

CITY OF FREEPORT, ILLINOIS
MONDAY EVENING
CITY COUNCIL MEETING
JUNE 6, 2005 AT 7:00PM
CITY COUNCIL CHAMBERS

QUORUM

At 7:00pm, a quorum being present, Mayor Gaulrapp called the meeting to order.

RECORD

Present were Aldermen O'Neill, Wright, Klemm, Clark, Griswold, and Boldt. Alderman Varner entered the meeting at 7:05 p.m. and Alderwoman Bender entered at 7:20 p.m.

PLEDGE OF ALLEGIANCE

At this time, the Pledge of Allegiance was led by Alderwoman O'Neill.

APPROVAL OF THE AGENDA

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

PUBLIC HEARING

There was a public hearing for the 2005-2006 Appropriation Budget. City Accountant, Duane Price summarized the proposed budget. The floor was opened for questions or comments. There being no further discussion, Alderman Boldt moved, seconded by Alderwoman O'Neill to close the public hearing. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Klemm, Varner, Clark, Griswold, and Boldt voted yea. The motion carried.

APPROVAL OF MINUTES

The Journal of the Minutes of the meeting held on May 16, 2005 was presented for approval. Alderwoman Griswold 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. Fire Department Activities for April 2005
 - 2. Community Development Department Building Permits for May 2005
 - 3. Community Development Cash Receipts for May 2005
 - 4. Community Development Report
 - 5. Treasurer's Monthly Investment Report for period ending April 30, 2005
 - 6. Treasurer's Report for period ending April 30, 2005
 - 7. Treasurer's Tax Receipts for period ending April 30, 2005
- B. Approval of Water & Sewer Disbursements for May 2005 - \$533,505.41
- C. Approval of Bills Payable for May 2005-\$520,175.23
- D. Approval of Payroll for period ending May 28, 2005 - \$315,345.53

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

2nd READING

ORDINANCE #2005-18

AN ORDINANCE REPEALING AND REPLACING CHAPTER 218 (STATE OFFICIALS AND EMPLOYEES ETHICS ACT) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

This ordinance was laid over from the meeting of May 16, 2005, when it was moved by Alderwoman Bender, seconded by Alderman Klemm for approval. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Klemm, Varner, Clark, Griswold, and Boldt vote yea. The ordinance was approved.

2nd READING

ORDINANCE #2005-19

AN ORDINANCE CREATING CHAPTER 1482 (INTERNATIONAL RESIDENTIAL COD) AND AMENDING CHAPTER 1420 (BOCA NATIONAL BUILDING CODE) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

This ordinance was laid over from the meeting of May 16, 2005, when it was moved by Alderwoman Griswold, seconded by Alderwoman Bender for approval. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Klemm, Varner, Clark, Griswold, and Boldt vote yea. The ordinance was approved.

2nd READING

ORDINANCE #2005-20

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL COOPERATION AGREEMENT AND CERTAIN DOCUMENTS IN CONNECTION THEREWITH; AND RELATED MATTERS

This ordinance was laid over from the meeting of May 16, 2005, when it was moved by Alderwoman Griswold, seconded by Alderwoman Bender for approval. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Klemm, Varner, Clark, Griswold, and Boldt vote yea. The ordinance was approved.

1ST READING

ORDINANCE #2005-21

AN ORDINANCE TO ADOPT SCHEDULE OF AMBULANCE RATES IN ACCORDANCE WITH SECTION 242.46 OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

Alderman Clark stated that the committee held a meeting on April 4, 2005. The committee voted unanimously to approve this ordinance and Alderman Clark so moved, seconded by Alderwoman O'Neill. This ordinance was automatically laid over to the next regular meeting.

1ST READING

ORDINANCE #2005-22

APPROPRIATION ORDINANCE, FISCAL YEAR 2005-2006

Alderman Boldt, Finance Chair, stated the committee held a meeting on May 23, 2005. The budget was presented with a deficit of almost \$200,000. The committee requested that the Administration find enough cuts to balance the budget and then bring it back to the committee. The committee met again on June 2, 2005. The update budget presented a deficit of \$36,00. The new cuts came from almost every department. The committee voted unanimously to approve this ordinance and Alderman Boldt so moved, seconded by Alderwoman Griswold. This ordinance was automatically laid over to the next regular meeting.

