

**CITY OF FREEPORT, ILLINOIS**  
**MONDAY EVENING**  
**CITY COUNCIL MEETING**  
**December 19, 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 Toepfer, Endress, Helms, O'Neill, Boldt, Klemm, Bender, and Threadgill.

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF THE AGENDA**

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

**HONORARY RESOLUTION #R-2005-82**

**RESOLUTION IN HONOR OF FREEPORT AUXILIARY POLICE MEMBER JON KASTEN**

**WHEREAS**, the Freeport Police Department has utilized the services of the Auxiliary Police Unit since 1969 when the Unit was developed; and

**WHEREAS**, the members of this unit are willing to give of their time to help maintain law and order in our community without compensation; and

**WHEREAS**, the Auxiliary Unit has averaged over 2,500 hours a year in service hours for this community; and

**WHEREAS**, Auxiliary member Captain Jon Kasten has been a member of this unit for 28 years; and

**WHEREAS**, the members of the Freeport Police Department are proud of Captain Kasten, and all the members of the Auxiliary Unit for their continued dedication and commitment to the Auxiliary Unit and Freeport Police Department; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AND THE MAYOR OF THE CITY OF FREEPORT, ILLINOIS**, that we commend Captain Kasten for his many years of dedicated service to the Freeport community and honor him for his accomplishments as an exemplary member of the Freeport Community.

**HONORARY RESOLUTION #R-2005-83**

**RESOLUTION IN HONOR OF FREEPORT AUXILIARY POLICE MEMBER VERLE NIESMAN**

**WHEREAS**, the Freeport Police Department has utilized the services of the Auxiliary Police Unit since 1969 when the Unit was developed; and

**WHEREAS**, the members of this unit are willing to give of their time to help maintain law and order in our community without compensation; and

**WHEREAS**, the Auxiliary Unit has averaged over 2,500 hours a year in service hours for this community; and

**WHEREAS**, Auxiliary member Sergeant Verle Niesman has been a member of this unit for 29 years; and

**WHEREAS**, the members of the Freeport Police Department are proud of

Sergeant Niesman, and all the members of the Auxiliary Unit for their continued dedication and commitment to the Auxiliary Unit and Freeport Police Department; and **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL AND THE MAYOR OF THE CITY OF FREEPORT, ILLINOIS**, that we commend Sergeant Niesman for his many years of dedicated service to the Freeport community and honor him for his accomplishments as an exemplary member of the Freeport Community.

Alderman Boldt moved, seconded by Alderwoman O'Neill to adopt Resolutions #R-2005-82 & 83. The motion carried.

### **APPROVAL OF MINUTES**

The Journal of the Minutes of the regular meeting of December 5, 2005, was presented for approval. Alderman Klemm moved, seconded by Alderwoman O'Neill to approve the minutes. The motion carried.

### **CONSENT AGENDA**

Approval to Receive and Place on File:

- A. Approval to Receive and Place on File:
  - 1. Police Department Activities for November 2005
  - 2. Fire Department Activities for November 2005
  - 3. Treasurer's Monthly Investment Report for period ending November 30, 2005
  - 4. Treasurer's Report for period ending November 30, 2005
- B. Approval of Water & Sewer Disbursements for November 2005 - \$162,388.47
- C. Approval of Bills Payable for December 2005 -\$630,126.13
- D. Approval of Payroll for period ending December 10, 2005 - \$318,042.26

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

### **REAPPOINTMENT**

Effective immediately, Mayor Gaulrapp hereby reappoints Larry Timms to the Water & Sewer Commission. This appointment shall be effective until November 30, 2010.

Alderman Klemm moved, seconded by Alderman Helms to accept this appointment. On the roll call of yeas and nays, Aldermen Toepfer, Endress, Helms, O'Neill, Boldt, Klemm, Bender, and Threadgill voted yea. The motion carried.

### **REAPPOINTMENT**

Effective immediately, Mayor Gaulrapp hereby reappoints Randy Corbin to the Planning Commission. This appointment shall be effective until October 31, 2009.

