

CITY OF FREEPORT, ILLINOIS
MONDAY EVENING
CITY COUNCIL MEETING
MAY 2, 2005 AT 7:00PM
CITY COUNCIL CHAMBERS

QUORUM

At 7:05pm, a quorum being present, Mayor Gitz called the meeting to order.

RECORD

Present were Aldermen Griswold, O'Neill, Wright, Gaulrapp, Bender, Varner, and Clark. Absent (excused) was Alderman Boldt.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF THE AGENDA

Alderwoman Bender moved, seconded by Alderwoman O'Neill to approve the agenda. The motion carried.

PUBLIC HEARING

There was a public hearing for the 2005 Byrne Justice Assistance Grant. Police Chief, Jerry Whitmore explained that this would be a shared grant between the city and county, with the city receiving \$7,176.50. The grant will be used to purchase a Speed Radar Trailer. There being no questions of the council or public, Alderwoman Bender moved, seconded by Alderman Gaulrapp to close the public hearing. The motion carried.

APPROVAL OF MINUTES

The Journal of the Minutes of the special meeting held on April 18, 2005 was presented for approval. Alderwoman Bender moved, seconded by Alderwoman O'Neill for approval. The motion carried.

CONSENT AGENDA

Approval to Receive and Place on File:

- A. Approval to Receive and Place on File:
 - 1. Community Development Cash Receipts for April, 2005
 - 2. Community Development Building Permits for April, 2005
- B. Approval of Water & Sewer Disbursements for April 2005 - \$361,539.98
- C. Approval of Bills Payable for April 2005-\$439,383.01
- D. Approval of Payroll for period ending April 16, 2005 - \$305,961.98

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

2nd READING

ORDINANCE #2005-16

AN ORDINANCE TO APPROVE INTERGOVERNMENTAL AGREEMENT FOR RECIPROCAL REPORTING OF CRIMINAL OFFENSES BY STUDENTS

This ordinance was laid over from the meeting of April 18, 2005, when it was moved by Alderwoman Bender, seconded by Alderwoman Griswold for approval. On the roll call of yeas and nays, Aldermen Griswold, O'Neill, Wright, Gaulrapp, Bender, Varner, and Clark voted yea. The ordinance was approved.

2nd READING

ORDINANCE #2005-17

SPECIAL ORDINANCE FOR VARIATION, PERMIT, OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (AMENDMENT OF ZONING ORDINANCE, FROM R-2, ONE FAMILY RESIDENT DISTRICT TO R-3, ONE FAMILY RESIDENCE DISTRICT – EDGE OF THE MEADOWS CONDOMINIUMS)

This ordinance was laid over from the meeting of April 18, 2005, when it was moved by Alderman Gaulrapp, seconded by Alderman Varner. On the roll call of yeas and nays, Aldermen Griswold, O'Neill, Wright, Gaulrapp, Bender, Varner, and Clark voted yea. The ordinance was approved.

RESOLUTION #R-2005-18

RESOLUTION TO APPROVE PRELIMINARY PLAT FOR EDGE OF MEADOWS

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 April 7, 2005, and subsequent to a public hearing, the Freeport Planning Commission by a majority vote recommended that this City Council approve the Preliminary Plat for Edge of the Meadows, which is located within the city limits of the City of Freeport, Illinois.

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

Section 1: That the Preliminary Plat for Edge of the Meadows, a copy of which is attached hereto and made part hereof and marked as "Exhibit A", is hereby accepted.

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.

This resolution was laid over from the meeting of April 18, 2005, when it was moved by Alderman Gaulrapp moved, seconded by Alderwoman Bender for approval. On the roll call of yeas and nays, Aldermen Griswold, O'Neill, Wright, Gaulrapp, Bender, Varner, and Clark voted yea. The resolution was adopted.

RESOLUTION #R-2005-19

RESOLUTION TO APPROVE THE PRELIMINARY PLAT FOR EDGE OF WOODS

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 April 7, 2005, and subsequent to a public hearing, the Freeport Planning Commission by a majority vote recommended that this City Council approve the Preliminary Plat for Edge of the Woods, which is located within the city limits of the City of Freeport, Illinois.

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

Section 1: That the Preliminary Plat for Edge of the Woods, a copy of which is attached hereto and made part hereof and marked as "Exhibit A", is hereby accepted.

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.

This resolution was laid over from the meeting of April 18, 2005, when it was moved by Alderman Gaulrapp moved, seconded by Alderwoman Bender for approval. On the roll call of yeas and nays, Aldermen Griswold, O'Neill, Wright, Gaulrapp, Bender, Varner, and Clark voted yea. The resolution was adopted.

PRESENTATION TO MAYOR GITZ

On behalf of the City of Freeport, City Clerk, Latacia Ishmon presented Mayor Gitz with a plaque in appreciation for eight years of service. Mayor Gitz then made closing remarks.

City Clerk, Latacia Ishmon, then presented Fire Chief Blackburn with a plaque in appreciation for eight years of service.

SWEARING IN CEREMONY

The Honorable Judge Mike Bald swore in newly elected officials: George Gaulrapp, Mayor, Linda Buss, City Treasurer, Shelly Griswold, 5th Ward Alderperson, and Latacia Ishmon, City Clerk.