1ST READING

ORDINANCE #2005-23

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

Alderman Klemm, Public Safety Chair, stated that the committee held a meeting on June 6, 2005. The committee voted unanimously to approve this ordinance and Alderman Klemm so moved, seconded by Alderwoman O'Neill. This ordinance was automatically laid over to the next regular meeting.

There was leave granted to consider the following reappointments with one motion:

REAPPOINTMENTS

Effective immediately, Mayor Gaulrapp hereby reappoints Brian Borger, Dean Zimmerman, and Roland Munda to the Board of Fire and Police Commissioners. These appointments shall be effective until April 30, 2008.

Effective immediately, Mayor Gaulrapp hereby reappoints Wayne Schofield and Phil Copus to the Building Commission. These appointments shall be effective until April 30, 2009.

Effective immediately, Mayor Gaulrapp hereby reappoints Dean Zimmerman to the Board of Fire and Police Commissioners. This appointment shall be effective until April 30, 2008.

Alderman Clark moved, seconded by Alderwoman O'Neill to accept the above reappointments. The motion carried.

APPOINTMENT

Effective immediately, Mayor Gaulrapp hereby appoints Jamie Dadez to the Airport Commission. This appointment shall be effective until November 30, 2008. Alderman Boldt moved, seconded by Alderman Klemm to accept this appointment. The motion carried.

APPOINTMENT

Effective immediately, Mayor Gaulrapp hereby appoints George Benson to the Human Relations Commission. This appointment shall be effective until December 31, 2005. Alderman Wright moved, seconded by Alderwoman Griswold to accept this appointment. The motion carried.

APPOINTMENT

Effective immediately, Mayor Gaulrapp hereby appoints Jeff Williams to the Police Pension Board. This appointment shall be effective until December 31, 2005. Alderwoman Griswold moved, seconded by Alderman Varner to accept this appointment. The motion carried.

APPOINTMENT

Effective immediately, Mayor Gaulrapp hereby appoints Saul Alexander Jr. to the City of Freeport Human Relations Commission. This appointment will expire on December 31, 2007. Alderwoman Griswold moved, seconded by Alderman Wright to accept this appointment. The motion carried.

APPOINTMENT

Effective immediately, Mayor Gaulrapp hereby appoints Larry Pittsley to the Library Board. This appointment will expire on May 31, 2008. Alderwoman Griswold moved, seconded by Alderman Varner to accept this appointment. The motion carried.

APPOINTMENT

Effective immediately, Mayor Gaulrapp hereby appoints Kevin Countryman as Fire Chief of the Freeport Fire Department. This appointment shall be effective until April 30, 2009. Alderman Clark moved, seconded by Alderman Klemm to accept this appointment. The motion carried.

Latacia M. Ishmon, City Clerk then swore in Kevin Countryman as the Fire Chief.

RESOLUTION #R-2005-25

RESOLUTION APPOINTING CITY CLERK LATACIA M. ISHMON AGENT OF THE CITY OF FREEPORT, ILLINOIS TO ACT ON BEHALF OF SAID CITY IN ALL OR ANY MATTERS AFFECTING ADMINISTRATION OF THE ILLINOIS MUNICIPAL RETIREMENT FUND

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that Latacia M. Ishmon, City Clerk, is hereby appointed agent of and for the City of Freeport, Illinois, with full power and authority to act on behalf of the said City of Freeport in all or any matters affecting administration of the Illinois Municipal Retirement Fund.

BE IT FURTHER RESOLVED that the proper officers of the City of Freeport, Illinois, are hereby directed to file written notice of this appointment with the Board of Trustees of the Illinois Municipal Retirement Fund.

BE IT FURTHER RESOLVED that this Resolution shall be effective upon its passage by the City Council, its approval by the Mayor, and its publication as provided by law.

BE IT FURTHER RESOLVED that this Resolution is expressly adopted pursuant to the Home Rule Powers of the City of Freeport under Section 6 of Article VII of the Illinois Constitution of 1970, and that all Resolutions in conflict with this Resolution are repealed insofar as they conflict.