Alderman Boldt moved, seconded by Alderman Helms to accept this appointment. On the roll call of yeas and nays, Aldermen Toepfer, Endress, Helms, O'Neill, Boldt, Klemm, Bender, and Threadgill voted yea. The motion carried.

### **APPOINTMENT**

Effective immediately, Mayor Gaulrapp hereby appoints Craig Joesten to the Enterprise Zone Committee. Mr. Joesten shall replace Pat Leitzen Fye who has resigned the position. This appointment shall be effective until April 30, 2007.

Alderman Klemm moved, seconded by Alderman Endress to accept this appointment. On the roll call of yeas and nays, Aldermen Toepfer, Endress, Helms, O'Neill, Boldt, Klemm, Bender, and Threadgill voted yea. The motion carried.

**APPOINTMENTS**

There was leave to consider the following appointments in one vote:

Effective immediately, Mayor Gaulrapp hereby appoints March Christensen, Judith Eikstadt, Gail Clore, Edward Faulkner, and Deb Elzinga to the Residentail Rehabilitation Advisory Board. The terms of these appointments will be determined at the first meeting of the board.

Alderman Klemm moved, seconded by Alderwoman O'Neill to accept these appointments. On the roll call of yeas and nays, Aldermen Toepfer, Endress, Helms, O'Neill, Boldt, Klemm, Bender, and Threadgill voted yea. The motion carried.

**RESOLUTION #R-2005-80**

**RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FREEPORT, ILLINOIS AND THE COUNTY OF STEPHENSON, ILLINOIS**

**WHEREAS**, on January 12, 2005, Stephenson County adopted Resolutions 05011084 and 05011085, which, among other matters, authorize the County to undertake a feasibility study to determine whether certain real estate located within the County, known as the Mill Race Crossing Project Area, will qualify as an economic development project area; and

**WHEREAS**, pursuant to the provisions of P.A. 93/959 amending Section 4 of the Act, before establishment of an economic development project area by County, County and City are required to enter into an intergovernmental agreement setting forth the agreements of the parties regarding certain conditions of the proposed economic development project area; and

**WHEREAS**, it is the intention and desire of the parties that this agreement constitute the intergovernmental agreement required by the Act; and

**WHEREAS**, the parties further intend and desire to set forth a framework for cooperation in respect of analyzing and planning for economic development projects in addition to those contemplated as of the date of this Agreement and the possible future amendment of the economic development project area to include additional territory as permitted by the Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that the Mayor of the City of Freeport is authorized to execute an Intergovernmental Agreement between the City of Freeport and Stephenson as set forth herein and attached hereto as Exhibit A.

**BE IT FURTHER RESOLVED** that this Resolution shall be in full force and effect immediately upon its adoption.

**BE IT FURTHER RESOLVED** that the City Clerk shall transmit an originally executed Agreement to Stephenson County and shall keep an originally executed Agreement in the City file.

**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; and all Resolutions or motions in conflict with this Resolution are repealed insofar as they conflict.

Alderman Klemm, Community Development Chair, stated that the committee as a whole held a meeting on December 19, 2005. The committee voted to adopt this resolution and Alderman

Klemm so moved, seconded by Alderman Boldt. On the roll call of yeas and nays, Aldermen Topefer, Endress, Helms, Boldt, Klemm, and Threadgill voted yea. Aldermen O'Neill and Bender voted nay. There were six yeas and two nays. The motion carried.

**RESOLUTION #R-2005-81**

**RESOLUTION TO APPROVE INITIAL MEMORANDUM OF UNDERSTANDING WITH LAKESHORE INVESTORS, LLC FOR MASTER PLAN FOR RAWLEIGH COMPLEX**

**WHEREAS**, the Rawleigh Complex is a series of abandoned and deteriorating industrial buildings within the downtown area of the City of Freeport which has not been put to productive use in many years; and

**WHEREAS**, the City has undertaken a concerted effort to promote the redevelopment of the said Rawleigh Complex, including the retention of Vandewalle & Associates of Madison, Wisconsin (hereinafter referred to as "Vandewalle") to guide the City in its efforts to transform the Rawleigh Complex to a productive entity; and

