

**CITY OF FREEPORT, ILLINOIS**  
**TUESDAY EVENING**  
**CITY COUNCIL MEETING**  
**FEBRUARY 19, 2002, 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 Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Dawson, and Jenkins. Absent was Alderwoman Steele.

**PLEDGE OF ALLEGIANCE**

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

**STATE OF THE CITY ADDRESS**

Mayor James Gitz gave the State of the City Address.

**APPROVAL OF MINUTES**

The Journal of the Minutes of the regular meeting held on February 4, 2002 was presented for approval. Alderwoman Bender moved, seconded by Alderman Gaulrapp for the approval of the minutes. The motion carried.

**CONSENT AGENDA**

- A. Approval to Receive and Place on File:
  - 1. Treasurer’s Report for period ending January 31, 2002
  - 2. Treasurer’s Investment Report for period ending January 31, 2002
  - 3. Fire Department Activities for January 2002
  - 4. City Planning Commission Report
- B. Approval of Water & Sewer Disbursements for February 2002 - \$211,112.08
- C. Approval of Bills Payable for February 2002
- D. Approval of Payroll for Pay Period January 27, 2002 – February 9, 2002

Alderwoman Bender moved, seconded by Alderman Gaulrapp to approve the consent agenda. On the roll call of yeas and nays, Aldermen Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Dawson, and Jenkins voted yea. The motion carried.

**1<sup>st</sup> READING ORDINANCE #2002-03**  
**(AS AMENDED) AN ORDINANCE AMENDING CHAPTER 482 (OFF-STREET PARKING LOTS) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS**

Alderman Jenkins, Public Works Vice-Chair, stated that the committee held a meeting on February 12, 2002. The committee discussed the ordinance prohibiting parking of trucks in the city lots. This was sent back to committee for clarification in the wording. Public Works Director, Craig LeBaron, Corporation Counsel, Sarah Griffin, and the Police Department decided on the wording that was mostly weight specific. The committee voted unanimously to approve the ordinance and Alderman Jenkins so

moved, seconded by Alderman Rinehart. This Ordinance was automatically laid over to the next regular meeting.

**REPORT**

The regular meeting of the Freeport Planning Commission was held on Thursday, February 7, 2002 in the City Hall Building. At 7:30 p.m., a public hearing was held on a petition by Tri Star Marketing, Inc., 1301 E. Washington Street, Box 17280, Urbana, IL, requesting a Special Use Permit under Section 1252.03(b) of the City of Freeport Codified Ordinances, to allow the sale of packaged liquor; for the property located at 610 W. South Street, Freeport. Present representing the petitioners was Attorney Dan Fishburn. The request meets all requirements of the Codified Ordinances; there were no objectors present.

Chairman Spudich read a letter from Director Mikkelsen regarding the issue of packaged liquor sales. (Letter is attached.) Attorney Fishburn stated that the Commission and the City have recently approved similar petitions.

The Planning Commission unanimously recommends the request be granted.

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

**1<sup>st</sup> READING ORDINANCE #2002-07**

**SPECIAL ORDINANCE FOR VARIATION, PERMIT OR AMENDMENT OF CODIFIED ORDINANCES OF FREEPORT, ILLINOIS (Special Use Permit, 610 W South St)**

Alderman Boldt, Community Development Committee member, stated that the committee held a meeting on February 11, 2002. The committee discussed the Special Use Permit for 610 West South Street with input from Dan Fishburn and Community Development Director, Jeff Mikkelsen. The committee voted unanimously to concur with the Planning Commission and Alderman Boldt so moved, seconded by Alderman Gaulrapp. Alderman Boldt moved, seconded by Alderman Gaulrapp that this Ordinance be laid over to the next regular meeting. The motion carried.

**REPORT**

The regular meeting of the Freeport Planning Commission was held on Thursday, February 7, 2002 in the City Hall Building. At 7:30 p.m., a public hearing was held on a petition by Gill's Freeport Raceway, Inc., d/b/a Freeport Raceway Park, 1910 S. Walnut Avenue, Freeport; requesting a Special Use Permit to allow automobile racing and other special events at the Freeport Raceway Park, consistent with prior years. The request meets all requirements of the City of Freeport Codified Ordinances. Present representing the Raceway were Randy Gill and Attorney Dave Olson. Attorney Olson spoke in favor of the request (see attached letter) and requested a permanent Special Use Permit. Mr. John Zajicek, an adjacent property owner, was present and explained to the Commission that a Special Use Permit goes with the land and not the owner or business, and although the Gills have worked to diminish the impact of the track on the surrounding area, another owner might not be so cooperative. It is important for the City to maintain control by annually reviewing the permit.