Alderman Boldt, Finance Chair, stated that the committee held a meeting on May 23, 2005. The committee voted unanimously to adopt this resolution and Alderman Boldt so moved, seconded by Alderman Griswold. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Klemm, Varner, Clark, Griswold, and Boldt voted yea. The resolution was adopted.

RESOLUTION #R-2005-27

RESOLUTION TO APPROVE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF STEPHENSON AND THE CITY OF FREEPORT FOR THE DISTRIBUTION OF MONIES PURSUANT TO THE 2005 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 encourages and authorizes units of local government such as the Counties and Municipalities to enter into contracts "to obtain or share services and to exercise, combine, or transfer any power or function, in any manner not prohibited by law or by ordinance"; and

WHEREAS, the Intergovernmental Cooperation Act, as enacted by the State of Illinois, Section 3.01 (5 ILCS 220/3) provides as follows: "Any power or powers, privileges or authority exercised or which may be exercised by a public agency of this State may be exercised and enjoyed jointly with any other public agency of this State"; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, the City of Freeport and the County of Stephenson agree that the public will benefit from the agreement and that it is in the public interest for the parties to divide the costs fairly to compensate the performing party for the services or functions under this agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT that it does hereby authorize the Mayor to execute an agreement between the County of Stephenson and the City of Freeport for the distribution of funds pursuant to the

Byrne Justice Assistance Grant (JAG) Program as shown in Attachment A, and to authorize the Mayor to execute any other documents which may be necessary in order to effectuate the purpose of said Intergovernmental Agreement.

Alderman Klemm, Public Safety Vice Chair, stated that the committee held a meeting on June 6, 2005. The committee voted unanimously to adopt this resolution and Alderman Klemm so moved, seconded by Alderwoman O'Neill. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Klemm, Bender, Varner, Clark, Griswold, and Boldt voted yea. The resolution was adopted.

RESOLUTION #R-2005-28

RESOLUTION TO REQUEST TEMPORARY CLOSURE OF STREETS FOR 2005 CRUISE NIGHT

WHEREAS, on August 6, 2005, the Tutty Baker Days Cruise Night Committee are sponsoring 2005 Cruise Night, which event constitutes an authorized special event; and

WHEREAS, the proposed route for Cruise Night will require the temporary closure of the following streets: Douglas from Van Buren to Adams; Adams from Douglas to Stephenson; Stephenson from Adams to Van Buren; and Van Buren from Stephenson to Douglas; 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 the Tutty Baker Days Cruise Night Committee 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 Route 75 from Galena Avenue to Adams. This closure shall be for the public purpose of holding a Cruise Night under the following conditions:

1. The approximate time period of this street closure shall be between 12:00 p.m. to 10:00 p.m. on Saturday, August 6, 2005;
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. The Tutty Baker Days Cruise Night Committee shall provide proof of 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 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, proof of liability insurance and special event permit provided by Freeport Illinois Street Machines 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 Bender moved, seconded by Alderman O'Neill for approval of this resolution. On the roll call of yeas and nays, Aldermen O'Neill, Wright, Klemm, Bender, Varner, Clark, Griswold, and Boldt voted yea. The resolution was accepted.

COMMITTEE REPORTS

FINANCE

Alderman Boldt, Chair, stated that the Walk of Fame invoice would be on the next Finance Committee meeting agenda.

PUBLIC WORKS

Alderman O'Neill, Chair, stated that the next meeting would be June 20, 2005, at 5:30 p.m., in City Council Chambers.

DEPARTMENT HEAD REPORTS

Fire Chief, Kevin Countryman thanked the Mayor and City Council for the opportunity to serve.

MAYOR'S REPORT

- o Congrats to Fire Chief
- o Community Clean Up on June 11, 2005
- o Water & Sewer Commission vacancy
- o Introduced new camera person for meetings, Stacy Wittfield
- o

NEW BUSINESS

Alderman Griswold asked if Animal Cruelty could be defined in the city ordinances. Corporation Counsel stated that she would look into it.

PUBLIC COMMENTS

Marg Blum invited all to attend "Music on Chicago" on Friday, June 10, 2005, on Chicago Street.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 7:45 p.m.

LATACIA M. ISHMON, CMC