

CITY OF FREEPORT, ILLINOIS
MONDAY EVENING
CITY COUNCIL MEETING
JULY 5, 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 Klemm, Varner, Clark, Boldt, O'Neill, and Wright. Alderwoman Bender entered the meeting at 7:40 p.m.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF THE AGENDA

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

PUBLIC COMMENTS

Chris Isabell, Stephenson County Engineer, spoke in support of the rezoning for the Stephenson County Highway Building.

PRESENTATIONS

State Representative Jim Sacia presented the Mayor and City Council with a House Resolution honoring the City of Freeport for 150 years.

There was an Honorary Resolution presented to Deputy Fire Chief, Lynn Ocker for his retirement.

There was also a presentation by Denise Blakely from the Water & Sewer Department regarding sewer rates.

COMMUNICATIONS

City Clerk Ishmon read a letter from President George Bush congratulating the City of Freeport for 150 years. Also read was a resignation letter from Shelly Griswold, who resigned as 5th Ward Alderperson.

APPROVAL OF MINUTES

The Journal of the Minutes of the special meeting held on June 6, 2005 was presented for approval. Alderwoman Bender moved, seconded by Alderman Klemm to amend the meeting changing the appointment expiration date of Fire Chief Kevin Countryman from 2007 to 2009. The motion carried. Alderwoman Bender moved, seconded by Alderman Klemm to approve the minutes as amended. 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 June 2005
 - 2. Community Development Building Permits

- 3. Community Development Report
- 4. Police Department Report for May 2005
- B. Approval of Water & Sewer Disbursements for June 2005 - \$291,489.32
- C. Approval of Bills Payable for June 2005-\$126,162.34
- D. Approval of Payroll for period ending June 25, 2005 - \$27,655.01

Alderwoman O'Neill moved, seconded by Alderwoman Bender for approval of the consent agenda. The motion carried.

2nd READING

ORDINANCE #2005-24

AN ORDINANCE AMENDING CHAPTER 1022 OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

This ordinance was laid over from the meeting from June 20, 2005, when it was moved by Alderwoman O'Neill, seconded by Alderman Boldt for approval. On the roll call of yeas and nays, Aldermen Klemm, Bender, Varner, Clark, Boldt, O'Neill, and Wright voted yea. The motion carried. The ordinance was approved.

2nd READING

ORDINANCE #2005-25

AN ORDINANCE AMENDING CHAPTER 1060 (GARBAGE AND RUBBISH COLLECTION AND DISPOSAL) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

This ordinance was laid over from the meeting from June 20, 2005, when it was moved by Alderwoman Griswold, seconded by Alderwoman Bender. On the roll call of yeas and nays, Aldermen Klemm, Bender, Varner, Clark, Boldt, O'Neill, and Wright voted yea. The ordinance was approved.

2nd READING

ORDINANCE #2005-27

SPECIAL ORDINANCE FOR VARIATION, PERMIT, OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Amendment of Zoning, Stephenson County Highway Building)

This ordinance was laid over from the meeting of July 5, when it was moved by Alderwoman Griswold, seconded Alderwoman Bender. On the roll call of yeas and nays, Aldermen Klemm, Bender, Varner, Clark, Boldt, O'Neill, and Wright voted yea. The ordinance was approved.

2nd READING

ORDINANCE #2005-28

SPECIAL ORDINANCE FOR VARIATION, PERMIT, OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Amendment of Zoning, Preliminary Plat Countryside Estates Subdivision)

This ordinance was laid over from the meeting of July 5, 2005, when it was moved by Alderwoman Griswold, seconded by Alderwoman Bender. On the roll of yeas and nays, Aldermen Klemm, Bender, Varner, Clark, Boldt, O'Neill, and Wright voted yea. The ordinance was approved.

2nd READING

ORDINANCE #2005-29

SPECIAL ORDINANCE FOR VARIATION, PERMIT, OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Planned Unit Development located at the southeast corner of Greenfield Drive and Business Route 20)

This ordinance was automatically laid over from the meeting of July 5, 2005, when it was moved by Alderwoman Griswold, seconded by Alderman Varner. On the roll call of yeas and nays,

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Aldermen Klemm, Bender, Varner, Clark, Boldt, O'Neill, and Wright. The ordinance was approved.

RESOLUTION #R-2005-31

RESOLUTION TO AMEND THE PRELIMINARY PLAT FOR COUNTRYSIDE ESTATES TO CONVERT LOTS 91-96 TO LOT 116

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 June 9, 2005, and subsequent to a public hearing, the Freeport Planning Commission by a majority vote recommended that this City Council amend the Preliminary Plat for Countryside Estates Subdivision, which is located within the city limits of the City of Freeport, Illinois, to convert Lots 91-96 to Lot 116.