Commissioner Copus questioned the use of the word “consistent,” saying he felt that the word implied that the petition was for renewal of the permit exactly as it was last year and if he inferred this, then so would others, and the required notice is flawed. Commissioner Johnson expressed agreement with Mr. Copus.

Chairman Spudich stated she was pleased with the progress made by the Gills, but the noise issue has not been solved; she felt the permit should continue to be evaluated annually.

The Planning Commission unanimously recommends approval of the petition.

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

**1<sup>st</sup> READING ORDINANCE #2002-08**

**AN ORDINANCE TO ISSUE A SPECIAL USE PERMIT UNDER THE ZONING ORDINANCE OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT**

Alderman Boldt, Community Development Committee member, stated that the committee held a meeting on February 11, 2002. The committee discussed briefly the Special Use Permit for Freeport Raceway Park and received input from John Zajicek, an adjoining property owner. The committee voted unanimously to concur with the Planning commission and Alderman Boldt so moved, seconded by Gaulrapp. On the roll call of yeas and nays, Aldermen Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Dawson, and Jenkins. The Ordinance was approved.

**1<sup>st</sup> READING ORDINANCE #2002-09**

**AN ORDINANCE AMENDING CHAPTER 899 (ENTERPRISE ZONES) OF THE CODIFIED ORDINANCES OF THE CITY OF FREEPORT, ILLINOIS**

Alderman Boldt, Community Development Committee Member, stated that the committee held a meeting on February 11, 2002. Community Development Director, Jeff Mikkelsen, informed the committee that there were two requests for expansion of the Enterprise Zone: one for approximately 50 acres near Kent, Illinois and one for the shopping center at the southeast corner of South West Street and Young's Lane. The former is to accommodate the construction of an egg processing facility at Thompson's Pearl Valley Eggs, which will employ an estimated 15-20 skilled workers and indirectly create an additional 10-20 jobs. The latter is to assist Interactive Teleservices in establishing an outbound call center, which will create an estimated 100 new full time jobs and 150 new part-time jobs. This company plans to hire as many of the workers laid off by APAC as possible. Community Development Director, Jeff Mikkelsen, presented a proposal unanimously approved by the Enterprise Zone Advisory Committee, which extends the property tax abatement for companies that pass certain standards by the committee. This would require amending the existing Zone Ordinance. The committee voted unanimously to approve this ordinance and Alderman Boldt so moved, seconded by Alderwoman Veer. This Ordinance was automatically laid over to the next regular meeting.

**1<sup>st</sup> READING ORDINANCE #2002-10**

**AN ORDINANCE REPEALING ORDINANCE NO. 65-71, A SPECIAL USE PERMIT FOR CONSTRUCTION AND MAINTENANCE OF A FREE STANDING CANOPY FOR GREATER DOWNTOWN FREEPORT, INC.**

Alderman Boldt, Community Development Committee member, stated that the committee held a special meeting on February 19, 2002. The committee voted unanimously to approve this Ordinance and Alderman Boldt so moved, seconded by Alderwoman Bender. This Ordinance was automatically laid over to the next regular meeting.

**RESOLUTION #R-2002-07**

**RESOLUTION TO FINANCIALLY COMMIT TO THE CONSTRUCTION OF THE JANE ADDAMS TRAIL CONTINGENT UPON RECEIPT OF ILLINOIS DEPARTMENT OF NATURAL RESOURCES FUNDING**

**WHEREAS**, the City of Freeport is a member of and sends representatives to the Jane Addams Trail Commission; and

**WHEREAS**, the Jane Addams Trail Commission is seeking grants from the Illinois Department of Natural Resources for construction of the Jane Addams Trail; and

**WHEREAS**, the grant application requires a financial commitment from the participating governmental units.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** that the City Council of the City of Freeport, Illinois, hereby adopts this Resolution to commit \$3,650.00, for construction of the Jane Addams trail contingent upon receipt of the above grant funds.

Alderman Jenkins, Public Works Vice-Chair, stated that the committee held a meeting on February 12, 2002. A resolution for additional funding for the Jane Addams Trail was presented mostly for information's sake since it would then go to the Finance Committee. Basically, the Park District is applying for a grant of which ¼ of the city's matching funds would be \$3,650. The grant pays for 80%, the match is 20%, and Orangeville's share is \$6,180 since they are seeking a shelter and restrooms at their trailhead. The committee voted unanimously to adopt this resolution and Alderman Jenkins so moved, seconded by Alderman Dawson. Alderman Bush, Finance Chair, stated that the committee held a meeting on February 12, 2002. Public Works Director, Craig LeBaron presented to the committee a proposal for the Jane Addams Trail. Because the bids received were in excess of the available funds, the project had to be modified in order to re-bid it. Grant funds would cover 80%, the local match is 20%, which is \$3,650. The committee voted unanimously to adopt this resolution and Alderman Bush so moved, seconded by Alderwoman Bender. On the roll call of yeas and nays, Aldermen Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Dawson, and Jenkins voted yea. The Resolution was adopted.

