordinance and Alderman Jenkins so moved, seconded by Alderman Urban. This ordinance was automatically laid over to the next regular meeting.

**REPORT**

The regular meeting of the Freeport Planning Commission was held on Thursday, December 5, 2002, in the City Hall Building. A public hearing was held a petition by S.J.E., Inc., an Illinois Corporation, c/o Jeffrey Wagner, 115 N. Bailey Avenue, Freeport, requesting approval of a Preliminary Plat for 1030 West Galena Avenue, Freeport. Present representing the owner was Colby Smith of Gastel & Associates. The request meets all requirements of the City of Freeport Codified Ordinances. Mr. Smith explained the subdivision and easements. Ken Brierre, Freeport Housing Authority, an adjacent

property owner, observed this would increase traffic between the car wash and the Housing Authority, and there is a gap between the existing shrubbery and fence. The commission voted unanimously to approve the request with a condition that screening or fencing is placed on the west property line to close the gap between the shrubbery and existing fence.

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

**RESOLUTION #R-2002-75**  
**RESOLUTION TO APPROVE THE PRELIMINARY PLAT FOR S.J.E PLAZA**  
**SUBDIVISION**

**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 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 December 5, 2002, and subsequent to a public hearing, the Freeport Planning Commission by a majority vote recommended that this City Council approve the Preliminary Plat for S.J.E. Plaza Subdivision, which is located within the corporate limits of the City of Freeport, Illinois, and approval is under the jurisdiction of the Freeport Planning Commission.

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

**Section 1:** That the Preliminary Plat for S.J.E. Plaza Subdivision, a copy of which is attached hereto and made part hereof and marked as "Exhibit A", is hereby accepted with the following conditions:

That screening or fencing be placed on the west property line to close the gap between the shrubbery and existing fence.

**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.

Alderwoman Steele, Community Development Chair, stated that the committee held a meeting on December 12, 2002. Kolby Smith, from Gastel & Associates, was present to answer any questions. This plat creates two lots out of one existing lot. The Planning Commission approved with the condition that some sort of screening is placed

between the car wash and the Housing Authority (west side). The smaller lot is to be a Subway Restaurant. The committee voted unanimously to concur with the Planning Commission and Alderwoman Steele so moved, seconded by Alderwoman Veer. On the roll call of yeas and nays, Aldermen Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, and Toepfer voted yea. The resolution was adopted.

**RESOLUTION #R-2002-76**

**RESOLUTION TO APPROVE CONCEPT OF REDEVELOPMENT AGREEMENT IN RELATION TO EXPANSION AND RENOVATION OF STEPHENSON HOTEL**

**WHEREAS**, the Stephenson Hotel is located within the downtown TIF District which was created in 1994; and

**WHEREAS**, the owner of the Stephenson Hotel proposes a renovation and expansion project for the hotel which would include a banquet facility and convention center; and

**WHEREAS**, the City Council of the City of Freeport believes that it is worthwhile to promote tourism as a means of economic stimulation; and

**WHEREAS**, the City Council of the City of Freeport is willing to commit funding to this project if it can be demonstrably supported through the tax increment created from the project itself.

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

**Section 1.** The City Council conceptually approves of the Stephenson Hotel TIF project.

**Section 2.** It is intended that at such time as the City Council is satisfied that the project demonstrates an incremental tax increase sufficient to support a Redevelopment Agreement with the Developer that such agreement will be looked upon favorably by this Council to the extent of financing so demonstrated.

**Section 3.** It is intended that the City costs attendant to a Redevelopment Agreement with the Developer shall be built into and recoverable through the agreement itself.

**Section 4.** If any section, paragraph, clause or provisions of the Resolution shall be held invalid, said invalidity shall not affect any other provision of this Resolution.

**Section 5.** This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law. The City Clerk is directed to publish this Resolution in a newspaper of general circulation within the City.

Alderwoman Steele, Community Development Chair, stated that the committee held a meeting on December 12, 2002. Doug Winter and Marty Vanags, FDD Director, made a presentation regarding the proposed remodeling of the Stephenson Hotel. Letters of support from Robert Skurla and Mayor Gitz were part of the package. Doug Winter, the developer, is requesting TIF funding in the amount of \$1,765,000 for a total project value of \$5,005,000. The owner's investment is \$1,000,000. This resolution is to show support of a future proposal for TIF funds. This resolution does not commit any funds to the project, but only shows support from the City of Freeport. A proposal for money will be presented in the future. The committee voted unanimously to adopt this resolution and Alderwoman Steele so moved, seconded Alderwoman Veer. There was leave granted and requested to hear from Bob Skurla and Mary Vanags. Both answered all questions from the council. Alderwoman Bender moved, seconded by Alderman Gaulrapp to refer this resolution back to committee. Alderman Boldt suggested that this resolution be laid over pending a presentation to the council before the next meeting.