**WHEREAS**, Lakeshore Investors, LLC and their subsidiaries are a duly organized and qualified Illinois Limited Liability Company (hereinafter, "Lakeshore") with a proven record of successfully redeveloping unused urban industrial sites to productive uses generating tax revenues and providing needed services; and

**WHEREAS**, officials of the City and of Lakeshore have negotiated a proposed Memorandum of Understanding whereby at no cost to the City, Lakeshore has the exclusive right until January 15, 2006 to prepare and present to the City Council a Master Plan for the redevelopment of the Rawleigh Complex (a true, correct and complete copy of said Agreement is marked as "Exhibit A," attached hereto and incorporated by reference as if fully set forth herein); and

**WHEREAS**, no later than July 15, 2006, Lakeshore shall present to the City a written Redevelopment Plan for the Rawleigh Complex, identifying potential uses and owners/tenants for the rejuvenated Rawleigh Complex; and

**WHEREAS**, the City Council hereby finds that its approval of Exhibit A is in the best interests of the citizens of the City of Freeport, Illinois.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that the City of Freeport does hereby approve Exhibit A hereto, and that Mayor, the City Clerk and any other City official or employee as required or as may be convenient is hereby authorized to execute said Exhibit A and any other document as may be required or necessary to effectuate the intent of this Resolution.

**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.

**BE IT FURTHER RESOLVED** that the Recitals of this Resolution are an integral part of this Resolution, and are not mere preparatory language.

**BE IT FURTHER RESOLVED** that this Resolution shall be in full force and effect upon its passage by the City Council, its approval by the Mayor and its publication (if any) as required by law.

**BE IT FURTHER RESOLVED** that the provisions of this Resolution are severable, and if a court of competent jurisdiction should declare any portion of this Resolution to be either invalid or unenforceable, said decision shall not affect this Resolution as a whole or any part thereof, other than the part declared to be invalid or unenforceable.

**BE IT FURTHER RESOLVED** that all resolutions or parts of resolutions or motions 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 Klemm, Community Development Chair, stated that the committee as a whole held a meeting on December 19, 2005. The committee voted to adopt this resolution and Alderman Klemm so moved, seconded by Alderman Boldt. On the roll call of yeas and nays, Aldermen Toepfer, Endress, Helms, O'Neill, Boldt, Klemm, and Threadgill voted yea. Alderman Bender voted nay. There were seven yeas and one nays. The motion carried.

## **COMMITTEE REPORTS**

### **COMMUNITY DEVELOPMENT**

Alderman Klemm, Chair, stated that the committee held a meeting on December 19, 2005. Community Development Director, Shelly Griswold recommended that the council release liens on 433-437 South Chicago Avenue in the amount of \$165 for weeds and 441 South Chicago Avenue in the amount of \$5,013 for demolition. Piety Hill Neighborhood Association took possession of these properties in March 2004. Liens were placed on the prior owners, therefore Piety Hill was unable to obtain clear title to the properties. The committee voted unanimously to release these liens and Alderman Klemm so moved, seconded by Alderman Helms. On the roll call of yeas and nays, Aldermen Toepfer, Endress, Helms, O'Neill, Boldt, Klemm, Bender, and Threadgill voted yea. The motion carried.

Alderman Klemm also reported that bids were received for the demolition of 406-408-410 Chicago Place. Bids were received from Alber & Son Trucking in the amount of \$5,450, Brokhausen Excavating, Inc. in the amount of \$3,800, and Fischer Excavating in the amount of \$9,789.87. The staff recommended approval of the low bid from Brokhausen Excavating Inc. The committee voted unanimously to concur and Alderman Klemm so moved, seconded by Alderwoman Bender. On the roll call of yeas and nays, Aldermen Toepfer, Endress, Helms, O'Neill, Boldt, Klemm, Bender, and Threadgill voted yea. The motion carried.

### **MAYOR'S REPORT**

- o City Planning Session December 29, 2005

As there was no other business to be transacted by the City Council, the meeting was adjourned at 7:48 p.m.

**LATACIA M. ISHMON, CMC**