**RESOLUTION #R-2002-08**

**RESOLUTION TO AUTHORIZE ACCEPTANCE OF BID FOR FIRE TRUCK**

**WHEREAS**, the City of Freeport is committed to providing good fire safety protection to the citizens of Freeport; and

**WHEREAS**, the current ladder truck is 26 years old and the manufacturer is no longer in business; and

**WHEREAS**, it is in the best interests of the citizens of Freeport to replace this vital piece of fire safety equipment; and

**WHEREAS**, the Fire Capital Improvement Fund has adequate funds to purchase a new truck; and

**WHEREAS**, the members of the Fire Department Truck Committee believes the bid proposed by Kovatch Mobil Equipment, is the best bid for the Fire Department and the citizens of Freeport.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FREEPORT, ILLINOIS** to approve the bid from Kovatch Mobil Equipment in the amount of \$697,012 for a 95-foot mid-mount ladder platform truck.

**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.

Alderman Rinehart, Public Safety Vice-Chair, stated that the committee held a meeting on February 13, 2002. Fire Chief, Jim Blackbourn, presented to the committee three bids for a new truck. The reason for the new fire truck is that the present one is 26 years old, and the company who manufactures the truck is no longer in service. Chief Blackbourn stated that the truck would be paid for out of the Capital Improvement Fund, with no tax dollars being used. The bids were as follows:

Pierce Manufacturing - \$747,888.00  
Mid America - \$724,365.00  
Kovatch Mobile Equipment - \$697,012.00

The committee voted unanimously to accept the lowest bid, Kovatch Mobile Equipment and Alderman Rinehart so moved, seconded by Alderwoman Bender. On the roll call of yeas and nays to adopt this Resolution, Aldermen Gaulrapp, Rinehart, Bender, Bush, Moore-Howard, Leitzen Fye, Goley, Veer, Jones, Boldt, Dawson, and Jenkins voted yea. The Resolution was adopted.

## **COMMITTEE REPORTS**

### **FINANCE**

Alderman Bush, Chair, stated that the committee held a meeting on February 12, 2002. Blaine Bickel, a consultant with Black and Veatch, gave a presentation regarding Water & Sewer rates. The study showed that there is a need to increase the sewer rate from \$1.47 to \$1.59 per cubic feet. Mr. Bickel explained that the last time the rates were increased was 1994, which was to last until 2000. The rates have been stretch for two years, which has the revenue down. There will also be a change in the residential rate for water fees. These rates will go in effect May 1, 2002. Alderman Bush requested that this issue be laid over until the next Finance Committee meeting in order to allow the other council members time to look over the study. There was no action taken.

The committee voted to recommend that the Council receive the city's audit report and place it on file.

The committee went into executive session to discuss the purchase of land. There was no action taken.

**PUBLIC SAFETY**

Alderman Rinehart, Vice-Chair, stated that the committee held a meeting on February 13, 2002. Police Chief, Dave Kentner, updated the committee on a new Bill currently in legislation regarding licensing of law enforcement. The Bill would require specific continuing training for police officers. Chief Kentner went on to say that any new laws pertaining to training efforts for the Freeport Police Department would not impact our current training program. The current requirements mandated by the Police Department already exceed those being discussed in the new legislation.

Alderman Dawson announced that the Fire Task Study Committee would meet on February 27, 2002 at 5:00 pm, at Fire Station #1 on Park Boulevard.

**PUBLIC WORKS**

Alderman Jenkins, Vice Chair, stated that the committee held a meeting on February 12, 2002. Black & Veatch did a presentation explaining that our current Water and Sewer rates are the result of a 1994 study and were projections to cover revenues needed until April 2000. As a result, we are currently stretching revenues two years and the revenues are lower than the expenses.

Restructuring the rate plan to reduce residential rates to the same as all other users and increasing the rates 7.5% the first year with 4.4 to 5.1% each year for the following four years would keep revenues and expenses closer. We could look at this five-year plan and spread it over seven years, since we just went through two years without an increase. The results would be about \$1.00 per month to a typical resident user.