Alderman Bender then withdrew her motion. Alderman Goley moved, seconded by Alderman Boldt that this resolution be laid over. The motion carried.

**RESOLUTION #R-2002-78**

**RESOLUTION TO REQUEST GOVERNOR RYAN TO AFFIRM THE DEATH SENTENCE OF WILLIAM KEENE**

**WHEREAS**, Governor Ryan recently announced that he and the Prisoner Review Board are reviewing the cases of death row inmates to determine if their sentences should be commuted; and

**WHEREAS**, our community understands Governor Ryan's desire to make sure no innocent person is wrongfully put to death, but we believe this principle should only apply to cases where there is convincing evidence of error; and

**WHEREAS**, Bob Peters, Sr. was brutally murdered in Freeport on November 12, 1992 and a competent jury determined that William Keene was guilty beyond a reasonable doubt and should be sentenced to death for that crime; and

**WHEREAS**, no evidence has surfaced to cast doubt on the legitimacy of the jury's verdict or the appropriateness of the sentence; and

**WHEREAS**, Bob Peters' children, Rebecca and Bob, Jr., have attended a meeting with Governor Ryan to urge that William Keene's sentence be upheld; and

**WHEREAS**, the Peters family is entitled to closure, having endured years of emotional anguish and lengthy court proceedings,

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that we strongly urge Governor George Ryan to uphold the death sentence of William Keene for the murder of Bob Peters, Sr. and *not* to commute William Keene's sentence to life imprisonment or a lesser sentence.

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

**RESOLUTION #R-2002-79**

**RESOLUTION AUTHORIZING THE EXECUTION OF THE AFLAC FLEXIBLE SPENDING ACCOUNT ADMINISTRATION REIMBURSEMENT SERVICES AGREEMENT**

**WHEREAS**, pursuant to Resolution No. R-95-12 passed by this City Council on July 7, 1995, the City of Freeport established a Flexible Spending Plan to provide for its employees' financial security in accordance with Section 125 of the Internal Revenue Code of 1986; and

**WHEREAS**, the City Council of the City of Freeport, finds it to be in the best interest of the municipality to continue having AFLAC provide the administration of its expense reimbursement plans; and

**WHEREAS**, the City Council of the City of Freeport, finds it to be in the best interest of the municipality to pay the service fee of \$2.00 per participant per month out of the City's established maintenance account(~~\$5,097~~).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that it does hereby authorize the Mayor to execute Attachment A ~~4~~; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately upon its passage and approval.



**BE IT FURTHER RESOLVED** that the City Clerk be directed to send a certified copy of this resolution and the original signed Reimbursement Services Agreement to AFLAC FLEX ONE for implementation.

**BE IT FURTHER RESOLVED** 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.

**BE IT FURTHER RESOLVED** all Resolutions or motions in conflict with this Resolution are repealed insofar as they conflict.

**BE IT FURTHER RESOLVED** 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 Bush, Finance Chair, stated that the committee held a meeting on December 10, 2002. Human Resource Director, Roberta Rogers, requested that the city renew its Reimbursement Services Agreement with AFLAC to administer its cafeteria/flexible spending account program. In the past, there has been no service fee. This year, the fee was set at \$4.00 per participant per month, but was negotiated down to \$2.00 per participant per month after outlining further options with a local vendor at a reduced cost without setup fees.

The fees will be paid out of the city's AFLAC account set up at the beginning of the program, which holds money that had not been spent by past years' participants. The account has approximately \$12,000, which has significant limitations on how it can be used. After some discussion, the committee voted unanimously to renew its Reimbursement Agreement with AFLAC and Alderman Bush so moved, seconded by Alderman Goley. On the roll call of yeas and nays, Aldermen Veer, Jones, Boldt, Urban, Dawson, Jenkins, Gaulrapp, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, and Toepfer voted yea. The resolution was adopted.