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

Section 1: That the Preliminary Plat for Countryside Estates Subdivision, a copy of which is attached hereto and made part hereof and marked as "Exhibit A", is hereby amended to convert Lots 91-96 to Lot 116.

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 July 5, 2005. Alderman Boldt moved, seconded by Alderman Varner for approval. On the roll call of yeas and nays, Aldermen Klemm, Bender, Varner, Clark, Boldt, O'Neill, and Wright. The resolution was adopted.

RESOLUTION #R-2005-32

RESOLUTION TO APPROVE FINAL PLAT FOR COUNTRYSIDE ESTATES SUBDIVISION PLAT 14

WHEREAS, Section 5/11-15-1 of the Illinois Municipal Code (65 ILCS 5/11-15-1), authorizes a city to enact an ordinance mandating that the city council approve all plats of subdivisions to be located inside city's corporate boundaries or within a one-and-a-half mile area extending from said corporate boundaries provided that the city has also enacted a Subdivision ordinance; and

WHEREAS, the City of Freeport has enacted such a Subdivision Ordinance, known as Chapter 1224 of the Codified Ordinances of the City of Freeport; and

WHEREAS, Section 1224.05(d)(6) of Chapter 1224 of the Freeport Codified Ordinances provides that all Subdivision plats "shall be submitted to the City Council for approval and for

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acceptance of all streets, alleys, ways, easements, parks or other areas preserved for, or dedicated to, the public, by resolution; and

WHEREAS, on January 18, 2005, this City Council approved the preliminary plat for Countryside Estates Subdivision, located within the city limits of the City of Freeport, Illinois; and

WHEREAS, the final plat for said Countryside Estates Subdivision Plat 14, a copy of which is attached hereto as "Exhibit A", and made a part hereof, substantially conforms to the preliminary plat as approved; and

WHEREAS, at a regular meeting held June 9, 2005, and subsequent to a public hearing, the Freeport Planning Commission unanimously recommended that the City Council approve the final plat for Countryside Estates Subdivision Plat 14.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that the Final Plat of Countryside Estates Subdivision Plat 14 as set forth in Exhibit A, is hereby approved.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to attach a copy of this Resolution to a copy of the plat, for the purpose of recording the plat by the subdivider with the County Recorder; and upon said recording of the plat, the subdivider shall file a certified, reproducible copy of the plat with the Community Development Office.

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 all Resolutions or parts of motions in conflict with this Resolution are repealed insofar as they conflict.

This resolution was laid over from the meeting of July 5, 2005. Alderman Boldt moved, seconded by Alderman Varner for approval. On the roll call of yeas and nays, Aldermen Klemm, Bender, Varner, Clark, Boldt, O'Neill, and Wright. The resolution was adopted.

1st READING

ORDINANCE # 2005-31

AN ORDINANCE AMENDING CHAPTER 1048 (SEWER RATES AND REVENUES) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderman Boldt, Public Works Chair, stated that the committee held a meeting on July 5, 2005. The committee voted to approve a sewer rate increase of \$2.89 for residential, \$17.74, and \$282.04 for industrial and Alderman Boldt so moved, seconded by Alderman Klemm. This ordinance was automatically laid over to the next regular meeting.

1ST READING

ORDINANCE #2005-32

AN ORDINANCE AMENDING CHAPTER 290 (COMPENSATION AND BENEFITS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderman Klemm, stated that the committee held a meeting on June 27, 2005. The committee voted unanimously to approve a 3% increase for non-bargaining employees and Alderman Klemm so moved, seconded by Alderman Boldt. This ordinance was automatically laid over to the next regular meeting.

1ST READING

ORDINANCE #2005-33

AN ORDINANCE REPEALING CHAPTER 252 (DEPARTMENT OF HUMAN RESOURCES) IN ITS ENTIRETY, AMENDING CHAPTER 236 (ACCOUNTING AND FINANCE), AND AMENDING CHAPTER 290 (COMPENSATION AND BENEFITS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS

Alderman Boldt, Finance Chair, stated that the committee held a meeting on June 27, 2005.

This ordinance is to create a position for a Human Resources Manger. The committee voted unanimously to approve this ordinance and Alderman Boldt so moved, seconded by Alderman Klemm. Alderman Klemm moved, seconded by Alderwoman Bender to suspend the rules for immediate consideration. On the roll call of yeas and nays to suspend the rules, Aldermen Klemm, Bender, Varner, Clark, Boldt, and O'Neill voted yea. Alderman Wright voted nay. There were six yeas and one nay. The motion carried.

On the roll call of yeas and nays to approve the ordinance, Aldermen Klemm, Bender, Varner, and Boldt voted yea. Aldermen Clark, O'Neill, and Wright vote nay. There were four yeas and three nays. The motion failed.