OPENING REMARKS

Mayor Gaulrapp made opening comments to the council. He requested that he not be referred to as “your honor.”

APPOINTMENT

Effective immediately, Mayor Gaulrapp, hereby appoints Tom Klemm as an Alderman for the 1st Ward for the City of Freeport. Mr. Klemm will fill the vacancy created when the current alderman was elected Mayor.

Alderman Bender moved, seconded by Alderman O’Neill to accept this appointment. On the roll call of yeas and nays, Aldermen Griswold, O’Neill, Wright, Bender, Varner, and Clark voted yea. The appointment was accepted.

The Honorable Judy Mike Bald then swore in Alderman Klemm, who then took his seat.

COMMITTEE ASSIGNMENTS

Community Development Committee: Shelly Griswold (Chair), Robert Varner (Vice-Chair), Nickee Bender, and Dean Wright; Public Works and Utilities Committee: Linda O’Neill (Chair), Dean Wright (Vice-Chair), Robert Varner, and Shawn Boldt; Finance and Intergovernmental Relations Committee: Shawn Boldt (Chair), Mike Clark (Vice-Chair), Tom Klemm, and Shelly Griswold; Public Safety: Nickee Bender (Chair), Tom Klemm (Vice-Chair), Linda O’Neill, and Mike Clark.

Pursuant to Section 220.11(b) of the City of Freeport Codified Ordinances, the Executive Committee consists of: Nickee Bender, Shelly Griswold, Robert Varner, Shawn Boldt, and Linda O’Neill.

Alderman Bender stated that the Executive Committee had a special meeting on May 2, 2005. The committee voted unanimously to accept these assignments and Alderman Bender so moved, seconded by Alderman O’Neill. On the roll call of yeas and nays, Aldermen Griswold, O’Neill, Wright, Klemm, Bender, Varner, and Clark voted yea. The motion carried.

APPOINTMENT

Pursuant to Section 288.04 (a), Mayor Gaulrapp hereby appoints Sarah Griffin as Corporation Counsel for the City of Freeport.

Alderman Clark moved, seconded by Alderman Wright to accept this appointment. On the roll call of yeas and nays, Aldermen Griswold, O’Neill, Wright, Klemm, Bender, Varner, and Clark voted yea. The motion carried.

NOTICE OF INTERIM APPOINTMENTS

Pursuant to Section 288.04(b) of the Codified Ordinances of the City of Freeport, Mayor Gaulrapp hereby makes the following Interim Appointments: Interim Finance Director, Craig Joesten; Interim Public Works Director, Craig LeBaron, Interim Fire Chief, Lynn Ocker; Interim Community Development Director, Ray Miller; Interim Police Chief, Jerry Whitmore; and Interim Street Superintendent, Tom Dole.

RESOLUTION #R-2005-20

RESOLUTION SUPPLEMENTING AND AMENDING RESOLUTION #R-2004-87, ADOPTED DECEMBER 20, 2004, IN CONNECTION WITH MULTIFAMILY HOUSING REVENUE BONDS FOR THE LINCOLN TOWERS FREEPORT PROJECT

Whereas, on December 20, 2004, the City Council adopted Resolution No. 2004-87 (the "2004 Resolution," with respect to which undefined terms herein shall have the meanings therein to authorize multifamily revenue bonds to finance the Lincoln Towers Freeport Project.

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

1. The 2004 Resolution is hereby supplemented and amended: (a) to change "2004" Bond references to "2005" and to authorize subseries thereof (for example, "Series 2005A" and "Series 20045B," etc., as the case may be; and (b) to change the Borrower references to "LT Freeport Senior Housing LLC."
2. This resolution shall be immediately effective upon its adoption and approval.

Alderman Clark, Finance Chair, stated that the committee held a meeting on April 25, 2005. The committee voted unanimously to adopt this resolution and Alderman Clark so moved, seconded by Alderwoman Bender. On the roll call of yeas and nays, Aldermen Griswold, O'Neill, Wright, Klemm, Bender, Varner, and Clark voted yeas. The resolution was adopted.

RESOLUTION #R-2005-21

RESOLUTION TO ADOPT A FIXED ASSET POLICIES AND PROCEDURES POLICY

WHEREAS, the Governmental Accounting Standards Board (GASB) requires fixed asset reporting in order to be in conformity with generally accepted accounting principles; and

WHEREAS, standardized Fixed Asset Policies and Procedures will establish a system which will allow the City of Freeport to meet various GASB requirements; and

WHEREAS, such policies and procedures will allow for proper valuation, description, and responsible parties for the purposes of insurance and theft prevention; and

WHEREAS, the City Council's Finance Committee has reviewed and approved the attached City of Freeport Fixed Asset Policies and Procedures Policy; and

WHEREAS, this City Council finds that its approval of this Fixed Asset Policies and Procedures Policy 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 "City of Freeport Fixed Asset Policies and Procedures", 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 Fixed Asset Policy 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.

Alderman Clark, Finance Chair, stated that the committee held a meeting on April 25, 2005. The committee voted unanimously to adopt this resolution and Alderman Clark so moved, seconded by Alderwoman Bender. On the roll call of yeas and nays, Aldermen Griswold, O'Neill, Wright, Klemm, Bender, Varner, and Clark voted yea. The resolution was adopted.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 7:50 p.m.

LATACIA M. ISHMON, CMC