**RESOLUTION #R-2002-80**

**RESOLUTION TO AUTHORIZE LOAN TO FREEPORT AREA ECONOMIC DEVELOPMENT FOUNDATION**

**WHEREAS**, on October 31, 2000, the Freeport Area Economic Development Foundation ("FAEDF") entered into an agreement for deed with Paul Bamberg for the purchase of property in association with the Newell expansion and the accompanying industrial park; and

**WHEREAS**, as part of that agreement for deed the FAEDF agreed to pay Mr. Bamberg \$120,000.00 by November 1, 2001 for certain property in connection with that project; and

**WHEREAS**, the FAEDF did not have such funds readily available and was in need of a loan for such amount; and

**WHEREAS**, the City of Freeport granted a loan to the FAEDF until November 1, 2002 for such purpose; and

**WHEREAS**, the FAEDF is not in a position to repay the loan at this time and has requested an extension.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that James L. Gitz, Mayor of the City of Freeport is hereby authorized to sign all loan forms and documents to extend the loan in the amount of \$120,000.00 to the FAEDF until April 30, 2004, such loan not to bear interest.

**BE IT FURTHER RESOLVED** that 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 all Resolutions or motions in conflict with this Resolution are repealed insofar as they conflict.

Alderman Bush, Finance Chair, stated that the committee held a meeting on December 10, 2002. Last year, in association with the Newell expansion and accompanying industrial park, the City loaned the Freeport Area Economic Development Foundation (FAEDF) \$120,000 at no interest to pay Mr. Bamberg for certain property connected with the project because the FAEDF did not have the funds readily available. The pay back on the loan to the City was due in November 2002. At this time, the FAEDF is not in a position to repay the loan and has requested an extension.

Mayor Jim Gitz spoke on behalf of FAEDF for an extension on the loan until April 30, 2004. Mayor Gitz assured the committee that progress is being made and that as land is sold, the FAEDF will be in a better position to pay off the loan. The committee voted unanimously to extend the loan at no interest until April 30, 2004 and Alderman Bush so moved, seconded by Alderman Jenkins. On the roll call of yeas and nays, Aldermen Veer, Jones, Boldt, Urban, Dawson, Jenkins, Rinehart, Bender, Steele, Bush, Moore-Howard, Goley, and Toepfer voted yea. Alderman Gaulrapp voted nay. There were thirteen yeas and one nay. The resolution was adopted.

#### **FINANCE COMMITTEE**

Alderman Bush, Chair, stated that the committee held a meeting December 10, 2002. Human Resource Director, Roberta Rogers, informed the committee that the Healthcare Study Committee was reviewing the City's 2003 COBRA rates and would be making a recommendation to the Finance Committee in January.

Several non-bargaining employees voiced their displeasure over the firefighters receiving a 3% pay increase, when they only received 1.5%. Lt. Craig Mutchler spoke on behalf of the group, stating that many union police officers are hesitant to test for promotions because of losing their union representation and guaranteed pay increases. The committee did explain to the group that we understood their feeling, but there was nothing the city could do at this time. There was no action taken.

The mayor informed the committee about the hotel project and that more information would be coming to our committee in the near future.

#### **COMMUNITY DEVELOPMENT COMMITTEE**

Alderman Steele, Chair, stated that the committee held a meeting on December 12, 2002. She stated that the ordinance approved in the consent agenda was a variance to allow a front yard fence on the corner of Lynn and Waddell. The fence is only for the front yard portion of Waddell Street. Access still exists for the fire department. The fence is a 4' high chain link fence that creates a play area for children. The Zoning Board unanimously approved the variance.

Jim Bower from the Bower Group made a presentation as to possible uses of the Rawleigh Complex Corridor, including the Tutty's Crossing area. Plans include possible rail service between Freeport and Dubuque, stopping in Galena. The Bower Group plans on making further presentations in the future with future details of the project.

**PUBLIC WORKS COMMITTEE**

Alderman Jenkins, Chair, stated that the next meeting would be January 13, 2003, at 7:00pm, in City Council Chambers. Alderman Jenkins also asked When would speed signs be placed on Stephenson and Greenfield. Public Works Director, Craig LeBaron stated that he would check on the status of the order.

**PUBLIC SAFETY COMMITTEE**

Alderman Dawson, Chair, stated that the committee held a special meeting on December 16, 2002. In July, the Fire Department was awarded a grant in the amount of \$58,590 with a 10% match from the city. The money will be used for the replacement of 15- year old air packs.

**TECHNOLOGY COMMITTEE**

Alderman Gaulrapp, Chair, stated that the next meeting would be January 7, 2003, at 6:00pm.

**DEPARTMENT HEAD REPORTS**

**NEW BUSINESS**

The aldermen made comments. There was no new business presented that required action from the council.

**PUBLIC COMMENTS**

Debbie Doelker expressed her concerns regarding the city's water.

DeEsta Munz urged the council to vote against the Stephenson Hotel project.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 9:30 pm.

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**LATACIA M. ISHMON, CITY CLERK**