Also, Water & Sewer Director, Alice Orhtmann, provided comparisons of regional rates showing that we were not the lowest, but certainly lower than most.

The committee voted unanimously to approve the recommendations and pass them on to the Finance Committee.

Alderman Leitzen Fye updated the committee concerning the Freeport Downtown Development's parking subcommittee's progress on their recommendation for downtown parking. There will be upcoming discussions with all levels of the Administration as well as ordinance change recommendations.

The Lincoln Douglas Center applied for a loading zone on Exchange Street across from the old jail building. Since Alderman Leitzen Fye was present, she was asked to stay for this discussion. Nicole Bauer explained the needs and hardships of tenants and patrons. Lyle Krug explained they had been dealing with parking complications for 20 years since they purchased the empty building and restored it. Two of their efforts to gain parking were to purchase the old Vanco building for the parking area and to purchase and remove two houses on Douglas Street to make parking there.

All loading zones have been denied pending results from the FDDF parking subcommittee. During the discussion, Alderman Leitzen Fye explained that the "parking core area" started at Van Buren and went east therefore a loading zone could be allowed since this was out of the area in question. Public Works Director, Craig LeBaron confirmed that for the purpose of legal issues downtown is defined as Jackson

to Clark & Cherry to Liberty. There were also two other boundaries discussed, one of which was the enterprise zone. There is obviously a need to decide which boundaries will define the downtown for the purpose of parking standards.

The committee decided to lay the issue over until the next meeting pending investigation. Specifically the need for no parking except police vehicles in front of the old jail, and to look into need for short term parking on the block because the Workplace had also recently requested a loading zone permit.

### **COMMUNITY DEVELOPMENT**

Alderman Boldt, member, stated that the committee held a meeting on February 11, 2002. The committee voted unanimously to recommend approval of an ordinance amending the boundaries of the Enterprise Zone, which would allow the expansion of the of the Enterprise Zone for Thompson's Pearl Valley Eggs and the Interactive Teleservices establishment.

The committee also voted unanimously to recommend approval of a resolution authorizing an amendment to the Enterprise Zone Intergovernmental Agreement, which would allow the expansion of the of the Enterprise Zone for Thompson's Pearl Valley Eggs and the Interactive Teleservices establishment.

Mayor Gitz addressed the committee requesting that they hold a special meeting to deal with three issues: the downtown canopy, storage of boats & RV's, and the Enterprise Zone extension of benefits.

The members present scheduled a special meeting for Tuesday, February 19, 2002 at 6:00 pm.

### **TECHNOLOGY**

Alderman Boldt gave an overview on the current works of the consortium. Alderman Gaulrapp, Chair, announced that the next meeting would be March 5, 2002 at 6:30 pm, in City Council Chambers.

### **DEPARTMENT HEAD REPORTS**

Fire Chief, Jim Blackbourn, thanked everyone for the vote for the purchase of a ladder truck. He stated that estimated time for delivery is one year.

### **NEW BUSINESS**

Alderman Rinehart announced that the Fire Task Study Committee would meet on February 27, 2002 at 5:00 pm, at Fire Station #1

Alderman Bender invited everyone to attend the reception for Congressman Manzullo.

Alderman Bush stated that he was quite pleased to hear about the commitment to the hearing officer in the mayor's State of the City Address. He also stated that he is very bothered that President Bush is eliminating Community Policing.

Aldерwoman Leitzen Fye thanked the parking subcommittee for all of their hard work. She stated that City Council and Freeport Downtown Development are working under multiple sets of boundaries. She stated that regarding façade improvement, there is great work being done. She also thanked Alderman Jenkins for his full committee reports. She stated that it benefits the council greatly to know what went on in committee meetings.

Alderman Goley gave kudos to the Freeport Police Department. He stated that he was working unusually late one night and police officers stopped in his establishment to see if everything was all right. He also asked when the streetlights on Main Street would be back in sync.

Alderman Jenkins thanked Aldерwoman Leitzen Fye for her compliment.

Mayor Gitz stated that he appreciates the support for the purchase of a new ladder truck. He stated that it would be a wonderful statement if the council members attended the reception for Congressman Manzullo on Thursday, February 25, 2002, at 7:00 am. He thanked Jim Fox and Fehr-Graham for sponsoring the event.

**PUBLIC COMMENTS**

Jim Sacia, candidate for State Representative, addressed the council and the public regarding his campaign.

Police Chief, Dave Kentner, stated that there has been many cuts made that affect the policing programs.

As there was no other business to be transacted by the City Council, the meeting was adjourned at 8:10 p.m.

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**LATACIA M. ISHMON  
CITY CLERK**