1st READING

ORDINANCE #2005-34

AN ORDINANCE AMENDING CHAPTER 480 (PARKING GENERALLY) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

Alderwoman O'Neill, Public Works Chair, stated that the committee held a meeting on June 20, 2005. The committee voted unanimously to approve this ordinance and Alderwoman O'Neill so moved, seconded by Alderman Wright. This ordinance was automatically laid over to the next regular meeting.

1ST READING

ORDINANCE #2005-35

AN ORDINANCE AMENDING CHAPTER 484 (LOADING ZONES; BUS AND TAXICAB STANDS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT

Alderwoman O'Neill, Public Works Chair, stated that the committee held a meeting on June 20, 2005. The committee voted unanimously to approve this ordinance and Alderwoman O'Neill so moved, seconded by Alderman Varner. This ordinance was automatically laid over to the next regular meeting.

APPOINTMENT

Effective immediately, Mayor Gaulrapp hereby appoints Glenda Whitson to the City of Freeport Human Relations Commission. This term will expire on December 31, 2007.

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

APPOINTMENT

Pursuant to Section 288.04 (a), Mayor Gaulrapp hereby appoints Shelly R. Griswold as Community Development Director.

Alderman Klemm moved, seconded by Alderwoman Bender to accept this appointment. On the roll call of yeas and nays, Aldermen Klemm, Bender, Varner, Boldt, and O'Neill voted yea. Alderman Clark and Wright voted nay. There were five yeas and two nays. The motion carried.

RESOLUTION #R-2005-38

RESOLUTION TO ADOPT COBRA RATES EFFECTIVE AUGUST 1, 2005

WHEREAS, pursuant to Section 54.4980b-8 of the Consolidated Omnibus Budget Reconciliation act of 199 (COBRA), the City of Freeport is allowed to establish COBRA rates at a maximum of once every 12 months; and

WHEREAS, the Finance Committee concurs with the administrative staff recommendation to adopt single, single plus one and family COBRA rates for the City's healthcare continuation coverage for terminated employees effective August 1, 2005 which were determined through costs in an actuarially accepted manner as provided by the Northern Illinois Health Plan and Boyd Consulting Group.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS that the Mayor is hereby authorized to amend the adopted COBRA rates for continuing healthcare coverage for the new plan design within the regulations set forth in the COBRA regulation monthly premiums for single coverage of \$503.99, single plus one dependent coverage of \$918.49, family coverage of \$1,246.89, retirees' prescription single coverage of \$70.72, and retirees' family coverage of \$180.84, as recommended by Boyd Consulting Group.

BE IT FURTHER RESOLVED that all resolutions of 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 Boldt, Finance Chair, stated that the committee held a meeting on June 27, 2005. The committee voted unanimously to adopt this resolution and Alderwoman O'Neill so moved, seconded by Alderman Varner. On the roll call of yeas and nays, Aldermen Klemm, Bender, Varner, Clark, Boldt, O'Neill, and Wright voted yea. The resolution was adopted.

COMMITTEE REPORTS

FINANCE

Alderman Boldt, Chair, stated that the committee authorized payment of \$5,000 to Tom Graceffa for the Walk of Fame invoices. If Mr. Graceffa declines this bill, then his work will be returned. Alderman Boldt moved, seconded by Alderman Clark to approve the \$5,000 payment. On the roll call of yeas and nays, Aldermen Klemm, Bender, Varner, Clark, Boldt, O'Neill, and Wright. The motion carried.

COMMUNITY DEVELOPMENT

Alderman Varner, Vice-Chair, stated that the next meeting would be July 11, 2005, at 5:30 p.m. in City Council Chambers.

PUBLIC SAFETY

Alderman Klemm moved, seconded by Alderwoman Bender to approve the COPS Grant Resolution. This will be presented and ratified at the next meeting. On the roll call of yeas and nays, Aldermen Klemm, Bender, Varner, Clark, Boldt, O'Neill, and Wright voted yea.

DEPARTMENT HEAD REPORTS

Public Works Director, Craig LeBaron stated that Gerry Estes donated decorative finials and Crippen Signs donated signs for the Van Buren Street bridge, which is now open for bicycle and pedestrian travel.

Kevin Countryman stated that 6-8 firemen would be attending rescue classes. These classes are covered by a grant.

MAYOR'S REPORT

- 4th of July Celebration
- 5th Ward position

PUBLIC COMMENTS

Shelly Griswold thanked the Mayor and Council for their confidence in appointing her as Community Development Director.

Lee Butler stated his support for a boat ramp at Tutty's Crossing.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 8:45 p.m.

LATACIA M. ISHMON, CMC